MINUTES – TOWN OF ALLEGANY REGULAR BOARD MEETING.
TUESDAY, MARCH 13, 2012 7:00 PM SENIOR CENTER

PRESENT WERE: Supervisor Hare
Councilman Koebelin
Councilman O’Dell
Councilman Hitchcock
Councilman Allen
Comptroller C. Hemphill
Acting Hwy. Supt. D. Lowe
Attorney W. Tuttle

ABSENT: Town Clerk M. Peck

ALSO PRESENT: Town Planner C. Horowitz; Planning Board Members F. DeFiore; H. Larson; R. Kavanagh

Meeting was opened with a Salute to the Flag at 7:00 pm

#72-MOTION TO APPROVE MINUTES
Motion by Koebelin to approve the minutes from the 2/28/12 regular board meeting and the Public Hearing on Local Law#1 of 2012, as written. 2\textsuperscript{nd} by Hitchcock. Koebelin-aye, Hitchcock-aye, Allen-aye, O’Dell-aye, Hare-aye. CARRIED.

CORRESPONDENCE

1. Written comments submitted at Moratorium Public Hearing on 2/8/12
2. Written Moratorium comments received at Town Hall from 2/28 to 3/9/12
3. Summary of plow truck bids opened at 2 pm on March 6, 2012
5. Letter dated 2/22/12 from Alan Fuch, NYS DEC to US Army Corp of Engineers on Allegany Dikes
6. Change Order #1, dated 2/22/12 for St. Bonaventure University access project

UNFINISHED BUSINESS

1. Discussion of Wind Moratorium (Local Law #1 of 2012)
   Supervisor Hare indicated that a lot of comment came in on the moratorium issue. Most of the comments came in just before the end of the comment period on March 9\textsuperscript{th}. Speaking for himself, Supervisor Hare indicated that he had spent some time Monday listening to the tape of the public hearing testimony, and indicated that the tape was available at the Town Hall should any of the other Councilmen wish to review it.

#73-MOTION TO TABLE WIND MORATORIUM (LOCAL LAW #1 OF 2012) VOTE
Motion by Hare to table the vote on the Wind Moratorium to allow the Board more time to review correspondences received. 2\textsuperscript{nd} by O’Dell. Hare-aye, O’Dell-aye, Koebelin-aye, Allen-aye, Hitchcock-aye. CARRIED.

NEW BUSINESS

1. Carol Horowitz explained the packet that she had provided to the Board concerning the SEQR for the Cranberry Road purchase of DOT ROW. She asked that the Board agree to accept Lead Agency Status for the SEQR process. If the Board agrees then a letter needs to be written to DOT, as the other involved agency, stating this is the project and we want to be Lead Agency and if they have any issues with this to please let us know within thirty (30) days.

#74 – MOTION TO AUTHORIZE LETTER TO BE SENT SEEKING LEAD AGENCY STATUS
Motion by Hare to send a letter to NYS DOT seeking Lead Agency Status for the Cranberry Road (Uni-Mart) project. 2nd by Hitchcock. Hare-aye, Hitchcock-aye, Allen-aye, O’Dell-aye, Koebelin-aye. CARRIED.

#75 – MOTION TO APPOINT FRANK DeFIORE AS PLANNING BOARD CHAIRMAN
Motion by Hare to accept the recommendation of the Planning Board to appoint Frank DeFiore as Planning Board Chairman for the year 2012. 2nd by Allen. Hare-aye, Allen-aye, Koebelin-aye, Hitchcock-aye, O’Dell-aye. CARRIED.

2. Supervisor Hare asked Acting Highway Superintendent, Don Lowe to explain the Town’s practice of replacing the Town’s pick-up trucks every two (2) years through state bid.

#76 – MOTION TO SUBMIT PAPERWORK TO PURCHASE 2 PICK-UPS ON STATE BID
Motion by Hare to submit paperwork to purchase two (2) pick-ups on state bid. 2nd by Koebelin. Hare-aye, Koebelin-aye, Hitchcock-aye, Allen-aye, O’Dell-aye. CARRIED.

3. Legislator Rick Lamberson was present to discuss the shared equipment purchase with the County and four (4) area towns and/or villages. Legislator Lamberson informed the Board that a group of representatives from each municipality had met last week to prioritize the equipment they would use. They came up with #1 – Bucket Truck #2 – Skidster with Milling Machine and #3 – Bulldozer. The grant would cover 80% of the cost of the equipment with the municipalities responsible for 20% of the cost. After much discussion, the following motion was made.

#77 – MOTION TO PARTICIPATE IN GRANT APPLICATION
Motion by Hare authorizing the Chair to Apply for Funding through the New York State Department of State for the 2011-2012 Local Government Efficiency Grant Program pursuant to Section 450 of the County Law.

I. WHEREAS, funding is available through the New York State Department of State for the 2011-2012 Local Government Efficiency Grant Program, and
II. WHEREAS, the Local Government Efficiency (LGE) program provides financial and technical assistance to local governments, to implement projects that produce positive taxpayer impacts, and
III. WHEREAS, the goal of the Local Government Efficiency (LGE) Grant program is to reduce municipal expenses and property taxes by helping local government entities plan for and implement new service delivery efficiencies, and
IV. WHEREAS, the County Department of Public Works is desirous of applying for the aforementioned funding, now, therefore, bi it
V. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a grant application, on behalf of Cattaraugus County, with the New York State Department of State, in order to apply for the Local Government Efficiency Grant, in accordance with the above-described terms. 2nd by Hitchcock. Hare-aye, Hitchcock-aye, O’Dell-aye, Allen-aye, Koebelin-aye. CARRIED.

4. Purchase of new town truck, box, and plow. (See bid opening minutes for 3/6/12). Acting Highway Superintendent, Don Lowe, answered questions from the Board concerning the bids that were received and how the decision was made as far as his recommendation. There was some discussion on how the purchase would be financed. TABLED.

#78 – MOTION TO RECOGNIZE ST. BONAVENTURE BASKETBALL TEAMS
Motion by Hare to recognize both the St. Bonaventure men’s and women’s basketball teams for their accomplishments this past season and in securing spots in the NCAA Tournaments. 2nd by Allen. Hare-aye, Allen-aye, Hitchcock-aye, Koebelin-aye, O’Dell-aye. CARRIED.
COMMITTEE REPORTS

- Councilman Hitchcock reminded the cemetery committee of the grant that was received from the State for the Five Mile Cemetery and thought that it was time that the fencing might be able to be started.

From the floor:

- Rick Kavanagh – questioned the proposed shared grant application as to who would be responsible for maintenance of the equipment and who would decide when a piece of equipment should be replaced. Legislator Lamberson said that the County will be lead agency for the maintenance and Attorney Tuttle said that these issues will all be addressed in an inter-municipal agreement if the grant is awarded.

#79-MOTION TO ADJOURN INTO EXECUTIVE SESSION TO DISCUSS PERSONNEL

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

#80 – MOTION TO CLOSE EXECUTIVE SESSION

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

#81 – MOTION TO ADJOURN

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

Meeting adjourned at 8:38 pm.

Respectfully submitted,

Carolyn Hemphill, Acting Secretary
3/13/12