

PRESENT WERE: Supervisor Eaton Councilman Jonak
Councilman Sendlakowski Councilman Hitchcock
Councilman Wolf Hwy Superintendent Gleason
Comptroller C. Hemphill Town Clerk M. Peck

ABSENT: Attorney Tuttle

Also present: Assessor R.Pearl-Lamphier, M.Lombardo, J.Dzuroff and townspeople.

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

To be heard: Faith Benson- provided a handout to the board members regarding her request: to have the Town of Allegany co-sponsor a summer music festival at River Park as a benefit occurrence for “Hope for Africa”. It will be held on Sunday, June 15th at 2pm and will run until about 9pm. There will be no alcohol, but there will be vendors, chicken barbeque, and music. Per Mark Lombardo, Director of Parks & Recreation, he has checked into this as far as insurance goes and does not see any obstacles.

#1-MOTION TO APPROVE “HOPE FOR AFRICA” FESTIVAL

Motion by Jonak to have the Town of Allegany co-sponsor the “Hope for Africa” Festival to be held at River Park on June 15th, 2008. 2nd by Hitchcock. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

AUDITED CLAIMS

Gen A	\$65,598.11	Hwy DA	\$40,124.08
Gen B	\$ 2,398.37	Hwy DB	\$59,798.30
Sp Dist	\$47,143.72		

MONTHLY REPORTS

Town Clerk	Highway Department
Recreation & Parks	Building & Zoning

Town Justice D. Porter – report for April 2008; amount of check \$9050.00

Town Justice A. Spears – report for April 2008; amount of check \$9370.00

#2-MOTION TO APPROVE MINUTES

Motion by Hitchcock to approve the minutes from the April 15, 2008 regular town board meeting as written. 2nd by Sendlakowski. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

CORRESPONDENCE

1. Catt. Co. Risk Mngmnt Dept.- workers comp. payment

2. Catt. Co. DPW – Hazard Mitigation Projects letter of intent
3. Sales Tax Revenues spread sheet for 2003 thru 2008
4. NYS ORPS – Residential Assessment Ratio 101.01
5. Town of Allegany Planning Board minutes from 3/10/08
6. NYS Alcoholic Beverage Control – letter regarding review of applications process.
7. NYMIR – accounting statement for fiscal year 2007.
8. NYS Dept. of State – Appalachian Regional Commission program for FY 2008
9. NYMIR – notice of proposed rate adjustments for 2008
10. Town of Allegany Zoning Board of Appeals minutes from 4/7/08 meeting.
11. NYS DEC – notice of complete application by I A Construction
12. Memo dated 4/17/08 regarding the WICKS Law.
13. Salamanca Cattaraugus Bi-Centennial Committee – notice of grand parade
14. Copy of letter from Carol Horowitz, Town Planner to Steve Carlson
15. Catt. Co. Real Property Office – notice of contract extension for 2008 – 2009
16. Assoc. of Towns notice of Planning & Zoning Summer Schools
17. Seneca Trail Resource Conservation & Development Council – Invitation to the 40th Anniversary Celebration
18. Catt. Co. DPW – re: St. Bona’s Access Improvement Project
19. Catt. Co. DPW – copy of letter to Abate Assoc. about St. Bona’s Access Impr. Project.
20. Catt. Co. DPW – Memorandum regarding St. Bona’s Access Improvement Project Consultant Selection

NEW BUSINESS

#3-MOTION TO APPOINT BACK-UP DOG CONTROL OFFICER

Motion by Eaton to appoint Joyful Rescues as the back-up dog control officer for the Town of Allegany. 2nd by Jonak. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

1. adding section of “Training” to dog ordinance *** **This is TABLED to June 17th meeting to get appropriate wording for this from Town Attorney *****
2. Recreation & Parks – Festival at River Park ** voted above **

#4-MOTION TO APPROVE BUDGET ADJUSTMENT

Motion by Eaton to adjust budget regarding the CHIPS monies to increase estimated revenues DB510 for \$22,257.56, CHIPS DB3501 and increase appropriations DB960 \$22, 257.56, CHIPS DB5112.2. 2nd by Jonak. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#5-MOTION TO TRANSFER FUNDS

Motion by Eaton to transfer \$1,484.50 from A1990.4 Contingent to A7150.2 Rec Trail Equipment to pay for brush hog. 2nd by Wolf. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#6-MOTION TO PURCHASE ASPHALT ROLLER

Motion by Wolf to accept the low bid of \$30,330.00 from Vantage Equipment for the purchase of a compact asphalt roller. 2nd by Eaton. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#7-MOTION TO EXPEND FUNDS

Motion by Sendlakowski to expend \$3695.00 towards the purchase of a trailer for the asphalt roller from the equipment fund. 2nd by Jonak. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#8-MOTION TO SET SPECIAL MEETING

Motion by Eaton to set special meeting to discuss the Union Contract on June 10, 2008 at 7PM at the Town Hall. 2nd by Sendlakowski. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#9-MOTION TO APPOINT PLANNING BOARD MEMBER

Motion by Eaton to appoint Frank DeFiore to the Planning Board to serve the rest of the late R. Stephen Gollaher's term which ends 12/31/08. 2nd by Hitchcock. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#10-MOTION TO APPROVE SUMMER PAY PERIODS FOR RECREATION DEPT.

Motion by Hitchcock to approve the summer pay periods for the recreation department per Mark Lombardo's memo dated May 15, 2008. 2nd by Jonak. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

- **Regarding the Cattaraugus County Real Property Services notice of cost for assessment services for the year 7/1/08 through 7/1/09 of \$16.99 per parcel: this will be tabled to the June 17, 2008 meeting as a letter will be sent to our County Legislators to please attend and copies to Nancy C. Barney and Crystal Abers.**

UNFINISHED BUSINESS

1. enactment of Local Law for "dangerous tree removal" *****TABLE*****
2. Resolution to have Town Engineer draw up h2o plans for 1st street.
3. local law on water issues

#11-MOTION TO AUTHORIZE ENGINEER TO DRAW UP PLANS

Motion by Eaton to authorize the town engineer to draw up plans for water lines for the First Street area to the I-86 overpass. 2nd by Sendlakowski. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#12-MOTION TO AUTHORIZE ENGINEER TO DRAW UP PLANS

Motion by Eaton to authorize the town engineer to develop a water system plan for the Route 417 area from the village line to Exit 24. 2nd by Hitchcock.
DISCUSSION: there were questions by Councilman Jonak about who is going to

actually pay for this plan that the town engineer does? He also had other questions, and did not feel he had enough information yet. Jonak-abstain, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

- Supervisor Eaton to call the Town Engineer regarding this matter.

#13-MOTION TO SET PUBLIC HEARING ON WATER SYSTEM LOCAL LAW

Motion by Eaton to set a public hearing on the water system local law regulations for June 10, 2008 at 7:00 pm at the Town Hall. 2nd by Hitchcock. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

- Send copy of this proposed local law to Phil Winger at St. Bonaventure.

COMMITTEE REPORTS

- Councilman Wolf – the people to do the fire escapes advised that they will be here soon to repair them.
- Councilman Hitchcock – the bike park is in the Town & Village Attorneys' hands. As far as upkeep of the flowers at the Brick Park, Tom Martin advised that the boy scouts are very busy and may not have time to do this. Apparently Ron Kyser has volunteered to do some of the work.
- Councilman Jonak – gave an update on the new call center that is to be opened soon. It will be open 24/7 and they have had 1300 applications for jobs there.
- Councilman Sendlakowski – the server system has begun to be installed and is working okay as well as the telephone system. There have not been any complaints since DFT has been in to check it.
- Supervisor Eaton – the St. Bonaventure Trail Access Project is going well.
- Highway Superintendent Gleason – requests Executive Session on personnel hiring/appointing. Also, the Allegany Volunteer Fire Dept. needs help to complete the parking lot at the new facility. They will be working after hours but would like to use town equipment. Highway employees have volunteered to donate their time, also.

#14-MOTION TO APPROVE HIGHWAY EQUIPMENT TO BE USED AFTER HOURS AT FIRE DEPT. PARKING LOT

Motion by Jonak to authorize the town highway equipment to be used after hours at the new fire department building to help with the parking lot blacktopping under the supervision of the Highway Superintendent. 2nd by Eaton. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

From the Floor: **Rick Kavanagh**- questions regarding the request from Dan Carter on the W. Five Mile Rd.: if the Town grants Mr. Carter's request, and someone gets hit by a car while going to the property in question, is the town liable? **Per Supervisor Eaton**, Mr. Kavanagh should address this matter to the Town Attorney and possibly the insurance carrier.

#15-MOTION TO DEDICATE MEETING

Motion by Eaton to dedicate this meeting in memory of the late R. Stephen Gollaher. 2nd by Jonak. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

Frank DeFiore: extended his thanks to the Town Board for his appointment to the Planning Board.

#16-MOTION TO ADJOURN TO EXECUTIVE SESSION ON PERSONNEL HIRING AND/OR APPOINTING

Motion by Eaton to adjourn to executive session on the Highway Superintendent's request to discuss personnel issues on hiring and/or appointing. 2nd by Sendlakowski. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

Regular meeting adjourned at 8:04 pm.

#17-MOTION TO ADJOURN EXECUTIVE SESSION AND REGULAR MEETING

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

Meeting adjourned at 8:15 pm

Respectfully submitted,

Mary M. Peck
Town Clerk
5/23/08