

Town of New Albion
14 Main Street
Cattaraugus, NY 14719
Regular Board Meeting/Public Hearing
March 16, 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: Wirt Smith

CALL TO ORDER: Supervisor Murphy called the meeting to order at 7:03 pm. Followed by the Pledge to the American Flag. Regular Meeting Minutes for February 17, 2020 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) Public Hearing-BAR change of date from the First Monday in June to the First Thursday in June
- b) County of Cattaraugus IDA/Revisions to Uniform Tax Exemption Policy
- c) Uniform Code and Energy Code Administration and Enforcement Report Submitted for Frank Watson
- d) 2020 Tire Disposal Dates
- e) Tax Payer's Guide
- f) E-Mail from Attorney
- g) Nomination Form/Murphy Award 2020
- h) 20th Annual Town Finance School
- i) Update for Government Locals/Coronavirus

PUBLIC HEARING:

Supervisor Patrick Murphy opened the Public Hearing on the Proposed New York Municipal Home Rule Law and the New York Real Property Tax Law Town of New Albion Local Law No. 1 of 2020 entitled **A LOCAL LAW TO CHANGE THE DATE FOR THE TOWN OF NEW ALBION BOARD ASSESSMENT REVIEW TO HEAR COMPLAINTS IN RELATION TO TAX ASSESSMENTS @ 7:04.**

Resolution #21 – 2020 – Local Law 1-2020 To Set the Annual Date for Grievance Day to be the First Thursday in June.

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

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

RESOLVED, to approve Local Law 1-2020 as follows:

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF NEW ALBION AS FOLLOWS:

SECTION 1. Intent. The intent of this Local Law is to change the date on which the Board of Assessment Review of the Town of New Albion shall meet to hear complaints in relation to tax assessments.

SECTION 2. Authority. Because the Town of New Albion Assessor also serves as the Assessor for the County, with the date for hearing tax assessment complaints currently set forth for the first Monday in June of each year, thereby creating a conflict for the Assessor to appear at the hearings of both such Boards, Real Property Tax Law § 512 (1-a) authorizes the governing body of such an assessing unit to adopt a local law establishing a different date for the meetings of the Board of Assessment Review other than the first Monday in June.

SECTION. Change in Date. By reasoning of the foregoing, the Town of New Albion Board of Assessment Review shall no longer initially hear complaints in relation to tax assessments on the First Monday in June of each year, but shall instead initially hear complaints in relation to tax assessments on the First Thursday in June of each year.

SECTION 3. Filing. This Local Law shall be filed as required by Real Property Tax Law §512 (1-a).

SECTION 4. Severability. The adoption of this Local Law shall in no way otherwise affect the duties and responsibilities of the Assessor or the Board of Assessment Review of the Town of New Albion under any applicable law or regulation.

SECTION 5. Effective Date. This local law shall take effect immediately upon the completion of all filing required by the Municipal Home Rule Law or by Real Property Tax Law § 512 (1-a). This local law shall take effect immediately upon filing with the Secretary of State.

Resolution #22 – 2020 – Close the Public Hearing

On a motion by Councilman Kazmark, seconded by Councilman Eaton, the following resolution was
ADOPTED Aye 5 Murphy, Eaton, Goss, Kazmark, Ridall
 Nay 0

RESOLVED, The Public Hearing on the Local Law No. 1 to change the date for the Town of New Albion Board Assessment Review to hear complaints in relation to tax assessments was Closed @ 7:05.

Resolution #23 – 2020 – Hire New Attorney

On a motion by Councilman Kazmark, seconded by Councilman Goss, the following resolution was
ADOPTED Aye 5 Murphy, Eaton, Goss, Kazmark, Ridall
 Nay 0

RESOLVED, to hire Kathleen Moriarty as the Town of New Albion Attorney and the Town will pay her an hourly rate.

REPORTS:

Visitor: Mayor Wirt Smith, in leu of the recent events the Mayor wanted to discuss how we should handle the situation with the Coronavirus and work situation. We do not want to scare the residents so at this time we will try to limit person to person contact.

Code Enforcer: Frank Watson, light activity. The attorney for SAIA regarding the Tower located on New Albion Rd. had sent the Town a FOIL request. The FOIL was fulfilled and we sent them the requested documents and pictures. I spoke with Joe Puma Vice President from WNED-TV (previous tower owner), FCC removed the use of telecommunications tower in 2003. Sold to SAIA Communications in 2006. No active use of the tower since 2003 based on Mr. Puma’s testimony and memory.

Justice: Shannon Goode’s Monthly Distribution Report. **NO COURT UNTIL MAY 1ST.**

Highway Dept.: David Rupp, reports with the unusual warm weather the past few weeks the Highway Dept. has been busy with vehicle maintenance on select trucks needing attention. The Town also has been utilizing the fair weather to fill in pot holes from this winter. If the fair weather stays with us, we will begin to rough grade dirt roads and pull in shoulders where able. With the rainy days the Dept. has begun to broom the roads of sand from this winter. The Highway Dept. has been contacting various truck dealers on the replacement of the 2014 Dodge 5500. Progress on the Waverly St. Project has been delayed due to the Coronavirus issues.

Assessor: Kate Harrington, The February report is as follows: Reminders were mailed to all Agricultural Assessment and Senior Citizen Exemption applicants who had not returned their renewal mid-February. This notice reminded applicants that renewals would not be accepted after the deadline. We have been in contact with many exemption applicants who have questions, need help with an application, or submitted incorrect/insufficient information. The assessing Office has also corresponded with several property owners about their assessments and tax bills. Nine property transfers were added for the month January (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
12/27/2019 1/3/2020	Estate of Donald R. Hammond Hammond Denise	New Albion 20200 / 213	53.002-2-11.1 0 / 0	300 / 322 81	55000 0	0 Yes	1
4/25/2020 1/3/2020	Estate of Donald R. Hammond Hammond Denise	New Albion 20200 / 214	53.002-2-11.1 0 / 0	300 / 322 44.1	55000 0	0 No	5
1/6/2020 1/6/2020	Race James Lubkowski Stanley	7804 NYS Rte. 353 20200 / 245	35.003-1-10 136 / 148	210 / 210 0	58500 0	50000 No	1
1/7/2020 1/8/2020	Phillips David A. Wright Ray	9226 New Albion 20200 / 2294	53.002-2-19 209 / 184	210 / 270 0	38700 0	30000 No	1
1/10/2020	Rupp Jeffrey A.	7009 State Land	45.001-1-8.5	210/240	93500	125000	1

1/10/2020	Rupp Vicki	20200/2408	0/0	5.49	0	Yes	
1/9/2020	McGlew Patrick J.	10525	44.001-1-25	210/210	30700	64900	1
1/13/2020	Gasper Jodie	Mosher Hollow 20200/2520	205/140	0	0	No	
1/4/2020	M and L Brooks, LLC	1 Third	44.025-1-27	400/454	150000	28000	1
1/14/2020	Stein Wayne M.	20200/2659	248/0	1.14	0	No	
1/13/2020	Mayer Kevin F.	9832 Ritter	44.002-1-5.5	210/240	122100	210000	1
1/16/2020	Harvey Justin	20200/2750	0/0	19.9	0	No	
1/27/2020	Zell Jeffrey P.	9412 Pleasant Valley	44.002-2-10.2	210/260	41000	122500	1
1/27/2020	Zilbauer Jason J.	20200/3110	0/0	3.36	0	No	

Board:

Councilman Patrick Murphy – None

Councilman Norman Kazmark – We have two people that came from Little Valley to help with relieving some of the problems that we have with Cattaraugus Ambulance.

Councilman Daniel Goss – None

Councilman Cynthia Eaton – Cattaraugus Ambulance is in distress because Ken Charles has resigned. We are in the middle of re-organizing. Norma Kazmark has obtained a grant for the Cattaraugus Ambulance in the amount of \$35,275 which is being used to put a new roof on.

Councilman John Ridall – None

Resolution # 24 - 2020 – 2020 Standard Workday Resolution

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

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

RESOLVED, that the Town of New Albion / (Location Code) 30332 hereby establishes the following Standard Work Days for the Town Clerk 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 Town Clerk	6	Sherry Rupp	***	***		01/01/2020-12/31/2023	23.97	

Clerk Report: February 2020, Amount Collected \$ 251.00

Animal Population Control: Check # 2585 \$ 31.00

Cattaraugus County: Check # 2586 \$ 84.60

Town of New Albion: Check # 2587 \$ 135.40

NYS Environmental Conservation: EFT \$0.00

State Health Dept. For Marriage Licenses: 0.00

Amount Paid Out \$ 251.00

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: Taxes, Dog Licenses, Water Bills, Court Tickets, Etc.

OLD BUSINESS:

- a) Hazard Mitigation Project

NEW BUSINESS:

APPROVAL OF ABSTRACT:

Resolution # 25- 2020 – Abstract # 3-2020 – March 16, 2020

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

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

RESOLVED, that Abstract # 3 -2020 in the following amounts is to be paid.

ACCOUNT	VOUCHER #	TOTAL EXPENDITURES
General A	11817-11839	\$ 4,468.83
General B	857-860	\$ 109.50
Highway DA	9219-9228	\$ 9,633.10
Highway DB	3178-3184	\$ 25,146.96

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 Tentatively April 20th, 2020 7:00 pm.