

PRESENT WERE: Supervisor Eaton Councilman Higgins  
Councilman Potter Councilman Hitchcock  
Councilman Wolf Hwy Superintendent J. Moshier  
Town Attorney W. Tuttle Comptroller C. Hemphill  
Town Clerk M. Peck

ALSO PRESENT: R. Pearl-Lamphier, J. Dzuroff, F. Pezzimenti, G. Scott,  
townspeople and news media.

Salute to the Flag at 7:00 pm opened the meeting. Supervisor Eaton began the meeting with a tribute to Brady Smith, John Wagner, Matt Boyd, Brennen Smith, Brad Smith and Bill Knell. These young men pulled resident, Landona First from her burning trailer. Fire Chief Fran Pezzimenti and Fire Dept. President Gordon Scott presented plaques to each of these fine young men for their efforts and bravery. Also present was Landona's daughter, Ann.

AUDITED CLAIMS

Gen A	\$90,465.51	Hwy DA	\$43,443.97
Gen B	\$4,989.39	Hwy DB	\$73,077.43
Sp Dist	\$84,150.36		

MONTHLY REPORTS

Town Clerk	Building & Zoning
Recreation & Parks	Highway Department

Town Justice D. Porter - report for August 2006 - amount to Supervisor \$7180.00  
Town Justice A. Spears - report for August 2006- amount to Supervisor \$8937.00

#1-MOTION TO APPROVE MINUTES

Motion by Higgins to approve the minutes from the August 24, 2006 minutes as written. 2<sup>nd</sup> by Wolf. Higgins-aye, Potter-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

CORRESPONDENCE

1. NYS DEC invitation to attend the annual joint inspection of the Olean Flood Protection Project on 10/4/06 at 8am- 150 Charles St., Olean., NY
2. NYS Dept. of State - application deadline for Shared Municipal Services Incentive Awards Program
3. Letter from R. Butinski regarding W. Franklin Street.
4. NYS DEC - application notification for Water Quality Improvement Project
5. EAST Resources - notice of continued Rumsey Lease development
6. NYSEG - Notice of Natural Gas Emergency Response Training
7. Everpower - DVD and pamphlets on wind energy
8. Catt. Co. Real Property - Tax bill and roll printing fee
9. Time Warner Cable - notice of NFL Network
10. Letter from Atty. G. Yaw regarding the Wiltsie Crsrds. Water District

NEW BUSINESS

- Request from Celeste Drive resident for Stop Sign at corner of Scenic Drive and Celeste Drive \*\*\* **per Hwy. Superintendent there was a STOP sign there at one time and someone must have removed it. There has been a replacement put back in.** \*\*\*
- Transfer request from 60 + Planning Board. \*\*\* **it was decided that the contingency account is for keeping the town running and there is a few more months left to go** \*\*\*

UNFINISHED BUSINESS

- Dog shelter construction \*\*\***TABLE**\*\*\*
- Shared services contract \*\*\* **Attorney Tuttle is working on this issue** \*\*\*
- Local Law for Grievance Day \*\*\* **Attorney Tuttle is working on this issue** \*\*

OTHER BUSINESS

- Memo from Dog Control Officer on handling the enforcement of dangerous dog laws, pursuant to Section 3, Article 7, of the NYS Ag & Markets Law (p. 12). **Attorney Tuttle will look into this matter. (TABLE)**

#2-MOTION TO ACCEPT TRANSFERS FROM TOWN COMPTROLLER

Motion by Eaton to accept the following transfers per the memo from the Town Comptroller:

\$640.00 from A6772.12 Sixty Plus Supv PS to A6772.4 Sixty Plus CE

\$700.00 from A7110.20 Parks EQ to A7110.4 Parks CE

\$351.18 from A1650.2 Central Comm. EQ to A4050.4 Public Health CE

\$400.00 from A1650.2 Central Comm. EQ to A710.4 Parks CE

\$400.00 from A7150.4 Sp. Rec Facilities CE to A7150.1 Sp. Rec Fac. PS

\$6642.22 from DA5142.1 Snow PS to DA5130.2 Machinery EQ

\$10,000.00 from DB9060.8 Medical Ins to DB5110.4 Gen. Repairs CE

2nd by Potter. Higgins-aye Potter-aye, Hitchcock-aye, Wolf-aye, Eaton-aye.

CARRIED.

#3-MOTION TO ACCEPT BUDGET ADJUSTMENTS

Motion by Eaton to accept the following budget adjustments:

Increase Estimated Revenues DA510 \$25,070.00

Sale of Scrap DA2650 \$500.00

Sale of Equip DA2665 \$24,570.00

Increase Appropriations DA960 \$25,070.00

Machinery EQ DA5130.2 \$25,070.00 -- this is to allow for the expenditure of monies received over budget estimates. 2<sup>nd</sup> by Potter. Higgins-aye, Potter-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

COMMITTEE REPORTS

- **Supervisor Eaton** - a member of a Military Support Group. They cannot meet at the Red Cross Building anymore for whatever reasons. He has spoken with Mark Lombardo about possibly using the recreation department on the 2<sup>nd</sup> floor to meet. This group meets on Thursday evenings. They also need somewhere to store fund raising supplies. The question is if the Town Board would be okay with this issue and what to do with keys to the outside doors of the town hall. Between four to twenty people meet. If the need arises to need another meeting room, Mr. Eaton just wants to make sure it is okay with the town board.
- **Supervisor Eaton** -requests that the Town Attorney attend the next planning board meeting and zoning board of appeals meeting. Also, how is the Wal-Mart escrow account coming?
- **Councilman Potter** - regarding the plea-bargaining agreement with the NYS Troopers. Gov. Pataki vetoed the bill to continue this plea-bargain agreement. The measure passed in the Assembly, but it is unknown how the matter went with the Senate. Giglio's office does support an override of Gov. Pataki's veto. Councilman Potter would like the town to write a letter to Senator Young and Assemblyman Giglio's office to express our dissatisfaction with this change. The current system works and it is cost effective, therefore it should remain. Councilman Potter is to write letter for Supervisor Eaton to sign.
- **Assessment Committee**- CAP - Councilman Hitchcock, Councilman Potter, Assessor Robin Pearl-Lamphier met with D. Fisher of NYS ORPS, and Town of Ellicottville Supervisor, N. Stocker. They discussed the issue of sharing an assessor. If this is done, NYS offers a payment of \$7/parcel to the municipality and they also have an enhanced program for \$5/parcel. (both one-time payments). There are certain criteria to meet. It is also a 10-year commitment. If a party backs out, then they must repay the state. There is a contract and the Town Attorneys will review.
- **Councilman Potter** - Mr. Stocker did some research regarding the County and taking over of voting issues. Some towns are paying far more than other municipalities towards the elections costs. The County Legislators for our district will be contacted to see if this could become a budget item for the county instead of the towns.

From the Floor:

- **Robert Butinski** - spoke about his letter to the Board. He would like to have Rontina change the way they park their cars as they are slanted towards the road. Also, the semis - they are always going in and out of there. Since they sell Hallmark Cards, they should use Fed-Ex or UPS.
- **Jason Crisafulli** - there has been a change in plans regarding the water district at Wiltsie Crossroads. Supervisor Eaton advised that he spoke with the Town Engineer yesterday. If the Town goes ahead with the water district, it will take much more time than if a private water system were to be installed, and then dedicate it to the Town. If water work is done by Kinley, it must be done under the Water/Sewer Superintendent's supervision.

#4-MOTION TO ADJOURN TO EXECUTIVE SESSION ON PERSONNEL

Motion by Eaton to adjourn to executive session on personnel matters in the assessor's office. 2<sup>nd</sup> by Higgins. Higgins-aye, Potter-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

Regular session ended at 7:40 pm.

#5-MOTION TO ADJOURN EXECUTIVE SESSION AND REGULAR SESSION

Motion by Eaton to adjourn executive session and regular meeting. 2<sup>nd</sup> by Potter. Higgins-aye, Potter-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

Meeting Adjourned at 7:55.

Respectfully submitted,

Mary M. Peck  
Town Clerk  
9/21/06