

MINUTES – TOWN OF ALLEGANY PUBLIC HEARING AND REGULAR BOARD MEETING THURSDAY AUGUST 12, 2010 7PM TOWN HALL

PRESENT WERE: Supervisor Eaton Councilman Jonak
Councilman Sendlakowski Councilman Hitchcock
Councilman Hare Hwy Superintendent Gleason
Attorney W. Tuttle Town Clerk M. Peck

ALSO PRESENT: J.Rouleau, D.Sue, G. Ayers, Pearsalls, J.Crisafulli, C.Horowitz, H.Larsen, P. Winger, F.Defiore, C.Fortuna, R. Kavanagh

ABSENT: Comptroller C. Hemphill

Salute to the Flag at 7:00 pm opened the meeting and Public Hearing

Public Hearing on the Early Retirement Incentive Supervisor Eaton opened the meeting for comments on the Early Retirement Incentive offered by the State of New York for eligible employees. No one commented. Therefore:

#182-MOTION TO CLOSE PUBLIC HEARING ON THE EARLY RETIREMENT INCENTIVE

Motion by Jonak to close the public hearing on the Early Retirement Incentive. 2nd by Hare. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare-aye, Eaton-aye. CARRIED.

Public Hearing closed at 7:01 pm.

AUDITED CLAIMS

| | | | |
|---------|-------------|--------|--------------|
| Gen A | \$78,667.72 | Hwy DA | \$8,648.67 |
| Gen B | \$67,525.69 | Hwy DB | \$215,468.60 |
| Sp Dist | \$50,908.16 | | |

MONTHLY REPORTS

| | |
|-------------------|--------------------|
| Town Clerk | Highway Dept. |
| Building & Zoning | Recreation & Parks |

#183-MOTION TO APPROVE MINUTES

Motion by Jonak to approve the minutes from the July 8, 2010 regular board meeting and public hearings as written. 2nd by Hitchcock. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare-aye, Eaton-aye. CARRIED.

#184-MOTION TO APPROVE MINUTES

Motion by Hare to approve the minutes from the July 12, 2010 regular board meeting and public hearing as written. 2nd by Sendlakowski. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare-aye, Eaton-aye. CARRIED.

#185-MOTION TO APPROVE MINUTES

Motion by Jonak to approve the minutes from the July 29, 2010 special board meeting and public hearing as written. 2nd by Hitchcock. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare-abstain, Eaton-aye. CARRIED.

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CORRESPONDENCE

1. Memo from C.Horowitz regarding Bona Square Revised Development Plan
2. Part 2 & 3 Catt. Co. Planning Board referral for Bona Square Dev. Re-zoning
3. Copy of shared services agreement between City of Olean and Town of Allegany
4. Catt. Co. Treasurer Sales Tax receipts comparisons from 2007 to present
5. Memo from Town of Barker Supervisor regarding Marcellus Shale resolution ***** this will be typed over to read “ Town of Allegany” and be on 8/26/10 agenda *****
6. NYS Public Service – update on filing RE: NYSEG Rate Cases(2)
7. NYS Public Service Commission – Re: examining the mobile testing requirements of the Electric Safety Standards
8. NYMIR – Worker’s comp. selective loss report
9. St. Bonaventure – RE: Student-engagement opportunities ***** to check with Village *****
10. NYS Ag & Markets – Municipal Shelter Inspection Report of SPCA 7/20/10 UNSATISFACTORY
11. Notice of Decision- Town of Allegany Planning Board regarding Carter Auction House
12. Catt. Co. Dept. of Economic Dev, Planning & Tourism – request for businesses in area
13. Time Warner Cable – notice of changes in programmings
14. Exit 24 Water financing plans (revised 5 years) ***** Discussions between who is going to pay for this waterline ; Exit 24 and Roosa *****
15. Complaint #5 of 2010 *****Supervisor Eaton to speak with CEO about this *****
16. Town of Allegany Planning Board minutes from the June 14, 2010 meeting.
17. Town of Allegany Planning Board minutes from the June 30, 2010 special meeting.

NEW BUSINESS

#186 – MOTION TO AUTHORIZE SUPERVISOR TO SIGN

Motion by Hitchcock to authorize the Town Supervisor to sign the Contract Modification with Cattaraugus County for the Exit 24 water line. 2nd by Sendlakowski. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare-aye, Eaton-aye. CARRIED.

#187-MOTION TO ACCEPT CHANGE ORDER #3 FOR EXIT 24 WATER LINE

Motion by Eaton to accept the change order #3 for Exit 24 water line in the amount of \$1093.91. 2nd by Jonak. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare-aye, Eaton-aye. CARRIED.

#188-MOTION TO AUTHORIZE PURCHASE OF GAS-POWERED BLOWER

Motion by Jonak to purchase the gas-powered blower with the City of Olean to pay ½; Our payment will be taken from contingency fund. 2nd by Eaton. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare-aye, Eaton-aye. CARRIED.

#189-MOTION TO COMMIT FUNDS FOR RADIO EQUIPMENT WITH THREE OTHER ENTITIES

Motion by Eaton that the Town of Allegany commit up to \$2200.00 towards the purchase of radio equipment (taken from contingency fund) contingent on the Village of Allegany, St. Bonaventure University and Allegany Fire Dept. also pay their share of this project. 2nd by Sendlakowski. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare-aye, Eaton-aye. CARRIED.

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#190-MOTION TO AUTHORIZE EARLY RETIREMENT INCENTIVE (PART A) LOCAL LAW #2 OF 2010

Motion by Eaton that the Town Board of the Town of Allegany, as follows: (Part A) The Town of Allegany hereby elects to provide all of its eligible employees with a retirement incentive program authorized by Chapter 105, Laws of 2010. The commencement date of the retirement incentive program shall be October 1, 2010. The open period, during which eligible employees may retire and receive the additional retirement benefits, shall be 90 days in length. The actuarial present value of the additional retirement benefits payable pursuant to the provisions of this local law shall be paid as one lump sum, or in five annual installments. The amount of the annual payment shall be determined by the Actuary of the New York State and Local Employees' Retirement System, and it shall be paid by the Town of Allegany for each employee who receives the retirement benefits payable under this local law. This act shall take effect 08/12/10. 2nd by Hare. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare-aye, Eaton-aye. CARRIED.

#191-MOTION TO AUTHORIZE EARLY RETIREMENT INCENTIVE PART B (LOCAL LAW #2 OF 2010)

Motion by Eaton that the Town Board of the Town of Allegany as follows: The Town of Allegany hereby elects to provide all of its eligible employees with a retirement incentive program authorized by Chapter 105, Laws of 2010. The commencement date of the retirement incentive program shall be October 1, 2010. The open period, during which eligible employees may retire and receive the additional retirement benefits, shall be 90 days in length and shall end on December 29, 2010. The actuarial present value of the additional retirement benefits payable pursuant to the provision of this local law shall be paid as one lump sum, or in five annual installments. The amount of the annual payment shall be determined by the Actuary of the New York State and Local Employees' Retirement System, and it shall be paid by the Town of Allegany for each employee who receives the retirement benefits payable under this local law. This act shall take effect August 12, 2010. 2nd by Hitchcock. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare-aye, Eaton-aye. CARRIED.

UNFINISHED BUSINESS

1. Discussion on Planned Development District (Bona Square) ***** there was much discussion on the "Planned Development District" for the proposed Bonaventure Square project ***** issues discussed were regarding the "ring road" that is to be around the project, it's dedication to the town, how close to the rear of the project it will be, how will the town plow snow, the exits and entrances onto the main Route 417. Councilman Hare would like the residential area in the rear of the project to be kept "as residential as possible" the residents should not have to give up their backyards to all the actions within the project once completed. Fencing may be the answer to keep the two areas separated. Having a traffic light and a traffic study were discussed. Per Phil Winger of SBU, the developer would like to begin construction in the Spring of 2011. There are still issues that need to be addressed.

COMMITTEE REPORTS

- Supervisor Eaton – spoke with Tom Becker's office and was advised that the grant application is in Washington D.C. awaiting approval. The application was complete.
- Personnel committee to meet with department heads.

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- Five Mile Cemetery issues will be on the next agenda for discussion as Supervisor Eaton would like to speak with Cindy Craig of NYS regarding this.
- Councilman Hare – finally spoke with Sharon Hanson of Time Warner Cable, but there is nothing much new since the beginning of the contact in February 2010.

From the floor: nothing

#192-MOTION TO ADJOURN MEETING

Motion by Hitchcock to adjourn meeting. 2nd by Sendlakowski. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare-aye, Eaton-aye. CARRIED

Meeting adjourned at 8:45 pm

Respectfully submitted,

Mary M. Peck, Town Clerk
8/13/10