

Town of New Albion  
14 Main Street  
Cattaraugus, NY 14719  
**Regular Board Meeting**  
October 21, 2019 7:00 p.m.

**PRESIDING:** Loyd Chilson, Supervisor

**PRESENT:** Councilmen: Cynthia Eaton, Dan Goss, Norman Kazmark; Patrick Murphy; Frank Watson, Code Enforcer; David Rupp, Highway Superintendent; and Sherry Rupp, Town Clerk.

**VISITORS:** Jay Grasso, G&G Municipal Consulting & Grant Writing; John Ridall, Resident; Shannon Goode, Justice; Renee Gardner, Resident; James Musacchio, Town Attorney; Brenda Musacchio.

**CALL TO ORDER:** Supervisor Chilson called the meeting to order at 7:00 pm. Followed by the Pledge to the American Flag. Regular Meeting Minutes for September 16, 2019, Town of New Albion Justice court report, Treasurer, Town Clerk Monthly Report, and the Register's Report were all approved as presented by the clerk.

**CORRESPONDENCE:**

- a) Division of Lands & Forest
- b) Wilmington Trust Statement 06/01/2018-08/31/2019
- c) September Minutes from Shared Services Panel
- d) Assessing Service Information
- e) Homeland Security Letter/Jefferson St. Bridge
- f) Numerous complaint letters from Michael Bogardus
- g) New York Bail Reform Law
- h) G&G Municipal Consulting & Grant Writing-Jay Grasso
- i) Hazard Mitigation Grant Program/4397 Lovers Lane Acquisition Project
- j) BAN renewal documents complete and all set for closing on October 9, 2019
- k) Western New York National Cemetery
- l) DEC/Notice of Availability of Urban Forestry Grant Funds
- m) The Christmas Angels looking for donations
- n) Standard Work Day Reporting for Frank Watson
- o) Bank of Greene County/Municipal-Banking Offer
- p) Wilmington Trust Statement 06/01/2018-09/30/2019

**VISITOR:** Jay Grasso, spoke to the board members regarding low cost municipal consulting & grant writing services that are available. Jay said for the Town to put a wish list together and when he finds a grant that fulfills our need then he will put together a report and what the cost would be to pursue the grant. Jay will email a proposal to the town clerk.

**REPORTS:**

**Code Enforcer:** Frank Watson, permits are active: deck/ramp, shed, new porch and an occupancy. As of now there are 26 permits which include Variances and Special Use. There is an existing active telecommunications tower on a property located in the town which owner of the said property says there is no lease for the tower use. From a Zoning stand point, Town wants to know what it is used for. This property has two parcel numbers, the County has a separate parcel number for the tower itself. Saia Communications is the current owner of the Telecommunications Tower located on New Albion Road. Saia Communications has been running a lot of equipment up the tower. As of October 10<sup>th</sup> 2019, there has been a STOP WORK ORDER issued to Saia Communications due to the lack of planning on their part. The Town must follow protocol. Zoning indicates we cannot let this happen! A Special Use Permit needs to be issued. The Town of New Albion has never been approached for any permits or applications regarding the Tower located on New Albion Road. An Engineering report is needed on the Tower before we can proceed. In addition, an Environmental Impact report needs to be done on the existing tower, so that the Town can address any safety issues. **James Musacchio**, The Town attorney discussed procedures regarding the Tower. James stated that the Town is not in the middle of this dispute that is taking place between Renee Gardner (Property Owner) and Saia Communications (Owner of the Tower). This is a Civil Matter. **Renee Gardner**, introduced herself to the board. Renee went on to discuss the location of the property located on New Albion Road and the access road located on Sweeney Hill Road. In addition, Renee explained the problems and issues she is having with Saia Communications and the new equipment that they are installing on the Tower. They are damaging my property and installing guide wires that by far supersede what was originally allotted. Renee insists that Saia is still working on the Tower even after the STOP WORK ORDER was issued. Frank Watson said show me the proof, take pictures with the dates on them. Frank went on to say that Saia Communications is at fault for not obtaining the appropriate permits to operate- he knows the rules and has permits in other towns.

**Justice:** Shannon Goode’s Monthly Distribution Report / Input on the Bail Reform Law.

**Highway Dept.:** David Rupp, reports that the Town of New Albion Highway Department was kept busy the past month with getting ready for the up coming winter season. A large percentage of our time was spent skid patching and repairing roads while the weather permitted asphalt paving. Gravel was also hauled and added to roads to build base lost over the past due to weather and erosion. Some examples, State land Road, Skinner Hollow third bend and the Peters Road. Maintenance on equipment has also been a priority the past month with replacement of a power steering box on the Int. 5000 and a new thermostat on the 6-wheel Int. plow truck. Getting plows and sanders ready for the winter season is becoming a prime concern as winter is nearing. Hauling in the last of the towns required ice sand is also an ongoing task during inclement weather. The Waverly St. Bridge is open to everyone’s relief while the Jefferson St. culvert is still under review by NYSDESH and FEMA. Also, the Town Highway Dept. has been contacted by Robert Dingman regarding the repair of the rail road bridge adjacent to Jefferson St. The Dept. replied the Town will assist if able. David went on to discuss financing options for the roller. Also, David told the board that the Dedication sign “Sgt. Jason Denfrund & Veterans Memorial Bridge” looks great on Waverly St.!

**Assessor:** Kate Harrington, the September report is as follows: School tax bills were mailed out on September 1. The release of school taxes, the first to be issued from the new tax role, can make some assessment errors obvious (e.g. missing STAR exemption). If you notice that an error has been made, notify our office immediately. New York State is continuing to mail a new customized good cause form and instructions to certain seniors across the state. These homeowners do not have complete Income Verification Program (IVP) enrollments on file with NYS and are, therefore, at risk of losing their Enhanced STAR exemptions. Homeowners that have received this form may complete and send it-along with any required documentation-ASAP. Questions should be directed to the NYS Homeowners’ STAR hotline at (518) 457-2036. The STAR checks delivery schedule is available online at [www.tax.ny.gov](http://www.tax.ny.gov). Those who have not yet received a check can check the status there. The Assessing Office corresponded with several property owners about their assessments, tax bills, and exemptions. Two property transfers were added for the month August. Thank you.

**Board:**

- Councilman Loyd Chilson – None
- Councilman Norman Kazmark – None
- Councilman Daniel Goss - None
- Councilman Cynthia Eaton – None
- Councilman Patrick Murphy – None

**Clerk Report:** September 2019, Amount Collected \$ 4612.00  
 Animal Population Control: Check # 2570 \$ 105.00  
 Cattaraugus County: Check # 2571 \$ 28.20  
 Town of New Albion: Check # 2572 \$ 691.20  
 NYS Environmental Conservation: EFT \$3787.60  
 State Health Dept. For Marriage Licenses: 0.00  
 Amount Paid Out \$ 4612.00

**Resolution # 56 2019 – 2019 Standard Workday Resolution**

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

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

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

Title	Standard Work Day	Name	Social Security Number	Registration Number	Tier 1	Current Term Begin & End Dates	Record of Activities Results	Not Submitted
Elected Officials Code Enforcer	6	Frank Watson	***	***		01/01/2019-12/31/2019	7.26	

**OLD BUSINESS:**

- a) Tannery Street Bridge
- b) Roller Purchase

**NEW BUSINESS:**

- a) Hazard Mitigation Project

**APPROVAL OF ABSTRACT:**

**Resolution # 57- 2019 – Abstract # 10-2019 – October 21, 2019**

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

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

**RESOLVED**, that Abstract # 10 -2019 in the following amounts is to be paid.

<b>ACCOUNT</b>	<b>VOUCHER #</b>	<b>TOTAL EXPENDITURES</b>
General A	11716-11734	\$ 7,669.17
General B	842-844	\$ 41.00
Highway DA	9169-9179	\$ 5,873.12
Highway DB	3144-3149	\$ 46,101.73
BAN Account	107	\$ 88,500.43

With no further business to discuss, the meeting was adjourned at 9:19 pm.

Respectfully submitted,

Sherry Rupp  
Recording Secretary  
Town of New Albion Town Council

Next Meeting:	Budget Work Session	October 30, 2019	7:00 pm.
	Budget Hearing	November 6, 2019	7:00 pm.
	Regular Board Meeting	November 18, 2019	7:00 pm.