

Present: Christopher C. Gerwitz, Supervisor
John A. Pfeffer, Councilman
Beverly R. Hess, Councilwoman
William J. Heim, Councilman
Patricia R. Dashnaw, Town Clerk
Tim Engels, Highway Superintendent
Absent: Charles E. Davis, Councilman, Deputy Supervisor
Gary Perkins, Code Enforcement Officer

The meeting was called to order at 7:30 P.M. with the pledge to the American Flag.

RESOLUTION 14-2015

APPROVAL OF MINUTES

On motion of Councilman Pfeffer seconded by Councilman Heim, the following resolution was

ADOPTED Ayes 4 Gerwitz, Pfeffer, Hess, Heim
 Nays 0

Resolved the minutes of February 11th be approved as submitted and
 Further Resolved the minutes of February 18th be approved as submitted.

At 7:30pm Supervisor Gerwitz instructed the Town Clerk to read the notice to bidders for the Town wide Trash pickup. Clerk Dashnaw read the notice as it appeared in the Springville Journal. Bids are as follows:

	<u>Company</u>	<u>Bid</u>
1.	MRC Disposal, Inc. 71 Nason Boulevard Springville, NY 14141	\$9,225.00
2.	Community Disposal Service 11081 Galen Hill Road Freedom, NY 14065	\$9,300.00

RESOLUTION 15-2015

AWARD OF BID—TOWN TRASH PICK UP

On motion of Councilman Pfeffer seconded by Councilman Heim the following resolution was

ADOPTED Ayes 4 Gerwitz, Pfeffer, Hess, Heim
 Nays 0

Resolved MRC Disposal, Inc. be awarded the contract for 2015 Town Trash Pickup for \$9,225.00.

Ashford Town Clerk Patricia Dashnaw gave the following report:

(Re: Procedures Followed After the Adoption of the Resolution of January 21, 2015 Establishing a Water District)

"I hereby report to the Town Board with respect to the procedures followed after the adoption by the Town Board of a Resolution on January 21, 2015 establishing the West Valley Water District. The procedures are those required by Section 209-e of Article 12-A of the Town Law. The procedures followed and the documents prepared were upon the advice of Charles M. Harrigan, Jr., attorney for the Town of Ashford:

- Section 209-e Article 12-A of the Town Law required that the Resolution adopted by the Town Board on January 21, 2015 to establish a new water district known as the West Valley Water District subject to a Permissive Referendum in the manner provided in Article 7 of the Town Law. Article 7, Section 90 of the Town Law required that within ten days after the adoption by the Town Board of a Resolution requiring a Permissive Referendum that the Town Clerk post and publish a Notice setting forth the date of the adoption of the Resolution containing an abstract of such Resolution concisely stating the purpose and effect thereof. That the Notice had to specify that such Resolution was adopted subject to a Permissive Referendum.
- A certified copy of the Resolution of January 21, 2015 was mailed by certified mail, return receipt requested, the New York State Department of Audit and Control and to the Office of the State Comptroller on January 23, 2015 as shown by the Affidavit of Mailing of Charles M. Harrigan, Jr.
- That a certified copy of the Resolution of January 21, 2015 was filed for recording in the Cattaraugus County Clerk's office on January 22, 2015 as shown by the Affidavit of Charles M. Harrigan, Jr.
- An abstract of the said Resolution of the Town Board of January 21, 2015 to establish a new water district to be known as the West Valley Water District was prepared and published in an edition of the Springville Journal dated January 31, 2015 as shown by a page from that issue annexed hereto and submitted with this report. The abstract recited that the Resolution was subject to a Permissive Referendum.
- An abstract of said Resolution was posted by me on the official sign board of the Town of Ashford on January 22, 2015.
- I caused to be prepared and had available for distribution proper forms for the Petition for a Referendum specified by Section 209-e(3) of Article 12-A of the Town Law.
- No owner of taxable real property or any other person, firm or corporation situate in the proposed district requested a form of Petition.
- That no official Petition or any Petition has been filed with me requesting that the matter described in said Resolution of January 21, 2015 be submitted to a Referendum of the property owners of the proposed district.
- As required by Section 209-e(4)(a) of the Town Law, a Certificate reciting the above was prepared and executed by me on February 24, 2015 and a certified copy of same was mailed to the Office of the State Comptroller, 110 State Street, Albany, New York 12236 by certified mail, return receipt requested, on February 24, 2015 as shown by a receipt of the U. S. Post Office at West Valley attached hereto.
- A Certificate reciting the above was prepared and executed by me on February 24, 2015 and a certified copy of same was mailed to the New York State Department of Audit and Control, Office of the State Comptroller, 110 State Street, Albany, New York 12236 by certified mail, return receipt requested, on February 24, 2015 as shown by a receipt of the U. S. Post Office at West Valley attached hereto.
- The return receipts from the certified mail were received and they are attached hereto. The receipts were stamped by the Office of the State Comptroller mailroom and by the Office of the Department of Audit and

Control mailroom dated February 26, 2015. This shows that the Certificates were received by the Office of the State Comptroller and the Department of Audit and Control

12. A duplicate original of said Certificate was recorded in the Cattaraugus County Clerk's office on February 26, 2015 as shown by a cover sheet. The Certificate was recorded as Instrument Number 232325-001. A copy of the County Clerk's receipt for the filing fee of \$50 is also attached hereto.
13. I am submitting herewith the following Affidavits and copies of documents:
 - A. Affidavit of Mailing of Charles M. Harrigan, Jr. of the Resolution of January 21, 2015 to the NYS Office of the Comptroller and the NYS Department of Audit and Control.
 - B. Affidavit of Recording of Charles M. Harrigan, Jr. of the Resolution of January 21, 2015 in the Cattaraugus County Clerk's office.
 - C. Abstract of Resolution of January 21, 2015
 - D. My affidavit showing the posting of the Resolution of January 21, 2015.
 - E. An Affidavit of Publication of the Springville Journal dated February 3, 2015.
 - F. Affidavit of attorney Charles M Harrigan, Jr. stating that on my behalf he filed for recording in the Cattaraugus County Clerk's office my Certificate pursuant to Section 209-e(4)(a) of Article 12A of the Town Law that no Petition for a Referendum has been filed with me;
 - G. An Affidavit of Mailing of Charles M. Harrigan, Jr. showing that on my behalf he mailed copies of said Certificate to the Office of the State Comptroller and to the Department of Audit and Control;
 - H. A duplicate original of my Certificate made February 24, 2015 with attached County Clerk's cover sheet for recording, receipt for filing fees, 2 receipts for certified mail, and two return postcards from NYS Office of State Comptroller mailroom.
14. That all the above procedures were followed pursuant to the provisions of Section 209-e of Article 12A of the Town Law regarding the establishment of the water district and that all requirements of the statute for the establishment of the district as set forth in said Section 209-e have been completed.

RESOLUTION 16-2015

REAFFIRM RESOLUTION TO ESTABLISH WEST VALLEY WATER DISTRICT

On motion of Councilman Heim seconded by Councilwoman Hess the following resolution was

ADOPTED Ayes 4 Gerwitz, Pfeffer, Hess, Heim
 Nays 0

Whereas, this Board adopted a Resolution on January 21, 2015 establishing the West Valley Water District subject to a Permissive Referendum, and

Whereas, the time period for filing a Petition for a Referendum has passed, and

Whereas, the Town Clerk has submitted a Report showing that all procedures and filings required by Article 12-A of the Town Law for the establishment of the Water District have been completed,

Now Therefore Be It Resolved, as follows: that this Board hereby reaffirms its Resolution of January 21, 2015 establishing the West Valley Water District, and

Be It Resolved, that this Board accept the Report of the Town Clerk and we hereby direct that the Report and all supporting documents recited therein by filed with the Town Clerk in the matter of the establishment of the West Valley Water District as appropriate.

Cattaraugus County DPW has been granted approval for the Depot Street Flood Mitigation Project that will need to be completed before October 1, 2015. E&M Engineers and Nussbaumer & Clark will provide draft plans and specifications for review and approval from both parties.

Mark Burr, PE Cattaraugus County DPW has informed Supervisor Gerwitz of a bridge replacement project at the end of County Rd 53 (Ashford Hollow Road) and County Rd 32 (Route 240) for summer 2015. The WV Fire Department will be contacted and traffic will be rerouted accordingly.

Paul Bembia, NYSERDA's West Valley Program Director reported NYSERDA will be collecting another set of high-resolution LiDAR topographic data through high-resolution aerial photographs. Coverage area will include the Connoisaurauley Creek watershed and Cattaraugus Creek corridor to Lake Erie. There will be detailed topographic data and high resolution orthophotography for the entire Town of Ashford. Once data collection is completed, a presentation will be made for the Town of Ashford Board.

At 8:00pm Supervisor Gerwitz instructed the Town Clerk to read the notice to bidders for the new or used 8ft power broom with cab and 70+horsepower engine. Clerk Dashnaw read the notice as it appeared in the Springville Journal. Bids are as follows:

<u>Company</u>	<u>Bid</u>
1. Baschmann Services, Inc. PO Box 320 Elma, NY 14059	\$47,398.00-New
2. George and Swede Sales and Service 7155 Big Tree Road Pavilion	\$48,300.00-New(minus \$7,000 trade = TOTAL \$41,300)
3. Monroe Tractor 5035 Genesee Street Buffalo, NY 14225	\$61,574.00-New(minus \$13,000 trade=TOTAL \$48,574)
4. Monroe Tractor 5035 Genesee Street Buffalo, NY 14225	\$65,199.00-New(minus \$13,000 trade=TOTAL \$52,199)
5. Monroe Tractor 5035 Genesee Street Buffalo, NY 14225	\$34,000.00-Used(minus \$13,000 trade=TOTAL \$21,000)

Correspondence:

1. **Justice Court Fund**-Ashford share of January, 2015 fines is \$10,632.50
2. **Catt Co Treasurer**-Sales Tax Distribution for 2014 4th Quarter is \$97,460.33.
3. **US Senator Charles Schumer**-made a budget request for 2016 for \$75 million for the West Valley Demonstration Project.
4. **PILOT**-Audit of the IDA by NYS revealed incorrect calculations due to the Town of Ashford. This amount has been corrected and the payment from IDA has been received.
5. **Association of Towns**-letter stating purpose of the Association of Town and information regarding the annual meeting.
6. **FEMA check**-payment has been made to the Town of Ashford for \$136,960.52 which still falls short of the amount due

RESOLUTION 17-2015

AWARD OF BID—FOX VALLEY ROAD PROJECT

On motion of Councilman Pfeffer seconded by Councilman Heim the following resolution was

ADOPTED Ayes 4 Gerwitz, Pfeffer, Hess, Heim
Nays 0

Resolved D&H Excavating, Inc. be awarded the contract for the Fox Valley Road Project for \$47,406.00.

Councilman Pfeffer would like to pursue reorganization of the Youth Recreation Commission and offer additional activities. This will be addressed further at a later date.

RESOLUTION 18-2015

AUTHORIZE TOWN WEBSITE

On motion of Councilman Pfeffer seconded by Councilwoman Hess the following resolution was

ADOPTED Ayes 4 Gerwitz, Pfeffer, Hess, Heim
Nays 0

Resolved Southern Tier West host the Town of Ashford website

The Planning Board has created a questionnaire concerning the Ashford Comprehensive Plan for residents to complete. Once board members and town attorney have had input the document can be circulated. Circulation venues will be explored.

The board reviewed the February reports for:

- Town Clerk
- Building Permits
- Constabulary
- Highway Fuel & Expense Reports

Warranty on the freightliner is all inclusive.

RESOLUTION 19-2015

SUPERVISOR'S MONTHLY FINANCIAL REPORT

On motion of Councilwoman Hess, seconded by Councilman Heim, the following resolution was

ADOPTED Ayes 5 Gerwitz, Davis, Pfeffer, Hess, Heim
Nays 0

Resolved the Supervisors Monthly financial report for February, 2015 is accepted as submitted.

RESOLUTION 20-2015

AUDIT OF CLAIMS

On a motion of Councilman Heim seconded by Councilman Pfeffer, the following resolution was

ADOPTED Ayes 5 Gerwitz, Davis, Pfeffer, Hess, Heim
Nays 0

Resolved the bills contained Abstract #3 have been reviewed by the Town Board and are authorized for payment in the following amounts:

General Fund	No. 40 through 55	\$212,946.16
Highway Fund	No. 27 through 42	\$28,708.07
Light District	No. 3	\$1,089.06
Trust & Agency	No. 12 through 22	\$12,321.91

A motion was made by Heim seconded by Pfeffer and carried that the meeting be adjourned at 9:02pm. (All aye)

Patricia R. Dashnaw—Town Clerk