

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: John Sayegh of CCEZ, A. Prudente of So. Tier Health Systems, R. Pearl-Lamphier, R. Kyser, Merle Schultz, H. Larsen, Legislators J. Boser & D. Giardini, J. Dzuoff and B. Lothridge of OTH.

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

To be heard: **John Sayegh** of Cattaraugus Empire Zone – addressed the Board regarding the proposed new financing for the UCC Building from 5 * Bank. Provided a handout to the board and comptroller.

Anna Predente – Cattaraugus Co. Reality Check Coordinator – addressed the board requesting the support of the Town Board of the Town of Allegany in trying to help reduce the advertisements of tobacco products aimed at youth in this area.

#1-MOTION TO SUPPORT REALITY CHECK

Motion by Eaton that the Town Board of the Town of Allegany help in the efforts of Cattaraugus County Reality Check Program to curtail the tobacco advertisements aimed towards youth. 2nd by Hitchcock. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

Legislator James L. Boser – addressed the board regarding the cost of assessment services by the County. The Board requested information from the county as to why the cost went up. Mr. Boser provided a handout showing what the county has to disburse for the assessment services provided to the Town of Allegany. Mr. Boser advised that the County is breaking even on this issue.

AUDITED CLAIMS

Gen A	\$44,919.01	Hwy DA	\$51,763.58
Gen B	\$17,815.61	Hwy DB	\$117,803.88
Sp Dist	\$50,765.12		

MONTHLY REPORTS

Town Clerk	Highway Superintendent
Building & Zoning	Recreation & Parks Dept.

Town Justice D.Porter – report for May 2008 – amount of check \$7,865.00.
Town Justice A. Spears – report for May 2008 – amount of check \$8,425.00.

#2-MOTION TO APPROVE MINUTES

Motion by Wolf to approve the minutes from the May 20, 2008 regular town board meeting as written. 2nd by Hitchcock. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#3-MOTION TO APPROVE MINUTES

Motion by Jonak to approve the minutes from June 10, 2008 Public Hearing on Local Law #1 of 2008 (water issues) as written. (copy attached to minutes) 2nd by Sendlakowski. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

CORRESPONDENCE

1. Letter from ALCS regarding sharing of softball and baseball fields.
2. Catt. Co. Real Property Services – Interactive Parcel Viewer training
3. Catt. Co. DPW – notice of Consultant Selection for St. Bona’s Trail
4. NYS Mun. workers’ comp alliance – notice of funding contribution
5. Catt. Co. DPW – Hazard Mitigation Projects
6. Catt. Co. DPW – letter regarding waiver of fees request for CR 60 Culvert Replacement.

#4-MOTION TO WAIVE FLOODPLAIN PERMIT FEE

Motion by Eaton that the Town of Allegany waive the floodplain permit fee per request of Catt. Co. DPW so they can replace the culvert on County Road 60 Tributaries of the Four Mile Creek. 2nd Sendlakowski. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

7. Time Warner Cable – letter dated 5/22/08.
8. Catt. Co. Dept of Economic Dev., Png & Tourism – workshops 7/30 and 7/31/08
9. Town of Allegany Zoning Board of Appeals minutes from 5/22/08 meeting.
10. Town of Allegany Planning Board minutes from 5/12/08 meeting.
11. Town of Allegany Zoning Board of Appeals minutes from 6/2/08 meeting.
12. Letter from Attorney M. Shane regarding the old Ski Wing property and zoning issues; Letter from Carol Horowitz back to Mr. Shane regarding same.

NEW BUSINESS

#5-MOTION TO AUTHORIZE SUPERVISOR TO SIGN MOSQUITO AGREEMENT

Motion by Wolf to authorize the Supervisor to sign the mosquito agreement with Cattaraugus County for the year 2008. 2nd by Hitchcock. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED

#6-MOTION TO AUTHORIZE SUPERVISOR TO SIGN B.A.N.

Motion by Wolf to authorize Supervisor to sign B.A.N. for an excavator and dump truck for \$35,000.00 for 1 year at Five Star Bank. 2nd by Sendlakowski. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#7-MOTION TO AUTHORIZE SUPERVISOR TO SIGN B.A.N.

Motion by Wolf to authorize supervisor to sign B.A.N. for a backhoe and dump truck for \$58,400.00 for 1 year at Five Star Bank. 2nd by Sendlakowski. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#8-MOTION TO ACCEPT ALLEGANY CEMETERY ASSOCIATION DISSOLUTION AND TOWN TAKE-OVER OF CEMETERY

Motion by Eaton whereas, the Allegany Cemetery Association has resolved to abandon the Allegany Cemetery located in the Town of Allegany and whereas the laws of New York State mandate that the Town has a legal obligation to maintain and administrate said cemetery, therefore, a motion is made that on July 1, 2008 the Town of Allegany will begin its duties of maintaining and administrating said Allegany Cemetery. 2nd by Hitchcock. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#9-MOTION TO AUTHORIZE ATTORNEY TO PETITION FOR CEMETERY FUNDS

Motion by Eaton to authorize the Town Attorney to petition the NYS Supreme Court for a release of the Allegany Cemetery funds being held in trust. 2nd by Jonak. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#10-MOTION TO SET SPECIAL MEETING

Motion by Jonak to set a special meeting for July 1, 2008 at the Town Hall at 7:00 pm to discuss issues of the WICKS Law and the highway garage addition. 2nd by Eaton. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

UNFINISHED BUSINESS

#11-MOTION TO ACCEPT PROPOSAL FROM CATTARAUGUS COUNTY FOR ASSESSMENT SERVICES

Motion by Eaton that the Town of Allegany accept the proposal from Cattaraugus County for Assessment Services for the year July 1, 2008 through July 1, 2009 at a cost of \$16.99 per parcel. 2nd by Wolf. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

- Councilmen Jonak & Hitchcock on a committee to handle the request from building & zoning officer, J. Dzuroff regarding more mileage, gas card, town truck, etc.. Discussion: More specific figures are needed in order to make a determination. Mr. Dzuroff claims he drives between 9,000 – 10,000 miles per year. Councilman Jonak feels a vehicle should be purchased for Mr. Dzuroff to use, with the vehicle being stored at the highway garage. Councilman Hitchcock feels he needs more figure on costs before he makes a decision. **This matter will be TABLED to the July 15, 2008 regular meeting.** Supervisor Eaton suggests this matter be brought up at budget time.

OTHER BUSINESS

- **Councilman Jonak** – regarding the increase in water rates from the Village, Councilman Jonak requests that a short note be included with the next Town water billing to advise customers that we did not voluntarily raise the rates. Perhaps a copy of the letter from the Village can be sent in the next billing.
- **Supervisor Eaton** – Robert Peck is to retire on July 2nd 2008. The town shall host a “Bob Peck Day” on June 26, 2008 at 6:30 pm at the Bird Cage. He will be presented with a plaque.

#12-MOTION TO AUTHORIZE PLANNING BOARD TO BEGIN
COMPREHENSIVE PLAN REVIEW FOR THE TOWN OF ALLEGANY

Motion by Eaton that the Town Board authorize the Planning Board to begin the comprehensive plan review for the Town of Allegany. 2nd by Jonak. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#13-MOTION TO AUTHORIZE BOARD OF ELECTIONS TO USE COURT ROOM

Motion by Eaton to authorize the Supervisor to sign the agreement to allow the board of elections to use the Court Room as a polling site. 2nd by Jonak. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#14-MOTION TO AUTHORIZE SUPERVISOR TO SIGN CONTRACT WITH
CATTARAUGUS COUNTY IN RELATION TO THE ST. BONAVENTURE TRAIL
ACCESS PROJECT UPON TOWN ATTORNEY’S APPROVAL

Motion by Eaton that the Town Board authorize the Supervisor to sign the contract with Cattaraugus County in relation to the St. Bonaventure Trail Access Improvement Project upon approval of the Town Attorney. 2nd by Hitchcock. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

COMMITTEE REPORTS

- Councilmen Jonak & Hitchcock spoke with Mark Lombardo about the letter that the Town received from the ALCS regarding joint use of the ball fields at Stayer Park. Mark is to speak to the school about this. Also, we need to know just how much the school is going to pitch in to help maintain the fields, etc.

From the floor : Resident, Ron Kyser had comments about the takeover of the Allegany Cemetery, about building & zoning officer’s request.

#14-MOTION TO ADJOURN INTO EXECUTIVE SESSION ON UNION CONTRACT

Motion by Eaton to adjourn into executive session on union contract issues. 2nd by Hitchcock. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

Adjourn to Executive Session at 8:20 pm.

#15-MOTION TO ADJOURN EXECUTIVE SESSION AND REGULAR MEETING

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

Meeting adjourned at 8:40 PM

Respectfully submitted,

Mary M. Peck, Town Clerk
June 20, 2008