

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

ALSO PRESENT: Robin Pearl-Lamphier-Assessor, M.Lombardo, J.Dzuroff,
townspeople and news media.

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

#1-MOTION TO APPROVE MINUTES

Motion by Potter to approve the minutes from the September 22, 2005 regular board meeting as written. 2nd by Wolf. Higgins-aye, Potter-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

MONTHLY REPORTS

Town Clerk	Highway Superintendent
Recreation & Parks	Building & Zoning

Town Justice E. Allen - report for Sept. 2005 - amount to Supervisor- \$7540.50

Town Justice A. Spears - report for Sept. 2005 - amount to Supervisor - \$12,148.75

CORRESPONDENCE

1. Copy of letter from L. Tiller to Village & Town Boards regarding the BONAGANY
2. Catt. Co. Real Property Services - request for information for special districts and town budgets.
3. Catt. Co. Real Property Services - bill for tax bill processing.
4. Catt. Co. Real Property Services - bill for Assessment Services 10/1/05-12/31/05
5. Snyder Bros. Inc. notice of drilling operations on Nichols Run Road
6. Catt. Co. DPW - memo regarding Hazard Mitigation
7. NYMIR - Handbook - Getting Ready for Fall & Emergency Evacuation Plans
8. NYS Lt. Gov. - notice of grant programs availability

UNFINISHED BUSINESS

1. Attorney Tuttle - Cranberry Rd. abandonment - *** to have Glenn Cooley look at and give a description and then have highway superintendent review the description. The Town then can decide what they would like to do next.
2. Councilman Higgins - fence bids for softball field -

#2-MOTION TO APPROVE TRANSFER

Motion by Higgins to approve a transfer of \$2300.00 from contingency to recreation funds for finishing the fencing at the girl's softball field. 2nd by Potter.

DISCUSSION: Councilman McMullen believes that the original plan included this fencing section. Perhaps we should look at the original bid proposal from Lotter & Lotter to see what it says. Roll Call Vote: Higgins-aye, Potter-aye, McMullen-nay, Wolf-nay, Eaton-nay. DEFEATED.

#3-MOTION TO APPROVE TRENDING SERVICES PROPOSAL

Motion by Eaton that the Town of Allegany accept the proposal from GAR & Associates for the trending services for 2006. 2nd by Potter. DISCUSSION: Supervisor Eaton provided reasons why he felt that GAR was the best qualified. The 1st company, KLW Group was very new to this area of revaluations/trending process; and the last company, MBA Consulting & Co., was three times more than the others. Therefore, GAR was chosen to continue. Roll Call Vote: Higgins-aye, Potter-aye, McMullen-nay, Wolf-aye, Eaton-aye. CARRIED.

NEW BUSINESS

1. Attorney Tuttle - permission from DEC to install sidewalks along Plaza Drive to Wal-Mart *** Attorney Tuttle to contact DEC about this issue.
2. Approve consultant/engineering services proposals (COR & Wal-Mart)

#4-MOTION TO APPROVE CONSULTANT/ENGINEERING SERVICES PROPOSAL

Motion by Eaton to approve the contract for Wendel Duchscherer to be the consultant/engineering company for the Wal-Mart expansion and COR Development projects. 2nd by Higgins. Higgins-aye, Potter-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

#5-MOTION TO SET PUBLIC HEARING ON 2006 TOWN BUDGET

Motion by Eaton to set a Public Hearing for the 2006 Town Budget for Thursday, October 27, 2005 at 7:00 pm at the Town Hall. 2nd by Potter. Higgins-aye, Potter-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

#6-MOTION TO AUTHORIZE SUPERVISOR'S SIGNATURE

Motion by McMullen to authorize the Supervisor to sign a resolution for the Town of Allegany to enter into agreements with the Cattaraugus County Youth Bureau/New York State Office of Children and Family Services to run youth programs for the 2006 program year ending 12/31/06. 2nd by Potter. Higgins-aye, Potter-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

#7-MOTION TO SEND COR DEV. REQUEST FOR ZONING CHANGE TO PLANNING BOARD FOR REVIEW

Motion by Eaton to forward on the COR zoning request change to the Town of Allegany Planning Board for review. 2nd by Potter. Higgins-aye, Potter-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

#8-MOTION TO ALLOW POTTER LUMBER COMPANY TO OBTAIN PERMIT TO OPERATE ON TOWN ROADWAYS

Motion by Eaton that per the Potter Lumber Co. request, the Town will allow permits to be issued upon written request to allow vehicles to operate on town roads at legal limits. This will expire at 12:00am on 10/31/05. 2nd by Potter. Higgins-aye, Potter-abstain, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

OTHER BUSINESS

#9-MOTION TO AWARD ASBESTOS REMOVAL BID

Motion by Wolf to award the asbestos removal job to Empire Bldg. Diagnostics of Depew, New York for \$2100.00. 2nd by Eaton. DISCUSSION: there were 2 bids received and the other bid from Lambert's Asbestos Removal Service, Inc. was for \$8700.00. Councilman Wolf felt that since Empire Bldg. Diagnostics was less expensive and that they were currently working in town, they were the better choice. Vote: Higgins-aye, Potter-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

Attorney Tuttle: she is to write a draft letter to Cattaraugus County on the workmen's compensation issue. THIS IS TABLED UNTIL A REPLY IS RECEIVED.

COMMITTEE REPORTS

Councilman Higgins: would like to raise all other employees' wages at least a minimum amount, i.e. - Zoning Board of Appeals, Planning Board, Town Hall custodian, etc.

Supervisor Eaton: advised that he asked Planning Board and Zoning Board of Appeals members if they wanted more money, and they said no, since there will be more meetings coming up, therefore, they will be paid more anyways

#10-MOTION TO APPROVE BUDGET TRANSFER

Motion by Potter to approve the following budget transfer: increase DB510- Estimated Revenues by \$2,916.45, DB3501 CHIPS and increase DB960 Appropriations by \$2916.45, DB5112.2 CHIPS. 2nd by Eaton. Higgins-aye, Potter-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

#11-MOTION TO APPROVE TRANSFERS

Motion by Potter to approve the following transfers: \$600.00 from A7110.14 Parks Maintenance PS to A7110.4 Parks CE; \$5000.00 from DA9950.91 Trsfr to Capital (Salt Storage) to DA5130.1 Machinery PS; \$104.90 from SS8110.4 Sewer CE to SS9710.7 Sewer Bond Interest. 2nd by Eaton. Higgins-aye, Potter-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

From the floor:

Mel Duggan - questioned the Assessor that if they have a person that is interested in purchasing a home and moving into Allegany, is it possible to find out an approximate amount of what the property taxes might be so it does not come as a big surprise?

Robin Pearl-Lamphier - if the purchase price is known, then there is a way that the taxes can be figured to get an idea of what they may be.

#12-MOTION TO ADJOURN TO EXECUTIVE SESSION ON PENDING LITIGATION

Motion by Eaton to adjourn to executive session on pending litigation. 2nd by Higgins. Higgins-aye, Potter-aye, McMullen-aye, Wolf-aye, Eaton-aye.
CARRIED.

#13-MOTION TO ADJOURN EXECUTIVE SESSION AND REGULAR MEETING

Motion by Eaton to adjourn executive session and regular meeting. 2nd by Wolf. Higgins-aye, Potter-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

Meeting adjourned at 9:30 pm

Respectfully submitted,

Mary M. Peck
Town Clerk