

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

ABSENT: Councilman McMullen, Town Attorney W. Tuttle

Also present: townspeople, SPCA representatives, M.Lombardo and news media

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

To be heard: Lisa Washburn of the Catt. Co. Probation Dept. *** Ms. Washburn spoke to the Town Board regarding the need/want to get probationers more into the community for services that may need to be performed. She questioned if there was anything that the Town may have in mind for the probationers to do.

#1—MOTION TO APPROVE MINUTES

Motion by Higgins to approve the minutes from the 2-12-04 Public Hearing and Regular Town Board Meeting. 2nd by Wolf. Discussion: Supervisor Eaton: would like 2 corrections on page 4 of minutes: any Tuesday evening for the joint meeting except 3/23 and 3/2; and under committee reports, the fee schedule to prepare is for the spring programs. (this has been corrected by the Town Clerk) Higgins-aye, Potter-aye, Wolf-aye, Eaton-aye. CARRIED.

CORRESPONDENCE

1. Catt. Co. Real Property Services – notice that they will not be providing envelopes for tax bills any longer.
2. Catt. Empire Zone Corp. Board of Directors Meeting agenda and previous minutes.
3. Town of Allegany Annual Financial Report as of December 31, 2003.
4. NYS Urban & Community Forestry Council – request for information and assistance.
5. NYS OFT – info on development of a proposed Statewide Wireless Network
6. Letter from Amo Houghton to Supervisor Eaton regarding the recent sales tax problem with erroneous reporting by retailers, etc..
7. NYS Dept. of Public Service – notice of expiration of Adelphia Cable temporary operating authority.
- Nb 8. Memo from Zoning Board of Appeals regarding identification as town employees.
- Ub 9. Catt. Co. Sheriff's Office – 911 Coordinator on how to change a 911 address/road name.
- Ub 10. Letter from Allegany property owner.
11. Program Fees from the Recreation Department

Cattaraugus County Legislative Prefiled Resolutions (2) -- Clerk has if anyone is interested in reviewing.

NEW BUSINESS

- #8 above – request from ZBA members for Town ID.

#2—MOTION TO APPOINT CATT. EMPIRE ZONE MEMBER

Motion by Potter to appoint Mike Higgins as the Town of Allegany representative to the Cattaraugus Empire Zone Corp. Board to take the place of Supervisor Eaton who had to resign. 2nd by Wolf. Higgins-aye, Potter-aye, Wolf-aye, Eaton-aye.

CARRIED.

UNFINISHED BUSINESS

- Village/Town Police Contracts and Town Court Security
- Bids for the highway department wheeled excavator
- Dump truck for highway dept. (John to provide some ##'s)
- Dog Control Officer Contract *****
- Secondary Kennel Agreement Contract
- Date for meeting with the Village and Town Boards – 3/9, 3/16, or 3/30 at the Town Hall at 7:00 PM
- E-911 address change for Old Route 417 Ext.
- Letter from Town of Allegany property owner.

#3—MOTION TO APPROVE VILLAGE POLICE CONTRACTS FOR SPECIAL EVENTS

Motion by Potter to approve the Village Police Contract/Agreement for special events within the Town. 2nd by Wolf. Higgins-aye, Potter-aye, Wolf-aye, Eaton-aye. CARRIED.

#4—MOTION TO APPROVE THE VILLAGE POLICE CONTRACT FOR “EMERGENCY SERVICES”

Motion by Potter to approve the Village/Town Agreement/Contract for emergency services within the Town. 2nd by Wolf. Higgins-aye, Potter-aye, Wolf-aye, Eaton-aye. CARRIED.

#5—MOTION TO APPROVE AGREEMENT WITH THE VILLAGE FOR POLICE SECURITY AT THE TOWN COURT

Motion by Higgins to approve the agreement with the Village of Allegany for police security at the Town Court. 2nd by Potter. Higgins-aye, Potter-aye, Wolf-aye, Eaton-aye. CARRIED.

***** a copy of each of these agreements will be included in the minutes books kept in the Town Hall. *****

#6—MOTION TO ACCEPT BID FOR WHEELED EXCAVATOR

Motion by Wolf to accept the bid from George & Swede Sales Service for the new 2004 Hyundai wheeled excavator for the amount of \$144,777.00. 2nd by Higgins. Discussion: this was not low bid, however, it was the best package presented per the highway superintendent. Higgins-aye, Potter-aye, Wolf-aye, Eaton-aye. CARRIED. (John is to notify George & Swede Sales of this)

#7—MOTION TO PURCHASE DUMP TRUCK ON STATE BID

Motion by Potter to authorize John Moshier, Highway Superintendent to purchase a dump truck on state bid not to exceed \$124,000.00. 2nd by Eaton. Higgins-aye, Potter-aye, Wolf-aye, Eaton-aye. CARRIED.

#8—MOTION TO TERMINATE PRESENT DOG CONTROL OFFICER CONTRACT

Motion by Higgins to terminate the dog control officer contract that the Town currently has with Eric Butler. The current agreement ran out 12/31/03. 2nd by Wolf. Higgins-aye, Potter-aye, Wolf-aye, Eaton-aye. CARRIED. *** Attorney Tuttle advised the Town Clerk previously that the DCO could work the full 30 days, 2 weeks or whatever he chose according to the contract. Town Clerk sent a letter to Eric of this on 3/2/04 and he phoned on 3/3/04 to advise that he will work until the last day of March 2004 and submit his voucher for February 2004 as usual and March 2004 after the 31st. ***

#9—MOTION TO HIRE RICHARD (BUD) BRONOLD AS DOG CONTROL OFFICER

Motion by Eaton to hire Richard (Bud) Bronold as the new Dog Control Officer effective 4/1/04. The pay is the same as budgeted plus mileage. 2nd by Potter. Higgins-aye, Potter-aye, Wolf-aye, Eaton-aye. CARRIED.

#10—MOTION TO APPROVE SECONDARY KENNEL AGREEMENT WITH SPCA

Motion by Potter to approve the secondary kennel agreement with the SPCA in Olean, New York for the year 2004. The agreement is exactly the same except for the dates. 2nd by Higgins. Higgins-aye, Potter-aye, Wolf-aye, Eaton-aye. CARRIED.

- The joint meeting with the Village Board will be held on 3/16/04 at the Town Hall at 7:00 PM. This information will be provided to the Village Board for verification. (This will need to be publicized in the Times Herald)

#11—MOTION TO CHANGE ROAD NAME IN THE TOWN

Motion by Eaton to change the name of Old Route 417 Extension to Creekside Drive. 2nd by Potter. Higgins-aye, Potter-aye, Wolf-aye, Eaton-aye. CARRIED.

*** This information will be sent to the Sheriff's Dept. for E-911 purposes ***

#12—MOTION TO AMEND THE PREVIOUS MOTION TO APPOINT BOARD OF ASSESSMENT REVIEW MEMBER

Motion by Potter to amend the previous motion made (in the 1/22/04 mtg) to: appoint Wendy Brand as a Board of Assessment Review Member to take the place of James Hitchcock who resigned. The term is 1/1/04 until 9/30/08.2nd by Eaton. Higgins-aye, Potter-aye, Wolf-aye, Eaton-aye. CARRIED.

OTHER BUSINESS

- Any resumes that come in for the Board of Assessment Review vacancy should be provided to the personnel committee.

COMMITTEE REPORTS

- Per Supervisor Eaton, the CEO office is very busy and needs help. This will be looked into. Perhaps discuss with the Village.
- Mark Lombardo, Parks & Rec. Director gave a summary of his spring program fee presentation. The board members would like to see a summer program fee schedule as it is too late to enact any changes for the spring programs.
- Per Hwy Superintendent, John Moshier, Al Ormond of Catt Co. DPW would like to know if the Town would sponsor a town-wide pick-up. Per John, the town does not have the manpower, nor the time to do something like this. John is to get back to Mr. Ormond and advise him of this.
- David Potter advised that the computers at the Town Hall are now all backed up. He is to check with Cindy Booth and Dave Barton to see about backing up their computers.

From the Floor: _____ nothing

#13—MOTION TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS UNION CONTRACT, POSSIBLE LITIGATION AND PERSONNEL

Motion by Eaton to adjourn to executive session to discuss the union contract, possible litigation, and personnel matters. 2nd by Potter. Higgins-aye, Potter-aye, Wolf-aye, Eaton-aye. CARRIED.

#14—MOTION TO ADJOURN EXECUTIVE SESSION AND REGULAR SESSION

Motion by Wolf to adjourn executive session and regular session. 2nd by Potter. Higgins-aye, Potter-aye, Wolf-aye, Eaton-aye. CARRIED.

Meeting Adjourned.

Respectfully submitted,

Mary M. Peck, Town Clerk