

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

Absent: Comptroller C. Hemphill

Also present: K. Wilson – Town Engineer, M.Schultz, S. Guthrie, H. Larsen, L. Kardos, B. Lothridge of OTH.

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

#1-MOTION TO APPROVE MINUTES

Motion by Hitchcock to approve the minutes from the June 17, 2008 regular meeting as written. 2nd by Sendlakowski. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

CORRESPONDENCE

1. Catt. Co. Youth Bureau – notice of funding amount \$3135.00 for 2008
2. BONAGANY – Letter of request for funding for Bonagany Festival *** **this will be tabled to the July 15th regular meeting as representatives will be in attendance** ***

NEW BUSINESS

1. Time Warner Cable – notice of “spin-off” plan between Time Warner and TWX: authorize Supervisor to sign resolution to acknowledge.

#2-MOTION TO AUTHORIZE SUPERVISOR TO SIGN AGREEMENT

Motion by Eaton **WHEREAS**, the Town of Allegany, New York (“Franchising Authority”) has granted a cable television franchise (the “Franchise”) to an entity (the “Franchisee”) which is a subsidiary or affiliate of Time Warner Cable, Inc. (“Time Warner Cable”); and

WHEREAS, Time Warner Cable is a publicly-traded corporation, with approximately 84% of its common stock currently held indirectly by Time Warner Inc.’ and

WHEREAS, Time Warner Cable and Time Warner Inc. have entered into an agreement to effect a complete separation of Time Warner Cable from Time Warner Inc. (the “Spin-Off”); and

WHEREAS, upon closing of the Spin-Off, one hundred percent (100%) of the stock of Time Warner Cable will be publicly traded; and

WHEREAS, Time Warner Cable and Time Warner Inc. have filed FCC Form 394 providing details regarding the Spin-Off; and

WHEREAS, the Franchising Authority wishes to grant its approval for the Spin-Off as described above.

**NOW, THEREFORE, BE IT RESOLVED BY FRANCHISING
AUTHORITY:**

- Section 1. The Franchising Authority hereby approves the Spin-Off.
- Section 2. Upon the closing of the Spin-Off, the Franchisee shall remain bound by the obligations under the Franchise.
- Section 3. This Resolution shall become effective immediately upon passage by the Franchising Authority. 2nd by Wolf. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#3-MOTION TO SIGN WATER AGREEMENT WITH VILLAGE

Motion by Jonak to authorize the Supervisor to sign the Water Supply Agreement with the Village of Allegany. 2nd by Sendlakowski. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

**#4-MOTION TO SIGN REALITY CHECK'S RETAIL TOBACCO ADVERTISING
CAMPAIGN**

Motion by Jonak to have the Town Board Members sign the Resolution in Support of Reality Check's Retail Tobacco Advertising Campaign. 2nd by Eaton. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#5-MOTION TO SEND OUT BIDS FOR ADDITION TO HIGHWAY GARAGE

Motion by Eaton that the Town of Allegany send out bids for the addition and improvements to the town Highway Garage with the schedule as follows: Advertise for bids 7/3/08, Documents Available 7/9/08, Pre-bid meeting 7/15/08, Accept Bids 7/29/08, Analyze Bids 7/30 – 8/4/08, Award Contract at a Special Board Meeting on 8/5/08. 2nd by Jonak. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#6-MOTION REGARDING THE ALLEGANY CEMETERY

Motion by Eaton to hire Merle Schultz on a temporary basis for the month of July for \$50.00 per week; hire Stephanie Guthrie as Cemetery Superintendent at \$12.00 per hour at 10 hours per week and after that not to exceed 20 hours per week, hire Jeremy Guthrie at \$100.00 per grave as grave digger, Ron Putt and Vernon Paul Baker at \$9.50/hr each as maintenance workers neither to exceed 36 hrs. per week. 2nd by Sendlakowski. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#7-MOTION TO SET COST OF GRAVE LOTS AT ALLEGANY CEMETERY

Motion by Eaton to set the cost of grave lots at \$700.00, interments \$700.00, cremations and infant/stillborn deaths at \$400.00 effective immediately. 2nd by Jonak. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

*****Attorney Tuttle looking into the filing for the cemetery funds through the Supreme Court. She would like to see if there is a specific process or if any other municipality has done this before.*****

OLD BUSINESS

- Time Warner Cable – WNY Heroes Nomination – (Councilman Jonak) ***
Councilman Jonak has a person in mind to nominate for this position and he will have it ready for the 7/15/08 meeting. Councilman Jonak has more information to prepare for this. ***

#8-MOTION TO INCREASE MILEAGE RATE

Motion by Eaton that effective immediately (7/1/08) the Town of Allegany will recognize the federal mileage rate at \$.585 cents per mile. 2nd by Jonak. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

COMMITTEE REPORTS

From the floor: Larry Kardos: comments and questions regarding the Allegany Cemetery. He is happy with the care the cemetery has gotten in the past.

#9-MOTION TO ADJOURN TO EXECUTIVE SESSION ON UNION CONTRACT

Motion by Eaton to adjourn to executive session on the Union Contract. 2nd by Hitchcock. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

Regular session ended at 7:55 pm

#10-MOTION TO ADJOURN EXECUTIVE SESSION,RE-ENTER REGULAR SESSION AND CLOSE REGULAR MEETING

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

Entire meeting adjourned at 8:35 pm

Respectfully submitted,

Mary M. Peck
Town Clerk
7/3/08