

**TOWN OF NEW ALBION**  
14 Main Street  
Cattaraugus, NY 14719

**REGULAR BOARD MEETING**

October 21, 2013 7:00 p.m.

**PRESIDING:** Loyd Chilson, Supervisor

**PRESENT:** Councilmen: Pat Erhart, Eric Pritchard 7:11pm, Dale Rogan, Michael Weishan; Jerry Cobo, Highway Supt. 7:02 pm; Rose LaQuay, Clerk

**VISITORS:** Jason Scott, Resident; Ed Erhart, Cattaraugus Free Library; Michael Bogardus, Resident

**CALL TO ORDER:**

Supervisor Chilson called the meeting to order at 7:01 pm. The minutes of the September 16, 2013 Regular Board and October 7, 2013 Budget Work Meetings, Assessor and Clerk Reports were approved as presented.

**VISITORS:**

1. Jason Scott - In attendance to discuss the Tug Hill Cemetery Mowing job with the Town Board.

**Resolution #40 - 2013 – Tug Hill Cemetery Mowing**

On a motion by Councilman Erhart, second by Councilman Rogan, the following resolution was

**ADOPTED** Aye 3 Erhart, Rogan, Weishan

Nay 0

**RESOLVED**, to contract with Jason Scott to mow Tug Hill Cemetery twice per summer season.

2. Michael Bogardus - Interrupted meeting to state he would be taping meetings for the Gowanda PennySaver until they hired someone to attend New Albion meetings.

3. Ed Erhart - Attended to inquire into additional funding for library in the annual contribution.

4. Michael Bogardus - Mr. Bogardus contacted Cattaraugus County again regarding storm drains at New Albion 4 Corners, advised they are County property. Mr. Bogardus advised that CEO Watson should write the County a ticket for not mowing. Renewed his complaint regarding illegal signs. Mr. Bogardus informed the Board he has requested records several times from Town Justice Smith. Councilman Pritchard to contact Justice Smith.

**CORRESPONDENCE:**

1. Time Warner Cable - Expiring Agreements (2)
2. Complaint from Albert Covell - 47 Linlyco Lake Road
3. Email from NYS DOT - CHIPS Payment Received 9-20-2013
4. Email from Sarah Phearsdorf - Town / Village Website
5. US Dept. of Labor - Job Openings and Labor Turnover Report
6. Catt. Cty. - Certified Resolution
7. Article from Post Journal - Many Chaut., Catt. Cty. Municipalities Eligible For Services
8. NYS Dept. of Labor - Copies of Unemployment Correspondence
9. NYS Unified Court System - Annual Justice Audit
10. Cattaraugus - Chautauqua For Clean Water - Request for Moratorium on Fracking
11. Complaint from Eric Pritchard - Unlicensed Dogs
12. Southern Tier West - Fall Planning & Zoning Conference

**REPORTS:**

**Highway** - Work report: Graded and raked gravel roads, haul ice sand, finished Gowin Gulf road project with exception of creek stabilization, mowing, ditches, hot patch, equipment repair, cross tube replacement on Tug Hill, and truck preparation for winter. Considering new hire for highway department beginning November 1, 2013. Received request to use New Albion town roads for detour for 2017 bridge repair in Leon. 4 - 5 mo. usage of Scott Peddler and Barker Roads. Hwy. Supt. Cobo was contacted regarding an energy efficiency upgrade for electric in the highway barn. 70% municipality share \$1109.00 for replacement of 23 lights. Tabled.

**Resolution #41 - 2013 – Highway Department New Hire**

On a motion by Councilman Rogan, second by Councilman Pritchard, the following resolution was

**ADOPTED** Aye 4 Erhart, Pritchard, Rogan, Weishan

Nay 0

**RESOLVED**, to hire Ted Kuhaneck at a rate of \$14.25 for a probationary 3 month period, after the probationary period, the regular rate will be determined at the Organizational Meeting in January, 2014.

**Resolution #41 - 2013 – New Albion Detour for Leon Bridge Repair**

On a motion by Councilman Pritchard, second by Councilman Weishan, the following resolution was

**ADOPTED** Aye 4 Erhart, Pritchard, Rogan, Weishan

Nay 0

**RESOLVED**, to approve the use of New Albion roads: Barker and Scott Peddler for 4 - 5 months use as a detour for Leon bridge repair with a weight limit restriction of 5 tons.

**Clerk** - Clerk LaQuay reported Mr. Bogardus had contacted her to call Gowanda PennySaver to send someone to cover meetings, reported the website should be on Google search, call a special meeting and wanted Mr. Chilson as complainant to attend his court date. Clerk LaQuay contacted the PennySaver who requested minutes be faxed, contacted Southern Tier West who added additional search terms to the site, advised Mr. Bogardus to contact a Board member who could call a Special Meeting, and would advise Supv. Chilson of his request. Clerk LaQuay also reported the refund of overpayment was paid by Cattaraugus Manor. Distributed copies of correspondence with NYS Department of Labor regarding court officer. Board advised Clerk to not pay unemployment and return invoices and copies of past correspondence to Dept. of Labor.

**Resolution #42 - 2013 – Do Not Pay Unemployment Invoice**

On a motion by Councilman Pritchard, second by Councilman Weishan, the following resolution was  
**ADOPTED** Aye 4 Erhart, Pritchard, Rogan, Weishan  
 Nay 0

**RESOLVED**, to not pay the unemployment invoice issued by Department of Labor, void check and return invoice with copies of correspondence to Dept. of Labor.

<b>September 2013</b>	<b>Check #</b>	<b>TOTAL</b>
<b>Amount Collected</b>		<b>\$6,804.00</b>
Animal Population Control	2348	\$ 56.00
NYS Department of Environmental Conservation	EFT	\$6,147.74
Town of New Albion	2349	\$ 600.26
<b>Amount Paid Out</b>		<b>\$6,804.00</b>

**Treasurer** - Transfer requested for transfer of \$19.75 from Cemetery Account to Cemetery Checking.

**Resolution #43 - 2013 – Transfer**

On a motion by Councilman Weishan, second by Councilman Rogan, the following resolution was  
**ADOPTED** Aye 4 Erhart, Pritchard, Rogan, Weishan  
 Nay 0

**RESOLVED**, to transfer \$19.75 from Cemetery Account to Cemetery Checking.

**Board Reports** - Councilman Rogan attended the Ambulance Meeting at the new facility and will discuss high deductible plans as they relate to the contract between the Ambulance and Town. Councilman Weishan received copy of request for proposal from Catt. Cty. DPW that can be altered to replace Waverly Street bridge, inspected Tug Hill Bridge and sees no reason to remove abutments. The Town should be able to remove the bridge deck only, no room for a 2 on 1 slope. Councilman Weishan attended the Supervisor’s meeting, the subject was Town Courts / Justices. Councilman Pritchard notified the Town Board that Village Attorney Weyand would retire end of 2013 and he had contacted Town Attorney Milliman who was willing to represent the Village. Supervisor Chilson reported he and Clerk LaQuay went to Tug Hill Cemetery for burial availability and installed a new lock.

**OLD BUSINESS**

1. Constable reclassification - Waiting on reclassification from New York State.

**APPROVAL OF ABSTRACT**

**Resolution #44 - 2013 - Abstract #10 - 2013 - October 21, 2013**

On a motion by Councilman Erhart, second by Councilman Weishan, the following resolution was  
**ADOPTED** Aye 4 Erhart, Pritchard, Rogan, Weishan  
 Nay 0

**RESOLVED**, that Abstract #10 - 2013 in the following amounts be paid

<b>ACCOUNT</b>	<b>VOUCHER #</b>	<b>TOTAL EXPENDITURES</b>
General A	10402 - 10420	\$ 6,742.42
General B	635 - 636	\$ 807.38
Highway DA	8549 - 8558	\$ 3,531.78
Highway DB	2591 - 2598	\$ 26,721.81

The Board reviewed the tentative budget in progress and adjusted figures in General A, Highway DA and Highway DB. With no further business to discuss, the board meeting were adjourned at 9:34 p.m.

Respectfully submitted,

Rose M. LaQuay  
 Recording Secretary  
 Town of New Albion Town Council

Next Meeting: Budget Hearing November 7, 2013 7:00 pm  
 Regular Board Meeting / Budget Adoption November 18, 2013 7:00 p.m.