

TOWN OF NEW ALBION
14 Main Street
Cattaraugus, NY 14719

REGULAR BOARD MEETING

June 17, 2013 7:00 p.m.

PRESIDING: Loyd Chilson, Supervisor

PRESENT: Councilmen: Pat Erhart, Eric Pritchard, Dale Rogan; Jerry Cobo, Highway Supt. 7:03 pm;
Rose LaQuay, Clerk

ABSENT: Michael Weishan

VISITORS: Shane LaMay, AFLAC

CALL TO ORDER:

Supervisor Chilson called the meeting to order at 6:59 p.m. The minutes of the May 20, 2013 Regular Board Meeting, June 5, 2013 Joint Planning Board Minutes, Assessor, and Clerk Report were approved as presented.

VISITORS:

1. Shane LaMay, AFLAC - Presentation to Board for approval to present to employees. Payable by and directly to employees above medical insurance. No cost to the town, 3 employees needed for group rate.

CORRESPONDENCE:

1. Complaint from Earl Parmenter - Property Line / Garage - Referred to CEO Watson

2. Cattaraugus Area Youth Council - Resolution Request

Resolution #24 - 2013 – Youth Council for 2013

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

ADOPTED Aye 3 Erhart, Pritchard, Rogan
Nay 0

WHEREAS, it is necessary to make application to the Cattaraugus County Youth Bureau / New York State Office of Children and Family Services,

WHEREAS, it is necessary for the Supervisor to sign for the Town of New Albion, now, therefore be it **RESOLVED**, the Town Council does hereby authorize the Supervisor of the Town of New Albion to enter into agreements with the Cattaraugus County Youth Bureau / New York State Office of Children and Family Services to run youth programs for the 2013 program year ending December 31, 2013.

3. Complaints from Mike Bogardus - Mosher Hollow, New Albion, Leon - Referred to CEO Watson

4. Complaints from Susan Teel - County Road 6, Mosher Hollow - Referred to CEO Watson

5. Catt. Cty. Dept. of HR - Workers Compensation 2014 Increase

6. Emails re: Workers Compensation 2014 Increase

7. NYSTCA - Uniform Notice of Claims Update

Resolution #25 - 2013 – Designee to receive Notices of Claim from NYS Secretary of State

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

ADOPTED Aye 3 Erhart, Pritchard, Rogan
Nay 0

WHEREAS, General Municipal Law, Section 53 requires towns to file a certificate with the Secretary of State designating the Secretary of State as an agent for service of a notice of claim; and

WHEREAS, General Municipal Law, Section 53 requires the certificate to include the applicable time limit for filing the notice of claim and the name, post office address and electronic mail address, if available, of an officer, person, for the transmittal of notices of claim served upon the Secretary as the town's agent; and

WHEREAS, pursuant to General Municipal Law, Section 50-e(1)(a), the applicable time limit for the filing of a notice of claim upon a town in 90 days after the claim arises, or in the caswe of a wrongful death action, 90 days from the appointment of a representative of the decedent's estate;

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of New Albion, County of Cattaraugus designates Loyd Chilson, in his / her capacity as Supervisor, to receive notices of claims served upon the Secretary of State by mail at 14 Main Street, Cattaraugus, NY 14719.

BE IT FURTHER RESOLVED, that the Town Board hereby directs the Town Clerk to file the required certificate with the Secretary of State informing him or her of the town's designation and applicable time limitation for filing a notice of claim with the town on or before July 14, 2013.

8. Cattaraugus County Youth Bureau - Resource Allocation Plan Funding

9. NYS Dept. of Taxation & Finance - Notice of Tentative State Equalization Rate 76.00

10. Time Warner Cable - Expiring Agreements

11. NYCOM - Planning & Zoning Training

12. Hazard Mitigation Grant Program - Call for Projects

13. NYS Retirement - Salary Listing

REPORTS:

Justice - No Justice Report. Justice audit tabled to July meeting for attendance by Justice Smith.

Highway - Work report: mowed roadsides, hot patch pot holes, hauling stone, pile of millings on Route 353 given to Town by NYS, Linlyco Lake dam spillway cleaning. Send letter to Cattaraugus County DPW regarding ownership of dam. No reply from Cattaraugus County DPW regarding closure / removal of Tug Hill Bridge. Nothing official from Code Enforcement on Ritter gravel pit permit. Gowin Gulf Road repair costs not finalized yet. 1 highway worker off sick, working with a 2 man crew. Annual trade in loader for \$7,000.00 with possible delivery in August.

Resolution #26 - 2013 – Authorization to Trade in Loader

On a motion by Councilman Erhart, second by Councilman Rogan, the following resolution was
ADOPTED Aye 3 Erhart, Pritchard, Rogan
Nay 0

RESOLVED, to authorize the trade in of the loader and upgrade to 2013 Loader at a cost of \$7,000.00 and anticipated delivery in August 2013.

Treasurer - Transfer requested for \$1,000.00 from General A Savings to Checking to pay bills.

Resolution #27 - 2013 – Transfer

On a motion by Councilman Erhart, second by Councilman Pritchard, the following resolution was
ADOPTED Aye 3 Erhart, Pritchard, Rogan
Nay 0

RESOLVED, to transfer \$1,000.00 from General A Savings to Checking to pay this evening’s bills.

Clerk -

May 2013	Check #	TOTAL
Amount Collected		\$ 657.00
Animal Population Control	2337	\$ 85.00
NYS Department of Environmental Conservation	EFT	\$ 199.36
Town of New Albion	2338	\$ 372.64
Amount Paid Out		\$ 657.00

Board Reports -

Councilman Erhart - No Report.

Councilman Pritchard - No Report.

Councilman Rogan - No Report.

Supervisor Chilson - Received information on hydrofracking in the mail, will be attending the Joint Planning Board meeting on June 26, 2013 to hear presenter regarding gas well drilling.

OLD BUSINESS

1. Time Warner Cable Draft Franchise Agreement requires Board review to move forward.
2. Councilman Pritchard to schedule meeting with interested parties for Youth Council.
3. Constable reclassification - Waiting on reclass from New York State.
4. Cattaraugus Manor - Court postponement until October 2013.
5. Waverly Street Bridge - Not discussed.
6. No written resignation received from Arvilla Pritchard, historian to date.
7. Code Enforcement questions tabled until June meeting for attendance by CEO Frank Watson.

NEW BUSINESS

1. Assessor Appointment / Reappointment form received from NYS Dept. of Taxation & Finance.

Resolution #28 - 2013 - Assessor Re-Appointment

On a motion by Councilman Erhart, second by Councilman Pritchard, the following resolution was
ADOPTED Aye 3 Erhart, Pritchard, Rogan
Nay 0

RESOLVED, to re-appoint Mary Bailey as Town Assessor, term to expire September 30, 2019.

2. Outstanding payroll check to Keith Kibler, reissued, awaiting Mr. Kibler’s response and payment of stop payment fee. Board advised Clerk LaQuay to send certified letter with deadline of July 12, 2013 to Mr. Kibler to pay stop payment fee and collect check or check will be voided.

APPROVAL OF ABSTRACT

Resolution #29 - 2013 - Abstract #6 - 2013 - June 17, 2013

On a motion by Councilman Erhart, second by Councilman Pritchard, the following resolution was
ADOPTED Aye 3 Erhart, Pritchard, Rogan
Nay 0

RESOLVED, that Abstract #6 - 2013 in the following amounts be paid

ACCOUNT	VOUCHER #	TOTAL EXPENDITURES
General A	10330 - 10346	\$ 11,387.63
General B	621 - 628	\$ 3,312.71
Highway DA	8524 - 8531	\$ 1,760.31
Highway DB	2563 - 2567	\$ 4,557.97

With no further business to discuss, the meeting was adjourned at 8:18 p.m.

Respectfully submitted,

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

Next Meeting: Regular Board Meeting July 15, 2013 7:00 p.m.