

MINUTES – TOWN OF ALLEGANY
PUBLIC HEARINGS & REGULAR BOARD MEETING
TUESDAY, FEBRUARY 23, 2021 7:00 PM TOWN HALL

PRESENT:

Supervisor Hitchcock
Councilman Maguire
Attorney Tuttle
Councilwoman Martin
Comptroller D. Piccioli

Town Clerk D. Pinney
Councilman Nazemetz
Councilman Cooper
Hwy. Superintendent Moshier

ABSENT:

ALSO PRESENT:

Public Hearing - Town of Allegany RPT exemption

**LOCAL LAW NUMBER 1 - 2021
TOWN OF ALLEGANY, COUNTY OF CATTARAUGUS, NEW YORK
Pursuant to Section 10 of the Municipal Home Rule Law.
PROVIDING THAT NO EXEMPTION
UNDER REAL PROPERTY TAX LAW SECTION 487 BE APPLICABLE
WITH RESPECT TO ANY SOLAR OR WIND ENERGY SYSTEM
OR FARM WASTE ENERGY SYSTEM**

1. Supervisor Hitchcock introduced the Law
2. There were no comments from the public

#36-MOTION TO CLOSE THE PUBLIC HEARING

Motion by Supervisor Hitchcock to close the public hearing at 7:04pm. 2nd by Councilwoman Martin. Hitchcock-aye, Martin- aye, Maguire-aye, Cooper-aye, Nazemetz-aye. CARRIED

Salute to the Flag opened the meeting

#37-MOTION TO ACCEPT MINUTES FROM THE FEBRUARY 9, 2021 REGULAR BOARD MEETING

Motion by Councilman Maguire to accept the minutes from the February 9, 2021 Regular Board Meeting as written. 2nd by Councilman Nazemetz. Hitchcock-aye, Martin- aye, Maguire-aye, Cooper-aye, Nazemetz-aye. CARRIED

CORRESPONDENCE

1. NYSERDA NYStretch Code Informational Meeting

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NEW BUSINESS

1. Adopt Local Law #1 of 2021 (Town of Allegany RPT)

Motion # 38 of 2021

Motion by: Councilwoman Martin 2nd by: Councilman Maguire

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TOWN OF ALLEGANY, COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law.

**PROVIDING THAT NO EXEMPTION
UNDER REAL PROPERTY TAX LAW SECTION 487 BE APPLICABLE
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OR FARM WASTE ENERGY SYSTEM**

BE IT ENACTED by the Town Board of the Town as follows:

SECTION 1. Legislative Intent. It is the intent of this Local Law to opt out from any exemption from taxation as authorized in Real Property Tax Law Section 487.

SECTION 2. "SECTION 2. Exemption From Taxation.

- A. No exemption from taxation, under Real Property Tax Law Section 487, shall be applicable with respect to any solar or wind energy system or farm waste energy system in the Town of Allegany.
- B. No exemption from taxation as authorized in Real Property Tax Law Section 487 shall be applicable with respect to any micro-hydroelectric energy system, fuel cell electric generating system, micro-combined heat and power generating equipment system, or electric energy storage equipment or electric energy storage system in the Town of Allegany.

SECTION 3. Severability. If any provision of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, then such adjudication, shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the particular provision directly involved in the controversy in which such judgment shall have been rendered.

SECTION 4. Effective Date. This Local Law shall take effect immediately upon filing with the Secretary of State.

Hitchcock-aye, Martin- aye, Maguire-aye, Cooper-aye, Nazemetz-aye. CARRIED

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2. Express interest in Cattaraugus County aerial mosquito spraying

#39-MOTION FOR WRITTEN INTEREST MOSQUITO SPRAYING CONTRACT

Motion by Councilwoman Martin to allow Supervisor Hitchcock to sign contract expressing interest in participating in the annual Cattaraugus County aerial mosquito spraying program for 2021. 2nd by Councilman Cooper. Hitchcock-aye, Martin- aye, Maguire-aye, Cooper-aye, Nazemetz-aye. CARRIED

3. Special District CD renewal #225280566 - 90 days \$6,099.76 - 2/16/2021 – 5/17/2021 - Interest rate 0.09%

#40- MOTION TO RENEW CD

Motion by Councilman Cooper to renew the Special District CD #225280566 - 90 days \$6,099.76 - 2/16/2021 – 5/17/2021 - Interest rate 0.09%. 2nd by Councilman Maguire. Hitchcock-aye, Martin- aye, Maguire-aye, Cooper-aye, Nazemetz-aye. CARRIED

4. Approve purchase of Highway Dept. plow truck

#41-MOTION TO PURCHASE HIGHWAY PLOW TRUCK

Motion by Councilman Nazemetz to approve the purchase of a 2022 Kenworth Highway Dept. plow truck for \$213,594.64 on the Onondaga County contract estimated delivery February 2022. 2nd by Councilman Cooper. Hitchcock-aye, Martin-aye, Maguire-aye, Cooper-aye, Nazemetz-aye. CARRIED

5. Purchase of plow for cemetery truck for the two cemeteries for \$5,685.00 under state contract and paid from Cemetery money market account.

#42-MOTION TO PURCHASE PLOW FOR CEMETERY TRUCK

Motion by Councilwoman Martin to approve the purchase of a plow for the cemetery truck for \$5,685.00 under state contract and paid from Cemetery money market account. 2nd by Councilman Maguire. Hitchcock-aye, Martin- aye, Maguire-aye, Cooper-aye, Nazemetz-aye. CARRIED

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OLD BUSINESS

1. Approve contract with Intandem for cleaning of Town Hall 3 days a week at \$522.18 per month effective 3/1/2021

#43-MOTION TO CONTRACT WITH INTAMDEM FOR CLEANING SERVICES

Motion by Councilman Nazemetz to allow Supervisor Hitchcock to sign an agreement with Intandem for cleaning of Town Hall 3 days a week at \$522.18 per month effective 3/1/2021 thru 2/28/2022. 2nd by Councilwoman Martin. Hitchcock-aye, Martin-aye, Maguire-aye, Cooper-aye, Nazemetz-aye. CARRIED

OTHER BUSINESS – none

COMMITTEE REPORT - none

FROM THE FLOOR - none

Executive personnel

#44-MOTION TO ADJOURN TO EXECUTIVE SESSION FOR PERSONNEL REASONS.

Motion by Councilman Maguire to adjourn to executive session at 7:20 pm for legal reasons. 2nd by Councilman Cooper. Hitchcock-aye, Martin-aye, Maguire-aye, Cooper-aye, Nazemetz-aye. CARRIED

#45- MOTION TO RETURN TO REGULAR SESSION.

Motion by Councilwoman Martin to return to regular session at 7:39 pm. 2nd by Councilman Maguire. Hitchcock-aye, Martin-aye, Maguire-aye, Cooper-aye, Nazemetz-aye. CARRIED

#46- MOTION TO ADJOURN THE MEETING.

Motion by Councilman Cooper to adjourn the entire meeting at 7:40 pm. 2nd by Councilman Nazemetz. Hitchcock-aye, Martin-aye, Maguire-aye, Cooper-aye, Nazemetz-aye. CARRIED

Respectfully submitted,

Deryle L. Pinney, Town Clerk
2/23/2021