

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

Also present: M.Lombardo, J.Boser-Legislator, C.Horowitz, R. Pearl-Lamphier,  
J.Dzuroff, and townspeople

ABSENT: Councilman Higgins, Town Attorney W. Tuttle

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

#### AUDITED CLAIMS

Gen A	\$44,196.00	Hwy DA	\$12,119.15
Gen B	\$ 4,333.39	Hwy DB	\$49,903.40
Sp. Dist	\$41,602.22		

#### MONTHLY REPORTS

Town Clerk	Recreation & Parks
Building & Zoning	Highway Dept.

Town Justice D. Porter - report for July 2007 - amount of check \$6,040.50.  
Town Justice A. Spears - report for July 2007 - amount of check \$16,600.00.

#### #1-MOTION TO APPROVE MINUTES

Motion by Wolf to approve the minutes from the July 17, 2007 regular meeting as written. 2<sup>nd</sup> by Hitchcock. Potter-aye, Hitchcock-aye, Wolf-aye, Eaton-aye.

CARRIED.

#### #2-MOTION TO APPROVE MINUTES

Motion by Potter to approve the minutes from the Public Hearing on August 14, 2007 on the WECS as written. 2<sup>nd</sup> by Wolf. Potter-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED

#### CORRESPONDENCE

1. Sales Tax Revenue spread sheet for 2002 - 2007
2. Fund Balances as of 8/13/07
3. Town of Allegany Planning Board Minutes from 7/9/07 meeting
4. Town of Allegany Planning Board Minutes from 7/23/07 meeting
5. AFSCME notice of part time dues increase for 2007.
6. Letter from Tricon Development Inc. regarding development issues
7. NYS Assoc. of Towns dues notice for 2008
8. NYS Dept. of State - letter regarding local health insurance incentive
9. NYS Comptroller's Office - letter of a meeting regarding retirement surveys

10. Catt. Co. Risk Management Office - notice of workers' compensation payments
11. NYS Dept. of Taxation & Finance - Re: fuel purchase w/ gov't. credit cards after 9/1/07.
12. NYS ORPS - notice of receipt of 2007 annual reassessment aid.
13. NYS Assoc. of Towns - letter about power plants and Article X of the Public Service Law
14. Catt. Co. Empire Zone Corp. - financial report for years ended 12/31/06 & 2005.
15. NYS ORPS - Finance State Equalization Rate: 100.00 for Allegany
16. NYMIR - Handbook on Bridge Inspections
17. Letter from Village Attorney regarding escrow money for water study.
18. NYSMWCA- letter about participation in self-insurance plan
19. Wright Risk Management - letter and authorization form for joining workers' compensation plan (**under new business**)
20. sewer bill from Village of Allegany/City of Olean.
21. Letter and calculations from Comptroller to St. Bonaventure University finance office.
22. NYMIR - claim notice for Charles Hitchcock
23. AFSCME - request from Union for benefits (Hitchcock)
24. Catt. Co. Risk Mgmt - letter explaining status of workers comp. claim

#### NEW BUSINESS

##### #3-MOTION TO AUTHORIZE SUPERVISOR TO SIGN

Motion by Hitchcock to authorize the Supervisor to sign the Runoff Agreement with Wright Risk Management for 2008 Workers' Compensation Claims. 2<sup>nd</sup> by Wolf. Potter-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

##### #4-MOTION TO AUTHORIZE SUPERVISOR TO SIGN

Motion by Potter to authorize the Supervisor to sign the agreement with Cattaraugus County Board of Elections to use the Town Highway - Municipal Building as a polling site for this year's upcoming elections. 2<sup>nd</sup> by Wolf. Potter-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

##### #5-MOTION TO AUTHORIZE COLUMBIA GAS TRANSMISSION CORP.

Motion by Eaton to authorize the Columbia Gas Transmission Corporation to install a ground bed in the Town of Allegany, Barse Tract Road, 50' right of way per the map provided (will be included with these minutes). 2<sup>nd</sup> by Potter. Potter-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

##### #6-MOTION TO AUTHORIZE SUPERVISOR TO SIGN ASSESSMENT AGRMNT

Motion by Potter to authorize the Supervisor to sign the annual assessment agreement with JD Brearley Consultants for the year 2008. 2<sup>nd</sup> by Hitchcock. Potter-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

1. Set a Public Hearing for the Townwide Comprehensive Water District **\*\*\*table this until more information is rec'd from Attorney G. Yaw\*\*\***

#7-MOTION TO SET SPECIAL MEETING ON WECS

Motion by Eaton to set a special meeting for Tuesday, August 28, 2007 at 7:00 pm and the Town Hall for approval of the WECS amendment to the town's Zoning Ordinance II. 2<sup>nd</sup> by Potter. Potter-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

2. Advertise for opening in highway department. **\*\*\* Hwy Superintendent to put ad in newspaper to conduct interviews and accept applications.\*\*\***
3. The fire escape at the Town Hall --- repair or replacement **\*\*\*an engineer was in earlier today and looked at the fire escape and is to provide a report\*\*\***

UNFINISHED BUSINESS

#8-MOTION TO ACCEPT TRANSFERS PER COMPTROLLER'S MEMO

Motion by Eaton to approve the following transfers: \$57.42 from A1990.40 Contingent to A6772.11 60+ Specialist PS; \$1350.00 from B8010.11 Zoning Clerk PS to B8010.20 Zoning EQ; and \$29.36 from A1990.40 Contingent to A7110.14 Parks Maintenance PS. 2<sup>nd</sup> by Potter. Potter-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED

#9-MOTION TO APPROVE LOCAL LAW #1 OF 2007 - ADMINISTRATION & ENFORCEMENT OF THE NYS UNIFORM FIRE PREVENTION AND BUILDING CODE

Motion by Eaton that the Town approves the Local Law #1 of 2007 which provides for the Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code with the changes on page 11, Section 12 to read "The Code Enforcement Officer shall review and investigate **written and signed** complaints ..... This will become effective immediately. 2<sup>nd</sup> by Potter. Potter-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED

1. Water supply agreement with the Village of Allegany **\*\*\* table as Attorney Tuttle absent\*\*\***
2. Send out bids for Highway Dept. addition **\*\*\*TABLE\*\*\***
3. advertise for bids for fire alarm system and roof at highway garage **\*\*\*table\*\*\***
4. Insurance Discussion (health) and executive session

#10-MOTION TO ACCEPT ELECTRICAL INSPECTOR

Motion by Eaton to accept William Splain of the Four Mile Road as an electrical inspector in the Town of Allegany as long as all requirements are met and as long as all pertinent paperwork is submitted within 14 days. 2<sup>nd</sup> by Hitchcock. Potter-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

OTHER BUSINESS

1. The American Society of Composers, Authors & Publishers agreement (ASCAP)  
**This will be tabled as Attorney Tuttle is not present.**

COMMITTEE REPORTS

- Councilman Wolf - has been looking into a customized heating/cooling system maintenance program for systems at the Town Hall and Highway Garage Building. \$1680.00/ year for the Town Hall which will guarantee professional maintenance on htg/ac filters and they pay for parts/labor w/ yearly guarantee. For the Highway Building- \$4260.00 per year we pay for parts/supplies and they pay for labor and general maintenance. This will be looked into further at budget time.
- Councilman Hitchcock - has met with Shane Grandusky and Mark Lombardo about a skate park over at River Park. It looks expensive. There is a mountain bike park that seems to be more popular with adults and kids, and it is less expensive to construct. This is still being researched.
- Robin Pearl-Lamphier - the County Real Property Office sent a letter to advising that they have changed the aged exemption for assessments. This will be put on the next meeting agenda.

From the floor: nothing

#11-MOTION TO ADJOURN TO EXECUTIVE SESSION ON PERSONNEL INSURANCE

Motion by Eaton to adjourn to executive session to discuss personnel insurance issues. 2<sup>nd</sup> by Potter. Potter-aye, Hitchcock-aye, Wolf-aye, Eaton-aye.  
CARRIED.

Regular meeting adjourned at 7:30 pm.

#12-MOTION TO ADJOURN EXECUTIVE SESSION AND REGULAR MEETING

Motion by Potter to adjourn executive session and regular meeting. 2<sup>nd</sup> by Hitchcock. Potter-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

Meeting adjourned at 8:00 pm.

Respectfully submitted,

Mary M. Peck  
Town Clerk  
8/22/07