

TOWN OF NEW ALBION

14 Main Street
Cattaraugus, NY 14719

REGULAR BOARD MEETING

November 16, 2009 7:00 p.m.

PRESIDING: Loyd Chilson, Supervisor

PRESENT: Councilmen: Patrick Erhart, Eric Pritchard, Marilyn Wasmund, Michael Weishan; Jerry Cobo, Highway Supt.; Rose LaQuay, Recording Secretary; Brenda Smith, Town Justice; Cort Wilkins, Town Code Enforcement Officer

VISITORS: Rod Ranke, Kenworth of Buffalo NY, Inc.; Vince Moskal, Snyder Hill Road; Connie Cordes, Snyder Hill Road; Rick LeFeber, Cattaraugus Local Development Corporation; Arvilla Pritchard, Gowanda PennySaver / News

CALL TO ORDER:

Supervisor Chilson called the Meeting to order at 7:00 p.m.

The minutes of the October 19, 2009 Regular Board Meeting, October 26, 2009 Special Board Meeting and November 5, 2009 Budget Hearing minutes were accepted as presented.

VISITORS:

1. Connie Cordes - Trailer moved onto Wright property last month, nothing done to date on demolition.

Resolution #57-2009 Issue Appearance Ticket - Wright

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

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

That the Board authorize Code Enforcement Officer Wilkins to issue an appearance ticket to Ronald Wright of Snyder Hill Road for failure to demolish the property at Snyder Hill Road.

2. Rod Ranke, Kenworth of Buffalo NY, Inc. - Attending for the Bid Opening.

BID OPENING

A. Five Star International, Inc., 6100 Wattsburg Road, Erie, PA 16509

2010 International Work Star 7600 6x4	\$99,787.00 without trade
Guaranteed Delivery 60 - 90 Days after Award	

B. Kenworth of Buffalo NY, Inc., 100 Commerce Drive, Buffalo, NY 14218

2010 Kenworth T800	\$103,980.00 without trade
Guaranteed Delivery 120 Days after Bid	

Jerry to review bids / specs and meet with the Highway Committee before December 21, 2009 Regular Board Meeting. Specs on the Plow and Body Equipment should be ready in 2 weeks with anticipated Bid Opening at December 21, 2009 Regular Board Meeting.

3. Rick LeFeber - Mr. Ziolkowski continues to make improvements. Mr. LeFeber presented photos to the Board for review. Mr. LeFeber has consulted an attorney. Town Court to set a court date within the month.

CORRESPONDENCE:

1. NYS Codes Division - Public Comment
2. Email - Highway Employee Compensation Package
3. Email - Catt. Cty. Towns Tax Levy Comparative Analysis
4. Time Warner Cable - No Changes!
5. Blue Cross / Blue Shield - Legislative Update
6. RPTA Assessment Study Follow Up

REPORTS

Justice: New Court Clerk, Daniel Busekist hired to replace resigning Court Clerk, Melanie Thompson. Court was held twice in October because of Justice School. \$570 in fines collected + \$380 in unclaimed funds. 5 V & T, 1 Penal, 2 Dismissals. Court Clerks are working on SCOF law.

Highway Superintendent:

1. Brush Cutting
2. Ditch Cleaning
3. Hauling Ice Control Sand
4. Replaced Culvert Pipe
5. Replaced Culvert on Potter Hill Road, Road to be redone with CHIPS money in 2010.

Agreement with Village of Cattaraugus for Use of Village’s Roller presented for Town Supervisor signature.

Electric work completed on Sand / Salt Storage Building.

FEMA & SEMO require us to submit a bill for our time and equipment helping Otto after the August flood. Otto will then submit to FEMA/SEMO and be reimbursed. Otto will then pay our bill.

Assessor: Report Distributed as well as 2009 Exemption Report, copy of which is now required to be attached to the Town Budget.

Clerk:

Clerk’s Report distributed to Board members. The following was received and disbursed from the Town Clerk account:

OCTOBER 2009	Check #	TOTAL
Amount Collected		\$ 2440.00
Cattaraugus County (Dog Licenses)	2211	\$ 54.05
Department of Environmental Conservation	Wire Transfer	\$ 2112.39
NYS Department of Ag & Markets	2212	\$ 30.00
Town of New Albion (Local Share)	2214	\$221.06
Health Department	2213	\$ 22.50
Amount Paid Out		\$ 2440.00

Presented Gayle Patterson for approval as Town Deputy Clerk, Resume circulated among Board members. Mrs. Patterson will work part time 2-5 pm 4 days per week.

Resolution #58-2009 Appointment Deputy Clerk - Patterson

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

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

That the Board appoint Gayle Patterson as part time Town Deputy Clerk.

Clerk LaQuay reported on opportunities to attend training. December 8, 2009 at 6:30 pm, a teleconference for newly elected officials to prepare for Oaths and Organizational Meeting, location to be announced. December 10, 2009 at 12:30 pm, presentation on new Tax Collection Software. Training on software the following week, date to be announced.

Resolution #59-2009 Authorization for Clerk Training

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

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

That the Board approve the Clerk attending December 8, 2009 teleconference and December 10, 2009 Cattaraugus County Training which will require closing the Clerk's office 12:00 - 2:00 pm.

Treasurer:

No Treasurer's Report.

Two Transfers required to be made to pay bills this evening. From General A Savings to Checking= \$17,500.00 and from General B Savings to Checking = \$500.00.

Resolution #60-2009 Transfers

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

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

That the Board make the following transfers as recommended by the Treasurer:

General A: \$ 15,000.00 from General A Savings to General A Checking

General B: \$ 500.00 from General B Savings to General B Checking

Board:

Supervisor Chilson: Mary Schmitt Burial at Tug Hill Cemetery on November 14, 2009. Supervisor Chilson to verify exact location of burial plot.

Councilman Erhart - No report.

Councilman Pritchard - No report.

Councilwoman Wasmund - 911 Sign Project continues.

Councilman Weishan - Youth Council working on 2010 Budget.

NEW BUSINESS:

R.A. Mercer - New contract for Agreed Upon Procedures presented for Supervisor signature. Agreed Upon Procedures December 31, 2008 report distributed to Board members for their review.

Resolution #61-2009 2008 Agreed Upon Procedures

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

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

That the Board accept the Agreed Upon Procedures as of December 31, 2008 report as presented.

Resolution #62-2009 2010 Town of New Albion Budget

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

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

To adopt the 2010 Town of New Albion Budget as prepared by the Town of New Albion Board.

Revenue Anticipation Note

Resolution #63-2009 Revenue Anticipation Note

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

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

REGARDING THE ISSUANCE BY THE TOWN OF NEW ALBION OF UP TO NINETY - NINE THOUSAND, ONE HUNDRED AND THIRTY - ONE AND 99/100 DOLLARS (\$99,131.99) OF REVENUE ANTICIPATION NOTES TO FINANCE THE COMPLETION OF THE SAND / SALT STORAGE BUILDING IN THE TOWN OF NEW ALBION

WHEREAS, the State of New York has approved to reimburse the Town of New Albion for the expenses associated with the construction of a "Shared Sand / Salt Storage Facility" (under the 2007 - 08 Shared Municipal Services Incentives Program). Said reimbursement would be in the form of a grant in the amount of NINETY - NINE THOUSAND, ONE HUNDRED AND THIRTY - ONE AND 99/100 DOLLARS (\$99,131.99).

WHEREAS, it is desirable for the Town to obtain short - term financing until the afore referenced funds are available; and

WHEREAS, such grant funds are due and payable in the 2010 Town fiscal budget; and

WHEREAS, the amount of uncollected revenues against which such notes are authorized to be issued is NINETY - NINE THOUSAND, ONE HUNDRED AND THIRTY - ONE AND 99/100 DOLLARS (\$99,131.99); and

WHEREAS, Sections 25.00 and 39.00 of the Local Finance Law authorize a municipality to issue its Notes in anticipation of the collection or receipt of revenue,

NOW, THEREFORE, be it RESOLVED that the Chief Fiscal Officer is authorized to issue a Revenue Anticipation Note or Notes totaling, in the aggregate, not more than NINETY - NINE THOUSAND, ONE HUNDRED AND THIRTY - ONE AND 99/100 DOLLARS (\$99.131.99) in anticipation of the collection of revenues other than real property taxes, to wit, the grant funds from the New York State.

1. It is hereby determined that the period of probably usefulness pursuant to subdivision 11 of paragraph b of Section 11.00 of the Local Finance Law is twenty (20) years.

2. This project does not require the issuance of approvals / permits from the New York State Department of Environmental Conservation, and the NYS Department of Transportation.

3. The Note or Notes shall have a maturity of not more than one (1) year with the right of pre-payment reserved without penalty.

4. The Note or Notes do not constitute renewals of similar Notes.

5. That the Chief Fiscal Officer is authorized and empowered to fix the details of such Note or Notes

6. That the Chief Fiscal Officer is authorized and empowered to sell such Note or Notes at private sale to the Bank of Cattaraugus.

7. The Note or Notes shall bear interest at a rate not to exceed Six and one-half percent (6.5%) per annum and, in the case of the Bank, shall be payable at their place of business.

8. This Resolution also authorizes the Chief Fiscal Officer to renew any Note or Notes issued pursuant to this Resolution.

9. Within the above limitations the power to determine the terms, form and content of the Revenue Anticipation Note is hereby expressly delegated to the Chief Fiscal Officer of the Town of New Albion, the power to authorize the issuance thereof from time to time is delegated to the Chief Fiscal Officer pursuant to Section 56.00 of such law.

10. The faith and credit of the Town of New Albion hereby irrevocably pledged for the full payment when due of the principal of and interest on the Revenue Anticipation Note or Notes to be issued hereunder in accordance with the terms thereof.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows: THE RESOLUTION WAS THEREUPON DULY ADOPTED.

APPROVAL OF ABSTRACT

Resolution #64-2009 Payment of Abstract #11 - 2009

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

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

RESOLVED, that Abstract #11 - 2009 in the following amounts be paid:

ACCOUNT	VOUCHER #	TOTAL EXPENDITURES
General A	9512 - 9531	\$17,742.84
General B	508 - 511	\$ 176.50
Highway DA	8161 - 8166	\$ 736.74
Highway DB	2262 - 2268	\$11,508.39

With no further business to discuss, the meeting was adjourned.

Respectfully submitted,

Rose LaQuay
Recording Secretary
Town of New Albion
Town Council

NEXT MEETING:

Regular Board Meeting Monday, December 21, 2009 at 7:00 p.m.