

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

Also present: R. Pearl-Lamphier, J.Dzuroff, M.Lombardo and townspeople

ABSENT: Councilman Wolf

Salute to the Flag at 7:00 PM opened the meeting.

Bids - diesel fuel (highway department) \*\*\* 1 bid from Rinker Oil of Cuba NY:  
#2 Diesel (ultra low sulfur) \$1.789/gal  
Winter Blend 60/40 \$1.819/gal and this bid is for 1/15/07 through  
1/15/08. These prices will increase or decrease only to reflect any increase or decrease  
that Rinker Oil receives from their suppliers. A non-collusive bidding certificate was  
also included with the bid.

#1-MOTION TO APPROVE MINUTES

Motion by Higgins to approve the minutes from the 12/28/06 Public Hearing and  
end of year meeting as written. 2<sup>nd</sup> by Hitchcock. Higgins-aye, Potter-aye,  
Hitchcock-aye, Eaton-aye. CARRIED.

#2-MOTION TO APPROVE MINUTES

Motion by Potter to approve the minutes from the 1/2/07 organizational meeting  
as written. 2<sup>nd</sup> by Higgins. Higgins-aye, Potter-aye, Hitchcock-aye, Eaton-aye.  
CARRIED.

MONTHLY REPORTS

Town Clerk	Parks & Recreation
Highway Department	Building & Zoning

Town Justice D. Porter - report for December 2006 - amt to Supervisor - \$7824.00  
Town Justice A. Spears - report for December 2006 - amt to Supervisor - \$8865.00.

AUDITED CLAIMS

Gen A (current) \$47,201.53	Hwy DA (current) \$7,246.80
A. P. \$3,215.63	A. P. \$1,248.97
Gen B \$519.50	Hwy DB \$6,671.41
Sp Dist \$750.00	

CORRESPONDENCE

1. Planning board minutes from the 12/11/06 meeting.
2. Letter from Richard (Bud) Bronold regarding the complaint from 12/06.
3. NYS Assoc. of Towns notice of annual dues.

4. Catt. Co. Real Property Services - invoice for assessment services 1/1/07 thru 7/1/07.
5. NYS letter and booklet regarding Quality Communities Task Force on land strategies.
6. Memo from Town Engineer regarding Town Hall necessary repairs.
7. NYMIR - letter regarding loss control recommendations (and reply) \*\*\* #6 & #7 **will be referred to the Building & Grounds Committee for action** \*\*\*
8. STW - Municipal Membership Program for 2007
9. NYS DEC - Vehicle Dismantler Facilities \*\*\* **CEO to advise DEC that we have none in Allegany** \*\*\*
10. Snyder Bros., Inc. - notice of drilling operations on Nichols Run road
11. NYMIR - semi-annual loss report for 7/1/06 - 12/31/06

#### NEW BUSINESS

1. Storage Area issue for all departments \*\*\* **this will be referred to Town Engineer** \*\*\*
2. Harter, Secrist & Emery LLP - 1<sup>st</sup> amendment to escrow agreement for water system analysis

#### #3-MOTION TO AUTHORIZE SUPERVISOR TO SIGN

Motion by Potter to authorize the Town Supervisor to sign the First Amendment to Escrow Agreement Water System Analysis Agreement with Wal-Mart. 2<sup>nd</sup> by Hitchcock. Higgins-aye, Potter-aye, Hitchcock-aye, Eaton-aye. CARRIED.

#### #4-MOTION TO ACCEPT RESIGNATION

Motion by Eaton to accept the resignation letter from Patricia Karl. 2<sup>nd</sup> by Potter. Higgins-aye, Potter-aye, Hitchcock-aye, Eaton-aye. CARRIED.

#### #5-MOTION TO ENTER INTO AGREEMENT WITH CATT CO TO SPEND TOWN HIGHWAY FUNDS.

Motion by Eaton to enter into an agreement with Cattaraugus County to Spend Town Highway Funds. 2<sup>nd</sup> by Hitchcock. Higgins-aye, Potter-aye, Hitchcock-aye, Eaton-aye. CARRIED.

#### #6-MOTION TO AUTHORIZE SUPERVISOR TO SIGN LIBRARY AGREEMENT

Motion by Higgins to authorize the supervisor to sign the library agreement with the Village for 2007. 2<sup>nd</sup> by Eaton. Higgins-aye, Potter-aye, Hitchcock-aye, Eaton-aye. CARRIED.

3. Primary Dog Kennel Agreement with Town of Portville \*\*\***TABLE**\*\*\*

#### #7-MOTION TO ACCEPT DIESEL FUEL BID

Motion Eaton to accept the Diesel Fuel Bid from Rinker Oil Co., 29 Water Street, Cuba, NY 14727 at the prices of \$1.789/gal for #2 Diesel (ultra low sulfur) and \$1.819/gal for winter blend 60/40 and prices to increase or decrease only to reflect any increase or decrease that is received from Rinker's suppliers. A non-collusive

bidding certificate is enclosed. 2<sup>nd</sup> by Potter. Higgins-aye, Potter-aye, Hitchcock-aye, Eaton-aye. CARRIED.

OTHER BUSINESS

1. Review of Employee Handbook \*\*\* **Supervisor Eaton & Councilman Hitchcock to work on this** \*\*\*
2. Review of Dog Ordinance \*\*\***TABLE**\*\*\*
3. Review of Worker's Compensation Issue \*\*\***TABLE**\*\*\*
4. Town & Village Dog Control Agreement \*\*\***TABLE**\*\*\*

#8-MOTION TO APPOINT PLANNING BOARD CHAIRMAN

Motion by Eaton to appoint John Hare as the planning board chairman for the year 2007. 2<sup>nd</sup> by Potter. Higgins-aye, Potter-aye, Hitchcock-aye, Eaton-aye. CARRIED.

COMMITTEE REPORTS

#9-MOTION TO SET TOWN BOARD MEETING

Motion by Eaton to set a Town Board Meeting for February 13<sup>th</sup> at 7pm at the Town Hall to conduct Regular Business. 2<sup>nd</sup> by Potter. Higgins-aye, Potter-aye, Hitchcock-aye, Eaton-aye. CARRIED.

\*\*Supervisor Eaton spoke with the Village about the Village taking the planning & zoning classes with the Town and sharing the costs. Councilman Potter will have the resolution for this issue for the next board meeting. \*\*\*

\*\* Attorney Tuttle advises that the intermunicipal agreement is still being worked on. \*\*

\*\*Highway Superintendent advises that the roof at the highway garage is leaking and needs to be fixed. Also, the 911 signs are ordered and should be in by February. \*\*

From the Floor:

#10-MOTION TO ADJOURN MEETING

Motion by Potter to adjourn the meeting. 2<sup>nd</sup> by Higgins. Higgins-aye, Potter-aye, Hitchcock-aye, Eaton-aye. CARRIED.

Meeting adjourned at 7:50 pm

Respectfully submitted,

Mary Peck, Town Clerk  
1/22/07