

TOWN OF NEW ALBION
14 Main Street
Cattaraugus, NY 14719

REGULAR BOARD MEETING

June 21, 2010 7:00 p.m.

PRESIDING: Loyd Chilson, Supervisor

PRESENT: Councilmen: Patrick Erhart, Marilyn Wasmund, Michael Weishan; Rose LaQuay, Recording Secretary

ABSENT: Eric Pritchard, Councilman; Jerry Cobo, Highway Supervisor

VISITORS: Heidi Nash, Cattaraugus Ambulance; Erich Weyand, Town Attorney; Cort Wilkins, Code Enforcement Officer; Connie Cordes, Snyder Hill Road, Vince Moskal

CALL TO ORDER:

Supervisor Chilson called the Meeting to order at 7:02 p.m.

The minutes of the May 17, 2010 Regular Board Meeting, June 14, 2010 Special Board Meeting, Assessor and Clerk's Reports for May 2010 were accepted as presented.

VISITORS:

1. Erich Weyand - Re: Linlyco Lake Road. Atty. Weyand requested to review charges before filing and / or issuing summons. Board requested Code Enforcement Officer Wilkins to issue all applicable violations relating to the property in question. Clerk LaQuay to pull all minutes, correspondence and permits applicable to the Linlyco Lake property court case.
2. Heidi Nash - Town Picnic Committee; requested the \$500.00 donation from the Town of New Albion paid annually toward picnic entertainment each year.
3. Connie Cordes - Re: Snyder Hill Road. Status of court case ongoing since Fall 2009. Clerk LaQuay to copy all minutes for meeting that Ms. Cordes was in attendance.

CORRESPONDENCE:

1. NYS DAM - Municipal Shelter Inspection Report.
2. Time Warner Cable - Expiring Agreements
3. NYS DEC - Conewango Creek Site 13 Visual Observations
4. NYS DEC - Conewango Creek Site 13 Dam Inspection Report
5. Association of Towns - National Buying Cooperatives
6. Time Warner Cable - New Services
7. Selective Insurance - Notice of Conditional Renewal (2)
8. NYSEMO - Federal Reporting Standards for Acquisition Projects

REPORTS

Justice - No Justice Report.

Highway - No Highway Report.

Assessor – the Assessor's report was distributed detailing Grievance Day and continuing education.

Clerk - the Clerk's May report was distributed to the Board members for their review.

Clerk Account - The following was received and disbursed from the Town Clerk account:

MAY 2010	Check #	TOTAL
Amount Collected		\$ 844.50
Cattaraugus County (Dog Licenses)	2234	\$ 90.47
NYS Department of Ag & Markets	2235	\$ 48.00
Town of New Albion (Local Share)	2236	\$156.25
NYS DEC		\$157.78
Amount Paid Out		\$ 452.50

Treasurer - Recommendation by Treasurer Doucette to make a transfer of \$10,000.00 from General A Savings to Checking and a transfer of \$5,000.00 from General B Savings to Checking.

Resolution #29 - 2010 – Transfers

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

ADOPTED Aye 3 Erhart, Wasmund, Weishan
Nay 0

RESOLVED, that \$10,000.00 be transferred from General A Savings to General A Checking and \$5,000.00 be transferred from General B Savings to General B Checking.

Resolution #30 - 2010 – Transfer - Capital

On a motion by Councilwoman Weishan, seconded by Councilman Erhart, the following resolution

ADOPTED Aye 3 Erhart, Wasmund, Weishan
Nay 0

RESOLVED, to transfer \$24.00 from Contingento to Interfund Transfers 9550.9 for the Capital Account.

Board Reports

Youth Council – Youth Budget to be sent out to Village of Cattaraugus, Town of Otto and Town of East Otto.

Ambulance – Father’s Day Breakfast went very well.

Highway Committee – Councilman Erhart checked in with the Highway Department.

OLD BUSINESS

Clerk LaQuay asked the Board to amend their earlier resolution regarding the Statutory Installment Bond.

Resolution #31 - 2010 – Bond Resolution

On a motion by Councilman Weishan, seconded by Councilman Erhart, the following resolution

ADOPTED Aye 3 Erhart, Wasmund, Weishan
Nay 0

RESOLVED, to amend Resolution #19 - 2010, the Bond Resolution as follows:

WHEREAS, the Town Board of the Town of New Albion wishes to obtain the 5 Year Bond for the New Truck with Plow and Sander at the bank with the lowest interest rate,

WHEREAS, Cattaraugus County Bank quoted an interest rate of 2.8%,

WHEREAS, the Town Board of the Town of New Albion, New York, by a Resolution duly adopted on the 19th day of April, 2010, authorizing the purchase of a 10 Wheel Kenworth Truck with a Plow and Sander at a total cost of \$188,000.00 which cost was to be paid from the proceeds of obligations issued pursuant to the Local Finance Law,

NOW THEREFORE, BE IT RESOLVED:

1. The specific object or purpose for which obligations are to be issued pursuant to this Resolution is to finance the cost of a 10 Wheel Kenworth Truck with Plow and Sander.
2. The maximum cost of such Truck with Plow and Sander is \$188,000.00 and the plan of financing such cost is as follows: The cost is to be provided by the issuance of a statutory installment bond in the amount of \$188,000.00 pursuant to this Resolution.
3. The following determinations are hereby made:
 - a. The period of probably usefulness of such Truck is ten (10) years.
 - b. The subdivision of paragraph (a) of Section 11.00 of the Local Finance Law which is applicable in the circumstances of Subdivision 1128.
 - c. The proposed maturity of the obligation authorized by this Resolution will not be in excess of five (5) years.
4. That the Town of New Albion issue its Statutory Installment Bond in the amount of \$188,000.00 finance such cost in accordance with the financial plan set forth above. Such bond shall be dated approximately as of the date of the delivery of such Truck with Plow and Sander and the power to fix and determine the exact date of such bond is hereby delegated to the Treasurer.
5. Such bond shall be in the amount of \$188,000.00, and shall mature the 15th day of June, 2015, and shall be paid in equal installments of Thirty-seven Thousand Six Hundred Dollars due on the 15th day of June in the years 2011 to 2015, inclusive. The power to determine the date upon which installments of principal and of interest shall become due and payable is hereby delegated to the Treasurer. The Bond shall be issued in bearer form without coupons and shall not contain a power to convert to registered form. The Bond shall bear interest at a rate not exceeding 2.8% per annum payable annually. Interest will not be paid on any installment of principal, or of interest, after the due date thereof. Both the installments of principal of and the interest on this bond will be evidenced by notation on the Bond at the time of the payment. The Bond shall be in substantially the form attached hereto.
6. The Treasurer is hereby delegated the power to prepare such bond and to sell such, bond at private sale at not less than par and accrued interest, and at such sale to fix the interest rate to be borne by such bond

within the limitations as set forth in this Resolution. The Treasurer shall deliver such bond to the purchaser thereof only against cash or a certified check. The proceeds of sale of the Bond shall be deposited in a special bank account as required by Section 62.10 and 63.00 of the Local Finance Law. The Powers delegated to the Treasurer by this Resolution shall be exercised in conformity with the provisions of the Local Finance Law.

7. The Resolution shall take effect immediately.

The Resolution having received at least two - thirds vote of the members of the Town of New Albion, was declared by the Chairman to be duly adopted.

NEW BUSINESS

1. Tug Hill Cemetery - Board directed Clerk LaQuay to send a letter to Mr. Merchant regarding mowing at the Tug Hill Cemetery. Other work should be done at the direction of the Town Board.
2. Linlyco Lake Road and Dam - The Board directed Clerk LaQuay to ask for a Search regarding the ownership of Linlyco Lake Road and Dam to determine ownership. Amount budgeted was \$1,000.00.

Resolution #32 - 2010 – Linlyco Lake Road and Dam

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

ADOPTED Aye 3 Erhart, Wasmund, Weishan
Nay 0

RESOLVED, to proceed with the search to determine ownership of Linlyco Lake Road and Dam at a cost not to exceed \$1,000.00.

APPROVAL OF ABSTRACT

Resolution #32 - 2010 – Abstract #6-2010 - June 21, 2010

On a motion by Councilman Erhart, seconded by Councilman Wasmund the following resolution was

ADOPTED Aye 3 Erhart, Wasmund, Weishan
Nay 0

RESOLVED, that Abstract #6 - 2010 in the following amounts be paid.

ACCOUNT	VOUCHER #	TOTAL EXPENDITURES
General A	9654 - 9670	\$ 17,229.30
General B	527 - 529	\$ 8,060.00
Highway DA	8212 - 8218	\$ 2,027.00
Highway DB	2308 - 2313	\$ 9,061.93
Capital	203 - 204	\$188,024.00

With no further business to discuss, the meeting was adjourned at 8:39 pm.

Respectfully submitted,

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

NEXT MEETING:

Regular Board Meeting Monday, July 19, 2010 at 7:00 p.m.