

Town of New Albion
14 Main Street
Cattaraugus, NY 14719
Regular Board Meeting
January 20, 2020 7:00 p.m.

PRESIDING: Patrick Murphy, Supervisor

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

VISITORS: Michael Bogardus, Resident Regarding Zoning for Max Gross.

CALL TO ORDER: Supervisor Murphy called the meeting to order at 7:05 pm. Followed by the Pledge to the American Flag. Regular Meeting Minutes for December 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) Wilmington Trust Statement – 06/01/2018-12/31/2019
- b) Southern Tier Powers & Duties Training February 20, 2020

Visitor: Michael Bogardus, came to voice his concerns regarding Max Gross's property. As for Max Gross, Mr. Bogardus wants proof that Max is able to live overhead a business. Mr. Bogardus was given a letter from the Town of New Albion that was dated January 19, 1993 that states that Max Gross on Sweeney Hill Road is in a zoning area allowing auto repair as a "Home Occupation". Supervisor Murphy told Mr. Bogardus he would talk to Frank Watson. Town clerk will continue her search in the archives.

REPORTS:

Code Enforcer: Frank Watson, 34 permits for 2019. 24 Building Permits, 2 Demolition Permits, 2 Pool Permits, 1 Wood Stove/Chimney/Solar Power Permits, 1 Special Use Permit, 4 Variances, 2 Certificate of Occupancy, 2 Stop Work Orders, 4 Violation Notices, 0 Appearance Tickets.

Accomplishments:

- Continued to implement Town of New Albion Zoning
- Established code enforcement presence with various citizens via violation/request letters and personal visits.
- Various approved Demolition permits will help town appeal.
- Inspected and documented all (24) local Amish School buildings (7th year in a row).
- Completed 24hrs of required code enforcement training.

Goals 2020:

- Increase use Town of New Albion Zoning Law for special use permits and variances.
- Increase code enforcement towards poorly maintained/unsafe properties.
- Increase code enforcement towards junk and disrepair automobiles.
- Work with planning, zoning, and town boards to approve new Zoning Law section 9.3 SIGNS.
- Accomplish code enforcement for Telecommunications Tower at New Albion/Sweeny Hill Road Area.

I have enjoyed my 8th year with the Town of New Albion. I am still learning a lot about this town and its citizens. I am hoping for a more productive year in code enforcement for this town in 2020. As Zoning Law is enforced, there will be increased resistance and defiance. I am hoping to get the easier, less hostile, cases through the zoning process first. We will take the more difficult cases as they increase in size and non-compliance. I am also hoping that all governing boards and members are able to co-operate and move forward with town Zoning Law improvements and enforcement.

Telecommunications Tower update-SAIA pulled application after being advertised. STOP WORK ORDER is still in place and I'm still dealing with property owner. SAIA requested Zoning Board Meeting to request STOP WORK ORDER to be lifted. Town requirement is the Zoning (enforcement), Tower was shut down which then there is no grandfather clause. There should be no reason for the STOP WORK ORDER to be lifted. Renee wants the town to represent her. The town should not get involved; it is a civil matter. Solar Power is becoming huge. SECTION 9.22 Article 9- Supplementary Regulations to be added to the town's Zoning Laws to regulate Solar Power and where they go. We will present this to the Planning Board and will give them 30 days to review. Then we will have a public hearing. Once approved then it will go to the State. This is an opportunity for the town to get ahead and collect fees.

Justice: Shannon Goode's Monthly Distribution Report

Highway Dept.: David Rupp, reports that the Town of New Albion Highway Department for the month of January has been busy primarily with snow removal operations. Out of the first 20 days the Dept. has been out 11 times so far. Even with the low amount of snow fall the rain and warm weather has produced a mixed bag of precipitation requiring treatment higher than usual demanded. The Department has been busy with vehicle maintenance as needed. Plow cutting edges and shoes have been changed as required. Recently the Dodge 5500 was sent out for transmission repair, luckily the transmission shift module needed replacement. No word has been received as of yet regarding the Jefferson Street Culvert from FEMA or NYSDHES. Cattaraugus County has awarded the bid for the Tannery Street bridge replacement to Edbaur Construction. A spring start is expected.

Assessor: Kate Harrington, the December report is as follows: Mailed renewal notices for the Senior Citizen Exemption and Agricultural Assessment. These renewals are due by March 1st. Property owners should contact our office with any questions about these exemptions or the application process. The Assessing Office corresponded with several property owners about their assessments, tax bills, and exemptions. Ten property transfers were added for the month November (next page). Thank you.

Sale Date Rec Date	Grantor (Seller) Grantee (Buyer)	Property Location	Map# Book/Page	PU/PC Front/Depth	Tot AV Acres	Sale Price Per Prop	# Parcel Split
11/5/2019 11/6/2019	Waugh Christine S. Mikowicz Nannette S.	35 Franklin	35.074-2-32 2019/13199	210/210 52.8/207.5	48600 0	74000 0	1 No
11/7/2019 11/7/2019	Mikowicz Nannette Mikowicz Paul	New Albion	44.004-1-26 2019/13215	300/322 0/0	16800 25.85	0 0	1 No
11/7/2019 11/7/2019	Mikowicz Nannette Mikowicz Paul	9947 New Albion	44.003-1-30.2 2019/13216	210/210 0/0	66700 36.35	0 0	1 No
11/11/2019 11/12/2019	Heim Rev Trust William Greene Peter	72 Jefferson	35.081-2-10 2019/13328	210/220 72/32	33600 0	10000 0	1 No
11/8/2019 11/14/2019	Goode Shannon Irish Rachele	7076 Lovers Lane	44.002-2-17 2019/13494	210/270 0/0	28500 1.7	29000 0	1 No
9/15/2019 11/19/2019	Oakes Daryl Exford Brian	Leon	52.002-2-3.1 2019/14335	300/322 0/0	20000 32.7	20000 0	1 No
11/10/2019 11/11/2019	Matthies Wayne H. Nagel Anthony	42 Main	35.081-3-26 2019/14344	411/482 152/90	103200 0	130000 0	1 No
11/20/2019 11/26/2019	Carter Thomas Carter Family Living Trust 11/13/2019	Linlyco Lake	54.001-1-1.5 2019/15129	210/314 280/128.18	2000 0	50 0	2 No
11/20/2019 11/26/2019	Carter Thomas Carter Family Living Trust 11/13/2019	189 Linlyco Lake	54.001-1-1.6 2019/15129	210/240 0/0	146000 62.9	50 0	2 No
11/27/2019 11/27/2019	Iovanannone Jeffry Miller Robert	10345 42nd	35.003-1-4.8 2019/15252	210/210 0/0	100000 3.5	212000 0	1 No

Board:

Councilman Patrick Murphy – None

Councilman Norman Kazmark – None

Councilman Daniel Goss – None

Councilman Cynthia Eaton – Richard Phinney passed away and in honor of him the flag will be flown half-staff. The Cattaraugus Ambulance would like a crosswalk to be put in across from Dollar General. Highway Superintendent David Rupp will make some calls. There will be a Chicken Barbeque on Super Bowl Sunday February 3rd – 11:30am until sold out. Chicken dinners are \$10.00.

Councilman John Ridall – None

Clerk Report: December 2019, Amount Collected \$ 404.00

Animal Population Control: Check # 2579 \$ 56.00

Cattaraugus County: Check # 2580 \$ 75.20

Town of New Albion: Check # 2581 \$ 239.73

NYS Environmental Conservation: EFT \$33.07

State Health Dept. For Marriage Licenses: 0.00

Amount Paid Out \$ 404.00

Resolution # 9 2020 – Update Employee Handbook

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

ADOPTED Aye 5 Chilson, Eaton, Goss, Kazmark and Ridall
Nay 0

RESOLVED, The Town of New Albion has updated the Employee Handbook effective January 20, 2020 which supersedes the old employee handbook dated October 20, 2003.

OLD BUSINESS:

- a) Hazard Mitigation Project

NEW BUSINESS:

APPROVAL OF ABSTRACT:

Resolution # 10- 2020 – Abstract # 1-2020 – January 20, 2020

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

ADOPTED Aye 5 Chilson, Eaton, Goss, Kazmark and Ridall
Nay 0

RESOLVED, that Abstract # 1 -2020 in the following amounts is to be paid.

ACCOUNT	VOUCHER #	TOTAL EXPENDITURES
General A	11773-11794	\$ 7,398.67
General B	850-852	\$ 2,300.00
Highway DA	9205-9211	\$ 547.06
Highway DB	3168-3171	\$ 3,647.97

With no further business to discuss, the meeting was adjourned at 8:24 pm.

Respectfully submitted,

Sherry Rupp
Recording Secretary
Town of New Albion Town Council

Next Meeting: Regular Board Meeting February 17, 2020 7:00 pm.