

Town of New Albion
P.O. Box 265
Cattaraugus, NY 14719
Regular Board Meeting
September 20th, 2021 7:00 p.m.

PRESIDING: Patrick Murphy, Supervisor

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

VISITOR: Camilla Lulas

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 August 16th, 2021, Town Clerk Monthly Report, and the Register's Report were all approved as presented by the clerk.

CORRESPONDENCE:

- Complaints & FOILS from Mr. Bogardus
- Federal American Rescue Plan Act Payments

VISITOR:

Camilla Lulas, is here to see what the town has decided to do about Tom Pietras petition and the 1st Amendment. The town has informed Camilla that the town board and town attorney do not wish to pursue this issue. In doing so would be a violation to the people's right to voice their opinion.

REPORTS:

Code Enforcer: Frank Watson, working on the following: Pole Barn, Porch addition. I completed training over the last week. 24-hour in-service training required a year. I received paperwork from SAIA for Special Use Permit but SAIA does not own the property and the Special Use Permit goes with the property owner. I'm working on this issue.

Highway Dept.: David Rupp, the Town of New Albion highway department has been kept busy this month with unusually high storm damage. The dept. has been cleaning and repairing ditches and sweeping roads clear of gravel run off. Many trees and limbs have also fallen requiring the dept. to remove also. When able to town was able to skid pave Potter Hill Road and State-land Roads and applied an oil and stone surface treatment on Potter Hill. The dept. also paved the steep downhill side of Sweeney Hill with the County's paver. The Towns many thanks to all the Towns who had helped, Persia, Perrysburg, Otto, East Otto, Conewango, Leon and the County DPW personal and equipment. Also, thanks Bill Philips and the Gernatt Collins Plant for their help. The dept. has been in contact with Foit/Albert in regards to Waverly St Bridge. A meeting is being set up to attempt to come to a conclusion of the matter. No word as to Jefferson St. as of yet.

Assessor: Kate Harrington, the August report is as follows

- WNY Rural Preservation, LP is seeking judicial review by commencing a tax certiorari proceeding in New York State Supreme Court pursuant to Article 7 of the Real Property Tax Law. This company not only owns New Albion's Cattaraugus Manor, but also Arcade Manor Apartments, Yorkshire Corners Apartment, Maple Leaf Apartments, Little Valley Estates, Portville Manor Apartments, Portville Square Apartments, Carrollton Heights, and Canisteo Manor – all of which are involved in this proceeding. This will be handled by the County Attorney, Town Attorney, and School District Attorney.
- School tax bills were mailed on September 1. This release of school taxes, the first to be issued from the new tax roll, can make some assessment errors obvious (e.g., missing STAR exemption). If you notice an error has been made, please notify out office immediately: 716-938-2343.
- Corresponded with several property owners about their assessments, tax bills, and exemptions.
- Added 12 property transfers for the month of July.

July 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
7/1/2021 7/1/2021	Weaver William E Opferbeck Daleen	7689 Otto	35.004-3-2 20210 / 7553	300/ 210 0 / 0	52100 1.41	1600 0	1 Yes
6/29/2021 7/1/2021	Moberg Arnold R&J Briggs Family Trust I	NYS Rte. 353	44.004-2-15.1 20210 / 7593	311 / 314 0 / 0	6000 4.3	0 0	1 No
6/15/2021 7/6/2021	Hostetler Christ J. Hostetler Eli C. & Christy J.	6272 New	53.001-1-9.4 20210 / 7699	311 / 112 0 / 0	79000 35.88	0 0	1 Yes
7/15/2021 7/15/2021	Shultz Kelly Shultz Rebecca	70 Leavenworth	35.073-1-16 20210 / 8115	210 / 210 0 / 0	27600 7.1	1 0	1 No
7/12/2021 7/19/2021	Opferbeck Jason P Kumpf Lloyd	30 West	35.081-1-33.1 20210 / 8253	210 / 210 275 / 152.6	50500 0	130000 0	1 No
5/25/2021 7/20/2021	Frentz James A. J.A. Frentz Family Trust 1	10194 Chautauqua	53.001-2-10.2 20210 / 8297	210 / 112 0 / 0	72800 24.72	0 0	1 No
7/21/2021 7/21/2021	Tucholski Lilleigh Stein Tyler	Farm to Market	53.001-2-12.1 20210 / 8368	100 / 105 0 / 0	11900 29.35	1 0	3 No
7/21/2021 7/21/2021	Tucholski Lilleigh Stein Tyler	6001 Farm to Market	53.001-2-12.3 20210 / 8368	100 / 240 0 / 0	89500 12.9	1 0	3 No
6/8/2021 7/27/2021	Goodemote Family Trust III Goodemote Gary J	32 Franklin	35.074-1-19 20210 / 8631	210 / 210 66 / 291	34500 0	0 0	1 No
7/29/2021 7/29/2021	Driscoll, Esq as Referee Gerald M Secretary of Housing & Urban Development	7 Division	35.081-1-31 20210 / 8724	210 / 210 80 / 79.2	30000 0	20540 0	1 No
7/29/2021 7/30/2021	Perkins James Ferris Melanie K.	124 Jefferson	35.074-1-29 20210 / 8757	210 / 210 99 / 213.15	88500 0	275000 0	1 No
7/21/2021 7/30/2021	Windrig Nathaniel G. Widrig Nathaniel G.	7972 Otto	35.004-2-2 20210 / 8762	210 / 210 0 / 0	64600 2.08	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: August 2021, Amount Collected \$ \$2,505.90

Animal Population Control: Check # 2644 \$ 44.00
Town of New Albion: Check # 2647 \$ 380.57
Cattaraugus County: Check# 2645 \$108.10
NYS DEC: EFT - \$1,950.73
NYS Dept. Marriage Licenses: Check# 2646 \$22.50
Amount Paid Out \$ 2,505.90

Total ARPA Funds received \$98,563.80, ½ received in Summer 2021: \$49,081.52, the other 50% will be received in the Summer of 2022. An additional \$400.78 was received in ARPA Funds, ½ received in 2021 of \$200.39 and the other 50% in Summer of 2022.

The Town has decided to use some of the ARPA Funds to buy Air Purifiers for the Town offices.

Resolution #66– 2021 – Purchase Air Purifiers

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

ADOPTED Aye 4 Murphy, Goss, Kazmark, and Eaton
Nay 0

RESOLVED, Town clerk is allowed to purchase 4 air purifiers for the town offices using ARPA Funds.

There has been a Budget Workshop Session set for October 4th, 2021

Resolution #67– 2021 –Budget Workshop Meeting

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

ADOPTED Aye 4 Murphy, Goss, Kazmark, and Eaton
Nay 0

RESOLVED, there will be a Budget Workshop Meeting on October 4th, 2021 @ 6:00PM

Resolution #68– 2021 –Transfer of Funds

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

ADOPTED Aye 4 Murphy, Goss, Kazmark, and Eaton
Nay 0

RESOLVED, transfer \$50,000 from General A Savings to Checking.

Resolution #69– 2021 –Transfer of Funds

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

ADOPTED Aye 4 Murphy, Goss, Kazmark, and Eaton
Nay 0

RESOLVED, transfer \$2,000 from General B Savings to Checking.

OLD BUSINESS:

NEW BUSINESS:

- a) Hazard Mitigation Project – FEMA approved the 4 properties on Lovers Lane to move forward to the next step. I have sent out RFPS to four different companies and I’m waiting for their BIDS. I have received one closed bid back so far.

APPROVAL OF ABSTRACT:

Resolution # 70- 2021– Abstract # 9-2021 – September 20, 2021

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

ADOPTED Aye 4 Murphy, Goss, Kazmark, and Eaton
Nay 0

RESOLVED, that Abstract # 9 -2021 in the following amounts is to be paid.

ACCOUNT	VOUCHER #	TOTAL EXPENDITURES
General A	12193-12221	\$ 27,807.29
General B	902-904	\$ 4.60
Highway DA	9391-9401	\$ 15,806.66
Highway DB	3310-3320	\$ 99,984.66

With no further business to discuss, the meeting was adjourned at 8:56 pm.

Respectfully submitted,

Sherry Rupp
Recording Secretary
Town of New Albion Town Council

Next Meeting:	Regular Board Meeting	October 18, 2021	7:00 pm.
	Budget Workshop Meeting	October 4,2021	6:00 pm