

MINUTES – TOWN OF ALLEGANY REGULAR BOARD MEETING AND INFORMAL PUBLIC HEARING THURSDAY, MAY 27, 2010 7:00 PM SENIOR CENTER

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

ALSO PRESENT: Townspeople

ABSENT: None

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

Public Hearing (Informal) on proposed water district Five Mile Road to Chapin Crossroad was opened at 7:01 pm by Supervisor Eaton. This is an Informal Public Hearing regarding the request for public water out to Soltera Circle and Five Mile Road. The petition was not valid as it was not 51% of the property owner's assessment. The petition also was not notarized. Hwy. Superintendent explained generically how this would work: a petition is needed with 51% of property owner's assessments, then the authorization for the engineer to do a map, plan & report. Then there would be a public hearing for public feedback, and then the town board decides which avenue to take. The property owners must pay for the piping across their property, but they do not have to hook in. There were a few property owners that had questions about costs, but the majority of the residents at the meeting were not in favor of the water line. Therefore, this petition and issue of water benefit district is closed.

#119-MOTION TO CLOSE INFORMAL PUBLIC HEARING

Motion by Hare to close the informal public hearing. 2nd by Jonak. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare-aye, Eaton-aye. CARRIED.

Informal Public Hearing closed at 7:14 PM.

#120-MOTION TO APPROVE MINUTES

Motion by Hare to approve the minutes from the May 13, 2010 regular board meeting as written. 2nd by Hitchcock. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare-aye, Eaton-aye. CARRIED.

CORRESPONDENCE

1. Letter From K.Wilson, Engineer to Duggan & Duggan regarding Wal-Mart sidewalk.
2. Catt. Co. Real Property Services – notice of assessment services cost reduction for 2010-2011
3. Zoning Board of Appeals minutes from 5/10/10 meeting.
4. NYS Dept. of Ag. & Markets – report of UNSATISFACTORY for SPCA inspection on 5/14/2010 ***
To write letter to SPCA to see when they are going to become SATISFACTORY ***
5. Planning Board Minutes from 4/12/10
6. Planning Board Minutes from 4/19/10
7. Notice of Decision on Thomas Gilray application.
8. Letter from Senator Young regarding the bed tax legislation request.

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9. Memorandum from Conestoga-Rovers Assoc. comments on wind power DEIS

UNFINISHED BUSINESS

1. Shared services agreement with City of Olean (Recreation) *****Attorney Tuttle needs specific parameters; Rec. committee is to get this taken care of with Attorney Tuttle *****
2. C.Wilkins request for Electrical Inspections (Jerry) ***** per Councilman Jonak, CEO is to meet with Mr. Wilkins and this will be TABLED to next meeting. *****
3. Update on Olean sewer negotiations *****Attorney Tuttle advised that she and the Village Attorney met, but the City of Olean Attorney did not show up, so they have another meeting scheduled. *** TABLE**
4. Zoning Ordinance Amendment (Wind Energy) *****TABLE as more specifications and research are needed before a decision can be made *****

NEW BUSINESS

1. Wellhead protection ordinance ***** to be worked on *****

#121-MOTION TO APPROVE RECREATION TRANSFER

Motion by Jonak to approve the transfer of \$1500.00 from the Recreation Supervisors Account to the Parks Personnel Maintenance Account. 2nd by Hitchcock. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare-aye, Eaton-aye. CARRIED.

#122-MOTION TO ENTER INTO AND AUTHORIZE THE SUPERVISOR TO SIGN USDA AGREEMENT

Motion by Eaton that the Town of Allegany enter into and authorize the supervisor to sign the USDA Equal Opportunity Agreement with regards to the Senior Center Expansion. 2nd by Hitchcock. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare-aye, Eaton-aye. CARRIED.

#123-MOTION TO ENTER INTO THE USDA ASSURANCE AGREEMENT

Motion by Eaton that the Town of Allegany accept the USDA Assurance Agreement with regards to the Senior Center Expansion. 2nd by Hitchcock. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare-aye, Eaton-aye. CARRIED.

OTHER BUSINESS

#124-MOTION TO ENTER INTO AGREEMENT WITH BOND COUNSEL

Motion by Eaton that the Town of Allegany enter into an agreement with Orrick-Herrington & Sutcliffe LLP, as Bond Counsel for the Senior Center Expansion. 2nd by Jonak. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare-aye, Eaton-aye. CARRIED.

#125-MOTION TO ENTER INTO AGREEMENT WITH FOIT-ALBERT, & ASSOCIATES

Motion by Eaton that the Town of Allegany enter into an agreement with Foit-Albert & Associates for architectural and engineering services for the Senior Center Expansion. 2nd by Hitchcock. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare-aye, Eaton-aye. CARRIED.

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#126-MOTION TO ENTER INTO AGREEMENT FOR FINANCIAL ADVISORY

Motion by Eaton that the Town of Allegany enter into an agreement for financial advisory with Municipal Solutions, Inc. for the Senior Center Expansion. 2nd by Jonak. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare-aye, Eaton-aye. CARRIED.

#127-MOTION TO RESCIND MOTION #112

Motion by Eaton to rescind motion #112 regarding the bonding for the senior center expansion. 2nd by Jonak. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare-aye, Eaton-aye. CARRIED.

#128-MOTION TO SET SENIOR CENTER BOND RESOLUTION

Motion by Eaton that the Allegany Town board approve the bonding resolution authorizing, subject to permissive referendum, the construction of an addition to the Senior Center, in and for the Town of Allegany, Cattaraugus County, New York, at a maximum estimated cost of \$420,000.00 and authorizing the issuance of not exceeding \$350,000.00 bonds of said town to pay part of the cost thereof. 2nd by Hitchcock. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare-aye, Eaton-aye. CARRIED.

COMMITTEE REPORTS

- **Supervisor Eaton:** Kevin Sheen and Corey Wikter would like to meet with him and he is asking what board member would like to meet with them also. Councilman Hare volunteered. Meeting to be held on June 15, 2010 at 1:00 pm at the Bird Cage.
- **Councilman Hare:** had a web-site meeting today and we are continuing to meet to have things set up.
- **Councilman Hitchcock:** trees and bleachers at River Park planted and installed. These are from the donation by the Nolan's. Also, the Five Mile Cemetery is unable to operate anymore. They would like the Town to take it over. They must contact the NYS Cemetery Board to do this. Councilman Hitchcock will advise them of this.

From the floor: Karen Mosman: if the wind companies are going to do noise studies this weekend, this is not a good choice as there are many campers that come for Memorial Day and they have four-wheelers, motorcycles, etc. and that would not reflect normalcy for the area.

#129-MOTION TO ADJOURN

Motion by Hare to adjourn meeting. 2nd by Hitchcock. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare-aye, Eaton-aye. CARRIED.

Meeting adjourned at 7:53PM

Reminder: Public hearings on June 3, 2010 – 7:00 Senior center expansion, 7:30 Tanglewood sewer dist.

Respectfully submitted,

Mary M. Peck, Town Clerk 5/28/10