Town of New Albion

7151 Route 353

Cattaraugus, NY 14719

**Regular Board Meeting**

February 20, 2023 7:00 p.m.

**PRESIDING:** Patrick Murphy, Supervisor

**PRESENT:** Councilmen: Cynthia Eaton; Michael Weishan; Norman Kazmark; Daniel Goss; David Rupp, Highway Superintendent; Frank Watson, Code Enforcer; and Sherry Rupp, Town Clerk.

**ABSENT:**

**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 January 16, 2023. Town Clerk Monthly Report, and the Register’s Report were all approved as presented by the Clerk.

**CORRESPONDENCE:**

* Agreement to Spend Town Highway Funds – 2023
* County Directory / Verify Information
* Cattaraugus County Legislature / Passing a Resolution
* Cattaraugus County DPW / Requesting Letter of Support

**REPORTS:**

**Code Enforcer:** **Frank Watson,** 1Permit out and its for a new house. I have 4 properties here that need to be discussed; (1) located on Leon Road/Violations, (1) located on NYS Rte. 353/Unsafe Structure, (2) located on Scott Hollow Road/Junk. The Town Board was notified and agreed that Appearance Tickets need to be issued for the (4) properties discussed.

**Highway Dept.:** **David Rupp,** The Town of New Albion highway department has kept busy the past month with routine snow removal operations. Unusual warm temperatures and lack of snow fall has allowed the dept. to be able to address filling pot holes as they develop. The warmer temperatures have allowed a few rain storms that also have produced ice storms that have been safely handled. The highway dept. would like to remind everyone to use caution and common sense when approaching plow vehicles or unknown hazards. The Town Highway Dept. has taken delivery of the new 2023 JD 624P Loader. The Highway Dept. received a Notice of Denial for the Jefferson Street Culvert TER on 1/6/2023. The Town will have 60 days to appeal to NYSDHSES and FEMA decision. A forth coming letter is before the board for review. The search for a Law Firm to move forward with Waverly Street is ongoing. A recommendation of the firm Schiffmacher Cinelli Adoff has been presented to the board. The Engineers assessment of the project is complete, with sufficient justification to warrant pursuing the contractors warranty cause.

**Resolution # 14- 2023 – Retain Law Firm**

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

**ADOPTED** Aye 5 Weishan, Eaton, Kazmark, Goss and Murphy

Nay 0

**RESOLVED**, the Town Board has agreed to retain the firm Schiffmacher Cinelli Adoff for the Waverly Street Bridge.

**Resolution # 15- 2023 – Agreement to Spend Town Highway Funds**

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

**ADOPTED** Aye 5 Weishan, Eaton, Kazmark, Goss and Murphy

Nay 0

**RESOLVED**, Approved the 2023 Agreement to Spend Highway Funds with Cattaraugus County.

**Resolution # 16- 2023 – Transfer of Funds**

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

**ADOPTED** Aye 5 Weishan, Eaton, Kazmark, Goss and Murphy

Nay 0

**RESOLVED**, approved, to transfer $15,000.00 from Highway DA Capital Equipment Fund 9950.9 to Account 5130.2 Equipment for the purchase of the 2023 JD 624P Loader.

**Resolution # 17- 2023 – Transfer of Funds**

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

**ADOPTED** Aye 5 Weishan, Eaton, Kazmark, Goss and Murphy

Nay 0

**RESOLVED**, approved, to transfer $10,995.83 from 5120.4 Bridges to Account 5130.2 Equipment for the purchase of the 2023 JD 624P Loader.

**Treasurer:** **Eugene Doucette,** Expenditure Report & Revenue Report

**Resolution # 18- 2023 – Transfer of Funds**

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

**ADOPTED** Aye 5 Weishan, Eaton, Kazmark, Goss and Murphy

Nay 0

**RESOLVED**, approved, to transfer $170,000 from General Town Wide Checking to Savings.

**Resolution # 19- 2023 – Transfer of Funds**

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

**ADOPTED** Aye 5 Weishan, Eaton, Kazmark, Goss and Murphy

Nay 0

**RESOLVED**, approved, to transfer $10,000 from General Outside Village Checking to Savings.

**Resolution # 20- 2023 – Transfer of Funds**

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

**ADOPTED** Aye 5 Weishan, Eaton, Kazmark, Goss and Murphy

Nay 0

**RESOLVED**, approved, to transfer $70,000 from Highway Town Wide Checking to Savings.

**Resolution # 21- 2023 – Transfer of Funds**

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

**ADOPTED** Aye 5 Weishan, Eaton, Kazmark, Goss and Murphy

Nay 0

**RESOLVED**, approved, to transfer $70,000 from Highway Outside (DB) Checking to Savings.

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

* **Reassessment Update:** Disclosure notices will be mailed to New Albion properties owners in early March. These notices provide property owners with their preliminary assessment, an approximate tax liability, and information on the review process.
* Renewal applications for Agricultural Assessment and Senior Citizen Exemption are being submitted and processed. So far, 69% of Agricultural Assessment and 31% of Senior Citizen renewal applications have been processed. These applications are due March 1, 2023. Applicants are encouraged to contact the Assessor’s Office Monday – Friday, 8:00 AM – 5:00 PM with any questions. Our extended town hall hours are available at <https://maps.cattco.org/taxes/assessors.php>
* Pursuant to Section 501 of NYS Real Property Tax Law, the Notice Concerning the Examination of Assessment Inventory and Data, must be displayed on the bulletin board at the Town Hall and published in the town’s official paper. I have provided a copy of this notice for you to post on your bulletin board and send to your official paper. This notice must be published in your official paper once in each of the last two weeks in February.
* The Assessing Office has corresponded with several property owners about their assessments, tax bills, and exemptions.
* There were 11 property transfers in December. You can find more information about these sales here:

<https://www.cattco.org/real-property-and-gis/sales>

**Board:**

Councilman **Patrick Murphy** – None

Councilman **Norman Kazmark** – None

Councilman **Daniel Goss** – None

Councilman **Cynthia Eaton** – None

Councilman **Michael Weishan** –None

**CLERKS REPORT:**

**Clerk Report:** January 2023, Amount Collected $ 504.00

Animal Population Control: Check # 2705 - $ 58.00

Town of New Albion: Check # 2707 - $356.58

NYS Environmental Conservation: EFT - $23.62

Cattaraugus County: Check# 2706 - $65.80

Amount Paid Out $ 504.00

* Cattaraugus County made a Direct Deposit on1/18/2023 for the 4th Quarter 2022 Sales Tax Distribution in the amount of $57,958.08.
* Check# 12573 for the Let’s Travel Club was voided until further notice.
* Covid-19 Home Test Kits were Ordered from the County for our office.
* 2023 Payroll Certification was submitted and approved by the County Civil Service.

**Resolution # 22- 2023 – Renew Health Insurance**

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

**ADOPTED** Aye 5 Weishan, Eaton, Kazmark, Goss and Murphy

Nay 0

**RESOLVED**, approved to renew Independent Health Insurance and BCBS for Dental for April 1, 2023 – March 31, 2024.

**Resolution # 23- 2023 – Standard Workday**

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

**ADOPTED** Aye 5 Weishan, Eaton, Kazmark, Goss and Murphy

Nay 0

**RESOLVED**, approved that Highway Workers are 8-hour Standard Workday.

In addition, the Cattaraugus County Civil Service no longer carries the title (Office Aide), with that being said Adin Spina previously called the (Office Aide) will now carry the title (Clerk).

**Resolution # 24- 2023 – Dog Census**

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

**ADOPTED** Aye 5 Weishan, Eaton, Kazmark, Goss and Murphy

Nay 0

**RESOLVED**, approved, the Town will conduct a Dog Census in the year 2023. If at this time you are found to be harboring an unlicensed dog(s) you could be subject to court fines, along with a one-time enumeration fee of $25.00 per dog that will be added to the dog license base fees.

**OLD BUSINESS:**

* Hazard Mitigation Project

**NEW BUSINESS:**

1. Abstract #2– February 20, 2023 / Pay the Bills

**Resolution # 25- 2023 – Opposing Governor Hochul’s Ban of Gas Stoves and other New Fossil Fuel Heating Equipment**

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

**ADOPTED** Aye 5 Weishan, Eaton, Kazmark, Goss and Murphy

Nay 0

**RESOLVED**, the Town of New Albion is saying NO to the gas ban, and supports Cattaraugus County in opposing Governor Hochul’s Ban of Gas Stoves and other New Fossil Fuel Heating Equipment. Pursuant to Section 153 of the County Law, Act# 76-2023.

**OPPOSING GOVERNOR HOCHUL’S**

**BAN OF GAS STOVES AND OTHER NEW FOSSIL FUEL HEATING EQUIPMENT**

Pursuant to Section 153 of the County Law.

WHEREAS, Governor Hochul’s State-of-the-State address contained a proposal to

prohibit the sale of new fossil fuel powered heating systems by 2030 for smaller buildings and by

2035 for larger buildings, and

WHEREAS, Governor Hochul is further calling for zero-emission new construction,

with no on-site fossil fuel combustion by 2025 for smaller buildings and by 2028 for larger buildings,

and

WHEREAS, President Biden and the White House have come out against any

prohibition of gas stoves, and

WHEREAS, the Governor’s ban is intended to help address climate change, but this

government mandate is more of a burden on our region’s working-class residents and will have a

devasting effect on restaurants, businesses and manufacturing facilities when they have to convert to

all electric, and

WHEREAS, the cost to convert a house to electric will result in a cost between

$20,000-$50,000 per household and would not include any kind of backup system in the event of a

power outage, and

WHEREAS, the conversion to electric will create unnecessary financial burden and

hardship for businesses that compete on a national or global level, and

WHEREAS, the ban will push a lot of businesses out of state and will contribute to

accelerated population loss for those that are fed up with high taxes, the high cost of living,

unreasonable government mandates, reckless spending by the government, and unrealistic

environmental mandates not consistent with our geographic region, and

WHEREAS, a ban on natural gas appliances and water heaters is not feasible for

Western New York with harsh winter weather and an exposed electrical infrastructure; appliances

used to heat water and cook food need to work during power outages especially during times of

inclement weather, and

WHEREAS, this past December saw a blizzard rip through the Buffalo Metro Area

leaving tens of thousands of residents stuck in their home without power, many for several days; gas

appliances, fed by a more resilient infrastructure, allowed those residents to heat their homes, boil

water, and safely cook their food during the days needed to clear the roads and restore electricity;

more than 40 people died during this storm – some froze to death; many more would have suffered

if they had to rely on a power grid for cooking and emergency heating, and

WHEREAS, current technology, that is expected to replace gas appliances, such as

space heating, does not work well in our climate; this fact was noted in the recent Climate Action

Council’s report which proposed requiring two heating sources for New York Residents who live in

areas that are frequently too cold, and

WHEREAS, electrical appliances have more moving parts and are expensive to

maintain and repair, and

WHEREAS, all electric appliances have been shown to be less efficient and therefore

cost more to generate the same amount of heat than natural gas fed appliances, and

WHEREAS, mandating the purchase of electrical appliances is an unnecessary burden

we are placing on families across New York State at a time when the cost of living has significantly

outpaced wage growth, and

WHEREAS, with the higher costs, energy bills will go through the roof for residents,

further exacerbating the recent price spikes in food, transportation, and general merchandise, and

WHEREAS, as we have seen with California’s recent push to make everything electric,

this government mandate will likely lead to an increased strain on our state’s electrical grid leading

to black outs and rationing, which is especially dangerous with the winter weather we routinely

experience, and

WHEREAS, the cost to bury power lines, increase renewable energy infrastructure,

and increase the capacity of transformers will be passed on directly to consumers in the form of

increased energy costs, and

WHEREAS, individual homes, especially those in older housing stock like Buffalo, will

be forced to conduct costly in-home electrical panel upgrades to accommodate the increased

demand from their appliances, and

WHEREAS, the ban on fossil-fuel powered heating equipment and appliances will

cause severe hardship on the residents and businesses within Cattaraugus County and Western New

York, and

WHEREAS, the Town of New Albion condemns the New York State

Legislature and Governor Hochul for continuing to pass hypocritical and nonsensical environmental

laws which burden the working-class citizens of this county and state all the while ignoring the largest

source of population- China, a country that has virtually no environmental protections and continues

to be irresponsible and indefensible with environmental policies which ultimately end up subsidized

by United States consumers through the purchase of hundreds-of-billions of imports much of which

are brought to market through New York City ports, now, therefore, be it

RESOLVED, that the Town of New Albion hereby vehemently opposes the

Governor’s plan to ban natural gas heating and appliances as not feasible or warranted for

Cattaraugus County and much of Western New York, and be it further

RESOLVED, that the Town of New Albion hereby strongly urges Governor

Hochul and the New York State Legislature to fully examine the real life impact their decisions will

Have for all New Yorkers, especially those least able to afford them, and be it further

lll. RESOLVED, that certified copies of this resolution be forwarded to Governor Hochul,

the Western New York Delegation to the New York State Senate and Assembly, New York State

Association of Counties, and any other party deemed necessary and proper.

**APPROVAL OF ABSTRACT:**

**Resolution # 26- 2023– Abstract # 2- 2023– February 20, 2023**

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

**ADOPTED** Aye 5 Weishan, Eaton, Kazmark, Goss and Murphy

Nay 0

**RESOLVED**, that Abstract # 2 -2023 in the following amounts is to be paid.

**ACCOUNT VOUCHER # TOTAL EXPENDITURES**

General A 12597-12621 $ 184,283.08

General B 958-961 $ 10,933.83

Highway DA 9560-9573 $ 116,886.13

Highway DB 3737-3750 $ 293,099.70

With no further business to discuss, the meeting was adjourned at 8:15 pm.

Respectfully submitted,

Sherry Rupp

Recording Secretary

Town of New Albion Town Council

Next Meeting: Regular Board Meeting March 20, 2023