

# MINUTES – TOWN OF ALLEGANY REGULAR BOARD MEETING TUESDAY SEPTEMBER 11, 2012 7:00 PM TOWN HALL

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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 11<sup>th</sup> Anniversary of the Sept. 11, 2001 Tragedy.

## AUDITED CLAIMS

Gen A	\$ 22,836.19	Hwy DA	\$14,302.59
Gen B	\$ 3,097.52	Hwy DB	\$28,161.04
Sp Dist	\$143,143.42		

## 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. 2<sup>nd</sup> 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(dtd 8/27/12)
3. Catt. Co. Treasurer’s office – amount due Catt. Co. for chargebacks.
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)

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## #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. 2<sup>nd</sup> 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. 2<sup>nd</sup> 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. 2<sup>nd</sup> 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. 2<sup>nd</sup> 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. 2<sup>nd</sup> 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. 2<sup>nd</sup> by Allen. Koebelin-aye, O'Dell-aye, Hitchcock-aye, Allen-aye, Hare-aye. CARRIED.

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- 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. 2<sup>nd</sup> 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. 2<sup>nd</sup> 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. 2<sup>nd</sup> 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