

MINUTES – TOWN OF ALLEGANY  
PUBLIC HEARING & REGULAR BOARD MEETING  
TUESDAY, APRIL 11, 2023 7:00 PM TOWN HALL

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**PRESENT:**

Supervisor Higgins	Town Clerk D. Pinney
Councilwoman Martin	Councilman Maguire
Councilman Cooper	Councilman Nazemetz
Attorney Tuttle	Hwy. Superintendent Moshier
Comptroller Piccioli	

**ABSENT:**

Comptroller Piccioli

**ALSO PRESENT:**

Stephanie Guthrie

**7:00 PM**

**Public Hearing – To Amend Town of Allegany Zoning III Escrow Ordinance**

1. Supervisor Higgins opens the Public Hearing.
2. There were no comments from the public.

**#73-MOTION TO CLOSE THE PUBLIC HEARING**

Motion by Supervisor Higgins to close the public hearing at 7:02 pm. 2<sup>nd</sup> by Councilwoman Martin. Higgins-aye, Martin- aye, Cooper-aye, Maguire-aye, Nazemetz-aye. CARRIED

**7:10 PM**

**Public Hearing - To Amend Town of Allegany Solar Law**

1. Supervisor Higgins opens the Public Hearing.
2. There were no comments from the public.

**#74-MOTION TO CLOSE THE PUBLIC HEARING**

Motion by Supervisor Higgins to close the public hearing at 7:13 pm. 2<sup>nd</sup> by Councilman Cooper. Higgins-aye, Martin- aye, Cooper-aye, Maguire-aye, Nazemetz-aye. CARRIED

**Salute to the Flag opened the meeting**

**#75-MOTION TO ACCEPT MINUTES FROM THE MARCH 28, 2023 REGULAR BOARD MEETING**

Motion by Councilman Maguire to accept the minutes from the March 28, 2023 Regular Board Meeting as written. 2<sup>nd</sup> by Councilman Cooper. Higgins-aye, Martin-obstain, Cooper-aye, Maguire-aye, Nazemetz- aye. CARRIED

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**AUDITED CLAIMS**

Gen A	\$	133,724.60
Gen B	\$	57,169.12
Hwy DA	\$	43,973.21
Hwy DB	\$	27,195.83
Spec Dist.	\$	6,846.81

**MONTHLY REPORTS**

Town Clerk  
Building & Zoning Depts.  
Highway Dept.  
Rec. Dept.  
Cemetery  
Assessor

- All Board members have received & reviewed the income & expense reports for March 2023.

Town Justice D. Porter – report for March 2023 – amount collected: \$ 24,071.00.

**CORRESPONDENCE**

1. U.S Small Business Administration – Disaster Loans
2. Catt County IDA – Pilot Agreements.
3. NYS Office of Community Renewal – CDBG#18PF146-19 Follow-up
4. Catt Co Letter about State Medicaid proposed changes
5. Broadband Public comment invitation

**NEW BUSINESS**

1. Town of Allegany Zoning III Escrow Ordinance

**#76-MOTION TO AMEND ZONING III ESCROW ORDINANCE**

Motion by Supervisor Higgins to amend the Town of Allegany Zoning III Escrow Ordinance as recommended by the Planning Board. 2<sup>nd</sup> by Councilman Maguire. Higgins-aye, Martin- aye, Cooper-aye, Maguire-aye, Nazemetz- aye. CARRIED

2. Complete Part 3 - Cattaraugus County referral of Town of Allegany Zoning III Escrow Ordinance (Supervisor Higgins)

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3. Amend Town of Allegany Zoning Solar Law

**Motion # 77 of 2023 TO AMEND TOWN OF ALLEGANY SOLAR LAW**

to amend the Town of Allegany Solar Law (see Town website) as recommended by the Planning Board

Motion by: Supervisor Higgins 2<sup>nd</sup> by: Councilwoman Martin

**Local Law No 3 of the year 2023**

SOLAR ENERGY LOCAL LAW  
OF THE  
Town of Allegany, County of Cattaraugus, NY

Higgins-aye, Martin- aye, Cooper-aye, Maguire-aye, Nazemetz- aye. CARRIED

4. Complete Part 3 - Cattaraugus County referral of Town of Allegany Zoning Solar Law (Supervisor Higgins)

5. Discussion – ATV resolution from Senator Borrello – tabled to next meeting

6. Discussion of Summer Recreation rates

**#78-MOTION TO AMMEND RECREATION DEPT SUMMER RATES**

Motion by Supervisor Higgins to amend the Town of Allegany Summer Recreation rates to \$40/student for the Summer program of 2023. 2<sup>nd</sup> by Councilman Maguire. Higgins-aye, Martin- aye, Cooper-aye, Maguire-aye, Nazemetz- aye. CARRIED

7. Climate Smart Communities Resolution



**RESOLUTION # 79 of 2023**

Councilwoman Martin moved and Councilman Cooper seconded that

WHEREAS, the Town of Allegany (hereinafter “local government”) believes that climate change poses a real and increasing threat to our local and global environments and is primarily due to the burning of fossil fuels; and

WHEREAS, the effects of climate change will endanger our infrastructure, economy and livelihoods; harm our farms, orchards, and ecological communities, including native fish and wildlife populations;

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spread invasive species and exotic diseases; reduce drinking water supplies and recreational opportunities; and pose health threats to our citizens; and

WHEREAS, we believe that our response to climate change provides us with an unprecedented opportunity to save money, and to build livable, energy-independent and secure communities, vibrant innovation economies, healthy and safe schools, and resilient infrastructures; and

WHEREAS, we believe the scale of greenhouse gas (GHG) emissions reductions required for climate stabilization will require sustained and substantial efforts; and

WHEREAS, we believe that even if emissions were dramatically reduced today, communities would still be required to adapt to the effects of climate change for decades to come,

IT IS HEREBY RESOLVED that Town of Allegany, in order to reduce greenhouse gas emissions and adapt to a changing climate, *adopts the New York State Climate Smart Communities pledge, which comprises the following ten elements:*

- 1) **Build a climate-smart community.**
- 2) **Inventory emissions, set goals, and plan for climate action.**
- 3) **Decrease energy use.**
- 4) **Shift to clean, renewable energy.**
- 5) **Use climate-smart materials management.**
- 6) **Implement climate-smart land use.**
- 7) **Enhance community resilience to climate change.**
- 8) **Support a green innovation economy.**
- 9) **Inform and inspire the public.**
- 10) **Engage in an evolving process of climate action.**

Higgins-aye, Martin- aye, Cooper-aye, Maguire-aye, Nazemetz- aye. CARRIED

- All 5 members of the Board have agreed to serve on this committee with Kathy being the lead person.

**OLD BUSINESS**

1. Dog Kennel Discussion

**#80-MOTION COMMIT MONEY TO DOG KENNEL**

Motion by Supervisor Higgins to commit \$2,500.00 to prepare a preliminary floor plan & construction cost estimate for shared services Dog Kennel at the Town of Olean. 2<sup>nd</sup> by Councilman Nazemetz. Higgins-aye, Martin- aye, Cooper-aye, Maguire-aye, Nazemetz- aye. CARRIED

2. The balance of remaining HUD \$ discussion will occur with Mary Chappel from Municipal Solutions

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**OTHER BUSINESS**

1. Comprehensive Plan Discussion will occur with the guidance of CPL & resubmit grant in the Fall & speak to PB Chairman Pete Hellier.
2. Court Camera needs & funding was discussed
3. Bike Trail discussion

**COMMITTEE REPORTS**

- **Building/Grounds & Safety – Kathy Martin & Mike Higgins**
  - Levi Feely (CPL) will get details for the Town Hall Exterior
- **Highway – Mike Higgins & Craig Maguire**
  - The generator will be hooked up on Saturday
- **Parks & Cemetery – Kathy Martin & Alex Nazemetz**
  - Lawn equipment is expected to go electric by 2027 (costs associated)
  - Kathy will contact Marti Tillinger regarding 3’ gardening around flagpole
  - Town Hall sign discussion
- **Personnel – Andy Cooper & Mike Higgins**
  - none
- **Recreation – Kathy Martin & Andy Cooper**
  - The needed repairs & lack of cleanliness of the 4<sup>th</sup> & Maple facility was discussed (a 2<sup>nd</sup> letter to address will be written)
- **Technology – Craig Maguire & Andy Cooper**
  - A server meeting will be upcoming
- **Union Negotiation – Mike Higgins & Kathy Martin**
  - None
- **Water/Sewer – Mike Higgins & Craig Maguire**
  - Meter rep will be coming next month
  - Discussion of need for Lead inventory
  - Wendy will meet with Diana for H2O district details

**FROM THE FLOOR - none**

**#81- MOTION TO ADJOURN THE MEETING**

Motion by Supervisor Higgins to adjourn the entire meeting at 7:52 pm. 2<sup>nd</sup> by Councilman Nazemetz. Higgins-aye, Martin- aye, Cooper-aye, Maguire- aye, Nazemetz- aye. CARRIED

Respectfully submitted,

Deryle L. Pinney, Town Clerk  
4/11/2023