

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

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

To be heard: Cindy Baire of GAR Associates -- provided a handout to the board members about the annual re-assessment. Ms Baire gave a summary of what the re-assessment is about, what it does and how much it costs. She advised that the State of New York monitors the re-assessment projects that are conducted in the state. The GAR company will assist the Town Assessor in doing this job for \$15,000.00 which Ms Baire states that the NYS ORPS will reimburse the Town for. Some of the townspeople in the audience were allowed to speak and they all expressed their dissatisfaction with the way the re-assessment was conducted, the amounts that were put on their properties and with paying GAR to keep up the re-assessment. Why can't each person in the town pay the same amount extra instead of paying GAR to do it?

#1—MOTION TO APPROVE MINUTES

Motion by Wolf to approve the minutes from the June 10, 2004 Public Hearing and Regular Meeting. 2nd by Higgins. Discussion: Mike Higgins: on page 4, #4, the Bona's students that are working on the Web-site are not volunteer, they are being paid by St. Bonaventure. Clerk will correct this in the minutes. Vote: Higgins-aye, Potter-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

CORRESPONDENCE

1. Clinic for BENDIX ABS Systems (Tractor & Trailer Systems)
2. GAR Associates Inc. – invoice and letter on BAR support.
- Nb 3. Request from Allegany Area Historical Assn. To use Town Hall Park on 8/6 and 8/7 for the Annual Allegany Heritage Days.
4. NYS DEC and Giardini Bros. Gravel Pit letter dated 6/3/04.
5. Adelphia-notice of customer service telephone answering performance
6. Letter from West Branch Road residents regarding the Dog Grooming facility in their neighborhood. ** C.E.O. and Carol Horowitz to look into this issue.
7. Letter from W.Tuttle, Esq. to Mark Howden regarding the Taylor/Perkins properties in the Town of Allegany, Four Mile Road.
- Nb 8. Letter from Attorney Arthur J. Giacalone regarding Wal-Mart supercenter plans. (He is attorney for "Community First of Cattaraugus County)
9. STW - User Group meeting for 7/21/04 with RSVP Card.
10. Catt. Co. Legislature on Act # 322-2004 adopted by the Legislature on 6/9/04. This is in regards to regulation of residential septic systems.

11. Letter from Mike Blumenthal to CEO regarding Wal-Mart and restriping of parking spaces smaller than code.*** C.E.O. and Carol Horowitz to look into this issue and respond to Board. ***
- Ob 12. Letter from Duggan & Duggan regarding NYS Dept. of Labor.
13. Catt. Co. Planning Board Agenda for 6/24/04 meeting.

Cattaraugus County Legislature Prefiled Resolutions (2) if anyone would like to review, Clerk has copies.

UNFINISHED BUSINESS

- A. David Rivet and Transfer Station Issue (yard waste box at highway garage) **
Supervisor Eaton spoke w/ Mr. Rivet and they are putting the yard waste box and the Transfer Station site. **

NEW BUSINESS

- A. Request from Historical Society to use Town Park on 8/6 & 8/7/04 for Heritage Days.

#2—MOTION TO GRANT USE OF TOWN PARK

Motion by McMullen to allow the Allegany Area Historical Assn. the use of the Town Park on 8/6/04 and 8/7/04 for their annual Heritage Days Celebration. 2nd by Potter. Higgins-aye, Potter-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.
Note Town Clerk will send a letter to Mrs. Potter advising of this. **

- B. Letter from Attorney Giacalone representing Community First of Cattaraugus County. *** Councilman McMullen asked Attorney Tuttle to contact this Attorney and obtain some information from him on who this organization is, who is it compromised of, etc. ***
- C. Per Comptroller C. Hemphill, the interest rates for BANs are as follows: 1st Tier Bank – 2.15%, Community Bank - \$2.85 % and M & T Bank – 2.28%.

#3—MOTION TO SIGN BAN

Motion by Potter to accept and sign the BAN from First Tier Bank & Trust Col, in the amount of \$175,000.00 for the Drott at an interest rate of 2.15%. 2nd by Eaton. Higgins-aye, Potter-aye, McMullen-aye, Wolf-aye, Eaton-aye, CARRIED.
(hopefully to be delivered the last week of July)

OTHER BUSINESS

1. Letter from Duggan & Duggan regarding NYS Dept. of Labor issue. **
Attorney Tuttle is to write a letter of response to Mr. Duggan. It is not the Town's responsibility to set wages for work done on our premises. The Town does not have a legal duty to set such wages.
2. Executive Session

COMMITTEE REPORTS

- Mr. Potter- waiting for information from the Association of Towns for information regarding the issue of a full-time administrator/ Supervisor for the town. Hopefully he will have more information available at the next meeting.
- Mr. Higgins- the Town/Village web-site is making progress. Will update periodically.
- Mr. Wolf- no roof repairs yet. We will have to post the insurance bonds and the prevailing wages information on the site. The list of employees will also need to be posted.
- Mr. McMullen- girls softball group for the area to meet. He does not know exact intentions of the group, but will find out and report back to the Board.
- Mr. Moshier- a fiberoptic cable is being put up on Rock City Hill. John is to meet with W. Tuttle, Esq.. Ms. Tuttle is also to reply to Fox's on Carey Hollow Road regarding the water run-off issue.

From the floor:

- Mr. Ron Kyser: questioned, when does the Town break even on this Re-val?
- Mr. & Mrs. Horace Peck also questioned the basis for the Re-val, where did the company come up with the information? How were the figures arrived at?
- Mr. & Mrs. Carl Foster questioned how did the Town think the people could afford these taxes? How do they expect people to pay them?
- Jason Crisafulli: Where do the people get the answers to these questions? He has gone through the entire re-val and assessment process and has also addressed his questions to the Assessor. He cannot get a straightforward answer. He had the Assessor go with him up to Hawthorn Lane and physically view some properties.
- Ray Mercado: regarding his letter about the Dog barking & kennel. Supervisor Eaton is going to speak with the CEO and Town Attorney about this and have them look into the matter.
- Mr. Elling: on 3/19/04 he wrote a letter to the Town Board. When is he going to get some answers? He feels he is wasting his time and the Town's time when the Town Board does nothing to make people do their job. He is submitting his resignation as Zoning Board of Appeals Chairman effective 6/29/04.

#4—MOTION TO ADJOURN TO EXECUTIVE SESSION ON PERSONNEL

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

CARRIED.

#5—MOTION TO ADJOURN EXECUTIVE SESSION AND REGULAR SESSION

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

CARRIED.

Meeting adjourned.

Respectfully submitted,

Mary M. Peck
Town Clerk