

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

Also present: S.Gollaher, J.Hare, G.Cooley, J.Dzuroff, M.Painter, townspeople
and news media

ABSENT: Attorney W.Tuttle, Councilman McMullen

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

Town Engineer, Glenn Cooley addressed the Town Board on different renovations to the Town Hall Bldg. He also provided another set of plans for a different layout of the 1st floor. He is to work up an estimate and will return on the 24th with a price. Mr. Cooley also is to provide updated zoning maps for the Town Hall. It was suggested that a background of tax map parcels be put on the zoning map. The County has this information on GIS and Mr. Cooley will look into this issue.

#1—MOTION TO APPROVE MINUTES

Motion by Higgins to approve the minutes from the January 27, 2005 regular meeting as written. 2nd by Wolf. Higgins-aye, Potter-aye, Wolf-aye, Eaton-aye.
CARRIED.

MONTHLY REPORTS

Town Clerk	Town Assessor
Recreation & Parks	Highway Superintendent
Building & Zoning	

Town Justice E. Allen – report for Jan. 2005. Amt. of check to Supervisor: \$6465.00
Town Justice A.Spears – report for Jan. 2005 Amt. Of check to Supervisor \$4380.00

AUDITED CLAIMS

Gen A	\$25,551.94	Hwy DA	\$37,530.79
Gen A AP	\$8,212.87	Hwy DA AP	\$2,019.90
Gen B	\$1,105.08	Hwy DB	\$6,336.52
Sp Dist	\$668.78		

CORRESPONDENCE

1. EAST Resources, Inc. – 3 letters advising of intent to drill wells on property located on Chipmonk Road.
2. EAST Resources, Inc. – letter regarding the posted weight limit on the Chipmonk Road and their usage of said road. *** Will speak with Attorney Tuttle and perhaps have the company post a bond ***
3. Letter from Don Bigler, Zoning Board Member (**new business**)

4. Quarterly meeting minutes from Community GIS Users Group (1/26/05)
5. NYS DEC – letter advising of the availability of funds for water quality improvement projects. (clerk has booklets)
6. STW – membership program letter for 2005 *** Discussion -- we will be Tier 1 and pay the \$120.00 which is budgeted. ***
7. NYS Insurance Dept. – advisement of direct deposit of the 2% fire tax funds *** Councilman Wolf has taken care of this matter ***
8. Memo from Terry H. Martin, Chief Planner, Catt. Co. advising of the Chautauqua County Wind Power Seminar.
9. NYS Comptroller’s Office – Revision to Aug. 2004 Bulletin on Modification of NYS Retirement Systems annual payment date and reserve provision for pension contributions.
10. Catt Co DPW – Hazard Mitigation Projects Letters of Intent *** Superintendent Moshier has already applied for more FEMA money ***

Cattaraugus County Legislature – (3) prefiled resolutions and resolution summary

UNFINISHED BUSINESS

#2—MOTION TO ACCEPT SALT STORAGE BLDG BID

Motion by Eaton to accept the bid from Duggan & Duggan General Contractor, Inc. in the amount of \$33,655.00 for the salt storage building. 2nd by Potter. Higgins-aye, Potter-aye, Wolf-aye, Eaton-aye. CARRIED.

#3—MOTION TO ACCEPT PLOW & DUMP TRUCK BID

Motion by Eaton to accept the bid from Henderson Mfg. Of Watertown, NY in the amount of \$41,991.00 for a plow and dump body mounted on a chassis. 2nd by Potter. Higgins-aye, Potter-aye, Wolf-aye, Eaton-aye. CARRIED.

#4—MOTION TO SET OVERTIME PAY

Motion by Eaton that all overtime will start with a minimum of two (2) hours for employee involved and for billing purposes even if less that two (2) hours work was involved. If overtime work goes over two hours, the employee working, (and for billing purposes) will be based on actual time involved. This will be added to the employee handbook Section 7.02. 2nd by Wolf. Higgins-aye, Potter-aye, Wolf-aye, Eaton-aye. CARRIED.

#5—MOTION TO SET CERTIFICATE OF OCCUPANCY ISSUANCE

Motion by Eaton that no Certificate of Occupancy will be issued for any building or projects under the inspection of the Code Enforcement Officer and/or the Water/Sewer Superintendent until all fees are paid. 2nd by Potter. Higgins-aye, Potter-aye, Wolf-aye, Eaton-aye. CARRIED.

Police Contract/Agreement-- TABLE. THIS WILL REMAIN TABLED UNTIL NOISE LAW IS RESOLVED FOR THE TOWN.***

#6—MOTION TO ENTER INTO EXECUTIVE SESSION

Motion by Eaton to enter into executive session to discuss personnel issues. 2nd by Higgins. Higgins-aye, Potter-aye, Wolf-aye, Eaton-aye. CARRIED.

#7—MOTION TO ADJOURN EXECUTIVE SESSION

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

#8—MOTION TO APPOINT PLANNING BOARD MEMBER

Motion by Eaton to appoint E. Peter Hellier as Planning Board Member to fill Jack Sutley's vacancy. 2nd by Higgins. Higgins-aye, Potter-aye, Wolf-aye, Eaton-aye. CARRIED

OLD BUSINESS

- Mark Dodds -- Blair Road *** This issue is to be tabled as it is still being researched by Town Attorney and Supervisor. ***

NEW BUSINESS

#9—MOTION TO ACCEPT COMPUTER BID

Motion by Potter to accept the bid from DataBranch for 6 new computers in the amount of \$4458.00. (sales quote is attached to minutes) 2nd by Higgins. Higgins-aye, Potter-aye, Wolf-aye, Eaton-aye. CARRIED.

#10—MOTION TO ADJUST PAY SCHEDULE

Motion by Eaton to pay Don Bigler his Town stipend in 3 payments, 1 in May, 1 in October and 1 in December of each year due to his employment factors not related to Town Business. 2nd by Higgins. Higgins-aye, Potter-aye, Wolf-aye, Eaton-aye. CARRIED.

COMMITTEE REPORTS

- Water/Sewer committee (consisting of) Supervisor Eaton, Superintendent Moshier, Councilman Potter to meet with Village Mayor Lamberson and the City of Olean on Wednesday, February 23, 2005 at 7PM at the Town Hall to discuss water/sewer rates.
- Councilman Higgins- had a conference call with Steve Munson of NYS DOT, Terry Martin of Catt. Co. Planning Board and STW regarding the Route 417_Corridor Study. There are monies available to conduct a study on this.

From the floor: Don Benson: he has purchased some property on West Fall Road, which is located in 3 different municipalities. He would like to advise that he is going to request this land be re-zoned. What is he to do 1st?

Also: Mr. Benson would like (along with many other people) to have New York State and Cattaraugus County lawmakers stop spending. It must start at the ground up. Councilman Higgins was in agreement with Mr. Benson.

#11—MOTION TO CONTACT COUNTY LAWMAKERS

Motion by Eaton to write to Cattaraugus County Legislature to advise them that the Town of Allegany is in opposition of the potential sales tax increase. This will be directed to Jess Fitzpatrick. 2nd by Potter. Higgins-aye, Potter-aye, Wolf-aye, Eaton-aye. CARRIED.

#12—MOTION TO ADJOURN

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

Meeting Adjourned.

Respectfully submitted,

Mary M. Peck
Town Clerk