

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

Also present: J. Boser and J. Burrell, County Legislators; T. Livak of Catt. Co. Planning, Development & Tourism; B. Iszard; H. Sichermann; J. Sayegh; J. Elling, D. Porter, M. Lombardo, J. Dzuroff. And townspeople

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

To be heard: **Tom Livak** - Catt. Co. Dept. of Development, Planning & Tourism (on water lines issues) Advised the Town Board that the County is for creating a water district towards the west end of town as they have a prospect for property there and public water is needed first. **Supervisor Eaton** advised Mr. Livak that the Town Board is looking into creating a comprehensive town-wide water district, (excluding the water districts already in existence). There are specific procedures that need to be taken before this can be completed and the Town is hoping that this will be completed by September, latest October of this year. **B. Iszard** - advised that he has a very interested developer that would like this site for development and it would be nice if the Town would move forward to create a water district there. **John Sayegh** - thanks to the board for moving this forward. Hopes that this can be accomplished as there is great potential for development. **Mr. Burrell** - spoke as a legislator and advised that they will do whatever they can at the county level to make this happen. **Jim Boser** - hopes that this water district issue will go through as this will be a great opportunity for the Town of Allegany and he is all for it.

AUDITED CLAIMS

Gen A	\$41,690.27	Hwy DA	\$79,527.37
Gen B	\$18,208.00	Hwy DB	\$118,738.98
Sp Dist	\$51,345.45		

MONTHLY REPORTS

Town Clerk	Highway Superintendent
Building & Zoning	Recreation & Parks

Town Justice D. Porter - report for May 2007, amount of collections \$12,207.50.
Town Justice A. Spears - report for May 2007, amount of collections \$13,531.00.

#1-MOTION TO APPROVE MINUTES

Motion by Hitchcock to approve the minutes from the May 15, 2007 meeting as written. 2nd by Wolf. Higgins-aye, Potter-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#2-MOTION TO APPROVE MINUTES

Motion by Higgins to approve the minutes from the May 29, 2007 meeting as written. 2nd by Potter. Higgins-aye, Potter-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

CORRESPONDENCE

1. Pandemic Influenza Planning & Preparedness Form - 6/27/07
2. EAST Resources- Notice of continuation of oil & gas wells drilling
3. NYS ORPS - notice of Tentative Equalization Rate -100.00
4. Assoc. of Towns - Planning & Zoning Summer Schools notice
5. NYS DEC - water issues and management
6. Town of Allegany Planning Board minutes from the 5/14/07 meeting.
7. Town of Allegany Planning Board minutes from the 4/16/07 meeting.
8. NYS Court System - notice of public hearings on court system issues
9. Catt. Co. Legislature - letter requesting info for Catt. Co. Bicentennial Comm.
***** Supervisor Eaton had Robin take a picture of the Town Hall for this. *****
10. NYS Authority Budget Office - Re: Town of Allegany Housing Authority
11. NYMIR - subscriber accounting statement for fiscal year 2006.
12. Catt. Co. DPW - reply regarding S. Nine Mile Rd. signs and parking. ***** Per Hwy Superintendent, the County will put up the signs for this. *****
13. Annual Financial Report 2006 from Knapp Creek Fire Department
14. BWB - audit report for 2006
15. NYS DEC - notice of Environmental Excellence Award application deadline

NEW BUSINESS

#3-MOTION TO APPROVE TRANSFER REQUEST

Motion by Eaton to approve the transfer request from the Recreation & Parks Dept. of \$700.00 from Special Recreation Facilities - Trail Contractual Acct. (A7150.4) to Parks Personnel Maintenance Account (A7110.14). 2nd by Potter. Higgins-aye, Potter-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#4-MOTION TO AUTHORIZE SIGNATURE FOR MOSQUITO SPRAYING

Motion by Wolf to authorize the Supervisor to sign the agreement/contract with Cattaraugus County for mosquito spraying for 2007. 2nd by Hitchcock. Higgins-aye, Potter-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

1. Village of Allegany - Water Supply Agreement (needs signature authorization)
*****TABLE TO NEXT MEETING*****

#5-MOTION TO AUTHORIZE JUSTICES TO APPLY FOR GRANT

Motion by Eaton to have the Town Justices apply for a \$30,000.00 grant under the Justice Court System Program in conjunction with the addition to the highway garage. 2nd by Potter. Higgins-aye, Potter-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED

#6-MOTION TO APPROVE TRANSFERS AS PER COMPTROLLER'S MEMO

Motion by Eaton to approve the following transfers: \$2500.00 from A1990.40 Contingent to A3510.10 Dog Control PS, \$450.00 from A6772.11 60+ Supervisors PS to A6772.40 60+ Supplies and \$120.00 from B1990.40 Contingent to B3120.40 Police CE. 2nd by Higgins. Higgins-aye, Potter-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#7-MOTION TO APPROVE BUDGET ADJUSTMENTS

Motion by Eaton to approve the following budget adjustments: Increase Estimated Revenues A510 by \$2000.00 to Gift & Donations A2705 and Increase Appropriations A960 by \$2000.00 to Parks EQ A7110.2. 2nd by Potter. Higgins-aye, Potter-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#8-MOTION TO ACCEPT FOIT-ALBERT PROPOSAL ON WATER DISTRICT

Motion by Eaton that the Town accept the proposal from Foit-Albert in the amount of \$4,000.00 to prepare the plans, map and report for the proposed town-wide water district. 2nd by Wolf. Higgins-aye, Potter-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED

#9-MOTION TO SET PUBLIC HEARING ON WIND ENERGY LAW

Motion by Eaton that the Town Board will hold a public hearing on Tuesday, July 3, 2007 at 7:10 pm regarding the Wind Energy Law. 2nd by Higgins. Higgins-aye, Potter-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#10-MOTION TO AUTHORIZE SUPERVISOR TO SIGN ASSESSMENT SERVICES AGREEMENT WITH CATTARAUGUS COUNTY

Motion by Potter to authorize the Town Supervisor to sign the Assessment Services Agreement with Cattaraugus County for the year 7/1/07 through 7/1/08 at a rate of \$15.24 per parcel. 2nd by Hitchcock. Higgins-aye, Potter-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#11-MOTION TO RENEW B.A.N. FOR HIGHWAY EQUIPMENT

Motion by Eaton to authorize the renewal of the B. A. N. at Five Star Bank at 4.3% interest for highway equipment. 2nd by Wolf. Higgins-aye, Potter-aye, Hitchcock-aye, Wolf-aye, Eaton, aye. CARRIED.

#12-MOTION TO AUTHORIZE A NEW B.A.N. FOR A BACKHOE & LOADER

Motion by Wolf to authorize the Supervisor to sign for a new B.A.N. at Five Star Bank in the amount of \$73,000.00 at 4.3% interest for a new backhoe and loader. 2nd by Hitchcock. Higgins- aye, Potter-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#13-MOTION TO CHANGE WORKER'S COMPENSATION PLAN

Motion by Eaton that the Town of Allegany hereby elects, pursuant to Subdivision 3-a of Section 50 of the Workers' Compensation Law, to become a

self-insurer as to "Workers' Compensation claims against this Municipality; and be it further RESOLVED, that pursuant to Section 50 Subdivision 3-a of said Workers' Compensation Law, notice of such election shall be filed forthwith with the Chairman of the Workers' Compensation Board, Self-Insurance Section; and be it further RESOLVED, that this election shall become effective on January 1, 2008. 2nd by Potter. Higgins-aye, Potter-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#14-MOTION TO ENTER INTO NYMIR WORKERS' COMPENSATION PLAN

Motion by Eaton to adopt the following Resolution:

WHEREAS there has been proposed a "NEW YORK STATE MUNICIPAL WORKERS' COMPENSATION ALLIANCE PLAN DOCUMENT" pursuant to Section 50 3-a of the Workers' Compensation law (hereinafter "the Plan"); and

WHEREAS the Town of Allegany is eligible for membership in the Plan; and

WHEREAS the Town of Allegany has made an independent investigation of the Plan and reviewed the Plan document, and has concluded that it would be in the interests of the Town of Allegany to participate therein; now, therefore, be it

RESOLVED that the Town of Allegany enter into membership in the Plan pursuant to Section 50 Subdivision 3-a of the Workers' Compensation Law; and be it further

RESOLVED, that the Town Supervisor be and hereby is authorized and instructed to execute the Plan's charter document on behalf of the Town of Allegany; and be it further

RESOLVED, that the custody of all join plan moneys by the Plan administrator under the Plan be and the same hereby is approved. 2nd by Potter. Higgins-aye, Potter-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

2. NYS Dept. of State - Fire Prevention, Bldg & Energy Conservation Code form **(deadline to reply is June 28, 2007) *** Town Clerk Faxed in the reply on 6/20/07*****

UNFINISHED BUSINESS

- Attorney Tuttle to prepare a draft ordinance for sidewalks for next meeting.

#15-MOTION TO SET PUBLIC HEARING ON NYS BUILDING CODES, ETC.

Motion by Eaton to set a Public Hearing on the New York State Codes Division Local Law Providing for the Administration and Enforcement of the NYS Uniform Fire Prevention and Building Code on Tuesday, July 3, 2007 at 7:00 pm at the Senior Center on Birch Run Road. 2nd by Potter. Higgins-aye, Potter-aye, Hitchcock-aye, Wolf-aye, Eaton-aye CARRIED.

OTHER BUSINESS

- The highway department proposed addition will be on next meeting agenda.
- Attorney Tuttle and Kirk Wilson are working on the issues for the bore under the railroad tracks.
- Jim and Judy Hitchcock did the ground work at the brick park by the Uni-Mart at the end of Constitution Ave. It looks very nice.

From the floor:

- Don Benson - has had kids over at the old high school grounds skateboarding and would like the town to consider opening a skate park. Jim Hitchcock and Mark Lombardo are to look into this issue.

#16-MOTION TO ADJOURN MEETING

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

Meeting adjourned at 8:05 pm.

Respectfully submitted,

Mary M. Peck,
Town Clerk
Adjourn