

Town of New Albion  
14 Main Street  
Cattaraugus, NY 14719  
**Regular Board Meeting**  
May 21, 2018 7:00 p.m.

**PRESIDING:** Loyd Chilson, Supervisor

**PRESENT:** Councilmen: Cynthia Eaton, Daniel Goss, Norman Kazmark & Patrick Murphy; David Rupp, Highway Superintendent; Sherry Spina, Clerk.

**VISITORS:** Wirt Smith, Village Mayor. Mark Alianello, MDA Engineers. Jake Alianello, MDA Engineers. Shannon Goode, Justice. Kenneth Charles, Recipient of the Richard L. Murphy Citizen of the Year Award.

**CALL TO ORDER:** Supervisor Chilson called the meeting to order at 7:00pm. Regular Meeting Minutes for April 16, 2018, The Assessor report, Town of New Albion Justice court report, Town Clerk Monthly Report, and the Register's Report were all approved as presented by the clerk.

**VISITORS:** 1) Town of New Albion 2018 Richard L. Murphy Citizen of the Year Award was presented:

**Resolution #32– 2018 – Richard L. Murphy Citizen of the Year Award**

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

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

**RESOLVED,** to award the 2018 Richard L. Murphy citizen of the Year Award to Kenneth Charles

**RESOLUTION HONORING THE  
2018 RICHARD L MURPHY CITIZEN OF THE YEAR AWARD RECIPIENT**

**KENNITH CHARLES**

**WHEREAS,** each year, the Town of New Albion Town Council honors the memory of the late Richard L. Murphy, past Supervisor of the Town of New Albion, and

**WHEREAS,** each year, the Town of New Albion Town Council presents the “Richard L. Murphy Citizen of the Year Award,” a prestigious award recognizing outstanding contributions to our municipality by virtue of service to the community, and rewarding positive examples of active citizenship, and

**WHEREAS,** Kenneth Charles, a longtime resident of Cattaraugus has served his community with sacrifice and selflessness and dedicated countless hours to the Cattaraugus Ambulance Service, responding to calls and providing quality medical care and support to both area residents and the surrounding communities,

**WHEREAS,** through his actions and deeds, Kenneth has been known to be a compassionate neighbor and friend helping those in need through his service as Chief and Advanced Emergency Medical Technician for the Cattaraugus Ambulance Service,

**THEREFORE BE IT RESOLVED,** that the Town of New Albion Town Council acknowledges that Kenneth Charles stands out among the many unsung individuals who have served the Town of New Albion and the surrounding community and wishes to honor his dedication to others by proclaiming that he is the “2018 Citizen of the Year.”

**BY ORDER OF THE TOWN COUNCIL OF THE TOWN OF NEW ALBION  
DATED THIS 21<sup>st</sup> DAY OF MAY 2018**

2) Mark and Jake Alianello - have informed the Town how important it is that we form a Water District. By Law- the Village is not supposed to provide water to residents outside the village according to the DEC checklist – Water Supply Permit. The Village has a Water Law and the Town needs to adopt Village Law. Forming a Town Water District allows the Town and Village to enter into an agreement to continue supplying water to the Town residents already on the Village water system that are outside of the Village limits. The water lines are 120 years old and are vulnerable and need to be replaced.

**CORRESPONDENCE:**

1. Email from Post Journal, Public Hearing Notice
2. Email from Mary Bailey, Monthly Report
3. Email from resident, Complaints
4. Certificate of Insurance, Evans Agency
5. Email from Kim Walker, BAR Training

6. Email from NYS, Tax Information
7. Thank you card from Stockman Family, Flowers
8. Email from NYS, Application for WNY Revitalization
9. Email from NYS, State FY 2019 Budget Summary: County-Wide Shared Services
10. Paper work regarding rent increase.

**REPORTS:**

**Justice:** Shannon Goode reported that things are slow, but making progress on code enforcement issues. In addition, the siren that is being repaired caused the Justice computer and printer to burn up. The Unified Court System has replaced the computer and the printer.

**Highway Dept.:** David Rupp reported that they have been busy getting Chautauqua Road ready for this year's Chips Project. Shoulders were pulled and drainage dug as needed. Suitkote ground the road base prior to the towns re-profiling and re-grading the base in readiness for prime and seal on June 20<sup>th</sup>. Other roads will also be resealed with a single surface treatment at the same time, Scott Pedlar, New Rd., and Frank Rd. Highway Supt. Rupp reviewed options available to the Town regarding the Waverly St. bridge project. A Resolution was passed electing to stay with the previously designed precast wing wall already submitted under FEMA's approval.

**Resolution #33– 2018 – Stay with the original design that was approved by FEMA.**

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

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

**RESOLVED,** A Resolution was passed electing to stay with the previously designed precast wing wall already submitted under FEMA's approval.

**Code Enforcer:** Frank Watson is waiting for a date regarding the AT & T zoning permit. Mr. Watson updated the town board on recent code violation proceedings. Mr. Watson was directed to proceed until matter is resolved positively regarding Mr. Bogardus. As for Scott Hollow Rd. the permit was returned, will have Sheriff's serve the owners. The property looks like a junk yard and has progressively worsened since 2015. As for Mr. Max Gross, he had previous permission. Mr. Gross was grandfathered in when there were no zoning laws in effect.

**Resolution #34– 2018 – Mr. Bogardus is to be brought back every court date until code violation is satisfied.**

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

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

**RESOLVED,** Mr. Watson was authorized to bring Mr. Bogardus in every court date until code violations are satisfied.

**Resolution #35– 2018 – Mr. Watson is to pursue Scott Hollow Rd. residence until code violation is satisfied.**

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

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

**RESOLVED,** Mr. Watson has permission to pursue Scott Hollow residence until code violation is satisfied.

**Assessor:** Mary Bailey reported that Dan Martonis, Real Property Director, informed us that with the passage of the new state budget, New York State Taxation and Finance will be handling all Enhanced Star renewals. This means the local assessor will no longer be responsible for mailing of Enhanced Star renewals. They have not provided details of how they will notify seniors. Local assessors will still be responsible for Sr. Citizen exemptions, Ag exemptions, Veteran exemptions, etc. It will be a bit confusing, as low-income seniors- although the State will process their Enhanced Stars, they will still need to file with the assessor if their income is under guidelines adopted by the county/town/school.

**Board:** On behalf of the Cattaraugus Area Ambulance, Councilman Cynthia Eaton wanted to thank David Rupp and Norman Kazmark for the donation of their time and resources.

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

**Clerk:** Sherry Spina is authorized by the DEC to be our new license issuing agent. The town's computer is outdated and therefore, the town is in need of a new computer and software. Highway Dept. will participate in the Memorial Day Parade on May 28<sup>th</sup>, 2018.

Clerk Report: April 2018, Amount Collected \$ 501.00  
Animal Population Control: Check # 2505\$ 42.00  
Cattaraugus County Check # 2506 \$ 18.80  
NYS Environmental Conservation Check# EFT \$171.95  
NYS Dept. of Health Check# 2507 \$45.00  
Town of New Albion Check # 2508 \$ 223.25  
Amount Paid Out \$ 501.00

**Resolution #36 – 2018 – Transfer of funds.**

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

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

**RESOLVED**, Treasurer Doucette was authorized to make the following budget adjustments. Transfer \$1500.00 from account# 1410.1/ Deputy to account# 1420.2 /Equipment.

**Resolution #37 – 2018 – Purchase new computer and software.**

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

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

**RESOLVED**, Town clerk Sherry Spina was authorized to purchase a HP A10 27” HP 27-a230 Computer and Microsoft Office Software. The estimated total is \$1264.98.

**OLD BUSINESS:**

- a) Constable Reclassification – Waiting on Reclassification from NYS
- b) Joint Planning Board – Proposed Signage Law Tabled for JPB Response
- c) Tannery Street Bridge
- d) Waverly Street Project – Nova

**NEW BUSINESS:**

- a) Richard Murphy Citizenship Award Nominations – Nominations received for Kenneth Charles
- b) Charter Franchise Agreement
- c) Village Request for Water District

**APPROVAL OF ABSTRACT:**

**Resolution # 38 - 2018 – Abstract # 5-2018 – May 21, 2018**

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

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

**RESOLVED**, that Abstract # 5-2018 in the following amounts is to be paid.

<b>ACCOUNT</b>	<b>VOUCHER #</b>	<b>TOTAL EXPENDITURES</b>
General A	11399-11422	\$ 6,837.29
General B	799-801	\$ 30.00
Highway DA	9042-9050	\$ 5,234.77
Highway DB	3033-3035	\$ 4,500.27

With no further business to discuss, the meeting was adjourned at 9:15 PM.

Respectfully submitted,  
Sherry Spina  
Recording Secretary  
Town of New Albion Town Council

Next Meeting: Regular Board Meeting June 18<sup>th</sup>, 2018 7:00p.m.