

Town of New Albion  
P.O. Box 265  
Cattaraugus, NY 14719  
**Regular Board Meeting**  
August 16th, 2021 7:00 p.m.

**PRESIDING:** Patrick Murphy, Supervisor

**PRESENT:** Councilmen: Daniel Goss, Michael Weishan; Norman Kazmark; Cynthia Eaton; Frank Watson, Code Enforcer; David Rupp, Highway Superintendent; Sherry Rupp, Town Clerk.

**VISITOR:** Camilla Lulas, Mike Ortiz, Julie Smith, Mike Bogardus.

**CALL TO ORDER:** Supervisor Murphy called the meeting to order at 7:00 pm. Followed by the Pledge to the American Flag. Regular Minutes for July 19th, 2021, Town Clerk Monthly Report, and the Register's Report were all approved as presented by the clerk.

**CORRESPONDENCE:**

- Campanelli & Associates, PC - RE: The 5G Rollout – Controlling the siting of wireless facilities within the Town of New Albion.
- Tom Pietras – Petition to remove obscene signs and displays from public view
- Miguel Ortiz – Insurance Renewal
- Town of New Albion Agreed-Upon Procedures/Bridges, Horning & Co., P.C.

**VISITOR:**

**Camilla Lulas**, is here voicing her concerns regarding Tom Pietras petition and the 1<sup>st</sup> Amendment. Cami is opposing the petition and feels that by taking away a person's right to voice their opinion is a violation to the 1<sup>st</sup> Amendment. The ACLU has been notified and is waiting to hear what the Town of New Albion decides to do about this petition. **Julie Smith** is here to support Camilla Lulas.

**Michael Bogardus**, is here regarding the ASAP signs on his property. Mr. Bogardus goes on to say that Frank Watson authorized them to hang the signs. Frank Watson stated that he did not authorize them to hang the signs. Frank Watson went on to say that he made a call to the ASAP Company and he had asked that they remove the sign that was in Mr. Bogardus's complaint letter previously which was located at the corner of CR5 & CR6 and they came out and removed the sign. There is one more sign which is located on Mr. Bogardus's private property which he is free to take down at any time but wants the Town to remove the sign. The Town refuses to remove the sign due to Mr. Bogardus telling the Town in previous complaints that the Town is not allowed on his property. Mr. Bogardus went on about signs hanging throughout the Town and wants them taken down. Frank Watson said he is working on the removal of signs.

**REPORTS:**

**Code Enforcer: Frank Watson**, working on the following: solar panel on a private residential property, Generator and a pole barn. As for the sign/flag this is a line the Town shouldn't cross. We are responding to a complaint; we are not changing a law and this should not be the message leaving this office. The Town attorney will be notified as to this matter.

**Highway Dept.: David Rupp**, the Town of New Albion highway department has been concentrating primarily on the road maintenance and skid paving roads as needed while the weather permits. The Town Highway Department is preparing Potter Hill Road for oil and stone on August 24<sup>th</sup>. The road will be closed for the day, with the exception for local traffic. Please be patient with the crews. The Town has received a reimbursement payment from FEMA on Waverly Street, but no word has been offered as to the status of Jefferson Street as of yet. No word has been relayed to the Department as of the status of the Waverly bond issue also. All indications are this may become a long process, which the Town will have to persevere through.

**Resolution #61– 2021 – Agreed-Upon Procedures**

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

**ADOPTED** Aye 5      Murphy, Goss, Kazmark, Eaton and Weishan  
Nay 0

**RESOLVED**, approved the Agreed-Upon Procedures from Bridges, Horning & Co., P.C.

**Resolution #62– 2021 – 2020 Standard Work Day and Reporting Resolution**

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

**ADOPTED** Aye 5      Murphy, Goss, Kazmark, Eaton and Weishan  
Nay 0

**RESOLVED**, that the Town of New Albion / (Location Code) 30332 hereby establishes the following Standard Work Days for the Highway Superintendent and will report the official to New York State Local Retirement System based on time keeping records or their record of activities.

Title	Standard Work Day	Name	Social Security #	Registration	Tier	Current Term	Record of Activities
Elected Officials Highway Superintendent	8	David Rupp	****	***	6	01/01/2020-12/31/2023	23.97

**Resolution #63– 2021 – 2021-2022 General Liability Insurance**

On a motion by Councilman Kazmark, seconded by Councilman Eaton, the following resolution was

**ADOPTED** Aye 5      Murphy, Goss, Kazmark, Eaton and Weishan  
Nay 0

**RESOLVED**, approved to renew the Town’s 2021-2022 General Liability Insurance with Shield Financial.

**Resolution #64– 2021 – Quote on New Roof for Town Hall and Generator**

On a motion by Councilman Goss, seconded by Councilman Kazmark, the following resolution was

**ADOPTED** Aye 5      Murphy, Goss, Kazmark, Eaton and Weishan  
Nay 0

**RESOLVED**, Norman Kazmark and David Rupp are approved to get specs together for a quote on a new roof for the Town Hall and a generator.

**Assessor: Kate Harrington**, the July report is as follows

- The 2021 roll year has been finalized as of July 1, 2021.
- Data Collector Carrie Tomczak has been promoted to Senior Data Collector. We are in the process of hiring a new Data Collector to fill her old position.
- Corresponded with several property owners about their assessments, tax bills, and exemptions.
- Added eight property transfers for the month of June.

### June Sales

Sale Date Rec Date	Grantor (Seller) Grantee (Buyer)	Property Loc	Map# Book/Page	PU/PC Front/Depth	Tot AV Acres	Sale Price Per Prop	# Par Split
5/28/2021 6/3/2021	McGlynn Leonard M Delio Sylvia J	153 Main	35.081-5-19 20210 / 6406	210 / 210 99 / 115	47000 0	35000 0	1 No
5/28/2021 6/14/2021	HEMENWAY Stephen J County of Cattaraugus	New Albion	53.002-2-16.1 20210 / 6828	300 / 314 0 / 0	6100 0.05	1 0	1 Yes
6/14/2021 6/15/2021	Fruehauf Taylor Mountz-Marple Corey D and Jamey	23 Franklin	35.082-4-7.1 20210 / 6863	210 / 210 106 / 155	40000 0.23	154000 0	1 No
1/27/2015 6/15/2021	Krotz (Estate of) Dale R County of Cattaraugus	10200 Leon	53.001-1-14 20210 / 6874	210 / 210 0 / 0	38800 0.07	1 0	1 Yes
6/18/2021 6/18/2021	Estate of Susan Young Chase Austin M	9421 New Albion	53.002-2-34.1 20210 / 7020	210 / 210 0 / 0	81300 19.85	210000 0	2 No
6/18/2021 6/18/2021	Estate of Susan Young Chase Austin M	New Albion	53.002-2-34.4 20210 / 7020	210 / 314 226.9 / 89	2000 0	210000 0	2 No
6/15/2021 6/21/2021	Pritchard Mary Pritchard Marc	40 Leavenworth	35.074-3-1 20210 / 4536	311 / 311 78 / 365	3200 0	1 0	1 No
6/15/2021 6/21/2021	Pritchard Mary Pritchard Marc	Leavenworth	35.074-1-1 20210 / 7073	311 / 311 0 / 0	11600 7.15	1 0	1 No

### **Board:**

Councilman **Patrick Murphy** – None  
 Councilman **Daniel Goss** – None  
 Councilman **Michael Weishan** – None  
 Councilman **Norman Kazmark** – None  
 Councilman **Cynthia Eaton** – None

**Clerk Report:** July 2021, Amount Collected \$ 480.00

Animal Population Control: Check # 2641 \$ 47.00

Town of New Albion: Check # 2643 \$ 216.64

Cattaraugus County: Check# 2642 \$183.30

NYS DEC: EFT - \$33.06

Amount Paid Out \$ 480.00

### **OLD BUSINESS:**

### **NEW BUSINESS:**

- Hazard Mitigation Project – FEMA approved the 4 properties on Lovers Lane to move forward to the next step.

**APPROVAL OF ABSTRACT:**

**Resolution # 65- 2021– Abstract # 8-2021 – August 16, 2021**

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

**ADOPTED** Aye 5 Murphy, Goss, Kazmark, Eaton and Weishan  
Nay 0

**RESOLVED**, that Abstract # 8 -2021 in the following amounts is to be paid.

<b>ACCOUNT</b>	<b>VOUCHER #</b>	<b>TOTAL EXPENDITURES</b>
General A	12176-12192	\$ 4,039.18
General B	900-901	\$ 6.45
Highway DA	9383-9390	\$ 1,854.94
Highway DB	3305-3309	\$ 21,266.53

With no further business to discuss, the meeting was adjourned at 8:09 pm.

Respectfully submitted,

Sherry Rupp  
Recording Secretary  
Town of New Albion Town Council

Next Meeting: Regular Board Meeting September 20, 2021 7:00 pm.