

MINUTES – TOWN OF ALLEGANY REGULAR BOARD MEETING AND PUBLIC HEARING – TUESDAY APRIL 23, 2013 7:00 PM TOWN HALL

PRESENT WERE: Supervisor Hare Councilman Koebelin
Councilman O’Dell Councilman Hitchcock
Councilman Allen Hwy Superintendent Moshier
Town Clerk M. Peck Attorney W. Tuttle

ABSENT: Comptroller C. Hemphill

ALSO PRESENT: S.Guthrie, B.Nolan, D. Sue, H. Larson, F.Defiore, C. Horowitz, K.Lent-Paul, Mosmans, K.Boser, D. Spitzer, Esq & C.Malcomb, Esq.

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

Public Hearing on Proposed Amendments to the Zoning Ordinance II : Carol Horowitz gave a summary of what the proposed amendments to the Zoning Ordinance II were about: Section 5.02 Temporary Structures & Uses, and this will refer to the motor vehicle sales on private property and the rules governing them. The other proposed change is in Article IX, Site Plan Review; this section governs new developments, re-developments and special permitted uses so that they will remain in harmony with the character of the location.

Supervisor Hare opened the floor for comment on the Public Hearing. There were no comments from the floor.

#94-MOTION TO CLOSE PUBLIC HEARING

Motion by Hare to close the public hearing on the proposed amendments to the Zoning Ordinance II. 2nd by Hitchcock. Koebelin-aye, O’Dell-aye, Hitchcock-aye, Allen-aye, Hare-aye. CARRIED.

Public Hearing Closed at 7:09 pm.

Supervisor Hare advised that the board cannot take a vote on this as it has to go before the Cattaraugus County Planning Board first and their meeting is not until Thursday, (4/25/13).

#95-MOTION TO APPROVE MINUTES

Motion by Allen to approve the minutes from the April 9, 2013 regular town board meeting as written. 2nd by Hitchcock. Koebelin-aye, O’Dell-aye, Hitchcock-aye, Allen-aye, Hare-aye. CARRIED.

CORRESPONDENCE

1. Quarterly budget status report for Town of Allegany ***TABLE ***
2. Time Warner letter advising of expiration of franchise agreement – 1/17/2016.
3. Letter from Attorney Tuttle to Foit-Albert & Assoc. / Letter from Clark-Patterson-Lee

#96-MOTION TO HIRE SUMMER CEMETERY WORKER

Motion by Allen to hire Dana Spring as the Summer Cemetery worker at \$9/hr and 10 hours per week. 2nd by O’Dell. Koebelin-aye, O’Dell-aye, Hitchcock-aye, Allen-aye, Hare-aye. CARRIED.

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#97-MOTION TO SET RECREATION & PARKS DIRECTOR WAGES

Motion by Allen to set the Recreation Director wages at \$33,000.00 per year and the Parks Director wages at \$2,000.00 per year. 2nd by Hitchcock. Koebelin-aye, O'Dell-aye, Hitchcock-aye, Allen-aye, Hare-aye. CARRIED.

NEW BUSINESS

1. Executive session to discuss personnel and litigation.

OTHER BUSINESS

- There was discussion between board members about researching the costs of purchasing of the old high school building. We use the gymnasium and if it were sold, the town would be without a gymnasium for a lot of its programs.
- Supervisor Hare advised the upcoming B.A.N. due in July. We are looking for the best rates and payment options.
- Councilman Allen & Supervisor Hare met with a gentleman about the fixing of the outside of the Town Hall building.
- Supervisor Hare – He and Councilman Koebelin interviewed five applicants for the Recreation Director position. There are 4 out of the 5 that would qualify for the taking of the Civil Service Test.

COMMITTEE REPORTS

From the Floor: **Kelly Lent-Paul** : questioned about the handout she provided last meeting and via email regarding the Ag & Markets laws, why weren't the suggestions from the Ag & Markets followed? Claims that the Town Board is not willing to work with her & Ag & Markets.

Per Attorney Tuttle: this matter is in litigation at present, therefore, we will not discuss it.

Karen Mosman: questioned what is going on at the top of Chipmonk?

Supervisor Hare: he has heard that contractors may be updating their bids previously given to Everpower, but he does not know anything for sure. Both court cases are still pending.

Kathy Boser: questioned about what is being done at the top of Chipmonk. Is there a permit?

Supervisor Hare: as far as he knows, no permit has been issued for anything there. A permit is not needed for surveying or cutting trees, etc..

#98-MOTION TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS PERSONNEL AND LITIGATION

Motion by Hare to adjourn to executive session to discuss personnel issues and litigation. 2nd by Koebelin. Koebelin-aye, O'Dell-aye, Hitchcock-aye, Allen-aye, Hare-aye. CARRIED.

Regular session adjourned at 7:35 pm

#99-MOTION TO ADJOURN EXECUTIVE SESSION AND RE-ENTER REGULAR SESSION

Motion by O'Dell to adjourn executive session and re-enter regular session. 2nd by Hare. Koebelin-aye, O'Dell-aye, Hitchcock-aye, Allen-aye, Hare-aye. CARRIED.

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#100-MOTION TO ADJOURN ENTIRE MEETING

Motion by Hitchcock to adjourn entire meeting. 2nd by Koebelin. Koebelin-aye, O'Dell-aye, Hitchcock-aye, Allen-aye, Hare-aye. CARRIED.

Entire meeting adjourned at 9:24 pm.

Respectfully submitted,

Mary M. Peck, Town Clerk
4/24/13