

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

Also present: townspeople

Absent: Councilman Potter, Attorney W. Tuttle

The meeting was opened at 7:00 pm with a Public Hearing regarding a change to the Zoning Ordinance II, specifically regarding the size of parking spaces. Supervisor Eaton summarized the issue at hand and the sizes to be changed. The current size is 10' x 20' x 25' driving aisle. The change is to be 9 ½' x 18' x 25' driving aisle. No one wished to speak. Therefore, public hearing closed at 7:02 pm. This information will need to go before the County planning board.

#### #1-MOTION TO CLOSE PUBLIC HEARING

Motion by Higgins to close the public hearing on the change in the zoning ordinance II, specifically the size of parking spaces. 2<sup>nd</sup> by Wolf. Higgins-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

Salute to the Flag at 7:02 pm opened the regular meeting.

To Be Heard: Kurt Sinks ( Aflac ) Mr. Sinks gave a summary of what Aflac is. He also handed out a pamphlet with information about it. He will be happy to meet with anyone to answer any questions they may have about this program.

Bids: **Diesel Fuel for 2006 \*\* received 2 bids \*\***

- 1) Rinker Oil Corp., PO Box 74, Cuba, NY 14727  
#2 Diesel (low sulfur) \$1.8600/gal \*\*  
Winter Blend 50/50 \$1.9620/gal \*\*  
Winter Blend 60/40 \$1.9420/gal \*\* This bid is for 1/15/06-1/15/07.  
A non-collusive bid certificate is included with this bid. The \*\* denotes that the prices will increase or decrease only to reflect any increase or decrease that Rinker Oil receives from their suppliers.
- 2) NOCO Energy Corp., 2440 Sheridan Dr., Tonawanda, NY 14150  
#2 Diesel (low sulfur) \$2.0264 \*  
Winter Blend 50/50 \$2.1691 \*  
Winter Blend 60/40 \$2.1406 \* This bid states that these prices are if delivered on 12/20/05. Also, \* denotes that prices are subject to change weekly. There is also a non-collusive bid certificate included.

#### #2-MOTION TO APPROVE MINUTES

Motion by Wolf to approve the minutes from the 12/8/05 Public Hearing and Regular Town Board Meeting. 2<sup>nd</sup> by McMullen. Higgins-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

CORRESPONDENCE

1. Fax info from Kirk Wilson of Foit-Albert Assoc. Reference & Rate schedule
2. Fax info from Kirk Wilson of Foit-Albert Assoc. - reference letters
3. FAX from NYS Comptroller's office - 2006 special district cost thresholds
4. Town of Allegany planning board minutes from 11/14/05 meeting.
5. Town of Allegany planning board minutes from 11/21/05 meeting.
6. NYS Comptroller's Office - info on NYS Insurance Dept. financial reporting of fire districts.
7. Catt. Co. Dept of EDP& T - SEQR Notice of Determination of Non-significance for re-defining the boundaries of the Catt. Empire Zone
8. STW - info request on bldg permits issued for census data collection.
9. ADELPHIA - notice of upcoming changes
10. Both, Branch & Hendrix, Inc. - infor regarding insurance \*\* send letter of Thanks, but no thanks and Supervisor Eaton will sign.
11. EAST Resources, Inc. - notice of continuation of oil/gas lease development
12. Catt. Co. Dept. of Economic Development, Planning & Tourism - News Release regarding inclusion of agricultural land in Cattaraugus County.
13. NYMIR - Handbook on Cold Weather Property & Liability Issues.

UNFINISHED BUSINESS

#3-MOTION TO APPLY FOR GRANT WITH THE VILLAGE

Motion by Eaton that the Town of Allegany in concurrence with the Village of Allegany apply for a grant to do a study for a potential consolidation of the Town and Village of Allegany. 2<sup>nd</sup> by Higgins. Higgins-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

#4-MOTION TO ACCEPT HEATING SYSTEM REPAIR BID

Motion by Wolf to accept the bid from Mazza, HVAC for the 2<sup>nd</sup> floor of the Town Hall - \$8595.00 and for Birch Run Rd. Facility - 14,450.00. 2<sup>nd</sup> by Eaton. Higgins-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

NEW BUSINESS

#5-MOTION TO TRANSFER FUNDS

Motion by Eaton to allow the \$5,000.00 budgeted to be transferred to other funds (A9901.9) to be transferred to building repair reserve (A9950.9). 2<sup>nd</sup> by Higgins. Higgins-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

#6-MOTION TO TRANSFER FUNDS

Motion by Eaton to transfer the remaining \$20,000.00 budgeted from salt storage shed (DA9950.91) to highway equip. reserve (DA9950.9). 2<sup>nd</sup> by Wolf. Higgins-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

#7-MOTION TO ACCEPT RESIGNATION

Motion by McMullen to accept the resignation of David Porter from the Zoning Board of Appeals as he has become the new Town Justice effective 1/1/06. 2<sup>nd</sup> by Higgins. Higgins-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

#8-MOTION TO SET MEETING.

Motion by Eaton to set the end of the year meeting for December 29, 2005 at 7pm in the Town Hall. 2<sup>nd</sup> by McMullen. Higgins-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

#9-MOTION TO SET MEETING DATE

Motion by Eaton to set the organizational meeting for 2006 on 1/2/06 at 7PM in the Town Hall. 2<sup>nd</sup> by Higgins. Higgins-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

#10-MOTION TO ACCEPT DIESEL FUEL BID FOR 2006

Motion by Eaton to accept the diesel fuel bid for 1/15/06 - 1/15/07 from Rinker Oil Corp. of Cuba, NY: #2 diesel (low sulfur) \$1.8600/gal, Winter Blend 50/50 \$1.9620/gal, Winter Blend 60/40 \$1.9420/gal. and such prices to increase or decrease only to reflect any increase or decrease received from Rinker's suppliers. 2<sup>nd</sup> by Higgins. Higgins-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

OTHER BUSINESS

- discussion on the engineering firm service -- will be at organizational meeting as Kirk Wilson of Foit-Albert Assoc., will be present then.

COMMITTEE REPORTS

- update on the union health insurance \*\*\* This will be discussed at the organizational meeting. \*\*\*
- Councilman Wolf -- spoke with Albert Wager of National Grid regarding the MEGA Power. Mr. Wolf advised that the Town of Allegany can do this by computer. Mr. Wager would be happy to sit w/ the Comptroller and explain the process. Mr. Wolf is to ask Mr. Wager if he could attend a Town Board meeting and explain further to the board. Also, Mr. Wolf spoke with Mark Lombardo regarding the heating system upstairs and everything is ready to go. Mr. Wolf also advised about the signs for parcels. He has spoken with Cuba, Portville on ways to do the signage and who will actually put them up. This issue will need further research.

From the floor: \_\_\_ Nothing from the floor

#11-MOTION TO ADJOURN MEETING

Motion by Higgins to adjourn regular meeting. 2<sup>nd</sup> by Wolf. Higgins-aye,  
McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

Meeting adjourned at 7:50 pm.

Respectfully submitted,

Mary M. Peck  
Town Clerk