

PRESENT WERE: Supervisor Eaton Councilman Higgins
Councilman Potter Councilman McMullen
Councilman Wolf Hwy. Superintendent Moshier
Town Attorney W. Tuttle Comptroller, C. Hemphill
Town Clerk M. Peck
ALSO PRESENT: J. Elling - PB member, Bud Bronold-DCO, townspeople and news media.

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

#1-MOTION TO APPROVE MINUTES

Motion by Wolf to approve the minutes of the Sept. 8, 2005 regular town board meeting as written. 2nd by Higgins. Higgins-aye, Potter-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

#2-MOTION TO APPROVE MINUTES

Motion by McMullen to approve the minutes from the 9/20/05 Committee of the Whole meeting regarding assessment continuation. 2nd by Potter. DISCUSSION: Supervisor Eaton advised that KLV Municipal Group and GAR will be given written proposals so they can submit a cost for doing the trending. This has been corrected by the Town Clerk on 9/23/05. Higgins-aye, Potter-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

CORRESPONDENCE

1. Town Justice A. Spears report for August 2005 - amt to Supervisor - \$12,698.75.
2. Town Justice E. Allen report for August 2005 - amt to Supervisor - \$11,555.00.
3. Catt. Co. Agricultural & Farmland Protection Board - meeting on 9/22/05.
4. Catt. Co. Emergency Services - request for updated plans (hazard mitigation)
5. NYSEG - RE: Natural Gas Emergency Response Training
6. Catt. Co. Risk Management Dept. -2006 Workers' Comp. Program Charges *** this will be addressed at budget time ***
7. NYS DEC - notice of Environmental Regulatory Program Fee
8. Catt. Co. DPW - notice of Multi-Jurisdictional Hazard Mitigation Plan
9. NYS DOT - notice of Designation of Restricted Highway
10. NYS DEC - invitation to attend the inspection of the Olean Flood Protection Project on 9/27/05 at 8AM at 150 Charles Street in Olean. *** Councilman Higgins to look into attending this ***
11. Great Olean Area Chamber of Commerce - Agenda for 9/29/05 meeting
12. Town of Allegany Planning Board minutes from the 8/8/05 meeting.
13. NYS Dept. of State - notice that Local Law #1 of 2005 has been filed on 8/26/05.
14. Town of Allegany Zoning Board of Appeals minutes from 9/6/05 meeting.
15. Town of Allegany Zoning Board of Appeals minutes from 9/16/05 meeting.

NEW BUSINESS

#3-MOTION TO AUTHORIZE SUPERVISOR TO SIGN BAN RENEWAL

Motion by Potter to authorize the Supervisor to renew the BAN for the ReVal on 9/30/05 with First Tier Bank at 3.20%. 2nd by Wolf. Higgins-aye, Potter-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

1. Cranberry Court Right of Way abandonment *** Attorney Tuttle and C. Horowitz to check in the basement storage for information on this ***
2. M. Blumenthal to plant 10 trees west of the previous trees on Constitution Ave., scheduled for Nov. 12, 2005.
3. Address the Lead Status for SEQR on COR Project and Wal-Mart project.
4. US. HUD - Small Cities Performance Assessment Report. Dtd 9/22/05.

#4-MOTION TO REFER ISSUES IN ZONING ORDINANCE II TO PLANNING BOARD

Motion by Eaton to send a letter to the Planning Board requesting that they look into possibly changing the section in the Zoning Ordinance II that refers to parking space size and driving aisle size. 2nd by Potter. Higgins-aye, Potter-aye, McMullen-aye, Wolf-aye. Eaton-aye. CARRIED.

#5-MOTION TO RESCIND MILEAGE RATE MOTION

Motion by Potter to rescind the motion #3 of the 9/8/05 Town Board meeting which set mileage reimbursement at \$.50/mile, and now change it to the Federal Rate of \$.48 ½ per mile and the matter will be re-visited at the Organizational Meeting in January 2006. 2nd by Eaton. Higgins-aye, Potter-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

UNFINISHED BUSINESS

1. Police Contract - TABLE
2. Authorize the DCO to carry a weapon while carrying out DCO duties.
3. Authorize Supervisor to sign contract with Catt. Co. for Assessors Services
4. Approval for Trending Services - (3 proposals) *** TABLE THIS ITEM ***
5. Follow-up on Town Hall heating/cooling system (committee reports)

*** The DCO, Bud Bronold addressed the Town Board regarding the authorization for him to carry an unconcealed weapon while carrying out DCO duties. There was a discussion between Mr. Bronold and Attorney Tuttle. It was decided that they would meet to discuss various issues that need to be addressed.

#6-MOTION TO ENTER INTO ASSESSOR SERVICES WITH CATTARAUGUS CO.

Motion by Potter to authorize the Supervisor to sign the contract with Cattaraugus County for Assessors Services as presented by the Cattaraugus County Attorney's Office. 2nd by Higgins. Higgins-aye, Potter-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

#7-MOTION TO AUTHORIZE SUPERVISOR TO SIGN HUD REPORT

Motion by Higgins to authorize the Town Supervisor to sign the HUD Small Cities Performance Assessment Report. 2nd by Eaton. Higgins-aye, Potter-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

OTHER BUSINESS

1. Flow-chart for Building & Zoning Office (Carol Horowitz)
2. A budget work session on Thursday, Sept. 29 at 7PM in Town Hall

COMMITTEE REPORTS

- **Councilman Wolf** - Spoke with Mike Young of Empire Bldg. & Diagnostics regarding asbestos. Mr. Young will give a quote by next meeting.
- Supervisor Eaton - he and Councilman Potter will need to meet to discuss costs for the water rates.
- **Councilman Higgins** - update on girls' softball - need about \$4000.00 to pour a concrete pad. This will need to be put out to bid.
- **John Moshier** - the highway garage leaks when it rains. Councilman Wolf advised that he had someone set up to come and look at the problem, but so far, they have not showed up.
- **Supervisor Eaton** asked Charlie Phearsdorf if any law enforcement officials have been out their way. Mr. Phearsdorf advised that he hasn't seen any around there.
- **Rick Kavanagh** - he had a couple questions about some of the correspondence listed. He spoke about the sizes of parking spaces at Wal-Mart. He felt that the DCO should not be authorized to carry a firearm.
- **Joan Phearsdorf** - advised the Town Board that even when you do call the law enforcement officials for something, they never even show up.
- **Ellen Peck** - questioned about fees for the 3 companies that gave summaries on trending for revaluation. Will they charge more?. **Supervisor Eaton** replied that is why we asked for proposals so we may have an idea of what they will do and for what money.

#8-MOTION TO ADJOURN

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

Meeting adjourned at approximately 8:50 pm

Respectfully submitted,

Mary M. Peck
Town Clerk