

PRESENT WERE: Supervisor Eaton Councilman Potter
Councilman McMullen Councilman Wolf
Comptroller C. Hemphill Town Clerk M Peck
Also present: J.Dzuroff-CEO, Zoning Board Members: J.Elling,
D.Bigler,J.Jones,R.Phillips-PB, Little League Board Members,
townspeople and news media.

ABSENT: Councilman Higgins Hwy Superintendent Moshier
Attorney W.Tuttle

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

To be heard: Greg Pearl, President of Allegany Little League, Inc. *** Jeff Wood, representing the Allegany Little League spoke on behalf of the organization. He provided a handout and summary of the teams, number of players, age groups, fields, etc.. He gave a brief summary of the rules and regulations of the Organization that the little league is in. The Little League Organization is more than happy to work with the girls softball group that is interested in starting a league. The LLOrganization needs help from the Town/Town Board for a long-term solution in order to include the girls softball league. They suggest another field to be built somewhere.. Ken Sparks, also of the organization stated that if another field was available, it would be easier to include all children, both Little League and Softball. He suggests that another field be constructed in the same location as that would make it easier for parents and children alike.. *** Greg Pearl advised that as long as the Town/Village has a charter for baseball/softball, and if the teams had to be cut because of not enough room for players, those children that are cut, cannot go and play anywhere else. *** Jack McMullen – wanted the names of the Board of Directors for the Little League Organization. Mr. McMullen would like to meet with both the softball directors and the baseball directors to see if they can work something out. Councilman Wolf volunteered to work on this also.

David Potter regarding the ZBA members: Mr. Potter has spoken with the ZBA members and advises that they think very highly of Mr. Elling and would like him to stay on. Mr. Elling stated that he would stay on the ZBA as Chairman if he could have the assurance of the Town Board that when the ZBA grants a variance or whatever with conditions, the code enforcement officer will enforce those conditions. Mr. Potter gave his assurance that that will be done. Therefore, Mr. Elling withdrew his letter of resignation.

#1—MOTION TO APPROVE MINUTES

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

CARRIED.

AUDITED CLAIMS

Gen A	\$40,994.87	Hwy DA	\$10,503.41
Gen B	\$997.80	Hwy DB	\$62,876.14
Sp Dist	\$5,207.57		

MONTHLY REPORTS

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

Town Justice A. Spears- amount of check to Supervisor for July 2004 - \$3500.00.

Town Justice E. Allen – amount of check to Supervisor for July 2004 - \$2495.00.

CORRESPONDENCE

1. Notice of Petition from RB-3 Associates
2. Notice of Negative Declaration from Catt. Co. Dept. of EDP&T. on the snowmobile trails in Cattaraugus County.
3. Approved Planning Board Minutes from the July 12, 2004 meeting.
4. NYS Dept. of Public Service – on Adelpia Communications
5. TVGA Consultants – NY Main Street Program.
6. NYS Public Service Commission – Order on Staff Approval for safety inspection.
7. NYS Public Service Commission – Notice Soliciting comments
8. Notice from Village Clerk, Rena Flynn that she would not be able to Takeover the water billing for the town.
9. NYSEG – advising of training program on handling natural gas emergencies.
10. Notice of Complete Application from NYS DEC for Allegany Engine Co.
11. Letter from City of Olean to Village Clerk on the payment for sewage treatment
12. NYS Association of Towns notice of annual dues (\$1000.00)
13. Letter from Kinley Corp. on the River's Edge Subdivision dtd 7/28/04
14. Letter from Lance Jobe, (fill-in CEO) to Violators of the Zoning Ordinance II
15. Invitation to Town of Randolph Open House & Flag Dedication 8/22/04 at 12:30.
16. NYS Board of Real Property Services – notice of Final State Equalization Rate.: 100.00
17. Memo from Town Engineer, Glenn Cooley to Supervisor Eaton on the Cranberry Road Right of Way.
18. Information Packet by Steve Munson on the Route 417 roadway, etc.
19. Financial Statement for year ending 12/31/03 for Catt. Empire Zone Corp.
- Nb 20. Memo from Town Clerk regarding appointment of Deputy Town Clerk.
21. Advertising Advantage letter to C. Horowitz (dated 7/21/04). 21-a.: letter from Planning Board to William Prieto of Advertising Advantage (dated 7/13/04).
22. NYS Insurance Dept. notice of distribution of fire tax funds.
23. Letter from Mayor Quinlan to Supervisor Eaton on the Wal-mart Plaza Expansion. (dated 7/12/04)
24. STW – notice of setup and preparation fee for Community GIS site.
25. NYMIR – Bi-annual loss report for 1/1/04 – 6/30/04.
26. Legal Notice of Public Hearing for Allegany-Limestone Central School District on closing of former school building at 80 N. 4th Street, Allegany

27. NYS DOT – notice of acceptance of completed work for work on Route 417 reconstruction (#D259159 – CPIN 5056.15.321)
28. Town of Allegany Zoning Board of Appeals minutes from 6/8/04 meeting.
29. NYW OFT – letter about statewide wireless network – final scope
30. Niagara Mohawk – 10,000 Trees and Growing(tree program)
31. Revised June 2004 C.E.O report
32. Notice of Petition for St. Bonaventure University
33. Town of Allegany Planning Board Minutes of 6/28/04 meeting
34. Town of Allegany Planning Board Minutes of 6/14/04 meeting
35. Letter from Planning Board to K. Taft of DEC on Lippert Gravel Pit modifications.
36. NYS DEC – Environmental Regulatory Fee notice
37. Memo from Assessor about copy machine
38. Letter from B.Survil which is a copy of his letter to the Editor of Times Herald.
39. Letter from J.Baire, Produce Manager of Top’s Market
40. DISASTER ASSISTANCE BRIEFING NOTICE -- FEMA SPRING 2004 (added on today, August 12, 2004)

*** on #8 above- no interest by the Village in doing the Town water billing and there is no interest in a joint planning/zoning board with the Village & Town at this time ***

*** on #17 above – Attorney Tuttle is to research the purchase of the Cranberry Rd. ROW to see what is recorded ***

#2--MOTION TO APPOINT DEPUTY TOWN CLERK

Motion by Eaton to appoint Patricia Karl as a Deputy Town Clerk at \$8.25 current rate of pay. 2nd by Potter. Potter-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

#3—MOTION TO WAIVE PUBLIC IMPROVEMENT FEE

Motion by Eaton to waive the public improvement fee for Kinley Corporation for the River’s Edge Subdivision upon approval of the Town Attorney. 2nd by Potter. Potter-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

Cattaraugus County Legislature Prefiled Resolutions (2)

UNFINISHED BUSINESS

- a. request from W.Branch residents on issue w/ Classy Canine Dog Kennel *** CEO has sent a certified letter to Classy Canine regarding this. ***
- b. Asbestos Monitoring/Water from Catt. Co. Health Dept. (waiver to be filled out) *** John Moshier to fill out form ***
- c. Request from West Valley Citizen Task Force for a Town of Allegany resolution. *** Attorney Tuttle will look into this so this will go on next agenda ***

OTHER BUSINESS

- a. Annual Reassessment Support by GAR - \$15,000.00/yr.
#4—MOTION TO HIRE GAR TO CONDUCT ANNUAL REASSESSMENT
Motion by Eaton to hire GAR to conduct the Annual Reassessment for \$15,000.00. 2nd by Wolf. Discussion. Potter-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED. (Supervisor Eaton to contact C.Baire)
- b. Cranberry Court issue *** researching ***
- c. Jack McMullen's request of Attorney Tuttle on Concerned Citizens Group matter. *** waiting for reply from Attorney Tuttle on this matter. ***
- d. 2005 budget requests to be sent out
- e. C.E.O. Letter to Benderson on violations that need to be resolved. *** all but the parking lot space size have been corrected. ***
- f. Request for Supervisor: merge of Zoning Board of Appeals and Planning Board *** per Mr. Elling: he feels the Town Board is asking the Planning Board to do an awful lot – must first do planning and then switch to zoning issues. Feels that no money will be saved by changing. The Town Board has no problems with this, so Supervisor Eaton will address the question to the Planning Board Members and see what their opinion is. ***
- g. IDA Policy Change *** a Public Hearing coming up to change their payment in lieu of taxes plan. ***

COMMITTEE REPORTS

#5—MOTION TO REPAIR SENIOR CENTER PARKING LOT

Motion by McMullen to have the Highway Superintendent extend the Senior Center Parking Lot approximately 9000 sq. feet with blacktop base and binder at a cost of approximately \$2250 which is to come out of the general fund contingency account. 2nd by Eaton. Potter-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED.

Joe Wolf- the weather is not cooperating to repair the roof at the Senior Center. He would like to go ahead with the doors and get them replaced.

From the Floor: John Crisafulli: would like to say that the CEO is busy. Mr. Crisafulli has been out and about and has heard many things. He would just like to say that the CEO is doing a good job and does not think that many people really realize what he does.

#6—MOTION TO ADJOURN MEETING

Motion by Potter to adjourn meeting. 2nd by Wolf. Potter-aye, McMullen-aye, Wolf-aye, Eaton-aye. CARRIED. Meeting Adjourned.

Respectfully submitted,

Mary M. Peck, Town Clerk