

# MINUTES – TOWN OF ALLEGANY REGULAR BOARD MEETING TUESDAY, MAY 15, 2012 7:00 PM TOWN HALL

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PRESENT WERE: Supervisor Hare Councilman Koebelin  
Councilman O'Dell Councilman Allen  
Comptroller C.Hemphill Town Clerk M. Peck

ALSO PRESENT: Ray & Karen Mosman, Bill & Shirley Boser, J. M. Moshier, F.DeFiore, J. Dzuroff, H.Larson, D. Sue, R.Pearl, Assessor, J.Jordan, C.Horowitz, Town Planner, K.Premo, K. Lent-Paul

ABSENT: Attorney Tuttle, Councilman Hitchcock

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

## AUDITED CLAIMS

Gen A	\$23,022.54	Hwy DA	\$ 9,460.34
Gen B	\$ 5,508.71	Hwy DB	\$26,553.83
Sp Dist	\$67,521.61		

## MONTHLY REPORTS

Town Clerk	Recreation & Parks
Building & Zoning	Highway Department

Town Justice D. Porter – report for April 2012, amount collected: \$2,562.00

Town Justice A. Spears – report for April 2012, amount collected: \$5,887.50

## #107-MOTION TO APPROVE MINUTES

Motion By Koebelin to approve the minutes from the April 17, 2012 Regular Board Meeting as written. 2<sup>nd</sup> by O'Dell. Koebelin-aye, O'Dell-aye, Allen-aye, Hare-aye. CARRIED.

## CORRESPONDENCE

1. Estimate from Gary Davis to Recreation Director for basketball court repair.(\$11,000.00)
2. Zoning Board of Appeals minutes from the 4/2/12 meeting.
3. NYMIR – notice of rate adjustment for 2012 (decreases)
4. Letter from Allegany Area Historical Society regarding Heritage Days (August 2012)
5. E-mail regarding escrow account for Ross/Wilson (Bona Square)
6. Memo from Catt. Co. DPW regarding Sign Shop Policy Changes (dtd 5/7/12)
7. Letter to A.Tiller from NYS DEC regarding Tanglewood Subdivision (dtd 5/9/12)
8. Letter from Attorney Tuttle to Mark Alianello PE regarding zoning map revisions.

## NEW BUSINESS

1. Request from Recreation Director to adjust hours for recreation employees.
2. Request for credit card machine (J.Dzuroff) **\*\*\*TABLE TO GET INFO FROM OTHER MUNICIPALITIES\*\*\***
3. Memo from C. Horowitz regarding SEQR for ROW conveyance – Constitution Ave.

## #108-MOTION TO ADJUST RECREATION DEPT. HOURS FOR EMPLOYEE

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Motion by O'Dell to approve Chelsea Carey to cover 10 hours of clerical duties per week at the rate of \$9.00 per hour effective May 1, 2012. 2<sup>nd</sup> by Koebelin. DISCUSSION. Koebelin-aye, O'Dell-aye, Allen-aye, Hare-aye. CARRIED.

- Carol Horowitz gave a short summary of what needs to be done with the paperwork regarding the small piece of property behind the old Uni-Mart on Route 417, short form of the EAF, and to establish the lead agency for the SEQRA.

## #109-MOTION TO ESTABLISH LEAD AGENCY IN PROPERTY BEHIND OLD UNI-MART ON RTE. 417

Motion by Hare that the Town of Allegany declare itself the Lead Agency in the action on the D.O.T. property behind the vacated Uni-Mart on Route 417. 2<sup>nd</sup> Allen. Koebelin-aye, O'Dell-aye, Allen-aye, Hare-aye. CARRIED.

## #110-MOTION TO AUTHORIZE TOWN SUPERVISOR TO SIGN SEQRA FORM

Motion by Hare that the Town Board authorize the Town Supervisor to sign the SEQRA form as prepared by Carol Horowitz. 2<sup>nd</sup> by Koebelin. Koebelin-aye, O'Dell-aye, Allen-aye, Hare-aye. CARRIED.

## UNFINISHED BUSINESS

1. Agreement with M.Alianello P.E. for Zoning Map Revisions (dtd 4/19/12)
2. Shared Highway Services with Town of Olean/Allegany (Attorney Tuttle)**TABLE**
3. Kennel fees for Joyful Rescues (request of AGg & Mkts.) Attorney Tuttle**TABLE**
4. Escrow Account for Ross-Wilson & Assoc. – Bona Square

## #111-MOTION TO ENTER INTO AGREEMENT WITH M.ALIANELLO FOR ZONING MAP REVISIONS

Motion by Hare that the Town of Allegany enter into an agreement with Mark Alianello, P.E. for Zoning Map Revisions not to exceed \$2000.00. 2<sup>nd</sup> by Koebelin. Koebelin-aye, O'Dell-aye, Allen-aye, Hare-aye. CARRIED.

## #112-MOTION TO ENTER INTO ESCROW AGREEMENT WITH ROSS WILSON FOR POST DEVELOPMENT TRAFFIC STUDY

Motion by Hare to authorize the Town Supervisor to sign the escrow agreement for Bona Square Traffic Study agreement subject to the current escrow agreement is brought up to date. 2<sup>nd</sup> by Koebelin. Koebelin-aye, O'Dell-aye, Allen-aye, Hare-aye. CARRIED.

## OTHER BUSINESS

1. Bona Square meeting & D.E.C. feedback on sewer connection\*\*\* **Supervisor Hare and Carol Horowitz had meeting with Bona Square people and was advised by the D.E.C., that since the City of Olean has problems with their sewer plant, Bona Square may be asked to reduce the size of the development. \*\*\***
2. Response from St. Bona's on costs thus far on D.O.T. trail .....University agreed to cover costs but need to work out agreement\*\*\***TABLE\*\*\***
3. Summer meeting schedule (see motion with schedule below)

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4. Info regarding sale of plow truck **\*\*\*Went to auction, \$11,000 minus 10% buyers fee, therefore Town received \$9900.00. \*\*\***
5. Inquiry from IDA regarding Town tract of land for possible development **\*\*\*Supervisor Hare to speak with Ray Jonak on this matter\*\*\***
6. Update on water model (Foit-Albert & Assoc.)**\*\*\*per Supervisor Hare, Foit-Albert & Associates lost the “final” updated version which they built of the water model for the Town\*\*\***
7. Executive Session to discuss personnel matters

## #113-MOTION TO SET SUMMER TOWN BOARD MEETING SCHEDULE

Motion by Hare that the Town Board hold one (1) meeting per month for the summer months, those being: June 19, 2012, July 17, 2012 and August 21, 2012. If something important comes up, then a meeting will be scheduled. 2<sup>nd</sup> by Koebelin. DISCUSSION: Councilman Koebelin concerned about the peoples' opportunity to speak when there is only one meeting per month. Koebelin-aye, O'Dell-aye, Allen-aye, Hare-aye. CARRIED.

## COMMITTEE REPORTS

- Councilman Allen – we received five (5) bids for the cemetery fencing at the Five Mile Cemetery. They remain unopened as it was determined that the footage of the fencing was reversed (sides, front,back). The bids requests will be sent back out for a later date, but will have to speak with the Town Attorney regarding this matter.
- Councilman O'Dell – what authorization as far as input to the Planning Board regarding the noise issue (wind energy systems) does the Town Board Have? Ans: Town Board has final say.
- Supervisor Hare – Everpower was before the Planning Board on 5/14/12 and it was advised that they were going to formally withdraw the request to use Chipmonk Road. Everpower also would like to re-negotiate the term on the present escrow account they have with the Town.

**From the floor:** Karen Mosman: what about the escrow account by Everpower?

**Supervisor Hare:** subject to no outstanding legal issues. If there were outstanding legal issues, then money would be withheld from the Town. There is a timeframe for this. Everpower is looking for some kind of extension. They would like to speak with the Town Board regarding this.

**Kelly Lent-Paul** – questions about the web site and the information on it.

**Supervisor Hare:** Meeting information will be updated on Town Web site with the help of Mr. DeFiore.

**Frank DeFiore:** what the Planning Board was discussing with Everpower at their meeting last night, has no effect on the Town Board matter with Everpower.

## #114-MOTION TO ADJOURN INTO EXECUTIVE SESSION

Motion by Hare to adjourn to executive session to discuss personnel matter. 2<sup>nd</sup> by Koebelin. Koebelin-aye, O'Dell-aye, Allen-aye, Hare-aye. CARRIED.

Regular portion of meeting adjourned at 8:05 pm

The Town Board entered Executive Session at 8:07 pm to discuss Personnel matters.

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#115-MOTION TO RETURN TO REGULAR SESSION

Motion by Koebelin to return to regular session. 2<sup>nd</sup> by Hare. Koebelin-aye, O'Dell-aye, Allen-aye, Hare-aye. CARRIED.

Regular session resumed at 9:00 pm.

#116-MOTION TO HIRE SUMMER HELP FOR HIGHWAY DEPARTMENT

Motion by Hare to hire one additional summer student for the Highway Department at \$9.00 per hour for twelve weeks, hours not to exceed forty hours per week. Two members of the Town Board to review applications with Acting Town Highway Superintendent Don Lowe. 2<sup>nd</sup> by O'Dell. Koebelin-aye, O'Dell-aye, Allen-aye, Hare-aye. CARRIED

#117-MOTION TO ADJOURN ENTIRE MEETING

Motion by Allen to adjourn entire meeting. 2<sup>nd</sup> by O'Dell. Koebelin-aye, O'Dell-aye, Allen-aye, Hare-aye. CARRIED.

Meeting adjourned at 9:10 pm

Respectfully submitted,

Mary M. Peck, Town Clerk  
5/30/12