

Town of New Albion  
14 Main Street  
Cattaraugus, NY 14719  
**Regular Board Meeting**  
December 21, 2020 7:00 p.m.

**PRESIDING:** Patrick Murphy, Supervisor

**PRESENT:** Councilmen: Norman Kazmark, Cynthia Eaton, Daniel Goss; David Rupp, Highway Superintendent; and Sherry Rupp, Town Clerk.

**ABSENT:** Frank Watson, Code Enforcer

**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 November 16, 2020, Town Clerk Monthly Report, and the Register's Report were all approved as presented by the clerk.

**CORRESPONDENCE:**

- a) 2021 Annual Meeting & Training School.
- b) Multi-Jurisdictional Hazard Mitigation Plan Resolution
- c) Webinar on Sales Tax Withholding Programs (Distributed Already)
- d) Notification of Charlie Schacter's Death (Harris Beach)
- e) Cattaraugus County – Agreement to Spend Town Highway Funds – 2021
- f) Resolution / Extension to the Senior Citizen Exemption
- g) Town of New Albion Agreed-Upon-Procedures for year ended 12/31/2019
- h) Letter from the Village Board regarding Hall Rental
- i) Jason Crawford - FOILS

**REPORTS:**

**Code Enforcer: Frank Watson,** we have a Zoning Board Meeting on Dec. 29<sup>th</sup>, 2020. The End of the Year report will be next month. I'm working on the temporary town office trailer acceptance. In addition, I'm keeping an eye on Mr. Bogardus and the house next to the creek with tires/junk. I will be sending notices out soon. I finished inspecting all 23 local Amish schools with reports.

**Highway Dept.: David Rupp,** the Town of New Albion highway department has been concentrating on getting last minute road maintenance done before the winter snow removal season is here. The department has cut limbs and brush as needed, repaired a shoulder wash out on Pepperdine Hill Rd. and filled pot holes in both gravel and paved roads. The dept. also repaired a section of guard rail that had been down on Maple Hill. The dept. has begun snow removal operations for the season, so far, the winter has been lite with unusual warm weather. The dept. has begun to work on the temporary office site work with sewer and water having been installed last week. The pad was prepared and the office building moved on to the site prior to the last snow storm that arrived to slow the progress. This week the dept. will level and block the office as needed, weather and time permitting. LED Electric has been contacted to hook up the electric from the existing shop service. Once the service is installed repairs and remodeling of interiors are to begin as needed. The Town has been contacted that the Waverly Street close out paperwork has been finally forwarded to the FEMA office. Lets all hope for the best. No word has been given as to the progress of the Waverly Street insurance claim. The claim has been forwarded to the Insurance Bonding agent and is under their review. Lets all have a Very Merry Christmas and Hope for a much better New Year.

**Resolution # 55 - 2020– Agreement to Spend Town Highway Funds - 2021**

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

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

**RESOLVED,** David Rupp and the Town Board signed the Agreement for the expenditures of Highway Moneys for 2021.

**Resolution # 56 - 2020– Transfer of Funds**

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

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

**RESOLVED**, approved the transfer of funds from the Highway DB to the Highway Road Repair Savings in the amount of \$40,000.00.

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

- Annual renewal applications for the Senior Citizen Exemption and Agricultural Assessment will be mailed out in the coming weeks. As a friendly reminder, Enhanced STAR exemptions are now renewed automatically-applicants will not be receiving renewal applications.
- The Assessing Office has corresponded with several property owners about their assessments, tax bills, and exemptions.
- Ten transfers were added for the month of October.

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
10/07/20 10/07/20	EATON WILLIAM A. PERKINS JARETT	43 Waverly	35.082-5-3 2020 / 11897	210 / 210 0 / 0	40300 3	45000 0	1 No
01/01/00 10/08/20	County of Cattaraugus Wittmeyer Herbert	7503 State Land	36.003-1-16 2020 / 11971	311 / 312 0 / 0	12500 2.6	14100 0	1 No
01/01/00 10/08/20	County of Cattaraugus Kenyon Sheldon	34 Jefferson	35.081-2-3 2020 / 11972	210 / 210 44 / 87	36300 0	10000 0	1 No
01/01/00 10/08/20	County of Cattaraugus Flexmuch LLC	75 Washington	35.082-4-1 2020 / 11973	210 / 210 59.5 / 63	28000 0	15100 0	1 No
10/14/20 10/14/20	BENEVENTO ROBERT BENEVENTO JOHN	Tug Hill	44.003-1-36.3 2020 / 12117	300 / 314 0 / 0	7200 11	1 0	2 No
10/16/20 10/16/20	Horning Adrian Stuckey Kaylee	97 Linlyco Lake	54.029-1-14.2 2020 / 12210	210 / 210 181.6 / 132.48	43800 0	70000 0	1 No
01/01/00 10/21/20	County of Cattaraugus NY Cruz Addie	Leon	53.001-1-16.2 2020 / 12345	311 / 314 134 / 350	3400 0	800 0	1 No
10/26/20 10/28/20	Fisher Kenneth C. Fisher Anthony R.	94 Washington	35.082-1-11 2020 / 12626	210 / 210 78.5 / 166	55000 0	50000 0	1 No
10/28/20 10/29/20	Walker Matthew Plummer Peter James	9391 Potter Hill	35.004-3-8 2020 / 12715	210 / 210 0 / 0	68000 2.87	160000 0	1 No
09/09/20 10/30/20	Miller Donn Scott L. Jordan D. Miller, as Trustee Miller Family	25 Ellicott	35.082-4-18 2020 / 12738	210 / 210 104.86 / 254.85	38000 0	0 0	1 No

**Resolution #57- 2020 – Extension to the Senior Citizen Exemption**

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

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

**RESOLVED**,

- I. WHEREAS, on March 7, 2020, Governor Andrew M. Cuomo issued Executive Order Number 202, declaring a State disaster emergency for the entire State of New York, and
- II. WHEREAS, on December 18, 2020, said declaration was extended to include: Subdivisions 7,7-a and 8 of section 459-c of the Real Property Tax Law, and subdivisions 5, 5-a, 5-b, 5-c and 6 of section 467 of the Real Property Tax Law, which permits the governing body of an assessing unit to adopt a resolution directing the assessor to grant exemptions pursuant to such section on the 2021 assessment roll to all property owners who received that exemption on the 2020 assessment roll, thereby dispensing with the need for renewal applications from such persons, and further dispensing with the requirement for assessors to mail renewal applications to such persons, and
- III. WHEREAS, the town is desirous in adopting such resolution while also allowing the assessor to require a renewal application to be filed when he or she has reason to believe that an owner who qualified for the exemption on the 2020 assessment roll may have since changed his or her primary residence, added another owner to the deed, transferred the property to a new owner, or died, now therefore, be it
- IV. RESOLVED, that the Town Board is authorized to pass such resolution, and that the assessor is instructed to take any such necessary actions in the above-described directives.

**Resolution # 58 - 2020– Transfer of Funds**

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

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

**RESOLVED**, the following transfer is approved to transfer \$1000.00 from the General Outside Village Savings to the General Outside Village Checking,

**Resolution #59– 2020 – Transfer of Funds**

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

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

**RESOLVED**, approved to transfer funds from the Contingent account 1990.4 in the amount of \$2,000.00 to the Town Clerk account 1410.4 to cover the purchase of a typewriter, fire proof safe and a printer for the new office.

**Resolution #60– 2020 – Multi-Jurisdictional Hazard Mitigation Plan**

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

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

**RESOLVED,**

**Multi-Jurisdictional Hazard Mitigation Plan  
Resolution**

(Name of Jurisdiction) **Town of New Albion**

(Governing Body) **Town Council**

(Address) **14 Main Street, Cattaraugus, NY 14719**

**RESOLUTION**

WHEREAS, **Town of New Albion**, with the assistance from **Tetra Tech, Inc.**, has gathered information and prepared the **2021 Cattaraugus County Hazard Mitigation Plan**; and

WHEREAS, the **2021 Cattaraugus County Hazard Mitigation Plan** has been prepared in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, **Town of New Albion** is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

WHEREAS, **Town of New Albion** have reviewed the Plan and affirms that the Plan will be updated no less than every five years;

NOW THEREFORE, BE IT RESOLVED by **Town Council** that **Town of New Albion** adopts the **2021 Cattaraugus County Hazard Mitigation Plan** as this jurisdiction’s Natural Hazard Mitigation Plan, and resolves to execute the actions in the Plan.

ADOPTED this **21<sup>st</sup> day of December, 2020** at the meeting of the **Town Council**.

Signed by Supervisor Patrick Murphy and Town Clerk Sherry Rupp.

**Resolution #61– 2020 – Zoning Fees**

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

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

**RESOLVED**, the Town Board approved to waive the zoning fees associated with the placement of the office trailer located at the Town Highway Garage. The following fees will be waived: \$50.00 Permit fee, \$100.00 Variance fee and the \$250.00 for the Special Use Permit.

**Board:**

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

**Clerk Report:** November 2020, Amount Collected \$ 1,561.83

Animal Population Control: Check # 2615 \$ 39.00  
Cattaraugus County: Check # 2616 \$112.80  
Town of New Albion: Check # 2617 \$ 220.25  
NYS Environmental Conservation: EFT \$1,189.78  
State Health Dept. For Marriage Licenses: \$0.00  
Amount Paid Out \$ 1,561.83

**CLERKS REPORT:**

I have started updating our vendors in regards to our new mailing address in hopes of making the transition a bit easier in the near future.

**Attention Town of New Albion Residents**, The Town of New Albion has elected not to renew our annual office rental agreement with the Village of Cattaraugus. The Town Clerk, Code Enforcer, Assessor and Court will be relocating to our Office Trailer which is located down at the Town Highway Grounds. In doing so, this will allow the Town to pursue grant opportunities for our existing Town owned facilities. We do not have an exact date that this will take place, but as soon as we do, we will let our Town residents know.

**OLD BUSINESS:**

**NEW BUSINESS:**

- a) Hazard Mitigation Project

**APPROVAL OF ABSTRACT:**

**Resolution # 62- 2020 – Abstract # 12-2020 – December 21, 2020**

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

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

**RESOLVED**, that Abstract # 12 -2020 in the following amounts is to be paid.

<b>ACCOUNT</b>	<b>VOUCHER #</b>	<b>TOTAL EXPENDITURES</b>
General A	11970-11997	\$ 9,474.13
General B	874-876	\$ 1,115.07
Highway DA	9303-9313	\$ 5,336.07
Highway DB	3241-3252	\$ 40,666.06

With no further business to discuss, the meeting was adjourned at 8:38 pm.

Respectfully submitted,

Sherry Rupp

Recording Secretary  
Town of New Albion Town Council

Next Meeting:	Organizational Meeting	January 4 <sup>th</sup> , 2021	7:00 pm.
	Regular Board Meeting	January 18, 2021	7:00 pm.