

**MINUTES – TOWN OF ALLEGANY
REGULAR BOARD MEETING
TUESDAY, NOVEMBER 26, 2019 7:00 PM TOWN HALL**

PRESENT:

Supervisor Martin	Councilman Hitchcock
Town Clerk D. Pinney	Councilman Parker
Comptroller D. Piccioli	Councilman Koebelin
Councilman Maguire	Hwy. Superintendent Moshier
Attorney Tuttle	

ABSENT:

ALSO PRESENT:

Stephanie Guthrie, Cody Guthrie, Adam Schultz (DEC Oil & Gas), Ken Baginski (DEC Region 9 Natural Resource Supervisor), Rick Stady (Allegany Fire Chief), Pete Hellier (Planning Board Chair), Eric Wohlers (Catt Cty, Health Dept. Env. Svcs.), Matt LeBlanc (Dimes Energy), Eric M. Firkel (Dimes Enery LP), Tom & Judith Chaffee, Dale Shively, Nancy Shively, Melanie Jones, Bryan Jones, Jared Smith (St. Bonaventure), T.J. Pignatero (NYS DEC), Judy Capozzi, Gail Hammond, Ken Baginski (NYS DEC), Todd Watkins, Dani Watkins, William Capozzi, Bill Capozzi, Mary & Bob Davis, Phil & Tammy Gardner, Ron Volz, Zach Volz, Daniel Mohr, Andrew Cooper, Kate Day Sager (Olean Times Herald), Andrea Jones.

Salute to the Flag opened the meeting

#202-MOTION TO ACCEPT MINUTES FROM THE NOVEMBER 12, 2019 REGULAR BOARD MEETING

Motion by Councilman Maguire to accept the minutes from the November 12, 2019 Regular Board meeting as written. 2nd by Councilman Hitchcock. Martin- aye, Koebelin-aye, Hitchcock-aye, Maguire-aye, Parker-aye. CARRIED

CORRESPONDENCE

1. Judy Capozzi letter – Four Mile drilling
2. Gail Hammond letter – West Branch drilling

NEW BUSINESS

1. Discuss drilling situation on W. Branch & 4 Mile with concerned residents
 - Members from the community stated many concerns/fears with the drilling related activities on W. Branch & 4 Mile such as: Safety, Fire Safety, water quality, the explosion of the Volz home (active ongoing investigation), constant truck noise, dust and dirt, hours of operation, property values, if an environmental impact study was done, fracking, how many wells, if they are checked and monitored, spill (broken line on Boulder Ridge).

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- Representatives from the DEC, the Cattaraugus County Health Dept., Allegany Fire & Rescue as well as Dimes Energy were present to take questions from the community and give contact information for future contact as well as testing options that are available locally. They also informed the group that testing and study information relating to the drilling is available by F.O.I.L. at the DEC office by St. Bonaventure.
- The citizens expressed that they would like to have the homes in the area tested without the homeowners having to pay for the testing. The Health Dept. will perform some tests. Matt LeBlanc (Dimes Energy) will look into the possibility of assisting with the costs of the testing as well as keeping the roads cleaner and the roads are getting bonded for maintenance.
- David Koebelin asked what the long-term plan was for the safety & maintenance of the roads. Matt LeBlanc responded that better road cleaning street sweeper coming soon. He also said the project should be done a year from now.

2. Approve Planning Board to proceed with Countryside Properties Solar Project (Part 3 of SEQR)

#203-MOTION TO APPROVE THE PLANNING BOARD TO PROCEED WITH THE COUNTRYSIDE PROPERTIES SOLAR PROJECT

Motion by Councilman Parker to approve the Planning Board to proceed with the Countryside Properties Solar Project (Part 3 of SEQR). 2nd by Councilman Koebelin. Martin- aye, Koebelin-aye, Hitchcock-aye, Maguire-aye, Parker-aye. CARRIED

3. Approve Planning Board to proceed with Allegany Birch Run Solar Project (Part 3 of SEQR)

#204-MOTION TO APPROVE THE PLANNING BOARD TO PROCEED WITH THE ALLEGANY BIRCH RUN SOLAR PROJECT

Motion by Councilman Koebelin to approve the Planning Board to proceed with the Allegany Birch Run Solar Project (Part 3 of SEQR). 2nd by Councilman Parker. Martin- aye, Koebelin-aye, Hitchcock-aye, Maguire-aye, Parker-aye. CARRIED

4. Approve Planning Board to proceed with River Valley Solar, LLC Solar Project (Part 3 of SEQR)

#205-MOTION TO APPROVE THE PLANNING BOARD TO PROCEED WITH THE RIVER VALLEY SOLAR, LLC SOLAR PROJECT

Motion by Councilman Hitchcock to approve the Planning Board to proceed with the River Valley Solar, LLC Solar Project (Part 3 of SEQR). 2nd by Councilman Koebelin. Martin- aye, Koebelin-aye, Hitchcock-aye, Maguire-aye, Parker-aye. CARRIED

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5. Re-Appoint Board of Assessment Review member Andrea Jones

#206-MOTION TO REAPPOINT BOARD OF ASSESSMENT REVIEW MEMBER ANDREA JONES FOR A 5-YEAR TERM

Motion by Councilman Parker to re-appoint Board of Assessment review member Andrea Jones for a 5-year term (10/1/19-9/30/24). 2nd by Councilman Hitchcock. Martin- aye, Koebelin-aye, Hitchcock-aye, Maguire-aye, Parker-aye. CARRIED

6. Approve shared services contract between Town and Village for plowing.

#207-MOTION TO APPROVE SHARED PLOWING SERVICES WITH THE VILLAGE

Motion by Councilman Hitchcock to approve shared Highway/Plowing services agreement with the Village of Allegany for 11/1/2019-10/31/2023. 2nd by Councilman Parker. Martin- aye, Koebelin-aye, Hitchcock-aye, Maguire-aye, Parker-aye. CARRIED

- Councilman Maguire asked to include the 1st St. bridge. John Moshier will see if it is an option.

7. Address written appeal by St. Bonaventure of the Water Usage Determination

- Attorney Tuttle suggested an appeal hearing.
- Jared Smith from St. Bonaventure asked the Board for a reduction of a building permit fee for the build of an upcoming building.
- Supervisor Martin Discussed the need for a conversation about the Water Supply Agreement between the Town and the Village and set dates to meet. Attorney Tuttle suggested some dates to get together to 2019 to meet.

8. Motion by Board to allow employees to leave early on Christmas Eve and New Year's Eve.

#208-MOTION TO ALLOW EMPLOYEES TO CLOSE/LEAVE EARLY ON CHRISTMAS EVE & NEW YEARS EVE

Motion by Councilman Maguire to allow employees to leave early on Christmas Eve & New Year's Eve at 1:00pm. 2nd by Councilman Parker. Martin- aye, Koebelin-aye, Hitchcock-aye, Maguire-aye, Parker-aye. CARRIED

OLD BUSINESS

1. Councilman Hitchcock reported that he and Stephanie Guthrie will be meeting with Olean Mayor Aiello regarding the Allegheny River Trail agreement.
2. Supervisor Martin reported that she will be electronically submitting the Emergency Generator Grant.

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OTHER BUSINESS - none

COMMITTEE REPORT

1. Councilman Maguire asked about the ice-skating rink that is being built at River Park.
2. Councilman Hitchcock reported on a verbal communication with the Mayor of Allegany regarding the possible joint venture between the Village & Town to build an ice-skating rink at the East end of River Park. He also reported that a phone call polling the board was taken on 11/20/2019 and all members voiced a positive opinion.
3. Attorney Tuttle requested discussion for a Local Law for road bonding at the next board meeting.

FROM THE FLOOR - none

Executive session personnel/legal

#209 - MOTION TO ADJOURN TO EXECUTIVE SESSION FOR PERSONNEL/LEGAL REASONS.

Motion by Councilman Parker to adjourn to executive session at 8:24 pm for personnel/legal reasons. 2nd by Councilman Hitchcock. Martin-aye, Koebelin-aye, Hitchcock-aye, Maguire-aye, Parker-aye. CARRIED

#211- MOTION TO RETURN TO REGULAR SESSION.

Motion by Councilman Hitchcock to return to regular session at 8:51 pm. 2nd by Councilman Maguire. Martin-aye, Koebelin-aye, Hitchcock-aye, Maguire-aye, Parker-aye. CARRIED

#212- MOTION TO ADJOURN THE MEETING.

Motion by Councilman Maguire to adjourn the entire meeting at 8:52 pm. 2nd by Councilman Parker. Martin-aye, Koebelin-aye, Hitchcock-aye, Maguire-aye, Parker-aye. CARRIED

Respectfully submitted,

Deryle Pinney, Town Clerk
11/26/2019