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

ALSO PRESENT: H.Larson, D.Sue, F.DeFiore, G.Abraham, Esq. and townspeople

ABSENT: Comptroller C. Hemphill

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

Supervisor Hare then began the meeting with a moment of silence in memory of the 11th Anniversary of the Sept. 11, 2001 Tragedy.

**AUDITED CLAIMS**

<table>
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<tr>
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<th>Amount 1</th>
<th>Amount 2</th>
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<tr>
<td>Gen A</td>
<td>$22,836.19</td>
<td>Hwy DA $14,302.59</td>
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<tr>
<td>Gen B</td>
<td>$3,097.52</td>
<td>Hwy DB $28,161.04</td>
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<tr>
<td>Sp Dist</td>
<td>$143,143.42</td>
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</table>

**MONTHLY REPORTS**

Town Clerk Building & Zoning
Highway Department Parks & Recreation

Town Justice D.Porter report for August 2012 – amount of check: $7392.00
Town Justice A. Spears report for August 2012 – amount of check: $5092.00

**#157-MOTION TO APPROVE MINUTES**

Motion by Koebelin to approve the minutes of the August 21, 2012 Public Hearing and Regular Board Meeting as written but with the Local Law #1 of 2012 attached. 2nd by Hitchcock.
Koebelin-aye, O’Dell-aye, Hitchcock-aye, Allen-aye, Hare-aye. CARRIED.

**CORRESPONDENCE**

1. Time Warner Cable – cable programming changes.
2. Letter from Senator Young regarding Bona Square (ddt 8/27/12)
4. Letter from Time Warner Cable regarding franchise fee due Town.
5. Gary Abraham, Esqu. – letter to planning board dated 9/4/12.

**NEW BUSINESS**

1. Catt Co. DPW – change order #2 for St. Bona’s Trail for D & H Excavating
2. Catt. Co. DPW – change order #2 for St. Bona’s Trail for Duggan & Duggan
3. Request from Girl Scouts to use Senior Center (rec. comm.)
4. Status of CCCC lawsuit (9/7/12)
5. Letter to DDR regarding future Peddler Permit applicants (WAT)
#158-MOTION TO APPROVE CHANGE ORDER #2 FOR BONAVENTURE ACCESS PROJECT
Motion by Hare to approve the change order #2 for D & H Excavating for the Bonaventure Trail Access Project in the amount of +$88,020.38. 2nd by O’Dell. Koebelin-aye, O’Dell-aye, Hitchcock-aye, Allen-aye, Hare-aye. CARRIED.

#159-MOTION TO APPROVE CHANGE ORDER #2 FOR BONAVENTURE ACCESS PROJECT
Motion by Hare to approve the change order #2 for Duggan & Duggan for the Bonaventure Trail Access Project in the amount of -$6,622.30. 2nd by O’Dell. Koebelin-aye, O’Dell-aye, Hitchcock-aye, Allen-aye, Hare-aye. CARRIED.

#160-MOTION TO APPROVE USE OF SENIOR CENTER UNTIL END OF YEAR
Motion by Hare to allow the Girl Scouts use of the Senior Center until the end of the year as the criteria for use of town buildings may be adjusted; plus the key must be picked up before the usage and brought back the next day each week. 2nd by Koebelin. Koebelin-aye, O’Dell-aye, Hitchcock-aye, Allen-aye, Hare-aye. CARRIED.

UNFINISHED BUSINESS

1. Shared Highway Services with Village of Allegany (Attorney Tuttle)
2. Status & Letter to Foit-Albert, & Assoc. on water model contract (WAT)***This will be TABLED so that more specific information can be obtained***

#161-MOTION TO ENTER INTO AGREEMENT WITH VILLAGE OF ALLEGANY FOR SHARED HIGHWAY SERVICES AGREEMENT
Motion by Hare that the Town of Allegany enter into an Agreement with the Village of Allegany for Shared Highway Services for five years effective 9-12-12. 2nd by Allen. Koebelin-aye, O’Dell-aye, Hitchcock-aye, Allen-aye, Hare-aye. CARRIED.

#162-MOTION TO SEND LETTER TO DDR REGARDING AUTOMOBILE SALES IN PARKING LOT
Motion by Hare to approve the sending of a letter to DDR regarding automobile sales in Wal-Mart parking lot and to continue the process of updating the Town’s current Peddler’s / Hawking Permit. 2nd by Koebelin. Koebelin-aye, O’Dell-aye, Hitchcock-aye, Allen-aye, Hare-aye. CARRIED.

OTHER BUSINESS

- Waterline under the Railroad easement agreement ***TABLE TO 9/25/12 MEETING***

COMMITTEE REPORTS

#163-MOTION TO AUTHORIZE PERSONS TO OBTAIN TOWN BUILDINGS KEYS FROM AUSTIN SECURITY
Motion by Hare to authorize Don Sue and Mary Peck as the only persons to obtain town buildings keys from Austin Security if necessary. 2nd by Allen. Koebelin-aye, O’Dell-aye, Hitchcock-aye, Allen-aye, Hare-aye. CARRIED.
• Update on Rec. Committee to review and establish fees ***there is still more work to do on this issue and adjustments to make.***
• Status update on 2013 Budget Preparations (Supervisor Hare)*** Supervisor Hare – has been working on the budget with Town Comptroller. Need to stay within the 2% mandated tax cap levy. At this point we are outside of the 2% box, but there are more adjustments to be made before preliminary budget is handed out.***
• Executive Session on legal matters and personnel issues.

From the Floor:

**Kathy Boser:** questioned why mortgage tax was so low?

**Councilman Hitchcock:** the prices of homes in Allegany are higher than other places, therefore they do not sell as quickly. If the prices were lower, then they would sell better.

**Cathy Koebelin:** perhaps the Town could make various agreements with non-profit organizations to do things in the Town that need to be done without paying money. The Board Members agreed that this is a good idea and will be looked into further.

**#164-MOTION TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS LEGAL MATTERS AND PERSONNEL ISSUES**

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

Regular portion of meeting adjourned at 8:03 pm

Entered into Executive Session at 8:05 pm

**#165-MOTION TO ADJOURN EXECUTIVE SESSION**

Motion by Hitchcock to adjourn executive session. 2nd by O’Dell. Koebelin-aye, O’Dell-aye, Hitchcock-aye, Allen-aye, Hare-aye. CARRIED.

**#166-MOTION TO RESUME REGULAR SESSION AND ADJOURN ENTIRE MEETING**

Motion by Koebelin to resume regular session and adjourn entire meeting. 2nd by Allen. Koebelin-aye, O’Dell-aye, Hitchcock-aye, Allen-aye, Hare-aye. CARRIED.

Meeting adjourned at 9:27 pm

Respectfully submitted,

Mary M. Peck, Town Clerk
9/13/12