

A Regular/Organizational Board meeting held by the Town Board, of the Town of Allen, located at 4949 Klein Road in the Town of Allen, County of Allegany was held on January 10, 2023.

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| Present | Supervisor | Erica Torrey |
| | Councilman | Edgar Allen |
| | | Dale Gelser |
| | | Judith Allen |
| | Town Clerk | Jame J. VanDewalker |

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|----------------|------------|-----------------|
| Absent: | Councilman | Todd Krzeminski |
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Others Present 15 Townspeople, Sam Curran & Justin Bennett from BBS

Supervisor Torrey called the meeting to order at 6:30 pm.

Sam Curran and Justin Bennett are present to explain the way the budget works.

Highway fund money is only for Highway use.

Budget modifications can be made to cover budget line overages.

The Highway budget is over around \$10,000

The Highway fund is over about \$40,000 because of CHIPS DA 5112.2

The Highway department budget is expended, the checking account does have money.

Budget line modification through resolution to cover the overages.

When CHIPS money is received it will balance the budget and then any money left over will go into the highway fund balance.

Once the money in the budget is expended, the only way money could be spent is through resolution by the board to do so.

When purchases were made that were not budgeted for or will exceed the amount allotted for, the Town Board should have through resolution made a budget line modification to cover those expenses instead of taking it from the already budgeted lines.

The agreement to spend Highway funds needs to be written by the highway department and agreed upon by the town board.

The town is currently down one truck. There were calls about 15A being slippery.

The trucks that were available were out by 5:00 am.

The highway department needs money to make repairs to the trucks. Two bearings for the chain is needed.

The procurement policy is still frozen.

Resolution 2-2023

On a motion made by Supervisor Torrey, seconded by Councilman Gelser the board moves reimburse Josh James for the parts he purchased out of pocket.

4 – Ayes – Torrey, Gelser, Allen, Allen

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0 Noes

MOTION CARRIED

Resolution 3-2023

Supervisor Torrey make a motion to transfer \$25,435.80 from the fund balance to the highway budget to cover the 2022 bills, seconded by Councilman Gelser.

4 Ayes- Torrey, Gelser, Allen, Allen, under protest

0 Nays

MOTION CARRIED

OLD BUSINESS:

Materials from the past supervisor are being requested.

Mr Bielewicz has given to councilman Gelser, the DEC maps and keys.

The judicial reports may be obtained from Justice Ames.

The minutes for past executive sessions are currently at the attorneys office with the proof that the laptops has been turned into the comptrollers office.

It is asked that the minutes be corrected to state that Burt Hill Rd does not get plowed as much as others and sometimes not at all.

Also, a typo in the minutes will be corrected, Mr Bielewicz was not present at the first board meeting.

Culvert pipes get ordered so that there is a volume discount. If they were purchased at a hardware store they would be more money. It is the suggestion of Councilman Gelser that the Highway Dept. keep a pipe log.

Justice Murphy is asking permission to purchase a robe from ebay and be reimbursed.

The Board is in favor of him doing so.

Justice Murphy is also requesting that he be able to purchase the Court Clerk a desk.

There is a court contractual of \$500.00, this line will be exceeded this year. The Justice is going to be required to go to training again in March.

There are many requirements that the State has for a court room, Town of Allen does not meet a lot of what is required. The justice will look into grants. The board will need to work on budgeting money for the necessities.

The Town website has a link to the code of ethics, within the code of ethics it does state that there should be a board of ethics. The County does have a board of ethics.

Councilman Gelser has asked if the Highway key was turned it, it has.

Checks lists for the vehicles need to be used. There are files kept for each vehicle.

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There is no current Highway Superintendent, Raymond Dennis is serving as the deputy Superintendent.

Dept. Hwy. Superintendent would like to know what it is specifically that the board is not pleased with.

The board wishes to see more paperwork, give a call when large amounts of money need to be spent. Keep clearer communications when it comes to the money that is spent, what it was for, what vehicle it was needed for.

If Dept. Hwy. Supt Dennis were to take over, he cannot take a pay cut. He would like to know how he could get paid more for the position and can he still accrue his sick time and vacation? This is a temporary situation, he would become a regular employee on January 1, 2024.

Dept. Hwy. Supt. Dennis is taking the town pick up truck home at nights while there is no other person in the position. Last year when he filled in, he used his own vehicle.

The town board wants to list the position in the paper.

The excavator is sitting in the shop, the breaks need to be repaired. It is estimated to cost \$6500.00 for the repair.

Resolution 4-2023

On a motion made by Councilman E. Allen, seconded by Councilman J. Allen, the Town of Allen will adopt the use of the Agreement to spend Highway funds, section 284 of Hwy law.

4 Ayes- Torrey, Gelser, Allen, Allen

0 Nays

MOTION CARRIED

There is a week of sand left. The highway dept. feels that five semi loads should get the department through the rest of the season.

Resolution 5-2023

On a motion made by Councilman J. Allen, second by Supervisor Torrey, the board will approve the order of sand.

AUDIT OF CLAIMS:

Resolution 6-2023

On a motion made by Councilman Gelser, seconded by Supervisor Torrey, the 2022 bill to Chemung supply will be paid. \$1156.00

4 Ayes- Torrey, Gelser, Allen, Allen

0 Nays

MOTION CARRIED

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Resolution 7-2023

On a motion made by Councilman J. Allen, seconded by Councilman E. Allen, the Town Board will approve the 2022 Highway bills with the money transferred from fund balance. # 161-178 \$25,435.80

General fund #105-111 for \$8950.69

4 Ayes- Torrey, Gelser, Allen, Allen

0 Nays

MOTION CARRIED

Resolution 8- 2023

On a motion made by Supervisor Torrey, seconded by Councilman E. Allen, the board Town board approves for payment SF #1-3 \$14,550. General Fund #1-4 \$5,626.55 and Highway #1-3 \$306.41

4 Ayes- Torrey, Gelser, Allen, Allen

0 Nays

MOTION CARRIED

Fill has been delivered last year 18 people received fill. Fill is ditch cleanings and it will be delivered as it comes.

MINUTES:

Resolution 9-2023

Minutes were provided for the December 13, December 20, 2022 and January 03, 2023 meetings.

On a motion made by Councilman J. Allen, seconded by Supervisor Torrey, the minutes were approved.

4 Ayes- Torrey, Gelser, Allen, Allen

0 Nays

MOTION CARRIED

CLERK REPORT:

Resolution 10-2023

Clerk report and statements were provided by Clerk VanDewalker for the month on December. On a motion made by Councilman J. Allen, seconded by Councilman Gelser, the Clerk's report is ACCEPTED.

4 Ayes- Torrey, Gelser, Allen, Allen

0 Nays

MOTION CARRIED

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SUPERVISOR REPORT:

Resolution 11-2023

The supervisors report and statements have been provided for the month of December, on a motion made by Supervisor Torrey, seconded by Councilman J. Allen, the Supervisor's report is ACCEPTED

4 Ayes- Torrey, Gelser, Allen, Allen

0 Nays

MOTION CARRIED

ORGINIZATIONAL MEETING

Resolution 12-2023

Whereas, it is necessary to have a media outlet to post Town Business, news laws, changes in date and events, the Town will need an official newspaper. The Town of Allen currently uses the Cuba Patriot and Free Press.

On a motion made by Councilman E. Allen, seconded by Councilman J. Allen, the Town of Allen will continue to use the Cuba Patriot and Free Press.

4 Ayes- Torrey, Gelser, Allen, Allen

0 Nays

MOTION CARRIED

Resolution 13-2023

Whereas, it is necessary to set a regular meeting schedule of the Town Board to be established.

On a motion made by Councilman Gelser, seconded by Councilman J. Allen

The Town Board will continue to keep the long-standing schedule of meeting on the Second Tuesday of every month and change the time to start to 6:30pm

4 Ayes- Torrey, Gelser, Allen, Allen

0 Nays

MOTION CARRIED

Resolution 14-2023

Whereas, it is necessary to have a financial institution to receive all the depositories for the Towns funds, the Town of Allen has various accounts with Community Bank.

On a motion made by Councilman E. Allen, seconded by Councilman J. Allen.

The Town will continue to bank with Community Bank NA.

4 Ayes- Torrey, Gelser, Allen, Allen

0 Nays

MOTION CARRIED

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Resolution 15-2022

Whereas, it is necessary to establish the standard work day for the New York State Local Retirement System, on a motion made by Supervisor Torrey, seconded by Gelser Allen the Town of Allen will establish a standard work day of 8 hours.

4 Ayes- Torrey, Gelser, Allen, Allen

0 Nays

MOTION CARRIED

The current procurement policy has been presented. The Town Board accepts the policy has is.

Resolution 16-2023

Whereas, it is necessary to hire an attorney to for the Town of Allen to assist with legal needs, on a motion made by Councilman J. Allen, seconded by Councilman Gelser, the Town of Allen would like to continue to use the services of Peter Degnan.

3 Ayes- Gelser, Allen, Allen

1 No – Torrey

MOTION CARRIED

Bids for fuel will be placed in the Cuba Patriot as well as an ad for the highway superintendent.

Resolution 17-2023

On a motion made by Supervisor Torrey, seconded by Councilman J. Allen, the Town of Allen will approve the mutual aid agreement for the highway department.

4 Ayes- Torrey, Gelser, Allen, Allen

0 Nays

MOTION CARRIED

With no further business, on a motion made by Supervisor Torrey , seconded by Councilman Gelser, the meeting is adjourned at 8:55 pm pm unanimously

