

April 20, 2015
Town of Albion Regular Meeting

Agenda:

1. Call Meeting to Order
2. Pledge of Allegiance
3. Exit Message
4. FYI: Remind residents to sign attendance sheet
5. Roll Call
6. Public Comment
7. Motion to approve the agenda.
8. Motion to approve minutes of the March 9th and 23rd meetings.
9. Resolution to approve vouchers
10. Motion to pay health care bills in the amount of \$7,438.67.
11. Discussion of Town Historian
12. Motion to create budget line item B7550.4, Celebrations Contractual
13. Motion to transfer \$3,000.00 to B7550.4
14. Motion to approve purchase of a computer for the Court in the amount of \$961.37.
15. Resolution to delay proposed State legislation moving Star Exemption to Personal Income Tax Credit.
16. Resolution opposing the closing of skill development and work centers.
17. Resolution opposing Part W of the Governors 2015 Budget concerning local IDA's.
18. Resolution supporting County Highway Association proposal to fund highways and bridges.
19. Discussion of the Town hall roof
20. Executive session.

March 23, 2015

Town of Albion Town Board special meeting held in the Town hall, 3665 Clarendon Rd.

Meeting called to order at 7:00 pm.

Pledge of Allegiance was said and the exit message was given.

Present was Councilperson Daniel Poprawski, Councilperson Richard Remley, Supervisor Matthew Passarell and Councilperson Todd Sargent. Absent excused was Councilperson Jake Olles.

Supervisor Matthew Passarell: I need a motion to approve the agenda.

Motion was made by Councilperson Daniel Poprawski and was seconded by Councilperson Richard Remley to approve the agenda as published and submitted. Motion carried by the following vote:

Councilperson Daniel Poprawski, aye	Councilperson Richard Remley, aye
Supervisor Matthew Passarell, aye	Councilperson Jake Olles, absent
Councilperson Todd Sargent, aye	

Supervisor Matthew Passarell: We need to discuss the water bill.

The Board discussed the water bill at 13896 Route 31 and decided to table until the April meeting.

Supervisor Matthew Passarell: Downtown flowers.

Motion was made by Councilperson Richard Remley and was seconded by Councilperson Todd Sargent authorizing a \$1,000.00 towards the downtown flowers. Motion carried by the following vote:

Councilperson Daniel Poprawski, aye	Councilperson Richard Remley, aye
Supervisor Matthew Passarell, aye	Councilperson Jake Olles, absent
Councilperson Todd Sargent, aye	

Supervisor Matthew Passarell: I need a resolution for the due to/due from.

Resolution #48 Due from Water District #2 due to Water District #4

Whereas, the Clarendon Rd meter pit is located in the Town of Albion Water District #4.

Whereas, the Village of Albion bills the Town of Albion for water usage in the Town of Albion Water District #2 and deducts the Clarendon Rd meter pit water bill from said bill.

Now therefore be it resolved the Town Board authorizes a journal entry for the due from Water District #2 to due to Water District #4 in the amount of \$5,972.96. Resolution duly adopted by the following vote:

Councilperson Daniel Poprawski, aye	Councilperson Richard Remley, aye
Supervisor Matthew Passarell, aye	Councilperson Jake Olles, absent
Councilperson Todd Sargent, aye	

Supervisor Matthew Passarell: I need to purchase a file cabinet.

Motion was made by Councilperson Daniel Poprawski and was seconded by Councilperson Richard Remley authorizing Supervisor Matthew Passarells purchase of a file cabinet for \$200.00. Motion carried by the following vote:

Councilperson Daniel Poprawski, aye	Councilperson Richard Remley, aye
Supervisor Matthew Passarell, aye	Councilperson Jake Olles, absent
Councilperson Todd Sargent, aye	

March 23, 2015

Supervisor Matthew Passarell: I need a motion for executive session.

Motion was made by Councilperson Daniel Poprawski and was seconded by Councilperson Richard Remley to enter executive session at 7:30 pm for a specific employee financial matter. Motion carried by the following vote:

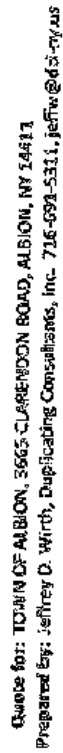
Councilperson Daniel Poprawski, aye

Councilperson Richard Remley, aye

Supervisor Matthew Passarell, aye

Councilperson Jake Olles, absent

Councilperson Todd Sargent, aye



Notes: Includes Microsoft® Office Home and Student 2013
Notes: Dell Wireless Keyboard & Mouse Combo - K4652

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RESOLUTION NO. 98-315

RESOLUTION OF THE ORLEANS COUNTY LEGISLATURE PETITIONING GOVERNOR CUOMO AND THE STATE LEGISLATURE TO DELAY PROPOSED LEGISLATION WHICH WOULD MOVE THE STAR EXEMPTION FROM A REAL PROPERTY TAX EXEMPTION TO A PERSONAL INCOME TAX CREDIT

WHEREAS, included in the 2015/2016 New York State Budget is a proposal to convert the STAR real property tax exemption to a Personal Income Tax (PIT) credit; and

WHEREAS, this transition is supported by both the New York State Assessors Association and the New York State Association of County Directors of Real Property Tax Services as New York State is better equipped to ensure the accuracy of this exemption; and

WHEREAS, this transition to a PIT credit would start with any STAR exemption that was granted for property owners that were not eligible as of March 3, 2014; and

WHEREAS, this transition would result in much confusion to the local property owner who has been under the assumption that they would be eligible for the exemption since they applied with their local Assessor; and

WHEREAS, when additional confusion is added to an already complicated property tax system taxpayers become more frustrated with the whole tax system; and

WHEREAS, this transition will require the Assessors' offices in Orleans County to send out approximately 276 denial letters for this exemption which will increase the amount of phone calls, letters, and foot traffic to explain why the denial has to occur when an approval was already sent out; and

WHEREAS, this transition will result in either a shortage in their escrow account which would then have to be made up in double for the next escrow payment year or their anticipated tax bill will be approximately \$600 more with Basic STAR and \$1,400 more with Enhanced STAR than they budgeted on their own; and

WHEREAS, this additional tax amount might disqualify potential buyers of real property as it will put them over the 43% Debt to Income ratio established in the provisions of DODD FRANK that became effective January 2014; now therefore be it

RESOLVED, that the Orleans County Legislature on recommendation of the Finance Committee petitions New York State to delay this transition to any STAR exemption that was granted after the 2015 Assessment Roll to more adequately inform the public of this important change in their taxes; and be it

FURTHER RESOLVED, that the Clerk of this Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Robert Ort, New York State Assemblyman Stephen Hawley, Assemblywoman Jane Corwin, New York State Association of Counties, and all others deemed necessary and proper.

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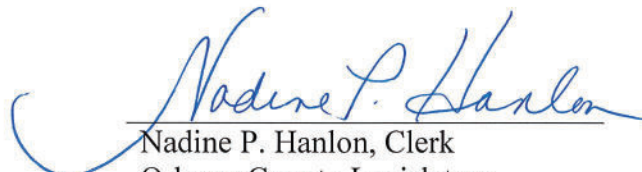
Moved, Johnson; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent: DeFilipps and DeRoller.

COUNTY OF ORLEANS
STATE OF NEW YORK

I hereby certify that the foregoing is a true and correct transcript of a resolution duly adopted by the Orleans County Legislature on the 25th day of March, 2015.

Dated at Albion, New York
March 26, 2015



Nadine P. Hanlon, Clerk
Orleans County Legislature
County of Orleans, New York

L.S.

RESOLUTION NO. 107-315**OPPOSING NEW STATE'S PLAN TO CLOSE SKILL DEVELOPMENT CENTERS AND WORK CENTERS**

WHEREAS, this Legislature believes that people have the right to participate in their community to their full ability; that people have the right to a supportive network of friends and advocates and that people have the responsibility to care for themselves and their neighbors in a safe, holistic, healthy community; and

WHEREAS people with intellectual and other developmental disabilities currently receive funding for employment in sheltered workshops also known as skill development centers. This means that a student transitioning out of high school with a disability are able to pursue employment and a paycheck in this vocational setting upon graduation; and

WHEREAS, the Orleans Enterprises (OE) workshop at 215 Washington Street opened in 1981 providing employment to hundreds of individuals leading with a mission to promote community inclusion through community based supported employment; and

WHEREAS, new vocational service recipients start in sheltered, many were found through vocational evaluation funded by VESID (Vocational and Education Services for Individuals with Disabilities a branch of State Ed now known as ACCESS-VR) to be appropriate for community based employment. Some individuals have chosen to stay in sheltered work, which is the right of every American to choose where they want to work and they are provided support and information to choose other options on a regular basis through case reviews; and

WHEREAS, the State's plan to close vocational workshops like the one operated by the ARC of Orleans will force those employed now to either stay home or participate in a Day Care program, thus removing the dignity associated with employment and taking away a vital step to community based employment; and

WHEREAS, The U.S. Supreme Court's decision in *Olmstead v. L.C.* recognized the right of the individual with developmental disabilities who are currently in a sheltered workshop to remain in that setting if they wish to do so; now be it

RESOLVED, that the Orleans County Legislature does hereby oppose the New York State's plan to close SKILL DEVELOPMENT CENTERS AND WORK CENTERS, thus removing this important step towards Community Based supported employment; and be it

FURTHER RESOLVED, that the Orleans County Legislature is requesting this plan to close the Center Based workshops to be rescinded and allow the funding of these Work Centers to continue allowing them to stay open and continue giving those working there the self-advocacy of choosing where they want to work; and be it

FURTHER RESOLVED, that certified copies of this Resolution be forwarded to Governor Cuomo, Lieutenant Governor Kathy Hochul, Senator Robert Ort, Assemblyman Stephen Hawley, Assemblywoman Jane Corwin, New York State Association of Counties, Inter-County of Western New York, all Orleans County Towns and Villages, ARC of Orleans County, NYSARC, OPWDD and all others deemed necessary and proper.

Moved, Allport; second, Eick.

Adopted. 5 ayes; 0 nays; 2 absent: DeFilipps and DeRoller.

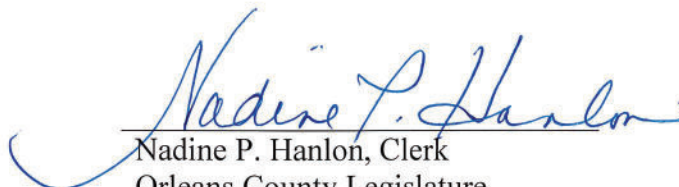
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RESOLUTION NO. 108-315**OPPOSING PART W OF GOVERNOR'S PROPOSED 2015 BUDGET CONCERNING LOCAL INDUSTRIAL DEVELOPMENT AGENCIES**

WHEREAS, Industrial Development Agencies (IDA) are an important economic development tool to promote job creation and retention in our communities and are the main source of economic development subsidies at the local and county level; and

WHEREAS, our Local IDA has been a driver of development in Orleans County, and we need to continue relying on them; and

WHEREAS, part of their success lies in the fact that they have the best knowledge of and interest in the areas that they serve; and

WHEREAS, Governor Cuomo's proposed Revenue Bill - Part W, as indicated in the State of the State, is set to add an additional layer of redundant paperwork and delays to projects utilizing IDA assistance; and

WHEREAS, Part W of this budget severely restricts the ability of Industrial Development Agencies to respond to the needs of businesses by removing home rule decisions and placing certain incentive decisions with the Regional Economic Development Council and Empire State Development; and

WHEREAS, allowing the State to have a larger role in approving IDA incentives will decrease the ability of local municipalities to decide how they plan to economically develop and replace that with the decisions coming from downstate; and

WHEREAS, Part W of this budget also grants the Authorities Budget Office greater power over local Industrial Development Agencies, inhibits County's ability to build industry clusters, and significantly slows Industrial Development Agencies ability to respond to "at the speed of business"; now, therefore be it

RESOLVED, that the Orleans County Legislature continues to support our local IDA and endorses their activities unburdened by additional State regulations and mandates; and be it

FURTHER RESOLVED, that the Orleans County Legislature joins with all local Local IDAs within the State of New York in their opposition to Governor Cuomo's proposal to add further paperwork to the IDA incentive process; and be it

FURTHER RESOLVED, copies of this resolution shall be sent to Governor Cuomo, Lieutenant Governor Kathy Hochul, Senator Robert Ort, Assemblyman Steve Hawley, Assemblywoman Jane Corwin; Senator Philip Boyle, Chairman of the Senate Committee for Commerce, Economic Development & Small Business; Assembly Minority Leader Brian Kolb; Assemblyman Robin Schimming, Chairman of the Assembly Committee for Economic Development, Job Creation, Commerce & Industry; Empire State Development Corporation; NYS Economic Development Council; Orleans County Economic Development Agency; NYSAC; InterCounty of Western New York; and all others deemed necessary and proper.

Moved, Johnson; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent: DeFilipps and DeRoller.

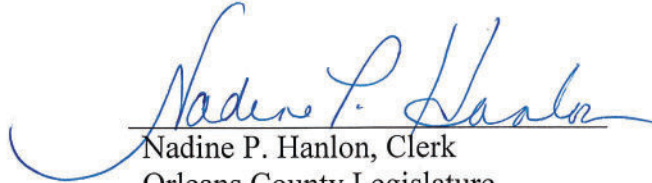
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County of Orleans, New York

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RESOLUTION NO. 120-315**SUPPORTING THE NEW YORK STATE COUNTY HIGHWAY SUPERINTENDENT'S ASSOCIATION'S IDENTIFIED NEED TO IMMEDIATELY FUND HIGHWAY AND BRIDGE FUNDING**

WHEREAS, Governor Cuomo calls for a direct linkage between tourism, agriculture, and marketing the Upstate New York region as a whole in order to foster economic development; and

WHEREAS, Upstate New York relies solely upon safe and secure roads and bridges to move products to markets, produce food and fiber, and to receive tourists; and

WHEREAS, the lack of state and federal aid has impacted both the New York State Department of Transportation and local municipalities abilities to maintain and replace infrastructure, and

WHEREAS, aging bridges have been flagged, load posted, or restricted due to lack of funding; and

WHEREAS, such restrictions on the state highway system have had an impact on the delivery of agricultural products and good movements in general; and

WHEREAS, impacts have been realized in the form of ticketed vehicles or added time to deliver goods on long detours on local roads not intended for such heavy vehicles; and

WHEREAS, a significant investment has been made by the Governor's Office to support the expansion of agricultural products such as yogurt, barley, and wine as the hallmark of economic recovery in Upstate New York; and

WHEREAS, stagnant highway and bridge funding at the state level, especially for rural counties, has a significant impact on the Governor's plans for recovery and threatens the investment made in agriculture; and

WHEREAS, federal highway and bridge funding available for use by counties in New York has been reduced significant by the emphasis placed on interstate highways under the Moving Ahead for Progress in the 21st Century (MAP-21) Act and further impacted by the New York State Department of Transportation decision to allocate available federal construction funding towards the preservation of the state highway and bridge system; now, therefore be it

RESOLVED, that the Orleans County Legislature does hereby request that the Governor and the State Legislature immediately fund highway and bridges as to meet the needs identified by the New York State County Highway Superintendent's Association which calls for \$615 million in annual CHIPS funding and a \$500 million local road and bridge program funded over 5 years with funds to be distributed through the CHIPS formula; and be it

FURTHER RESOLVED, that the Orleans County Legislature does hereby request that Senator Schumer, Senator Gillibrand, and Congressman Collins work toward repairing the Dedicated Highway and Bridge Trust Fund and amending MAP-21 or its reauthorization to allow for more concentration of funding on Off-System Bridges rather than interstate maintenance; and be it

RESOLUTION NO. 120-315

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FURTHER RESOLVED, that copies of this resolution be sent to Senators Schumer and Gillibrand, Congressman Collins, Governor Cuomo, State Senator Ortt, Assemblyman Hawley, Assemblyman Corwin, NYSAC, Intercounty of WNY, NY Agriculture Society, and all Town and Village Highway/Public Works Superintendents.

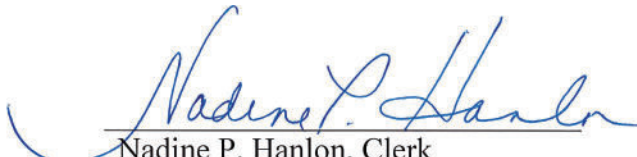
Moved, Eick; second, Miller.

Adopted. 5 ayes; 0 nays; 2 absent: DeFilipps and DeRoller.

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