

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

ALSO PRESENT: M.Lombardo, J.Dzuroff, S.Papasergi, C.Booth, M.Painter,  
townspeople and news media.

Bids: Highway department fuel bids for 1/15/04 through 1/15/05.  
◆ Rec'd one (1) bid for diesel fuel from Rinker Oil Co., Inc., 29 Water  
St., PO Box 74, Cuba, NY 14727

Salute to the Flag at approximately 7:05 opened the meeting

#1—MOTION TO APPROVE MINUTES

Motion by McMullen to approve the minutes from the 12/30/03 year-end meeting.  
2<sup>nd</sup> by Eaton. Higgins-aye, Potter-aye, McMullen-aye, Wolf-aye, Eaton-aye.  
CARRIED.

#2—MOTION TO APPROVE MINUTES

Motion by Potter to approve the minutes from the 1/1/04 organizational meeting.  
2<sup>nd</sup> by Wolf. Discussion: typographical error – Ron Kyser's salary adjusted to  
\$8.75/hr and Carolyn Hemphill's salary adjusted to \$20.95/hr. Higgins-aye,  
Potter-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

AUDITED CLAIMS

Gen A (current)	\$18,920.46	Hwy DA (current)	\$5,312.24
( A. P. )	\$208.33	( A. P. )	\$494.91
Gen B (current)	\$308.03	Hwy DB (current)	\$5,312.24
(A. P. )	\$1,000.00	(A. P. )	\$62.00
Sp Dist.	\$583.37		

MONTHLY REPORTS

Town Clerk	Highway Superintendent
Recreation & Parks	Building & Zoning
Town Assessor	

Building & zoning report with totals for the year 2003.

Town Justice E.Allen – report for Dec.2003 – amount of check to supervisor-\$6068.50

Town Justice R.Bubbs- report for Dec. 2003—amount of check to Supervisor - \$4338.00

CORRESPONDENCE

1. Cattaraugus Co. Youth Bureau – letter from Dr. Anthony L. Evans
2. GAR Associates Inc., - invoice for reassessment project.
3. Info. On the Meadowbrook Colony MHP inspection on 5/21/03.
4. 2003 Agreement with the Village for the Library. (for review for 2004)

5. Allegany Public Library Budget for 2004.
6. 2003 Agreement with the Village for the Police Protection(for 2004 review)
7. Dog Control Officer Agreement/Contract for review for 2004 \*\*\*TABLED
8. SPCA secondary kennel contract for review for 2004 \*\*\*TABLED \*\*\*
9. Cattaraugus Co. Health Dept.- 2004 Annual Animal Control/Rabies survey  
\*\* Town Clerk is to complete this survey \*\*\*
10. Cattaraugus Co. DPW – Transfer Station Holiday Schedule for 2004 and Tire  
Collection schedule for 2004 for all transfer stations in the county.
11. Resignation from James C. Hitchcock who served on the Board of Assessment  
Review. \*\*To next agenda – unfinished business \*\*

#3—MOTION REGARDING RECREATION & PARKS FEES

Motion by McMullen for the Recreation & Parks Department not to charge a program fee that was not in effect prior to January 1, 2004. 2<sup>nd</sup> by Potter. Higgins-aye, Potter-aye, McMullen-aye, Wolf-nay, Eaton-nay. CARRIED.

UNFINISHED BUSINESS

- ◆ Authorize Supervisor's signature for Town Credit Card and set limits.

#4—MOTION TO AUTHORIZE SUPERVISOR SIGNATURE ON CREDIT CARD

Motion by Potter to authorize the Supervisor's signature on the Town Credit Card with a limit of \$10,000.00. 2<sup>nd</sup> by Higgins. Higgins-aye, Potter-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

- ◆ Appoint Helen Monroe as a Deputy Town Clerk for a one-year term.(1/1/04 through 12/31/04).

#5—MOTION TO APPOINT DEPUTY TOWN CLERK

Motion by McMullen to appoint Helen Monroe as a Deputy Town Clerk for a one-year term (1/1/04 – 12/31/04). 2<sup>nd</sup> by Wolf. Higgins-aye, Potter-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

- ◆ Appoint Nancy Phearsdorf as Town Historian for a one-year term, 1/1/04 through 12/31/04 at a stipend of \$200.00 per year.

#6—MOTION TO APPOINT TOWN HISTORIAN

Motion by Higgins to appoint Nancy Phearsdorf as the Town Historian for a one-year term of 1/1/04 – 12/31/04 at a yearly stipend of \$200.00. 2<sup>nd</sup> by Wolf. Higgins-aye, Potter-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

- ◆ Blair Road issue -- Mark Dodds, resident \*\*\* Discussion: Attorney Tuttle is to send a letter to Mr. Dodds advising that it is believed Blair Road is a private road. The Town and County have no information to show a dedication of the road.

NEW BUSINESS

- ◆ Highway Department equipment purchase – dump truck and Drott, (type of excavator)

#7--MOTION TO PURCHASE A DROTT

Motion by Potter to purchase a Drott. 2<sup>nd</sup> by Eaton. Discussion: John is to check/write the specs for the truck bid and they will be opened at the 2/12/04 meeting at 7PM. Higgins-aye, Potter-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

- ◆ Discussion on purchase of a dump truck – further discussion on this will be at the 1/22/04 meeting.
- ◆ Diesel Fuel Bids

#8—MOTION TO ACCEPT DIESEL FUEL BID

Motion by McMullen to accept the diesel fuel bid from Rinker Oil Corp., Inc., 29 Water St., PO Box 74, Cuba, NY 14727. As follows:

#1 Diesel (kerosene)	\$1.127/gal **
#2 Diesel (low sulfur)	\$1.033/gal **
Winter Blend 50/50	\$1.0800/gal **
Winter Blend 60/40	\$1.0710/gal **

This will be delivered to the Town of Allegany Highway Garage on 3790 Birch Run Rd., Allegany, NY 14706. The bid is for 1/15/2004 through 1/15/2005 and a non-collusive bid certificate is included. The \*\* denotes that the prices will increase or decrease only to reflect any increase or decrease Rinker Oil Co. receives from their supplier. 2<sup>nd</sup> by Higgins. Higgins-aye, Potter-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

OTHER BUSINESS

- ◆ Discuss a resolution by the Town Board to suspend any Department Head's pay for one (1) week if they fail to come to at least one (1) Town Board meeting per month. \*\* Discussion on this issue and it was decided that the Personnel Handbook will be reviewed for guidelines to follow. \*\*

COMMITTEE REPORTS

- ◆ Personnel - Committee for John Moshier \*\* David & Mike will meet with John on this matter.
- ◆ Building & Grounds – new hot water heaters for Senior Center \*\* there is budgeted money in the building & grounds account for this and the highway employees will do the work. \*\*

- ◆ John: state bids for pick-ups are not out yet. He would like the highway committee to be in on the purchase as they need to be ordered soon.

From the Floor: nothing

#9—MOTION TO ADJOURN TO EXECUTIVE SESSION ON LITIGATION

Motion by McMullen to adjourn to executive session to discuss pending litigation. 2<sup>nd</sup> by Higgins. Higgins-aye, Potter-aye, McMullen-aye, Wolf-aye. Eaton-aye. CARRIED.

#10—MOTION TO ADJOURN EXECUTIVE SESSION AND REGULAR SESSION

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

Meeting Adjourned.

Respectfully submitted,

Mary M. Peck  
Town Clerk