

**AAMB
Town of Albion
Regular Meeting
May 12, 2009**

**Present: Supervisor: Frederick Stowell
Councilor: Jack Barker
Councilor: Nancy Sheeley
Councilor: Ronald Eldred
Councilor: Carl Anson Jr.
Recording Secretary: Town Clerk, Amy J. Ford**

Supervisor Stowell called the meeting to order at 6:33pm, followed by the Pledge of Allegiance to the Flag. Minutes of 04/14/09: **Motion made by Councilor Anson Jr. seconded by Councilor Sheeley to accept the minutes as submitted. Motion carried. Adopted (5-0) Councilor Barker: aye, Councilor Sheeley: aye, Councilor Eldred: aye, Councilor Anson Jr.: aye, Supervisor Stowell: aye.**

Reports: 1) Os. Co. Legislator: Mr. Potter reported the following from the County Legislature: A) At a special meeting on 04/20/09 they authorized an Intermunicipal Agreement to work with the Town of Scriba and the Mexico School District relative to property tax negotiations with Energy Nuclear Fitzpatrick. B) They authorized hiring Mr. Duane Morris, LLP to represent them in negotiations with Energy Fitzpatrick, LLC. C) They awarded a contract for Architectural Engineering and Construction Management Services for the new Senior Nutrition Center in Mexico; it will be moved from Pulaski. D) Property Tax Auction will be held in October, September 4th is the deadline for any property to be bought back. E) They are asking the State to let Oswego County extend the additional 1% Sales Tax for another year. This will generate approximately \$6 million in sales tax, which is shared with the Towns. F) The Volney Sewer Project will take the leachate from Bristol Hill landfill. This will save almost \$200,000 a year in transportation cost. The landfill generates almost 10 million gallons of leachate a year. G) They are giving the Town of Richland an easement to run their sewer lines along Centerville Rd and County Rte 2A. H) They are accepting four Grants; most are from the stimulus program.

2) CEO: Mr. Mowers submitted his report from 04/01/09 to 05/07/09. Mr. Mowers then stated he would not be accepting Ms. Sally Jandrews bldg. Permit application due to the fact the mobile home is over twenty years old. The board could grant a temporary Certificate of Compliance (? Days the board wishes), or a regular bldg. Permit (6-months). Mr. Mowers explained the difference between a Certificate of Compliance and a Certificate of Occupancy. There was small Q & A session. **Motion made by Councilor Barker seconded by Councilor Eldred to grant Ms. Sally Jandrew a temporary Certificate of Compliance for ninety days. Motion carried. Adopted (5-0) Councilor Barker: aye, Councilor Sheeley: aye, Councilor Eldred: aye, Councilor Anson Jr.: aye, Supervisor Stowell: aye.**

3) DCO: Mr. Cronk stated he had only one dog call for the month of May in the Village of Altmar. After five days he would be giving the dog to Ms. Tonya Chabot.

4) Hwy Supt.: Mr. Cronk reported the following: A) Hauling stone is done. B) Had a collapsed culver pipe on Smokey Rd., fixed it with help from the Os. Co. ATV Club's equipment. C) Have been cutting shoulders with the grader. He will be training two of the full timers on it. D) The overhead door's motor burned out due to water leaking on it. The door is repaired and he has placed a piece of rubber over the motor to protect it. E) Had a complaint for roadside dirt, when it was delivered the 10-wheeler sank up to the axle and had to be pulled out by the loader. He has the overflow of roadside dirt at the ATV Club's property in the Village until someone wants it. F) Had a safety inspection done by PESH, only had a few minor violations. They will be back later this month to see if we are in compliance. It was suggested that we change light bulbs to save both money and energy. G) Spring cleanup began on Monday 05/11/09; the workers had a safety class on 05/12/09 so they will be making up that day and will also go back over some roads due to confusion. H) The brush-hog has been converted; the town now has an all around mower. I) The knuckle boon pin would not take grease, but after a good cleaning it does. J) The 1991 International has been giving problems shifting. Bliss Truck Service had a look and said it was fine.

Mr. Cronk would like to look into a back-up truck before winter. He also stated that the Os. Co. ATV Club and the Altmar Fire Dept. would be holding a fundraiser on Saturday, June 6th. There will be bar-b-q chicken and a "Best Hand Ride"; profits would go toward the ATV Rescue vehicle.

Supervisor Stowell read a letter from Barton & Loguidice, P.C. regarding their Engineering Services proposal: Task II – fuel storage tank replacement & upgrades (cost = \$7,400.00). Small discussion on money Mr. Cronk received from the scrap metal obtained from the spring cleanup. Mrs. Ford would put on her report under miscellaneous for June 2009. Mr. Cronk would contact the Comptroller to see if he could use the money for coffee for other town employees when they came to help our workers.

Supervisor Stowell read the letter from NYMIR – they would be doubling the inspection fee for boilers. Supervisor Stowell then read a letter from the Os. Co. Probation Dept. – the individuals who broke into the old hwy barn and stole the blazer and damaged the 2003 Chevy and barn have been arrested. Options for punishment was read. **Motion made by Councilor Sheeley seconded by Councilor Eldred for the Town of Albion to go for restitution in family court. Motion carried. Adopted (5-0) Councilor Barker: aye, Councilor Sheeley: aye, Councilor Eldred: aye, Councilor Anson Jr.: aye, Supervisor Stowell: aye.**

Supervisor Stowell then stated the Os. Co. District Attorney's letter basically said the same. **Motion made by Councilor Sheeley seconded by Councilor Barker for the Town of Albion to go for restitution with the Os. Co. District Attorney. Motion carried. Adopted (5-0) Councilor Barker: aye, Councilor Sheeley: aye, Councilor Eldred: aye, Councilor Anson Jr.: aye, Supervisor Stowell: aye.**

Supervisor Stowell read another letter from Barton & Loguidice, P.C. regarding their contract. He has signed it and returned it.

5) NOCA Director: Mr. Dealing submitted his reports for April & May 2009. He then briefly went over the trouble with the Dept. of Labor and the non-license of the rescue boat (which the Sandy Creek Fire Dept. is in process of buying). He then had a Q & A session.

6) Fire Dept.: Supervisor Stowell read Chief Holcomb's report for April 2009.

7) Assessor: Supervisor Stowell stated that Councilor Anson Jr. had submitted a letter with requests on it that he would like granted, they are: A) Appoint a BAR replacement. Mr. Boyer has passed away leaving only a two member board. Councilor Eldred stated he had called Mr. Dave Hastings (Director of Real Property), and was told Mr. Thomas Reff could be appointed if he could call him back by Monday. Discussion on appointment to the BAR was made. **Motion made by Councilor Eldred seconded by Councilor Anson Jr. to appoint Mr. Thomas Reff to the Board of Assessment Review (BAR). Motion denied (2-3) Councilor Eldred: aye, Councilor Anson Jr.: aye, Councilor Barker: nay (nothing against Mr. Reff, but would like Ms. Sue Schouten), Councilor Sheeley: nay (it's too late to appoint, next year – put it in the paper), Supervisor Stowell: nay (would like a five member board).** Further discussion was made regarding the Board of Assessment Review. Councilor Sheeley questioned when the tentative roll comes out. Mrs. Trudell stated by May 1st and the letters are within 10- days; however the County had made a mistake this year and they were a little late.

B) Farmland/Residential inequities: Councilor Anson Jr. questioned why some parcels were assessed differently than other. Mrs. Trudell explained. There was a small discussion.

C) Roll back assessment to 2008: **Motion made by Councilor Anson Jr. seconded from Councilor Eldred to roll back the current 2009 tentative roll to the final roll of 2008. Motion denied.**

(2-2-1) Councilor Eldred: aye, Councilor Anson Jr.: aye, Councilor Barker: nay, Councilor Sheeley: abstained, Supervisor Stowell: nay.

D) Make Assessor obey the NYS Property Tax Laws: Mrs. Trudell stated she has no power to change the Os. Co. Real Property or the NYS ORPS' decisions. Once the town's BAR board sends their decision to the county then that it.

E) Assessor needs to comply with the BAR board's decision: Mrs. Trudell stated again she does not have the power to change any decisions made from the BAR board, once they have sent the county their decision it's final. She has nothing to do with the BAR.

8) Town Clerk: Mrs. Ford reported the following: For the month of April 2009 the Town of Albion received = \$1,164.35 (general = \$237.85/part town = \$926.50), Os. Co. Treasurer received= \$47.65, NYS Ag & Markets received = \$24.00 and the NYS Dept. of Health received = \$22.50. Petty cash is at \$25.00.

She then briefly went over the NYSTCA conference she attended. The board has audited her 2009 tax collectors books. The meeting room will no longer be needed for the Census 2010 training. She will host another AARP driving class on August 15th. **Motion made by Councilor Sheeley seconded by Councilor Barker to accept the report as read. Motion carried. Adopted (5-0) Councilor Barker: aye, Councilor Sheeley: aye, Councilor Eldred: aye, Councilor Anson Jr.: aye, Supervisor Stowell: aye.**

9) Supervisor: For the month of April 2009 as follows:

| <u>Receipts</u> | <u>Disbursements</u> |
|--|------------------------------------|
| General Money Market = \$24,466.06 | General Money Market = \$97,310.51 |
| Hwy Money Market = \$39,765.25 | Hwy money Market = \$18,942.75 |
| <u>Total Monies</u> | |
| General Money Market = \$325,837.22 | Hwy Money Market = \$420,597.79 |
| General Checking Account = \$1,928.89 | Hwy Checking Account = \$950.81 |
| Trust & Agency Checking Account = \$7,987.88 | |
| 6-month General CD = \$200,000.00 | 6-month Hwy CD = \$100,000.00 |
| Grand total = \$1,057,302.59 | |

Motion made by Councilor Anson Jr. seconded by Councilor Barker to accept the report as read. Motion carried. Adopted (5-0) Councilor Barker: aye, Councilor Sheeley: aye, Councilor Eldred: aye, Councilor Anson Jr.: aye, Supervisor Stowell: aye. Fund balances and revenue reports were given.

**Resolution #5 of 2009
Transfer of Funds**

BE IT RESOLVED, the Town Board of the Town of Albion, Oswego County, New York, at a regular meeting of said board on the 12th day of May 2009 as follows:

WHEREAS, the Town of Albion Town Board has found it necessary for the fiscal accuracy of the Town to make certain transfers of money and raise the amount originally appropriated,

NOW, THEREFORE, the budget appropriated in the following Account DA5132.43 Garage Contractual Expense (Electric) is to be raised One Thousand (\$1,000.00) dollars, said sum is to be transferred from Account DA5130.4 Machinery Contractual Expense.

Dated this 12th day of May 2009

Motion made by Councilor Sheeley seconded by Councilor Eldred to accept resolution # 5 of 2009. Motion carried. Adopted (5-0) Councilor Barker: aye, Councilor Sheeley: aye, Councilor Eldred: aye, Councilor Anson Jr.: aye, Supervisor Stowell: aye.

Audit Bills: General, abstract # 5, bills # 73 – 386 = \$12,288.11. **Motion made by Councilor Anson Jr. seconded by Councilor Sheeley to accept and pay all general bills for May 2009. Motion carried. Adopted (5-0) Councilor Barker: aye, Councilor Sheeley: aye, Councilor Eldred: aye, Councilor Anson Jr.: aye, Supervisor Stowell: aye.**

Hwy, abstract # 5, bills # 113 - #136 = \$21,779.09. Councilor Sheeley stated bill # 117 needed an actual bill attached to the voucher and bill # 118 needed a sales slip for the batteries attached to the voucher.

Motion made by Councilor Sheeley seconded by Councilor Barker to accept and pay all hwy bills for May 2009 with the stipulations added. Motion carried. Adopted (5-0) Councilor Barker: aye, Councilor Sheeley: aye, Councilor Eldred: aye, Councilor Anson Jr.: aye, Supervisor Stowell: aye.

Old Business: 1) Subdivision Regulations: Have been sent to the town's attorney.

2) Os. Co. Emergency Mgmt (NIMS) compliance survey: has not been completed yet.

New Business: Supervisor Stowell briefly went over the following:

1) Senior Citizens sent a Thank You card for the donation made last month.

2) Emergency Mgmt request: Supervisor Stowell suggested Councilor's Sheeley & Anson Jr. to be the 1st & 2nd contact persons for the Town of Albion due to their non-election year status.

3) Os. Co. Environmental Mgmt Council re: Earth Week

4) Os. Co. Emergency Mgmt letter

Supervisor's Correspondences: Given to the board to review:

- Tug Hill Times
- Workers Comp News for Public Employers
- The Spotlight, Os. Co. BOCES
- Grant Action News

Adjournment: Motion made by Councilor Sheeley seconded by Councilor Eldred to adjourn the meeting. Motion carried. Adopted (5-0) Councilor Barker: aye, Councilor Sheeley: aye, Councilor Eldred: aye, Councilor Anson Jr.: aye, Supervisor Stowell: aye.

Supervisor Stowell called the meeting to a close at 9:08pm.

Dated this 12th day of May 2009

Respectfully submitted,
Amy J. Ford
Albion Town Clerk