

June 10, 2013

**Alexander Town Board Regular Meeting
Alexander Town Hall 7:00 p.m.**

Present: Supervisor Joseph Higley
Town Board: Roy Haller III, David Miller, William Schmieder
Absent: William Hirsch
H'way Supt: Tom Lowe
Town Clerk: Laura Schmieder
Guests: Dan Hale & Lusanne Simard-Shepard, Maxwell & Hale

Supervisor Higley called the meeting to order at 7:00 p.m. with the Pledge of Allegiance and a moment of silence for our military serving around the world.

On motion by Councilperson Miller, seconded by Councilperson Haller, and carried, the minutes of the May 13, 2013 regular meeting were approved as presented. 4 – Yes Higley, Miller, Schmieder, Haller, 0 – No Carried

Dan Hale and Lusanne Simard were in attendance to present our insurance package to the Board and to answer any questions. Their company specializes in school districts, municipalities, and fire districts, and works through Glatfelter Public Practice to provide our insurance coverage. They discussed all of our real property (buildings), crime coverage, vehicle coverage, general liability, and public officials policy, which includes cyber liability. We had changed providers about 3 years ago which saved us substantially and it has remained stable since then. They would like to re-value our buildings in the near future and also make sure our museum has appropriate valuation on its contents.

COMMUNICATIONS: Thank you note from the AFD for work done by our Highway Department at the Rec Hall grounds; TCWC agenda and minutes for May; Mercy EMS report for April; Genesee County Business Directory for 2013/14 received; ACS budget newsletter;

REPORTS:

CEO/ZEO: Karl Bender provided a written report, 10 building permits so far in 2013, ready to issue 2 zoning violations on Route 98

Town Clerk: a) the Senior Examiner is still reviewing the Court records-should be done soon; b) the Town Clerk received correspondence from Steve Hawley's office in regard to the resolutions passed at the last Board meeting; c) Warren's Carpet Cleaning service was here in May;

Supervisor Financial: a) monthly report distributed; b) CD renewed at Five Star; c) notice received from DTC that June 1st interest payment was received;

Highway Superintendent: a) gathering material for summer work; b) had flooding last weekend in usual areas; c) chip sealing roads; d) first round of mowing about ¾ finished; e) reviewed the bids received for highway barn roof

Youth: Applications received for summer rec program, on agenda tonight for approval

Dog Control: The enumerator has completed nearly ½ of the area to be covered

GAM: Minutes from the May meeting received

Assessor Report: June 4th was Grievance Day. Only 2 residents appeared before the BAR. Rhonda met with approx. 57 residents prior to June 4th, information was clarified with homeowners. The process went very well considering a town-wide revaluation was completed in 2013.

Town Clerk and Town Justice financial reports for May were reviewed and filed.

OLD BUSINESS

Water District Update: Supervisor Higley and Councilman Roy Haller met with Dawn Kuras, Bill Reemtsen and Jeff Smith at the USDA Office in Batavia on 6/05-the Supervisor signed the Letter of Conditions for Water District #2. The Supervisor also met with a landowner in regard to purchasing a piece of land for the pump station. We received word today that Rural Development has announced their approval of our project loan and grant for Water District #2-Route 98.

Peddler's Local Law Update: This item will be looked at in July.

Union Update: There was a meeting on 6/05 with all parties.

RES. NO. 37: TENTATIVE AGREEMENT

On motion by Supervisor Higley, seconded by Councilperson Haller, and carried, to accept the tentative agreement between the Town of Alexander and Teamsters Local 264 as dated 6/05/2013. 4 – Yes Higley, Miller, Schmieder, Haller 0 – No Carried

NEW BUSINESS

Highway Barn Roof: Bids were opened on 6/05/2013 with the following results:

Just Barns, Inc.	\$28,850.00
Mast Roof & Coating Co.	\$22,815.00 – 18 year warranty
Mast Roof & Coating Co.	\$18,358.00 – 10 year warranty

RES. NO. 38: HIGHWAY BARN ROOF

On motion by Supervisor Higley, seconded by Councilperson Haller, and carried, the bid for the highway barn roof was awarded to Mast Roof & Coating Co., for \$22,815.00, due to the fact that it carried a warranty for an additional 8 years. 4 – Yes Higley, Miller, Schmieder, Haller 0 – No Carried

Superintendent Lowe will contact the company for their work schedule.

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RES. NO. 39: DESIGNATION OF THE NYS SECRETARY OF STATE AS AGENT FOR NOTICE OF CLAIM

On motion by Councilperson Haller, seconded by Councilperson Miller, and carried, as follows:
WHEREAS, all Board Members having due notice of said meeting, and that pursuant to Article 7, §104 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and
WHEREAS, Governor Andrew M. Cuomo has signed the Uniform Notice of Claim Act which changes the way a potential plaintiff can serve a Notice of Claim prior to commencing a personal injury or property damage lawsuit against a municipality; and
WHEREAS, the new Act sets forth a uniform procedure for claims against public entities in New York which include the filing of a Certificate with the Secretary of State designating the Secretary as an agent who may be served with a notice of claim; and
WHEREAS, if a potential plaintiff files a notice of claim with the Secretary of State, he or she must pay a fee of up to \$250.00 which will be split between the Town and the State. If the Town fails to submit this Certificate, it will forfeit its right to receive a portion of this service fee.
NOW ON MOTION OF Councilperson Roy Haller, III which has been duly seconded by Councilperson David Miller, now, therefore, be it
RESOLVED, by the Town Board, the Town of Alexander finds it in the best interest of the Town to submit a Certificate with the Secretary of State designating the Secretary as an agent who may be served with a notice of claim, a copy of which is attached hereto.
4 - Yes Higley, Miller, Schmieder, Haller 0 – No Absent – 1 Hirsch Carried

RES. NO. 40: APPROVE SUMMER RECREATION EMPLOYEES

On motion by Councilperson Miller, seconded by Supervisor Higley, and carried, to approve the list of summer recreation workers as presented by Recreation Director Andrew Buckenmeyer. Yes - 4 Higley, Miller, Schmieder, Haller 0 – No Carried

RES. NO. 41: RURAL DEVELOPMENT LOAN RESOLUTION

On motion by Councilperson Miller, seconded by Councilperson Haller, and carried, to authorize the Supervisor to sign the Rural Development Loan Resolution, authorizing and providing for the incurrence of indebtedness for the purpose of providing a portion of the cost of acquiring, constructing, enlarging, improving, and/or extending its Water facility to serve an area lawfully within its jurisdiction to serve. (A copy of the complete resolution is attached to these minutes). 4 – Yes Higley, Miller, Schmieder, Haller 0 – No 1 – Absent Carried

DISCUSSION:

The Code of Ethics Policy has been tabled until the July meeting.

On motion by Councilperson Miller, seconded by Councilperson Haller, and carried, to pay the bills on Abstract #6 as follows:

General Fund A	Vouchers 121 – 146	\$13,389.34
General Fund B	Vouchers 32 - 37	27,218.09
Highway Fund A	Voucher 7	3,301.17
Highway Fund B	Vouchers 83 - 98	27,777.99

On motion by Councilperson Miller, seconded by Councilperson Haller, and carried, the meeting adjourned at 10:15 p.m.

Respectfully submitted,

Laura Schmieder
Town Clerk