

7:00 PM

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: Mark & Lori Lombardo, and John Eberth of Times Herald

ABSENT: Councilman Wolf

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

#1—MOTION TO APPROVE MINUTES

Motion by Potter to approve the minutes from the April 8, 2004 regular meeting as written. 2nd by Higgins. Higgins-aye, Potter-aye, McMullen-aye, Eaton-aye. CARRIED.

CORRESPONDENCE

- NB 1. Catt. Co. Legislature – 4/15/04 – request for comments on the adoption by Catt. Co. Legislature of Guidebooks Vol. 1 & 2 of the County’s Smart Development for Quality Communities Series.....
- Nb 2. Letter dated 4/15/04 from Zoning Board Member Don Bigler.
3. Allegany Planning Board minutes of the 3/8/04 meeting and public hearing.
- Nb 4. Letter from W. Branch Resident, Charles E. Martin dated 4/5/04.
5. Letter from Village of Allegany regarding Fire Inspections on 4/20/04 at/of the Town Hall. (This was completed on 4/20/04).
- Nb 6. Letter from Catt. Co. Health Dept. regarding contracting for mosquito spraying for 2004. (contract cost \$6,667.74).
7. NYS Office of Cyber Security & Critical Infrastructure Coordination: Re: invitation to attend the 2004 NYS Cyber Security Conference. (4/21 & 4/22/04).
8. LIFE – Low-Income Forum on Energy notice/newsletter from Gov. Pataki
9. USS – C.Schumer – notice of funding requests for children w/ disabilities.
10. USS – C.Schumer – notice of funding requests for FY2004 Distance Learning Telemedicine Program.
11. NYS Office of Parks, Recreation & Historic Preservation – notice of funding application availability.
12. Marvin & Company, PC – CPA & Consultants.
13. NYS Dept. of State – memo of Appalachian Regional Commission Program for FY 2005.
- Nb 14. NYS Public Employment Relations Board – request for info- contract analysis
15. STW – notice of Community GIS User Group meeting on 4/28/04.
16. Catt. Co. Planning Board (4/16/04) Invitation for Community Participation in Reviewing Transportation / Land Use Issues in the I-86 / Rt. 417 Corridors
- Nb 17. NYMIR – notice of annual meeting and request for proxy vote

18. Letter from Senator Pat McGee that she rec'd from the NYS Dept. of Taxation & Finance dated 4/9/04 regarding the sales tax problem with Olean/Allegany addresses.
19. NYS Dept. of State-notice of a one-year membership in the International Code Council, free of charge.
20. NYS Dept. of State newly publishes CD-Rom "James A. Coon Technical Series and other selected publications" (Town Clerk has CD)
21. USS – C. Schumer – 2004 Save America's Treasures Grant Program.
22. NYS Gov – notice of availability of grant applications for programs funded under the NYS Environmental Protection Fund and Clean Water/Clear Air Bond Act.
23. NYS DOT – Design Report for So.Tier Expressway (#5006.82.121) Exit 24 to Hastings Rd.
24. Memo from Assessor on the "Router problem".

Cattaraugus Co. Legislature prefiled resolutions (4/21/04) (clerk has original)

- On #24 – D.Potter advises that there is found to be a router problem in the Town Hall Basement with the computers and DataBranch is to come and assess the problem.
- On # 16- Clerk to contact the Catt. Co. Planning Board and advise them that we are interested. (Clerk e-mailed this on Friday, 4/23/04)
- On #13 – M. Higgins is to look into this.

NEW BUSINESS

- #1 above – Catt. Co. Legislature request for comments ... *** this will be referred to the Town of Allegany Planning Board. Reminder of the 5/15/04 deadline response ***

#2—MOTION TO APPROVE PAY REQUEST

Motion by McMullen to approve the pay schedule request by Don Bigler, Zoning Board Member in his memo dated April 15, 2004. 2nd by Higgins. Higgins-aye, Potter-aye, McMullen-aye, Eaton-aye. CARRIED.

#4 above – request from C. Martin of W. Branch Rd. ** This matter is to be TABLED, but the Town Clerk is to write a letter to Mr. Martin advising that the Town Board is looking into the matter. ***

- #6 above – Catt. Co. Health Dept. Mosquito spray contract *** there was a motion by McMullen to accept the contract and a 2nd by Eaton. DISCUSSION and Councilman McMullen withdrew his motion. The Board decided that they would table this matter. Further discussion resulted in:

#3—MOTION TO ACCEPT CATT. CO. MOSQUITO CONTRACT

Motion by Potter to accept the Cattaraugus County Mosquito Contract for spraying mosquitoes in 2004 for the amount of \$6,667.74. 2nd by McMullen. Higgins-aye, Potter-aye, McMullen-aye, Eaton-aye. CARRIED.

- #14 above – NYS Public Employment Relations Board *** TABLE ***

#4—MOTION TO AUTHORIZE SUPERVISOR TO SIGN PROXY FORM

Motion by Potter to authorize Supervisor to sign the proxy form for the Annual Meeting notice for the NYMIR . 2nd by McMullen. Higgins-aye, Potter-aye, McMullen-aye, Eaton-aye. CARRIED.

UNFINISHED BUSINESS

- Code Enforcement Officer – Lance Jobe’s proposal ** discussion on need for assistance in the code enforcement office. Some Board Members want to speak with Jerry before they make a decision for more help. **
- Catt. Co. Board of Elections polling site accessibility survey ** Jack is working on and will finish it this week coming up to send to Little Valley. **
- Memo from Town Assessor on annual reassessment (dtd 3/31/04) ** Supervisor Eaton spoke with Town of Olean and their assessor does the annual reassessment for them. The Town of Olean is not quite as large as Allegany, however. Nancy Barney would like to make a presentation to the Board about the county becoming involved. ***
- Letter from Planning Board on amendments to Zoning Ordinance II ** This issue will be referred back to the Planning Board and Mr. Hellier and Jerry will need to get together to iron out a few things. *** (copy of this to W.Tuttle, Esq.)
- NYS Municipalities Safety Group 497 (worker’s comp coverage) ** Councilman McMullen and Comptroller C.Hemphill looked into this and determined that it is nothing the Town should become involved in. ***

OTHER BUSINESS

- Appoint Deputy Town Supervisor *** TABLE to next meeting when all members present. ***
- Insurance coverage issue *** Supervisor Eaton spoke w/ Town Insurance Agent and was advised that the Town Insurance will take effect after the owner of the vehicle’s insurance pays. Attorney Tuttle is to look into this matter. The mileage that the employee earns while using own vehicle is to cover insurance cost(per NYMIR) ***
- “Prior Written Notice Law” (Attorney Tuttle to look into) ** Attorney Tuttle is looking into some language needed. She will advise. **
- Adelpia Contract: per Attorney Tuttle, the contract is coming very well, just about ready. Real close.

COMMITTEE REPORTS

** Mike Higgins is to meet with Mike Blumenthal tomorrow on the web-site for the Town. He is to take care of getting the website up and running.

** Supervisor Eaton spoke with Nancy Barney about keeping the assessment at 100%. She would like to make a presentation to the board on May 27, 2004.

*** Councilman Wolf phoned Supervisor Eaton prior to meeting. He was called into work and he could not attend. The roof at the Town Bldg. Needs to be repaired very badly over kitchen, the rest is not in good shape, but the kitchen is very, very bad. The rest of the roof needs touchup here and there. There is a good size leak over Cindy's office.

*** Supervisor Eaton asked Jack McMullen if he could sit down with Mark and set up a fee schedule for the recreation department programs. Councilman McMullen is not in favor of this. Other board members do not have the time. So, Mark is to do a fee schedule for summer programs and present that to the board for review.

*** Supervisor Eaton to call Brian Pavlock of NYS ORPS to see about issues with appraisals and assessments updates.

FROM THE FLOOR

Nothing.

#5—MOTION THE ADJOURN TO EXECUTIVE SESSION ON PERSONNEL AND POSSIBLE FOIL REQUEST.

Motion by Eaton to going into executive to discuss personnel issues and a possible FOIL request. 2nd by – Higgins, Higgins-aye, Potter- aye, McMullen-aye, Eaton-aye. CARRIED.

#6—MOTION TO ADJOURN EXECUTIVE SESSION AND REGULAR SESSION

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

Meeting adjourned.

Respectfully submitted,

Mary M. Peck
Town Clerk