

PRESENT WERE: Supervisor Eaton Councilman Wolf
Councilman McMullen Councilman Potter
Councilman Higgins Comptroller C. Hemphill
Attorney W. Tuttle Deputy Town Clerk S. Papasergi
Hwy Supt. J Moshier

Also Present: J. Dzurhoff CEO Marsha Painter, Assessor
Dawn Karl, Times Herald

ABSENT: Mary Peck, Town Clerk Mark Lombardo, Rec Center

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

#1 MOTION TO APPROVE MINUTES

Motion by Potter to approve the minutes from the August 12, 2004 regular meeting as written. 2nd by Wolf. Potter-aye, McMullen-aye, Higgins-aye, Wolf-aye. Eaton-aye. **CARRIED.**

AUDITED CLAIMS

Gen A	\$20,874.33	Hwy DA	\$7,043.63
Gen B	\$694.03	Hwy DB	\$60,449.19
Sp Dist	\$873.27		

MONTHLY REPORTS

Town Clerk	Highway Superintendent
Recreation & Parks	Building & Zoning

Town Justice E. Allen report for August 2004 – amount of check to Supervisor \$5240.00
Town Justice A. Spears report for August 2004- amount of check to Supervisor \$4485.00

CORRESPONDENCE

1. NYS Dept. of State – brochure and CD's on redevelopment of abandoned buildings in NYS. (Clerk has CD's)
2. Catt. Co. DPW – Draft Hazard Mitigation Plan (dtd 8/25/04)
3. NYS DEC – invitation to attend annual joint inspection of the Olean Flood Protection Project. 9/15/04 at 8am at Olean Field Operations Cntr.-Olean
4. (and 4a) NYS DOT – Notice of completion of work on Rest Areas off of I-86.
5. Request from Town Court Clerk to attend Training Class (10/14/04)
6. Catt. Co. Health Dept. – Mosquito Spraying Bill- \$6667.74 (2004)
7. NYS Public Service Dept. (2) re: Energy Service Companies
8. Thank you from Allegany Area Historical Assn. for support of the 22nd Annual Heritage Days.
9. GAR Associates Inc. – Annual Reassessment Support Services
10. Greater Olean Area Chamber of Commerce Agenda of 8/24/04 meeting.

11. NYS Association of Towns – regarding opposition to State Budget and the disposition of Justice Court fines. (would like Towns to send letters)
12. NYS Comptroller’s Office – on modification of NYS retirement Systems’ Annual Payment Dates, etc..
13. Cattaraugus Co. Treasurer – sales tax receipts comparisons for 2003 & 2004
14. Notice of application of Liquor License Renewal for the New Lakeview Chinese Restaurant, Inc.
15. STW – notice of STW membership programs and changes for 2005.
16. NYS DOT – FINAL DESIGN REPORT – I-86 exit 24 to Hastings Rd. (Clerk has project report booklet)
17. Catt. Co. Dept. of Economic Development, Planning & Tourism – RE: GOSC Strategic Planning Grants.
18. NYS ORPS – State & Local Government Collaboration on assessment rolls.
19. NYS Dept. of Public Service – invitation to attend a regional seminar on 10/13/04 at Country Inn Suites regarding cable television regulation.
- Nb 20. Catt. Empire Zone Corp. – contract for 2004 Contract.(\$9500.00)
21. Letter from J. Higgins to Supervisor Eaton on Trail Maintenance worker
22. MLC – request for opportunity to provide financing for future equipment purchases or refinancing needs.

Cattaraugus County Prefiled Resolutions & Summary(s) (5) * clerk has if anyone would like to review.

*** Also- Clerk has copies of Small Claims Assessment Review files (copies were made and distributed, just not listed separately on agenda) ***

- ❖ On # 3 above – would anyone like to attend the NYS DEC Flood Protection Project. John Moshier said no, but Mike Higgins said he would try to attend.
- ❖ On # 9 above – Gar Associates Inc. Supervisor Eaton contacted Cindy and asked her if it was possible if the Town could pay next year because it wasn’t budgeted for this year. She said that was ok with her.
- ❖ On # 11 above – NYS Association of Towns regarding opposition to State Budget, will speak with Cindy Booth, Court Clerk later in the meeting.
- ❖ On # 12 above – NYS Comptroller’s Office, Retirement Systems Payment Date. We do pay this during the fiscal year, we are not going to spend the money, we will put it in to a CD. It has to be budgeted for next year.
- ❖ On # 15 above – STW membership program, discussed the letter.
- ❖ On # 19 above – NYS Dept of Public Service, cable television regulations. Supervisor Eaton asked Wendy Tuttle if she could attend, she said if she is available she would.
- ❖ On # 20 above – Empire Zone Corp. – contract for 2004
- ❖ On # 21 above – Letter from Joe Higgins to Supervisor Eaton on Trail Maintenance. A letter was written to St. Bonaventure asking them to reinstate the \$ 1,000.00 that they have donated since the trail has been in use. The Town also budget \$1,000.00.

UNFINISHED BUSINESS

- Little League – Jack McMullen and Joe Wolf asked that the Town Board to approve the site preparation for a new playing field at the end of the unpaved parking lot at Stayer Park. After much discussion, the board decided to have fencing and guard rails so people don't park there when there is a game to be played.

#2 MOTION TO APPROVE A NEW PLAYING FIELD AT STAYER PARK

Motion by Jack McMullen to approve a new playing field at the end of the unpaved parking lot at Stayer Park 2nd by Eaton. Potter-aye, Higgins-aye, Wolf-aye, McMullen-aye. Eaton-aye. **Carried.**

- Supervisor Eaton, asked Wendy Tuttle if the waiver for Kinley Corp that was passed at the last meeting, if she had a chance to look at it. The Town Clerk faxed the information to Wendy, she said she doesn't remember getting them but will check with her secretary. (Ms. Tuttle's secretary called and said she found the information.)
- Supervisor Eaton, stated that Jack McMullen asked Wendy Tuttle about the Cattaraugus County Coalition of concerned citizens. Wendy sent a letter but received no response, so she will send another letter to their Attorney.
- Supervisor Eaton asked Wendy Tuttle about the Farmersville Dump Opposition. She said she will report at the next meeting on the Opposition.

NEW BUSINESS

- Supervisor Eaton set September 27, 2004 at 6:00 PM for the Budget Workshop in the conference room in the Town Hall. Everyone on the Town Board was ok with the date and time.
- (#20 above) Catt. Empire Zone Contract – need to make a resolution to sign the contract.

#3 MOTION TO SIGN CATTARAUGUS EMPIRE ZONE CONTRACT.

Motion by McMullen for the Town Supervisor Patrick Eaton to sign the Catt. Empire Zone Contract. 2nd by Higgins. Potter-aye, Higgins-aye, Wolf-aye, McMullen-aye. Eaton-aye. **CARRIED.**

- #21 After much discussion by the Town Board about the Trail and the maintenance of it, the Board decided to hire a retired person part-time to keep the trail clean, mowed and free of any debris during the summer months. It would be hours as needed. The Board asked if the Town Clerk would put an ad in the paper for a part-time maintenance worker at \$7.00 an hour and pick up an application at the Town Hall by September 20, 2004. Also, they must provide their own transportation.

#4 MOTION TO HIRE A MAINTENANCE WORKER

Motion by Eaton to hire a Maintenance worker at \$7.00 per hour for the trail. 2nd by Higgins. Potter-aye, Higgins-aye, Wolf-aye, McMullen-aye, Eaton-aye, **Carried.**

OTHER BUSINESS

- Catt Co IDA, Dave Potter said that Norm Leygh would be glad to come and speak to the Town Board to discuss the change in the program.
- Joe Wolf, effective October 1, 2004 will be the Deputy Town Supervisor.
- Carol Horowitz, Town Planner, and the Planning Board they said we should refund \$300.00 to Advertising Advantage, for the permit fees paid to Building and Zoning for Pasta Luigi sign on NYS RTE 417 and the Giardini sign on Constitution. When they applied for the permit we were in the process of changing our Zoning Amendments and signs. Also the Giardini property, is in the overlay district, both permits applied for giving the situation we should refund the money.
- Town Supervisor, Eaton asked Cindy Booth, Court Clerk to attend this meeting to explain a change for a surcharge on traffic tickets. The Town Board will needs to enact an ordinance. Wendy Tuttle, Town Attorney will do the language and get back to the Town.
- Mike Higgins, is checking on the phone system in the Town Hall. He said he could possibly save \$900.00 a year. He will have more information at next meeting.

Transfers by the Comptroller:

\$ 167.74 to A4050.4 Public Health CE from A9060.8 Health Ins. CE

\$ 1,500.00 to A5010.11 HWY Tmkpr PS from A1110.11 Court Clerk PS

#5 MOTION TO MAKE TRANSFERS

Motion by Eaton to approve the following transfers as provided by the Town Comptroller: \$167.74 to A4050.4 Public Health CE from A9060.8 Health Ins CE
\$1500.00 to A5010.11 Hwy Tmkpr PS from A1110.11 Court Clerk PS. 2nd
by McMullen. Potter-aye, McMullen-aye, Wolf-aye, Eaton-aye, Higgins-aye.
CARRIED.

COMMITTEE REPORTS

John Moshier, Highway Superintendent, would like to advertise for a bid on a storage building. He would like to start the foundation this year. Bids are to in by September 23, 2004 at 7:00PM. and will be opened then. John won't be attending next meeting. Joe Wolf and Mike Higgins will take care of the bids.

Wendy Tuttle, would like to attend the Fair Labor Act Seminar on November 18th, Supervisor Eaton also suggested that Carolyn should attend because he has asked he many questions in the past.

Town Court Clerk would like to attend Training Class on 10/14/04.

MOTION BY TO ADJOURN TO EXECUTIVE SESSION

Motion by Eaton to adjourn to executive session for legal issues. 2nd by Higgins. Potter-aye, McMullen-aye, Higgins-aye, Wolf-aye, Eaton-aye. **CARRIED.**

MOTION TO ADJOURN MEETING

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

From the floor: NONE

Adjourn

Respectfully submitted,

Sharon Papasergi, Deputy Town Clerk

Town Clerk has made the corrections as mentioned in the Sept. 23, 2004 meeting.

9/29/04 Mary Peck.