

Town of New Albion
14 Main Street
Cattaraugus, NY 14719
Regular Board Meeting/Public Hearing
August 17, 2020 7:00 p.m.

PRESIDING: Patrick Murphy, Supervisor

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

CALL TO ORDER: Supervisor Murphy called the meeting to order at 7:00 pm. Followed by the Pledge to the American Flag. Regular Meeting Minutes for July 20, 2020, Town Clerk Monthly Report, and the Register's Report were all approved as presented by the clerk.

CORRESPONDENCE:

- a) RAN Note
- b) Budget / Working Budget
- c) Complaint
- d) Complaint
- e) General Liability Insurance

REPORTS:

Highway Dept.: David Rupp, reports for the past month the Town highway dept. has been concentrating on Patching potholes and skid patching as needed. The warm weather this summer has been a great aid and help to the Dept. as we do hot top repairs. The Dept. will continue to patch town roads as long as the nice weather is staying. The Town crew has also replaced many culverts this past month many damaged from the past heavy rain storm in July. The Dept. will also continue to repair shoulders and road side scour as we can when time permits. The Waverly Street Bridge suffered a large amount of storm damage from the July storm. The Highway Department has been in contact with both Nova Site and Wendel Engineering. The Town of New Albion has been advised to begin the process of recalling the Maintenance and Performance Bond of the contractors. The Towns attorney has been contacted and is waiting for copies of the contract and bond information.

Assessor: Kate Harrington, the June report is as follows: The 2020 roll year has been finalized as of July 1, 2020. Completed a five-day training, "Cost, Market, and Income Approach to Value", which is a training course required by NYS Department of Taxation and Finance. Changes to STAR Exemptions have been made on several properties. Because STAR and Enhanced STAR are NYS exemptions, the New York State Department of Taxation and Finance (NYSDTF) has made determinations based on eligibility requirements and asked local Assessors to change (from Basic to Enhanced or Enhanced to Basic) or remove exemptions. Additionally, this is the first year that NYSDTF has issued a STAR Delinquency Report. This report lists Basic STAR exemption recipients who are no longer eligible for the exemption because their property taxes are more than one-year delinquent. Property owners whose STAR exemption was changed or removed will receive a notice from NYSDTF. Corresponded with several property owners about their assessments, tax bills, and exemptions. Twenty-four property transfers occurred between March 1, 2020 and May 1, 2020 (next two pages).

Sale Date Rec Date	Grantor (Seller) Grantee (Buyer)	Property Location	Map# Book/Page	PU / PC Front / Depth	Total AV Acres	Sale Price Per Property	# Parcel Split
6/26/2019 3/13/2020	US Bank National Assoc. Secretary of HUD	130 Main 20200 / 5032	35.073-1-26 315/0	210/210 3.1	42000 0	10 No	1
3/13/2020 3/16/2020	Brace Laverne Dorman Kimberly L.	7200 NYS Rte. 353 20200 / 5128	44.002-2-27 0 / 0	210 / 210 1.05	57800 0	1 No	1
3/13/2020 3/17/2020	Hornberger Paul Hornberger Paul	Frank 20200 / 5159	53.001-2-15.2 0 / 0	100 / 322 13.2	10600 0	0 No	1
1/30/2017 3/18/2020	Charlesworth John R. Charlesworth Family Farms, LLC	New Albion 20200 / 5274	54.001-1-23 0 / 0	311 / 105 99	42900 0	0 No	5
1/30/2017 3/18/2020	Charlesworth John R. Charlesworth Family Farms, LLC	NYS Rte. 353 20200 / 5274	54.001-1-9.1 0 / 0	311 / 314 5.17	6500 0	0 No	5
1/30/2017 3/18/2020	Charlesworth John R. Charlesworth Family Farms, LLC	New Albion 20200 / 5274	54.001-1-11.1 0 / 0	311 / 322 76.92	54000 0	0 No	5
3/10/2020 3/18/2020	County Treasurer County of Cattaraugus	75 Washington 20200 / 5283	35.082-4-1 59.5 / 63	210 / 210 0	28000 0	0 No	1
3/20/2020 3/20/2020	Harvey Wayne Stein Wayne M	75 South 20200 / 5374	44.025-1-6 66 / 132	210 / 210 0	36500 0	8000 No	1
3/20/2020 3/20/2020	Brumagin Kaylin King David	9545 Buehlow Hill 20200 / 5377	44.002-2-16 0 / 0	210 / 210 2.08	98000 0	1 No	1
2/27/2020 3/20/2020	County Treasurer County of Cattaraugus	62 Main 20200 / 5415	35.081-1-8.1 199 / 125	210 / 210 0	13700 0	0 No	1
3/20/2020 3/20/2020	Waugh Christine S. Hoag Justin	14 Waverly 20200 / 5424	35.081-3-13 58 / 66	411 / 411 0	30000 0	15000 No	1

2/28/2020 3/27/2020	Wright Wayne E. Wright Wayne E.	Farm to Market 20200 / 5532	53.001-1-21 0 / 0	100 / 105 143.22	17300 0	0 Yes	2
2/28/2020 3/27/2020	Wright Wayne E. Wright Wayne E.	Chautauqua 20200 / 5532	53.001-2-10.4 0 / 0	100 / 105 143.22	32600 0	0 Yes	2
12/16/2019 3/27/2020	Frentz James A. Wright Wayne E.	10194 Chautauqua 20200 / 5533	53.001-2-10.2 0 / 0	311 / 112 3.48	89900 0	0 Yes	1
2/25/2020 4/7/2020	Horth Richard J. Horth Jeffrey P.	25 Washington 20200 / 5866	35.081-3-7 69 / 106	210 / 210 0	36800 0	0 No	1
2/27/2020 4/10/2020	County Treasurer County of Cattaraugus	7503 State Land 20200 / 5932	36.003-1-16 0 / 0	210 / 312 2.6	12500 0	0 No	1
2/27/2020 4/10/2020	County Treasurer County of Cattaraugus	14 Lincoln 20200 / 5933	35.082-5-11 75 / 141.75	210 / 210 0	30600 0	0 No	1
2/27/2020 4/10/2020	County Treasurer County of Cattaraugus	11 Scott 20200 / 5934	44.026-1-15 66 / 202	210 / 210 0	29000 0	0 No	1
2/27/2020 4/10/2020	County Treasurer County of Cattaraugus	Leon 20200 / 5935	53.001-1-16.2 134 / 350	311 / 314 0	3400 0	0 No	1
2/27/2020 4/10/2020	County Treasurer County of Cattaraugus	34 Jefferson 20200 / 5936	35.081-2-3 44 / 87	210 / 210 0	36300 0	0 No	1
2/27/2020 4/10/2020	County Treasurer County of Cattaraugus	209 Main 20200 / 5937	44.025-1-31 35 / 106	210 / 210 0	42000 0	0 No	1
3/25/2020 4/14/2020	County of Cattaraugus Fox Robyn	62 Main 20200 / 6008	35.081-1-8.1 199 / 125	210 / 210 0	13700 0	2717 No	1
4/15/2020 4/15/2020	Swan Harold G. Pine Shadows Holdings LLC	158 Main 20200 / 6064	44.025-1-16 132 / 167	210 / 210 0	37100 0	25000 No	1
5/1/2020 5/12/2020	Southworth James W. Dorn Rosemarie	36 South 20200 / 6599	35.082-5-28 57.75 / 174	210 / 210 0	45700 0	87500 No	1

Code Enforcer: Frank Watson, we have a couple 10 permits Light Activity. But otherwise not a whole lot of activity. I have received 2 complaints from two town residents regarding a town property located at 10004 Leon Road. I agree with the complaints and a violation notice will be issued. As for the Cell Tower there has been no change, they have not touched the ground effects. SAIA is requesting a Zoning Permit Hearing-they are not grandfathered in. I will be meeting with the Town attorney. On August 25th Tammy Ruper will be going in front of the Judge and DEC regarding her property located on Mosher Hollow Road. I have submitted a voucher for WSTBOA Educational Conference which takes place September 14, 15, 16, 2020.

Justice: Shannon Goode's Monthly Distribution Report.

Resolution #36- 2020 – Revenue Anticipation Note

At a regular meeting of the Town Board of the Town of New Albion, Cattaraugus County, New York, held at the Town Hall, 14 Main Street, Cattaraugus, New York 14719, on August 17, 2020 at 7:00 p.m.

PRESENT: Patrick Murphy
John Ridall
Cynthia Eaton
Daniel Goss
Norman Kazmark

The following resolution was offered by John Ridall, who moved its adoption, seconded by Daniel Goss, to-wit:

REVENUE ANTICIPATION NOTE RESOLUTION AUTHORIZING THE ISSUANCE OF NOTES OF THE TOWN OF NEW ALBION, CATTARAUGUS COUNTY, NEW YORK (THE "TOWN") IN AN AMOUNT NOT TO EXCEED \$78,000 IN ANTICIPATION OF THE COLLECTION OF GRANT MONIES EXPECTED TO BE RECEIVED BY THE TOWN FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY AND THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES

BE IT RESOLVED, by the Town Board (the "Board") of the Town of New Albion, Cattaraugus County, New York (the "Town") AS FOLLOWS:

Section 1. In anticipation of the receipt of grant monies expected to be received by The Town in the current fiscal year from (i) the Federal Emergency Management Agency in an Amount of not less than \$58,500, and (ii) the New York State Division of Homeland Security and Emergency Services in an amount of not less than \$19,500, with respect to the cost of demolition and replacement of the Waverly Street Culvert, and pursuant to Section 24.00 of the Local Finance Law of the State of New York (the "Law"), the Town is hereby authorized to issue and sell one or more revenue anticipation notes in an aggregate principal amount not to exceed \$78,000 (the "Notes").

Section 2. The maturity date of the Notes, including renewals thereof, shall not extend beyond the close of the applicable period provided by Section 25.00 of the Law.

Section 3. Subject to the provisions of this Resolution and the Law, pursuant to the provisions of Sections 30.00, 50.00 and 56.00 of the Law, the powers and duties of the Board to issue and to sell the Notes, including any renewals thereof, and the authorization of the terms, form and content thereof, are hereby delegated to the Supervisor of the Town as the chief fiscal officer of the Town (the "Supervisor"). The Supervisor is authorized and directed to execute and deliver the Notes to the purchaser thereof and the Town Clerk of the Town is authorized and directed to attest the Notes.

Section 4. The Supervisor is hereby further delegated all powers of the Board with respect to agreements for credit enhancement derived from and pursuant to Section 168.00 of the Local Finance Law, for the Notes, including, but not limited to, the determination of the provider of such credit enhancement facility or facilities and the terms and contents of any agreement or agreements related thereto.

Section 5. The full faith and credit of the Town are and shall be pledged to the Punctual payment of principal of and interest on the Notes authorized herein.

Section 6. The Supervisor is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the Notes as excludable from gross income from federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the Notes, If applicable, as qualified tax-exempt obligations in accordance with Section 265 (b)(3)(B)(I) of the Code.

Section 7. This resolution shall take effect immediately.

The following vote was taken and recorded in the public or open session of said meeting:

	<u>AYES</u>	<u>NAYS</u>
Supervisor Murphy	X	
Councilwoman Eaton	X	
Councilman Goss	X	
Councilman Kazmark	X	
Councilman Ridall	X	

Resolution #37– 2020 – Transfer of Funds

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

ADOPTED Aye 5 Murphy, Eaton, Kazmark, Goss, Ridall
 Nay 0

RESOLVED, approved to transfer funds from the Highway Town wide Savings to the Highway Town wide Checking in the amount of \$40,000 and \$30,000 from the General Town wide Savings to the General Town wide Checking.

Board:

- Councilman Patrick Murphy – None
- Councilman Norman Kazmark – None
- Councilman John Ridall – Thanked everyone for the Get-Well Card.
- Councilman Cynthia Eaton – None
- Councilman Daniel Goss – None

Clerk Report: July 2020, Amount Collected \$ 350.00

- Animal Population Control: Check # 2601 \$ 34.00
- Cattaraugus County: Check # 2602 \$47.00
- Town of New Albion: Check # 2603 \$ 146.18
- NYS Environmental Conservation: EFT \$122.82
- State Health Dept. For Marriage Licenses: 0.00
- Amount Paid Out \$ 350.00

CLERKS REPORT:

The **Richard L. Murphy “2020 Citizen of the Year” Award** ceremony will be postponed until May of 2021 in leu of the Covid-19 pandemic. The Town will honor Mr. Chilson the recipient of the “2020 Citizen of the Year” Award at that time. In addition, The Town will also honor the 2021 recipient. We apologize for the delay.

To be compliant with NYS the Town needs a Server in order to ensure the Town’s information is secure and protected.

Resolution # 38- 2020 – Purchase a Server

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

ADOPTED Aye 5 Murphy, Eaton, Kazmark, Goss, Ridall
Nay 0

RESOLVED, Eugene Doucette is authorized to transfer funds from the Deputy Account 1410.1 to the Equipment Account 1420.2 in the amount of \$1,866.00 so that the Town Clerk may purchase a Server.

Working on the up coming budget.

Attention Town of New Albion Residents due to the recent events regarding the Coronavirus we would like to limit the person to person contact. So, until further notice we would greatly appreciate it if you could use our drop box on the court door for the following transactions: Dog Licenses, Water Bills, Court Tickets, Etc.

OLD BUSINESS:

- a) Hazard Mitigation Project

NEW BUSINESS:

APPROVAL OF ABSTRACT:

Resolution # 39- 2020 – Abstract # 8-2020 – August 17, 2020

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

ADOPTED Aye 5 Murphy, Eaton, Kazmark, Goss, Ridall
Nay 0

RESOLVED, that Abstract # 8 -2020 in the following amounts is to be paid.

ACCOUNT	VOUCHER #	TOTAL EXPENDITURES
General A	11896-11911	\$ 19,588.21
General B	866	\$ 0.00
Highway DA	9263-9269	\$ 47,979.13
Highway DB	3211-3215	\$ 2,199.31

With no further business to discuss, the meeting was adjourned at 8:22 pm.

Respectfully submitted,

Sherry Rupp
Recording Secretary
Town of New Albion Town Council

Next Meeting: Regular Board Meeting September 21, 2020 7:00 pm.