

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

Also present: Assessor R. Pearl-Lamphier, CEO J. Dzurhoff, PB member R. Kavanagh

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

Bids for dump truck box. (highway department) ** 1 bid rec'd from Henderson Truck Equip. , 800 Starbuck Ave., Watertown, NY for \$32,895.00 total installed price. A non-collusion bid certificate is enclosed.

#1-MOTION TO APPROVE MINUTES

Motion by Wolf to approve the minutes from the 1/26/06 regular meeting as written. 2nd by Potter. Higgins-aye, Potter-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

AUDITED CLAIMS

Gen A	\$47,020.24	Hwy DA	\$31,741.42
A.P.	320.85	A.P.	1,370.14
Gen B	3,963.90	Hwy DB	7,985.28
A.P.	30.00	A.P.	2,833.68
Sp. Dist	6,741.41		
A.P.	\$44,930.84		

MONTHLY REPORTS

Town Clerk	Recreation & Parks
Building & Zoning	Highway Department

Town Justice D.Porter - report for January 2006 - \$5709.28

Town Justice A. Spears - report for January 2006 - \$8180.00

CORRESPONDENCE

1. Letter from Benson Const. Co. dtd 1/25/06 regarding water/sewer at old K-Mart site
2. Notice of Fire Inspection on 2/14/06 by Village of Allegany
3. Catt. Co. Office of Emergency Services - (1/26/06) re: Hazard Mitigation Plan
4. Catt. Co. Real Property Services - Invoice for 1/1/06 - 7/1/06
5. PERMA - notice that they will not be at the Assoc. of Towns Meeting.
6. Town of Allegany Planning Board meeting minutes of 1/9/06
7. NYS Emer. Mgmt. Office - notice of audit requirement
8. Harter, Secrest & Emery - letter to ZBA re: variances needed by Wal-Mart

9. GAR Associates, Inc. - reassessment project billing for 2/06

NEW BUSINESS

1. Letter to Planning Board regarding the COR DEIS
2. Letter from C. Horowitz regarding parking space size change in ZO II (vote)
3. Letter from Catt Co IDA on proposed St. Bonaventure Univ. project. (need to respond)
4. Letter from Councilman Higgins regarding meeting date with Tom Livak and Bob Izard
5. Catt. Co. Health Dept. regarding mosquito spraying for 2006 - \$7351.18. *** Town will send letter advising that we are interested ***
6. ADELPHIA - Performance Bond Release #104311179 *** per Attorney Tuttle, Clerk will find old bond, send to Adelphia and the new company will send a new one ***
7. Resignation letter from Patricia Karl from Planning Board and ZBA secretary position.
8. Appointment of Planning Board and ZBA secretary
9. Open Bid for dump truck box
10. request letter from Don Bigler dated 2/8/06

#2-MOTION TO ESTABLISH FINDINGS OF NO SIGNIFICANT IMPACT - COR

Motion by Eaton that the Town Board establish a finding of no significant impact on the amendment to the Zoning Ordinance II regarding the size of parking spaces. 2nd by Potter. Higgins-aye, Potter-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#3-MOTION TO ACCEPT AN AMENDMENT TO THE ZONING ORDINANCE II

Motion by Eaton to accept the following amendment to the Town of Allegany Zoning Ordinance II, WHEREAS, as directed by the Town Board, the Town of Allegany Planning Board has conducted a study of the provision of the Town's Zoning Ordinance that address size of parking spaces and minimum aisle width and made recommendations to the Town board regarding those provisions, and WHEREAS, the Town Board held a public hearing on the proposed amendment on December 22, 2005, at which time no one commented, and WHEREAS, the Cattaraugus County Planning Board recommended on January 23, 2006 that the proposed amendments be adopted, and WHEREAS, the Town board of the Town of Allegany, as Lead Agency, has made a SEQR determination that this project will not have a significant impact on the environment,
NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Allegany does hereby enact the following amendments to the Town's Zoning Ordinance:

Amend Section 5.16 (A), Off-Street Parking and Loading Regulations, to read as follows: (A) each off-street parking space shall have a size of not less than 9.5 feet wide by 18 feet long, exclusive of access drives or aisles, and

shall be of usable shape and surface. The aisle width in parking lots shall be a minimum of 25 feet wide. Amend Section 5.16 (B), Off-Street Parking and Loading Regulations, to read as follows: (B) An access drive of not less than 25 feet in width in all other cases leading to the parking area shall be required, and other access arrangements as may be required by the Planning Board for public safety and traffic circulation. 2nd by Higgins. Higgins-aye, Potter-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#4-MOTION TO ACCEPT RESIGNATION

Motion to by Higgins accept resignation letter from Patty Karl as Planning Board and Zoning Board of Appeals secretary. 2nd by Wolf. Higgins-aye, Potter-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#5-MOTION TO APPOINT ZONING BOARD OF APPEALS SECRETARY

Motion by Eaton to appoint Carolyn Hemphill as the Zoning Board of Appeals Secretary effective immediately. 2nd by Wolf. Higgins-aye, Potter-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#6-MOTION TO APPOINT PLANNING BOARD SECRETARY

Motion by Eaton to appoint Sharon Papasergi as Planning Board Secretary effective immediately. 2nd by Higgins. Higgins-aye, Potter-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#7-MOTION TO ACCEPT BID

Motion by Potter to accept the bid for the Highway Department Dump Body, Plow Hitch and all attachments from Henderson Truck Equipment of Watertown, NY in the amount of \$32,895.00 installed. There is also a Statement of Non-collusion included. 2nd by Wolf. Higgins-aye, Potter-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#8-MOTION TO ADJUST ZONING BOARD PAY

Motion by Eaton to pay Don Bigler his town stipend in 3 payments, one in May, one in October, one in December of this year due to his employment factors not related to Town duties. 2nd by Potter. Higgins-aye, Potter-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

UNFINISHED BUSINESS

- General Release form from E& M Surveyors. (TABLE)
- Town Hall Phone System *** it was discussed between the board members and was decided that we shall have the Kel-Kur employee come and try to help fix our phone problem.
- Primary Dog Kennel - (Town Clerk) *** we shall stay with Kist-Met Kennels as we cannot find a closer kennel to use. No action is needed. ***

OTHER BUSINESS

#9-MOTION TO APPOINT DEPUTY TOWN CLERK

Motion by Eaton to appoint Joyce Kibler as Deputy Town Clerk effective immediately at a rate of \$9.25 per hour pursuant to the town pay rate schedule. 2nd by Hitchcock. Higgins-aye, Potter-aye, Hitchcock-aye, Wolf-aye, Eaton-aye.

CARRIED

COMMITTEE REPORTS

- Robin Pearl-Lamphier - the assessor's office is to send all property owners a letter and listing of sales retroactive 2003.
- Supervisor Eaton - he has received a call from Mike Watson asking if the Town was interested in buying the school. Mr. Watson would like a letter either way advising of the Town's intentions.

From the Floor: no one spoke

#10-MOTION TO ADJOURN

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

Meeting Adjourned at 7:50 pm.

Respectfully submitted,

Mary M. Peck,
Town Clerk
2/11/06