MINUTES – TOWN OF ALLEGANY
REGULAR BOARD MEETING
TUESDAY, DECEMBER 10, 2019 7:00 PM TOWN HALL

PRESENT:
Supervisor Martin
Town Clerk D. Pinney
Councilman Maguire
Attorney Tuttle

Councilman Hitchcock
Councilman Parker
Hwy. Superintendent Moshier
Councilman Koebelin

ABSENT:
Comptroller D. Piccioli

ALSO PRESENT:

Salute to the Flag opened the meeting

#213-MOTION TO ACCEPT MINUTES FROM THE NOVEMBER 26, 2019 REGULAR BOARD MEETING
Motion by Councilman Parker to accept the minutes from the November 26, 2019 Regular Board meeting as written. 2nd by Councilman Koebelin. Martin- aye, Koebelin-aye, Hitchcock-aye, Maguire-aye, Parker-aye. CARRIED

AUDITED CLAIMS

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<td>Gen A</td>
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MONTHLY REPORTS

Town Clerk
Building & Zoning Depts.
Highway Dept.
Rec. Dept.
Cemetery
Assessor

CORRESPONDENCE

1. Gail Hammond Thank you card
2. Senator George Borrello, drilling response letter

NEW BUSINESS

1. New questions related to oil well drilling:

   • Judy Capozzi thanked Supervisor Martin for writing letters to the State Representatives asking for assistance in this matter.

   • New questions that were raised include: questions about the ongoing investigation, fracking, should there be a moratorium on drilling (it is not within the Town’s jurisdiction because it is a DEC project) and concerns about property values (must be taken up with the Town Assessor).

   • Michel Piette (Dimes Energy) gave his heartfelt condolences to the Volz family. He also summarized many of the steps that his company has taken: plug old wells, reduce noise, bought a new street sweeper, he had hired the best of the best to run his operation as well as offer assistance in paying for water testing and looking into the noisy generators. He stated that he believes that the explosion of the Volz house was an unfortunate catastrophe and unrelated coincidence.

   • Mr. Piette stated Dimes Energy is selling the local oil to American Refining in Bradford which has been in business since 1881.

   • Tim Zerfas (Catt. Cty. Health Dept.) offered information on water well testing and sampling for different well types. If you are a well owner it is your responsibility to test it to be sure it is safe. Elements such as arsenic are naturally occurring and could be in the water. He also stated that dissolved gasses in well water are very common in this area. He also explained how to vent the gasses that may exist into the atmosphere. He welcomed the group to call his department anytime with questions and gave contact information and sampling recommendations.

   • David Koebelin asked Dimes Energy to consider subsidizing water testing. He also suggested the Board make the same request of Cattaraugus County.

   • Supervisor Martin urged the group to stay in touch with the DEC, the Health Dept. and Emergency Service.
2. Accept the resignation of Connie Sue

**#214-MOTION TO ACCEPT RESIGNATION OF CONNIE SUE**
Motion by Councilman Hitchcock to accept the resignation of Connie Sue with regret effective 12/31/2019. 2nd by Councilman Maguire. Martin-aye, Koebelin-aye, Hitchcock-aye, Maguire-aye, Parker-aye. CARRIED

3. Accept the resignation of Don Sue

**#215-MOTION TO ACCEPT RESIGNATION OF DON SUE**
Motion by Councilman Parker to accept the resignation of Don Sue with regret effective 12/31/2019. 2nd by Councilman Maguire. Martin-aye, Koebelin-aye, Hitchcock-aye, Maguire-aye, Parker-aye. CARRIED

4. Set date for year-end meeting

**#216-MOTION TO SET YEAR END MEETING DATE**
Motion by Councilman Koebelin to set the year end meeting for 12/23/2019 at 7:00 pm. 2nd by Councilman Hitchcock. Martin-aye, Koebelin-aye, Hitchcock-aye, Maguire-aye, Parker-aye. CARRIED

5. Set dates for organization meeting

**#217-MOTION TO SET ORGANIZATION MEETING**
Motion by Councilman Hitchcock to set the 2020 Organization meeting for Thursday 1/2/2020 at 4:30 pm. 2nd by Councilman Parker. Martin-aye, Koebelin-aye, Hitchcock-aye, Maguire-aye, Parker-aye. CARRIED


**#218-MOTION TO SET APPEAL HEARING FOR THE ST. BONAVENTURE WATER USEAGE DETERMINATION**
Motion by Councilman Maguire to set an appeal hearing for the St. Bonaventure Water Usage Determination pending approval by St. Bonaventure on 1/28/2020 at 7:00 pm. 2nd by Councilman Hitchcock. Martin-aye, Koebelin-aye, Hitchcock-aye, Maguire-aye, Parker-aye. CARRIED

7. Road Bonding law - Schedule public hearing - tabled

8. Annexation request Rivera on Maple - tabled
OLD BUSINESS

1. Supervisor Martin will be mailing the S.A.M. grant ($50,000.00) for the Birch Run Emergency Generator tomorrow. There may be an overage amt. of $4039.89 that may need to be covered by the Town. Total: 54,039.89

#219-MOTION TO PAY OVERAGE OF COST OF EMERGENCY GENERATOR
Motion by Councilman Parker to allow payment of potential overage cost of the Birch Run Emergency Generator of up to $4036.89 from money market account. 2nd by Councilman Koebelin.  Martin-aye, Koebelin-aye, Hitchcock-aye, Maguire-aye, Parker-aye.  CARRIED

2. Supervisor Martin reported that she, Attorney Tuttle and John Moshier met with Mayor Pearl and Kim Roth to discuss the Water Supply Agreement. They are still waiting on the updated draft from the Village Attorney

OTHER BUSINESS - none

COMMITTEE REPORT

1. Joe Higgins thanked the Highway Department for Brick Park stone installation.

2. Councilman Parker invited the Board to an upcoming meeting regarding GoBike Buffalo. A representative from the Board has been invited to attend

3. Councilman Maguire reported that he will be meeting with the Little League Association by their first meeting to discuss the Town’s budget changes.

4. Councilman Maguire discussed the Town Noise Law and suggested that the Board may want to define the measurable criteria in the future (ex: dB).

FROM THE FLOOR - none
Executive session legal

#220-MOTION TO ADJOURN TO EXECUTIVE SESSION FOR LEGAL REASONS.
Motion by Councilman Maguire to adjourn to executive session at 8:35 pm for legal reasons. 2nd by Councilman Parker. Martin-aye, Koebelin-aye, Hitchcock-aye, Maguire-aye, Parker-aye. CARRIED

#221- MOTION TO RETURN TO REGULAR SESSION.
Motion by Councilman Parker to return to regular session at 8:51 pm. 2nd by Councilman Koebelin. Martin-aye, Koebelin-aye, Hitchcock-aye, Maguire-aye, Parker-aye. CARRIED

#222- MOTION TO TRANSFER $125,000.00 FROM SEWER RESERVE FUND.
Motion by Supervisor Martin to transfer $125,000.00 from Sewer Reserve Fund to undesignated cash/sewer fund. 2nd by Councilman Hitchcock. Martin-aye, Koebelin-absent, Hitchcock-aye, Maguire-aye, Parker-aye. CARRIED

#223- MOTION TO ADJOURN THE MEETING.
Motion by Councilman Maguire to adjourn the entire meeting at 8:54 pm. 2nd by Councilman Hitchcock. Martin-aye, Koebelin-absent, Hitchcock-aye, Maguire-aye, Parker-aye. CARRIED

Respectfully submitted,

Deryle Pinney, Town Clerk
12/10/2019