

PRESENT WERE: Supervisor Eaton Councilman Jonak  
Councilman Sendlakowski Councilman Hitchcock  
Councilman Wolf Hwy Superintendent Gleason  
Attorney W. Tuttle Comptroller C. Hemphill  
Town Clerk M. Peck  
Also present: M. Lombardo, and townspeople

Salute to the Flag at 7PM opened the meeting.

**Daniel Gleason** addressed the Town Board regarding a Co-ed softball tournament to be held on May 30<sup>th</sup> to benefit the Susan B. Coleman breast cancer research program. The request is to be able to sell beer for this. The profits will be donated to the research program. Mr. Gleason will check on the insurance coverage through his business. The tournament is a one-day affair and will be held at Stayer Park. The park will be cleaned up after the tournament. This will be put on the agenda for the 3/25/08 meeting to tie up the ends.

#### AUDITED CLAIMS

Gen A	\$50,323.31	Hwy DA	\$52,258.18
Gen B	\$2,243.90	Hwy DB	\$8,533.37
Sp. Dist	\$2,421.83		

#### MONTHLY REPORTS

Town Clerk	Highway Superintendent
Building & Zoning	Recreation and Parks Department

Town Justice D. Porter – report for February 2008 – amount of check \$7355.00  
Town Justice A. Spears- report for February 2008- amount of check \$14,702.00

#### #1-MOTION TO APPROVE MINUTES

Motion by Wolf to approve the minutes from the February 19, 2008 regular town board meeting as written. 2<sup>nd</sup> by Hitchcock. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#### #2-MOTION TO APPROVE MINUTES

Motion by Sendlakowski to approve the minutes from the Feb. 25, 2008 special water district meeting as written. 2<sup>nd</sup> by Jonak. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#### CORRESPONDENCE

1. NYS DOT – notice regarding installation of banners along state highways, etc.
2. NYS DEC – notice of Dam Safety Regulations Public Hearings
3. Letter from NYS Coalition of Concerned Citizens about Article X Legislation which would over ride Home Rule
4. Annual report synopsis comparison from 1998 – 2007. (comptroller)

5. NYC DEC – infor regarding Restaurants for Carlson foods.
6. NYS DOT – letter advising of upcoming highway and bridge projects.
7. NYS Commission on Property Tax Relief – letter advising of meeting dates
8. NYS ORPS – notice of residential assessment ratio
9. Memo from Hwy Spt. Regarding water issues at the Wal-Mart expansion
10. Letter and statement from G. Yaw on the h2o district paperwork
11. NYS Mun Wrkrs Comp Alliance – Invoice
12. Letter to Supervisor from ALCS Trans. Dept. about road conditions.

### NEW BUSINESS

1. Approve Foit-Albert Assoc. rate schedule for 2008 (budgeted item)

### #3-MOTION TO APPROVE SECONDARY KENNEL WITH JOYFUL RESCUES

Motion by Jonak to approve the secondary kennel agreement with Joyful Rescues. 2<sup>nd</sup> by Hitchcock. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED

### #4-MOTION TO APPOINT BOARD OF ASSESSMENT REVIEW MEMBER

Motion by Eaton to appoint Tom Fenner as a Board of Assessment Review Member whose term is 5 years-10/1/07 – 9/30/12. 2<sup>nd</sup> by Wolf. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

### #5-MOTION TO INSTALL 100w SODIUM LAMP

Motion by Jonak to install a 100W sodium lamp at the intersection of Geiger Hollow and CR 61. 2<sup>nd</sup> by Eaton. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED. (this needs to be sent to National Grid) \* give to Rodney \*

2. Resolution to have the Town Engineer design the water line at First St. to end at the overpass. Supervisor Eaton made a motion to have the Town Engineer design the water line at First Street to end at the overpass and then rescinded the motion as Attorney Tuttle is to contact Attorney G. Yaw to discuss the issues regarding apportionment of costs. Councilman Hitchcock is to talk to the residents on First Street regarding this issue also. This matter is TABLED.

### #6-MOTION TO APPROVE ZONING BOARD OF APPEALS MEMBER REQUEST

Motion by Jonak 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 unemployment factors not related to town business. 2<sup>nd</sup> by Wolf. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

### UNFINISHED BUSINESS

1. Memo from R.Gleason about electric service to new hwy garage addition (dtd 2/18/08)/ Discuss all projects rolled into one.

**1a: Rescind motion concerning monies for last year.**

2. Memorandum – Bill Giardini request for access (2<sup>nd</sup> St.)
3. University Trail
4. Highway Department Roof and Improvements- Kirk Wilson

**#7-MOTION TO AUTHORIZE ENGINEER TO DESIGN STRUCTURE FOR HWY GARAGE ADDITION**

Motion by Wolf to authorize the engineer (Foit-Albert) to design the structure for the addition to the highway garage and additional parts, doors, etc. 2<sup>nd</sup> by Sendlakowski. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

- Attorney Tuttle has a lease from Jack Hart. Per Mr. Giardini all he wants is permission to drive through to get to his property.

**#8-MOTION TO ALLOW GIARDINI ACCESS**

Motion by Eaton to allow Mr. Giardini and company to have access to his property through the Town of Allegany gravel pit subject to approval of lease agreement by Attorney Tuttle, which will include the town as a rider on his insurance, and subject to the Hwy Superintendent's supervision. This will be in effect until 12/31/08 and will be approved each year thereafter. 2<sup>nd</sup> by Jonak. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

**#9-MOTION TO ACCEPT LEAD AGENCY SPONSORSHIP- BONA'S TRAIL**

Motion by Eaton to accept lead sponsorship of St. Bonaventure Access Improvement Project and grant application of said project, plus signing by both Bona's and Town on any expenditure, 2<sup>nd</sup> by Wolf. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

**#10-MOTION TO ACCEPT CONTRACTS (BONAS TRAIL)**

Motion by Eaton that contingent on the Town Attorney's approval the Town of Allegany accept the contracts as written. 2<sup>nd</sup> by Sendlakowski. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED

**OTHER BUSINESS**

**#11-MOTION TO SIGN CONTRACT W/ DFT FOR TELEPHONE SYSTEM**

Motion by Sendlakowski to sign contract with DFT of Jamestown for the telephone system at the Town Hall. Take money out of 1620.2A equip. fund. 2<sup>nd</sup> by Eaton. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

**#12-MOTION TO ACCEPT BID FROM MELLON & CO. FOR SERVER**

Motion by Eaton to accept the bid from Mellon Technology for the computer systems and back up instead of Data Branch. 2<sup>nd</sup> by Jonak. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

1. Discuss the potential of transferring the River Park property from village to Town of Allegany **\*\*this will be discussed and Joint Meeting on 3/25/08\*\***
2. Set joint meeting with the Town and Village for March 25, 2008, 7:00 PM at the Town Hall

#### #13-MOTION TO SET JOINT BOARD MEETING DATE

Motion by Eaton to set a joint board meeting date between the Town and Village for Tuesday, March 25, 2008 at 7PM at the Town Hall. 2<sup>nd</sup> by Jonak. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

3. Update Handbook **\*\*\* this needs to be read over before any changes are made \*\*\*** **TABLE**
4. Union contract **\*\*\* will need to be read over before budget this year \*\*\***

#### #14-MOTION TO TRANSFER FUNDS

Motion by Eaton to transfer \$59,162.00 from DA5130.2 to Equipment Reserve fund. 2<sup>nd</sup> by Wolf. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#### COMMITTEE REPORTS

- Code of Ethics – Attorney Tuttle has information to review and provide to the Board.
- Councilman Jonak- provided copy of EDZ report. Clerk to make copies for board and distribute. STW Local Gov't Conference in Houghton in May. Would like to attend. Also, request that Bicentennial Adv. Comm. Letter be sent to Town Historian and to Mrs. Potter to see if they wish to include anything in it. (Clerk will send to them)
- Councilman Sendlakowski – working on ID Badges for town employees. Citizen's Printing can do them all for under \$100.00.
- Attorney Tuttle- would like executive session on pending litigation.

#### #15-MOTION TO EXTEND MEDICAL INS. DEDUCTIBLE REIMBURSEMENTS TO RETIRED EMPLOYEES UNTIL 12/31/08

Motion by Jonak to extend benefits of the deductible co-pays to retirees until 12/31/08, and this will be reconsidered. 2<sup>nd</sup> by Sendlakowski. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

Nothing from the floor.

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

Motion by Eaton to adjourn to executive session on pending litigation. 2<sup>nd</sup> by Sendlakowski. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#17-MOTION TO ADJOURN EXECUTIVE SESSION AND REGULAR SESSION

Motion by Eaton to adjourn executive session and regular session. 2<sup>nd</sup> by Wolf.  
Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

Meeting adjourned at 8:48 pm

Respectfully submitted,

Mary M. Peck  
Town Clerk  
3/20/08



