

TOWN OF NEW ALBION
14 Main Street
Cattaraugus, NY 14719

REGULAR BOARD MEETING

October 17, 2016 7:00 p.m.

PRESIDING: Loyd Chilson, *Supervisor*

PRESENT: *Councilmen:* Cynthia Eaton, Daniel Goss, Mark Marcus, Patrick Murphy; David Rupp, *Hwy. Supt.;* Rose LaQuay, *Rec. Sec.*

VISITORS: Michael Bogardus, *Resident;* Scott Shultz, *Resident*

CALL TO ORDER:

Supervisor Chilson called the meeting to order at 7:01 p.m. The September 19, 2016 Regular Board Meeting minutes, October 11, 2016 Budget Work Meeting minutes, Assessor, Clerk and Court reports were approved with two corrections - remove Thomas Young and Gowanda News from attendance at October 11, 2016 Budget Work Meeting.

VISITORS:

1. Michael Bogardus - Submitted additional complaints.
2. Scott Shultz - In attendance to observe.

REPORTS:

Highway - Patched roads and will continue while weather holds. Shoulders, ditches, crowns and snowplow turn arounds redone. Installed 30 foot culvert on Kickbush Hill. Will begin removal and trimming of limbs. Readying plows for winter.

Resolution #66 - 2016 - Approval and Authorization to Sign for 2011 Caterpillar Excavator

On a motion by Councilman Goss, second by Councilman Eaton, the following resolution was

ADOPTED Aye 5 Chilson, Eaton, Goss, Marcus, Murphy
Nay 0

RESOLVED, to approve and authorize Supervisor Chilson and Highway Supt. Rupp to sign the lease agreements on behalf of the Town for the 2011 Caterpillar M318D Wheeled Excavator for the balance due of \$99,355.12 payable in 4 equal annual installments of \$24,837.78.

Resolution #67 - 2016 - 2011 Caterpillar Excavator

On a motion by Councilman Murphy, second by Councilman Marcus, the following resolution was

ADOPTED Aye 5 Chilson, Eaton, Goss, Marcus, Murphy
Nay 0

WHEREAS, the laws of the State of New York (the "State") authorize Town of New Albion, NY (the "Governmental Entity"), a duly organized political subdivision, municipal corporation or similar public entity of the State, to purchase, acquire and lease personal property for the benefit of the Governmental Entity and its inhabitants and to enter into any necessary contracts; and

the Governmental Entity wants to lease, purchase and/or finance equipment ("Equipment") from Caterpillar Financial Services Corporation and/or an authorized Caterpillar dealer ("Caterpillar") by entering into that certain Governmental Equipment Lease-Purchase Agreement (the "Agreement") with Caterpillar; and

the form of the Agreement has been presented to the governing body of the Governmental Entity at this meeting.

RESOLVED, that: (i) the Agreement, including all schedules and exhibits attached to the Agreement, is approved in substantially the form presented at the meeting, with any Approved Changes (as defined below), (ii) the Governmental Entity enter into the Agreement with Caterpillar and (iii) the Agreement is adopted as a binding obligation of the Governmental Entity; and

that changes may later be made to the Agreement if the changes are approved by the Governmental Entity's counsel or members of the governing body of the Governmental Entity signing the Agreement (the "Approved Changes") and that the signing of the Agreement and any related documents is conclusive evidence of the approval of the changes; and

that the persons listed below, who are the incumbent officers of the Governmental Entity (the "Authorized Persons"):

Loyd Chilson, Supervisor
Cynthia Eaton, Councilman
Daniel Goss, Councilman
Mark Marcus, Councilman
Patrick Murphy, Councilman

be, and each is, authorized, directed and empowered, on behalf of the Governmental Entity, to (i) sign and deliver to Caterpillar, and its successors and assigns, the Agreement and any related documents, and (ii) take or cause to be taken all actions he/she deems necessary or advisable to acquire the Equipment, including the signing and delivery of the Agreement and related documents; and

that the Secretary/Clerk of the Governmental Entity is authorized to attest to these resolutions and affix the seal of the Governmental Entity to the Agreement, these resolutions, and any related documents; and

that nothing in these resolutions, the Agreement or any other document imposes a pecuniary liability or charge upon the general credit of the Governmental Entity or against its taxing power, except to the extent that the payments payable under the Agreement are special limited obligations of the Governmental Entity as provided in the Agreement; and

that the authority granted by these resolutions will apply equally and with the same effect to the successors in office of the Authorized Persons.

Resolution #68 - 2016 - Authorization for Supervisor to Sign

On a motion by Councilman Murphy, second by Councilman Goss, the following resolution was

ADOPTED Aye 5 Chilson, Eaton, Goss, Marcus, Murphy
Nay 0

RESOLVED, to approve and authorize Supervisor Chilson to sign on behalf of the Town of New Albion: SEQRA Determination Letter, NYSDEC Permission to Inspect Property and NYS/USACE Joint Application.

Clerk - Register Report for September 2016 deposits distributed previously. Hunting and Fishing License sales have dropped off since doe permits ended October 1. Budget Work Meeting set for Tuesday, November 1 at 7:00 pm at the Bank of Cattaraugus Boardroom above Cutlery Museum and the 2017 Town Budget Hearing set for Thursday, November 3, 2016 at 7:00 pm - both to be posted and advertised.

Clerk Report: September 2016	Check #	TOTAL
Amount Collected		\$8,521.00
Animal Population Control	2445	\$ 72.00
Cattaraugus County	2446	\$ 28.20
NYS DEC	ACH	\$7,779.23
Town of New Albion	2447	\$ 641.57
Amount Paid Out		\$8,521.00

Treasurer - Transfer to pay this evening's bills requested.

Resolution #69 - 2016 - Transfers

On a motion by Councilman Murphy, second by Councilman Goss, the following resolution was

ADOPTED Aye 5 Chilson, Eaton, Goss, Marcus, Murphy
Nay 0

RESOLVED, to approve the following transfers of \$10,000.00 from General A Townwide Savings to Checking to pay this evening's bills.

Board - Councilman Eaton shared request from Cattaraugus Ambulance for \$500 increase in the contribution in the 2017 Town budget. Councilman Goss shared concern with the tax cap and youth program contribution in the 2017 Town budget. Council Marcus looked at Skinner Hollow road and 42nd Street.

CORRESPONDENCE:

1. Cattaraugus County DPW - Tannery Bridge
2. NYS Office of the State Comptroller - State Aid Payment Advisory
3. Mary Bailey - Senior Citizen Exemption
4. Cattaraugus County Dept. of Econ. Dev., Planning & Tourism - County Arts/Cultural Heritage Plan
5. The Evans Agency - Policy Change
6. Simmons Recovery Consulting - 3rd Quarter Progress Report
7. NYS Dept. of Public Service - National Fuel Rates
8. Michael Bogardus - Funding Request
9. NYS Ag & Markets - Municipal Shelter / Dog Control Officer Inspection Reports

OLD BUSINESS

1. Constable reclassification - Waiting on reclassification from New York State.
2. Joint Planning Board - Awaiting JPB response to proposed Signage Law
3. Tannery Street bridge - Discussions with Cattaraugus County.

NEW BUSINESS

1. 2017 Budget - Revised Tentative Budget distributed to Board members. Review of Revenues for General A Townwide, General B Outside, Highway DA Townwide and Highway DB Outside.

APPROVAL OF ABSTRACT

Resolution #70 - 2016 - Abstract #10 - October 17, 2016

On a motion by Councilman Goss, second by Councilman Eaton, the following resolution was

ADOPTED Aye 5 Chilson, Eaton, Goss, Marcus, Murphy
Nay 0

RESOLVED, that Abstract #10 - 2016 in the following amounts be paid:

ACCOUNT	VOUCHER #	TOTAL EXPENDITURES
General A	11099 - Counter Check 17	\$ 15,263.60
General B	742 - 743	\$ 25.41
Highway DA	8871 - 8877	\$ 1,447.56
Highway DB	2898 - 2903	\$ 18,620.24
Highway Capital Bridge	105 - 106	\$ 17,657.45

With no further business to discuss, the meeting was adjourned at 8:58 p.m.

Respectfully submitted,

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

Next Meeting:	Budget Work Meeting	October 11, 2016	7:00 p.m.
	Regular Board Meeting	October 17, 2016	7:00 p.m.