

TOWN OF NEW ALBION
14 Main Street
Cattaraugus, NY 14719

REGULAR BOARD MEETING

August 19, 2013 7:00 p.m.

PRESIDING: Loyd Chilson, Supervisor

PRESENT: Councilmen: Pat Erhart, Eric Pritchard, Dale Rogan, Michael Weishan; Jerry Cobo, Highway Supt; Rose LaQuay, Clerk

ABSENT:

VISITORS: Ken Charles, Cattaraugus Ambulance; Linda Johnson, Resident; Brenda Smith, Justice; Frank Watson, Code Enforcement; Joy LaQuay, Deputy Clerk; Daniel LaQuay, Resident

CALL TO ORDER:

Supervisor Chilson called the meeting to order at 7:00 p.m. The minutes of the July 15, 2013 Regular Board Meeting, Assessor Report, Clerk Report and Treasurer's Report were approved as presented.

VISITORS:

1. Ken Charles, Cattaraugus Ambulance - Submitted first bill and reviewed with Town Board. Question raised as to procedure when high deductible plans are involved. Mr. Charles to work with Councilman Pritchard.
2. Linda Johnson, Resident - In attendance to observe proceedings.
3. Brenda Smith, Justice - Appointment with R.A. Mercer August 27 to review Justice Audit. Justice Smith will not be attending this year's conference. Office renovation work has been completed through NYS court grant. Air Conditioner unit still to be ordered.
4. Frank Watson - Attended Zoning Board of Appeals prior to this meeting for Kurtz home-based business and Frenz auto-repair business - both approved. Zoning Board relayed message to Town Board regarding restrictive nature of sign regulations in zoning law. ACD for Sterling on County Road 6 expires next month. Reminder notice sent to property owner June 2013. Contacted Town of Ischua, waiting on response. Working on Cattaraugus Rod & Gun Club - awaiting drawings, Code Enforcement Officer has noticed activity on Brown property on Cattaraugus-Otto Road, will review. Official letter to be sent to Mr. Gibbs and Highway Supt. Cobo on gravel pit approval. Awaiting survey on New Albion Road complaint, complaints on Mosher Hollow, Leon and New Albion Roads to be addressed once complainant is in compliance. Contacted property owner on County Road 5, no response to date.
5. Daniel LaQuay - In attendance to observe proceedings.

CORRESPONDENCE:

1. Catt. Cty. Dept. of HR & Emails - Workers Compensation 2014 Increase - Allocation of \$14,281
2. Bly, Sheffield, Bargar & Pillittieri - Review of Linlyco Lake Dam letter to DEC. Board advised Clerk to mail with attorney's changes.
3. SUNY - Voluntary Defined Contribution Guide, Brochure and Folio
4. Time Warner Cable - Transition to Digital Only
5. ADP HR Newsletter - Information on Health Insurance Marketplace
6. R.A. Mercer - Agreed Upon Procedures Report - Town
7. Time Warner Cable - Expiring Agreements
8. NYS Unemployment Insurance - Notice of Reimbursable Billing
9. NYS Office of Real Property - 2013 State Equalization Rate - 76.00 Email and Certificate
10. Buffalo News Article - Inflation will cut tax cap across NY
11. NYS Retirement - Retirement Estimate
12. Email from Assemblyman Joseph Giglio - Registration for Basic STAR recipients
13. Email from NYS Comptroller - New System for Property Tax Cap and CTL Reporting

REPORTS:

Highway - Work Report: shoulder work, roadside mowing, patching, repaired Skinner Hollow third bend, hauled stone, oiled and stoned 42nd Street, Smith Hill, New Road, Frank Road and portions of Stateland and Chautauqua Roads. Assisted Towns of Otto, East Otto, Mansfield, Perrysburg, and Village of Cattaraugus. Paved Gowin Gulf Road to Bus Garage. Gowin Gulf project is 80% complete with shoulder and creek work still to do. Estimated cost of project \$42,000 - \$48,000. Diesel storage tank advertised for bid. New Loader delivered and new speed limit signage required for New Albion four corners. County furnished signs, town to install. Tug Hill Bridge inspection complete with report submitted to Town Highway. Highway Supt. Cobo has contacted Cattaraugus County for criteria for permanent closure of bridge and estimate of cost for removal. No response. Councilman

Rogan to draft new letter to Mark Burr at Cattaraugus County and cc to local county legislators. Councilman Pritchard to contact Attorney Milliman for procedure to close bridge.

Clerk - Supervisor Chilson contacted Howard Merchant unable to complete cemetery mowing. Councilman Rogan checking cemeteries. Clerk LaQuay requested permission from the Town Board to continue to make copies and / or fax for residents, couple page limit. Town Board okayed process to continue as a service to residents, as is. No motion made. Clerk LaQuay reported she attended the Zoning Board of Appeals, prior to this meeting and recorded minutes. Clerk LaQuay informed the Board duplicate refund of the town portion of property taxes due to Cattaraugus Manor was paid. Contact has been made with the attorney representing Cattaraugus Manor and letter of request for repayment will be sent. The Town Board authorized Clerk LaQuay to pay the 2013 Cattaraugus County invoice held from the July 2013 meeting. Deputy Clerk LaQuay inquired as to her lunch hour and breaks. Paid breaks stand as described in the Town Employee Handbook.

Resolution #33 - 2013 – Deputy Clerk Unpaid Lunch

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

RESOLVED, that from this date forward, the deputy clerk will take one half hour unpaid lunch when working a minimum of 6 hours.

July 2013	Check #	TOTAL
Amount Collected		\$ 415.00
VOID	2341	VOID
Animal Population Control	2342	\$ 46.00
NYS Department of Environmental Conservation	EFT	\$ 137.00
NYS Department of Health	2343	\$ 22.50
Town of New Albion	2344	\$ 209.50
Amount Paid Out		\$ 415.00

Treasurer - On Agreed Upon Procedures, it was reported that entries are depreciated on the Fixed Assets ledger, while the notes to the annual report states that the Town does not depreciate. Treasurer Doucette requested the Town Board decide if it is depreciating Fixed Assets or not. Per the Town Board, Fixed Assets should not depreciate, no motion made. Transfers requested for \$30,000.00 from General A Savings to Checking and \$140,000.00 from Highway DB Savings to Checking to pay bills.

Resolution #33 - 2013 – Transfers

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

RESOLVED, to transfer \$30,000.00 from General A Savings to Checking and \$140,000.00 from Highway DB Savings to Checking to pay this evening's bills.

Board Reports - None

OLD BUSINESS

1. Time Warner Cable Draft Franchise Agreement

Resolution #34 - 2013 – Renewal of Time Warner Cable Franchise Agreement

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 renew the franchise agreement with Time Warner Cable as presented to the Town Board and reviewed by Attorney Milliman.

2. Youth Council update - Councilman Pritchard reported to the Town of New Albion Board that swim lessons were done for the year and the Village of Cattaraugus Board had withheld 1/2 of Director Corbin's pay to be released once the annual reports had been submitted to and approved by New York State.

3. Constable reclassification - Waiting on reclass from New York State.

4. Cattaraugus Manor - Clerk LaQuay to contact Assessor Bailey on status.

5. Waverly Street Bridge - No discussion.

6. Clerk LaQuay contacted Historian Arvilla Pritchard again for written resignation August 15, 2013.

7. Town Board requested Clerk LaQuay send certified letter from Board to Court Officer Cochise Redeye requesting status of his employment by September 16, 2013 or Board will assume he has resigned.

NEW BUSINESS

No new business.

APPROVAL OF ABSTRACT

Resolution #35 - 2013 - Abstract #8 - 2013 - August 19, 2013

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

ADOPTED Aye 4 Erhart, Pritchard, Rogan, Weishan
Nay 0

RESOLVED, that Abstract #8 - 2013 in the following amounts be paid

ACCOUNT	VOUCHER #	TOTAL EXPENDITURES
General A	10365 - 10382	\$ 18,590.13
General B	632 - 633	\$ 8.55
Highway DA	8535 - 8541	\$ 1,017.45
Highway DB	2575 - 2582	\$113,578.49

With no further business to discuss, the meeting was adjourned at 8:56 p.m.

Respectfully submitted,

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

Next Meeting: Regular Board Meeting September 16, 2013 7:00 p.m.