

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

ABSENT: Councilman Higgins Town Attorney W. Tuttle

ALSO PRESENT: C.Horowitz, J.Dzuroff, J.Elling, townspeople and news media

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

#1—MOTION TO APPROVE MINUTES

Motion by Potter to approve the minutes from the April 22, 2004 regular meeting as written. 2nd by McMullen. Potter-aye, McMullen-aye, Wolf-aye, Eaton-aye.
CARRIED.

AUDITED CLAIMS

Gen A	\$19,390.79	Hwy DA	\$15,154.11
Gen B	\$921.38	Hwy DB	\$17,134.48
Sp Dist	\$45,861.61		

MONTHLY REPORTS

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

Town Justice E. Allen – report for April 2004, amount to Supervisor \$4,262.50

Town Justice A.Spears – report for April 2004, amount to Supervisor \$5,216.00

Town Police calls for the months of October 2003, January & February 2004. (clerk has if anyone is interested in reviewing)

CORRESPONDENCE

1. Notice from Assemblywoman C. Young about funds availability for not-for-profit acquisitions and projects in recreation & historic preservation.
2. NYS Comptroller's Office – (4/04) Fact sheet on pension reform plan
3. Community GIS Users Group Meeting minutes of 4/28/04
4. NYS DEC – notice of annual celebration of Water Week.
5. Adelphia – summary notice of their reorganization plans
6. Catt. Co. Dept of Economic Development, Planning & Tourism –dated 5/3/04 – SEQR notice of Determination of Non-Significance: Redefining the Boundaries of the Cattaraugus Empire Zone of Cattaraugus County, New York.
7. Adelphia – notice of extension of service (High Tier and Flagship)

8. Letter from Parks & Recreation Supervisor of the Proposed Summer Fee Schedule. ** TABLE TO NEXT MEETING AS RECREATION DIRECTOR WILL BE PRESENT THEN. ***
- UB 9. AFSCME, AFL/CIO ; Copy of Tentative Agreement
10. Southern Tier West – Thank you for contribution/membership drive.
11. Letter from Allegany Resident to Town Highway Superintendent ***
DISCUSSION -- highway employees cut down some trees upon a request of one of the property owners, the other property owner was not in agreement, therefore, the 2nd property owner wants a fence installed instead of trees. From now on, both/all owners of a property must sign a form for any work. ***
12. Sales Tax Revenues Comparisons from Town Comptroller.
- NB 13. Cattaraugus Co. County Attorney – 4 copies of mosquito spraying contract.
- UB 14. Letter from Town Planner, C. Horowitz regarding Catt. Co. Legislature's request for Lead Agency Status. (dated 5/11/04)
- UB 15. Memo from Town Planner, C. Horowitz regarding the SEQR for Zoning Amendments. (dated 5/10/04)
16. NYS DOT – dated 5/7/04 – booklet on “The New York State Sign Program”
17. ICC – Notice of membership and voting designation form.(5/4/04).

INFORMATIONAL CORRESPONDENCE

- a. Allegany Cemetery Association – 5/1/04 treasurer's report.
- b. 4 copies of Cattaraugus Co. Legislature's prefiled resolutions/summaries
- c. Town of Allegany Planning Board minutes from the April 19, 2004 meeting.

UNFINISHED BUSINESS

#2—MOTION TO APPOINT DEPUTY TOWN SUPERVISORS

Motion by Eaton to appoint David Potter as Deputy Town Supervisor for the months of May, June, July & August of 2004 and Joe Wolf as Deputy Town Supervisor for the months of September, October, November and December of 2004. 2nd by Potter. Potter-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

#3—MOTION TO SET PUBLIC HEARING- ZONING ORDINANCE II AMENDMENTS

Motion by McMullen to set a Public Hearing on Amendments to the Zoning Ordinance II on June 10, 2004 at 7:00 pm in the Town Hall Conference Room. 2nd by Potter. Potter-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

- A. Repair of Roof of the Senior Center Building/ Birch Run Road. ** Per Councilman Wolf, the roof at the Senior Center is badly in need of repair. The kitchen needs to be done over as soon as possible and the rest needs to be repaired. There are also 5 doors that need to be replaced, (frames also). Jack & Joe are to speak with a couple more contractors for prices.
- B. Highway Department Union Contract *** TABLE TO NEXT MEETING **

#4—MOTION TO DESIGNATE LEAD AGENCY ON COUNTY SEQR

Motion by Potter (upon Town of Allegany Planning Board recommendation) to concur with the designation of the Cattaraugus County Legislature as SEQR Lead Agency on the adoption of Guidebooks Vol. 1 and 2 of the County's Smart Development for Quality Communities Series as the initial portion of a New County Comprehensive Plan for the 21st Century. 2nd by Wolf. Potter-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

#5—MOTION TO ACCEPT NEGATIVE DECLARATION ON SEQR FOR THE AMENDMENTS TO THE ZONING ORDINANCE II

Motion by Potter to accept the negative declaration on the SEQR for the amendments to the zoning ordinance II. 2nd by McMullen. Potter-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

#6—MOTION TO ACCEPT CATT. CO. MOSQUITO SPRAY CONTRACT

Motion by McMullen to authorize the Supervisor to sign the Cattaraugus County Mosquito Spraying Contract dated May 5, 2004. 2nd by Potter. Potter-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

#7—MOTION TO INCLUDE PROPERTY IN THE CATTARAUGUS EMPIRE ZONE

Motion by McMullen to include Giardini Bros. Construction Co on Gargoyle Road (parcel # 94.003-1-17) into the Empire Zone Corporation. 2nd by Potter. Potter-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

NEW BUSINESS

#8—MOTION TO APPOINT KEYBOARD SPECIALIST IN CODE ENFORCEMENT

Motion by Eaton to appoint Patty Karl as the keyboard specialist in the code enforcement office effective May 14, 2004, 20 hours per week at \$8.00 per hour. 2nd by Wolf. Potter-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

#9—MOTION TO APPOINT S. PAPASERGI IN ASSESSOR'S OFFICE

Motion by Potter to appoint Sherry Papasergi to work part-time in the assessor's office, 20 hours per week at \$8.25/hour. 2nd by Eaton. Potter-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

#10—MOTION TO APPOINT BOARD OF ASSESSMENT REVIEW SECRETARY

Motion by Potter to appoint Sherry Papasergi as the Board of Assessment Review Secretary at the budgeted rate. 2nd by Eaton. Potter-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

#11—MOTION TO AUTHORIZE SUPERVISOR TO SIGN B.A.N.

Motion by McMullen to authorize the Supervisor to renew the BAN that will be due on May 28, 2004 at the First Tier Bank & Trust for Highway Equipment (Backhoe/loader and Dump Truck). The renewal is for \$25,000(final payment) the

interest rate will not exceed 2 ¼ %. 2nd by Potter. Potter-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

#12—MOTION TO ACCEPT PLANNING BOARD RECOMMENDATION ON RIVER'S EDGE SUBDIVISION BOND FOR ROADWAY

Motion by Potter to accept the planning board's recommendation to accept Highway Superintendent and Town Engineer's determination that a \$75,000.00 Bond be placed by the Kinley Corp. for River's Edge Subdivision roadway. 2nd by Wolf. Potter-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

#13—MOTION TO ACCEPT TRANSFERS AS PRESENTED BY COMPTROLLER

Motion by Eaton to accept the transfer of \$1648.72 from A1355.11 Assessor's Aide PS to A1355.48 Assessor's Contractual to cover Temp Help in Assessor's Office. Also the following adjustment is needed: To increase Estimated Revenues DA510 (Subsidiary Acct – Sale of Equipment DA2665) by \$39,274 thereby increasing Appropriations DA960 (Subsidiary Acct- Machinery EQ DA5130.2) by \$39,274. This allows the equipment acct to increase in order to pay for the new pickups after the sale of the old pickups. 2nd by Potter. Potter-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

1. Set date to meet with the Village Board (a Wednesday night is preferable)
**This will be looked at by each member and reported back to Village **

COMMITTEE REPORTS

- David Potter is to be on the committee with Village of Allegany, Town of Allegany and St. Bonaventure University.
- Grievance Day is to be held at the Court Room on 5/25/04. 2-4pm and 6-8pm.
- David Potter has met with the Village on the Web-site for Town and Village. Some St. Bonaventure students are to help set this up. Committee- D.Potter, M.Higgins, W.Brand and D.Barton.
- Thank you to Wendy Brand for work on Brick Park.

From the Floor:

K.Chaffee of SPCA-- she would like to make a presentation to take over dog control, but she needs to know how much money the Town has to spend. Since we do not have much to spend on this, she is to put together something and address the board at another meeting.

J.Crisafulli of Kinley Corp. -- wants to know how people can be notified when their property is changed (zoning-wise)

J.Moshier-- the excavator will be delivered the end of June 2004. Union St. parking lot is finished. Highway employees are doing CPR training.

#14—MOTION TO ADJOURN TO EXECUTIVE SESSION ON PERSONNEL

Motion by Eaton to adjourn to executive session to discuss personnel matters. 2nd by McMullen. Potter-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

#15—MOTION TO ADJOURN EXECUTIVE SESSION AND REGULAR SESSION

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

Meeting Adjourned

Respectfully submitted,

Mary M. Peck
Town Clerk