

July 13, 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 June 8<sup>th</sup> and 22<sup>nd</sup> 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. Rescind inter-municipal agreement with the Town of Gaines.
13. Discussion of inter-municipal agreement with Town of Gaines.
14. Resolution of support for the Bullard Park Project
15. Executive Session

June 22, 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 were Councilperson Daniel Poprawski, Councilperson Richard Remley, Supervisor Matthew Passarell and Councilperson Todd Sargent. Absent was Councilperson Jake Olles.

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

**Motion was made by Councilperson Richard Remley and was seconded by Councilperson Todd Sargent approving the agenda with the deletion of item 11 and the addition of the purchase of an audio recorder. Motion adopted by the following vote:**

<b>Councilperson Daniel Poprawski, aye</b>	<b>Councilperson Richard Remley, aye</b>
<b>Supervisor Matthew Passarell, aye</b>	<b>Councilperson Jake Olles, absent</b>
<b>Councilperson Todd Sargent, aye</b>	

Supervisor Matthew Passarell: Brian Krieger is here to speak to the board about the running club.

**Brian Krieger gave a presentation to the Board regarding the running club and the upcoming race.**

Supervisor Matthew Passarell: I need a motion to accept the memorandum of understanding.

**Motion was made by Councilperson Daniel Poprawski and was seconded Councilperson Todd Sargent authorizing the acceptance of the Memorandum of Understanding for the 2016 reassessment project.**

**Motion adopted by the following vote:**

<b>Councilperson Daniel Poprawski, aye</b>	<b>Councilperson Richard Remley, aye</b>
<b>Supervisor Matthew Passarell, aye</b>	<b>Councilperson Jake Olles, absent</b>
<b>Councilperson Todd Sargent, aye</b>	

Supervisor Matthew Passarell: I need a resolution for the 2016 reassessment project.

**Resolution #60                      Reassessment 2016**

**Whereas, Section 305 of the New York State Real Property Tax Law mandates uniform and equitable assessments; and**

**Whereas, computer- assisted mass appraisal systems, technical advice and financial assistance are available by cooperative agreement with the New York State Office of Real Property and the Orleans County Real Property Tax Service; and**

**Whereas, the last town-wide reassessment of real property took place in 2013.**

**Now therefore be it resolved by the Albion Town Board as follows:**

- 1. That the Assessor of the Town of Albion is hereby authorized to undertake and implement a reassessment of the 2016 assessment roll.**
- 2. That the Town Board does hereby agrees, in conjunction with the New York State of Real Property Services and the County of Orleans of Real Property Tax Service to support the Towns Assessment staff in this reassessment.**
- 3. That the Town Board and the Assessor are authorized to enter into any necessary agreements to achieve this purpose. Any agreement with a private contractor to provide services for the reassessment shall entered into only upon review of the Town Supervisor and the Assessor. The Albion Town Board shall approve said agreements that result in an expenditure.**

June 22, 2015

**Motion was made by Councilperson Daniel Poprawski and was seconded by Councilperson Todd Sargent authorizing the adoption of this resolution. Resolution duly adopted by the following vote:**

<b>Councilperson Daniel Poprawski, aye</b>	<b>Councilperson Richard Remley, aye</b>
<b>Supervisor Matthew Passarell, aye</b>	<b>Councilperson Jake Olles, absent</b>
<b>Councilperson Todd Sargent, aye</b>	

Supervisor Matthew Passarell: I need a resolution for the inter-municipal agreement with Gaines.

**Resolution #61                      Inter-Municipal Agreement – Town of Gaines – Code Enforcement**

**The agreement in its entirety is hereby filed with and made a part of these minutes.**

**Motion was made by Councilperson Richard Remley and was seconded by Councilperson Todd Sargent authorizing the adoption of this agreement. Resolution duly adopted by the following vote:**

<b>Councilperson Daniel Poprawski, aye</b>	<b>Councilperson Richard Remley, aye</b>
<b>Supervisor Matthew Passarell, aye</b>	<b>Councilperson Jake Olles, absent</b>
<b>Councilperson Todd Sargent, aye</b>	

Supervisor Matthew Passarell: I need a motion authorizing the purchase of voice recorder.

**Motion was made by Councilperson Daniel Poprawski and was seconded by Councilperson Richard Remley authorizing Town Clerk Sarah Basina's purchase of a digital voice recorder. Motion carried by the following vote:**

<b>Councilperson Daniel Poprawski, aye</b>	<b>Councilperson Richard Remley, aye</b>
<b>Supervisor Matthew Passarell, aye</b>	<b>Councilperson Jake Olles, absent</b>
<b>Councilperson Todd Sargent, aye</b>	

Supervisor Matthew Passarell: I need a motion to close.

**Motion was made by Councilperson Daniel Poprawski and was seconded by Councilperson Richard Remley to close the meeting at 7:48 pm. Motion carried by the following vote:**

<b>Councilperson Daniel Poprawski, aye</b>	<b>Councilperson Richard Remley, aye</b>
<b>Supervisor Matthew Passarell, aye</b>	<b>Councilperson Jake Olles, absent</b>
<b>Councilperson Todd Sargent, aye</b>	

**INTER-MUNICIPAL AGREEMENT  
FOR  
ZONING AND CODE ENFORCEMENT SERVICES**

**PURSUANT TO ARTICLE 5-G  
GENERAL MUNICIPAL LAW**

THIS AGREEMENT, made by and between the **TOWN OF ALBION**, a municipal corporation in the State of New York having its offices at \_\_\_\_\_ New York, hereinafter known as "Albion", and the **TOWN OF GAINES**, a municipal corporation in the State of New York, having its offices at \_\_\_\_\_ New York, hereinafter known as "Gaines".

**WITNESSETH**

**WHEREAS**, Gaines is desirous of utilizing the services of the Albion Zoning and Code Enforcement Officer (hereinafter "ZEO/CEO") at a cost to Gaines which is less than hiring its own dedicated ZEO/CEO, and

**WHEREAS**, Albion is desirous of permitted its ZEO/CEO to perform the same services to Gaines in return for fair consideration paid by Gaines to Albion, and

**WHEREAS**, the parties agree that this action is an efficient use of municipal resources, will benefit the budgets of each town, and will improve the delivery of ZEO/CEO services to both towns;

**NOW, THEREFORE**, the parties hereto hereby agree as follows:

1. The Albion ZEO/CEO shall undertake the following services, duties and responsibilities for Gaines, which cumulatively shall consume an average of 10 hours per week over the term of this agreement:

- a. Attendance at Town Board meetings;
- b. Attendance at Zoning Board of Appeals hearings;
- c. Attendance at Town Court when necessary in the course of an enforcement action or as reasonably requested by the village board;
- d. Process all building permit applications from initial permitting to issuance of Certificates of Occupancy or Certificates of Compliance;
- e. Process and respond to code violations and complaints
- f. Perform fire inspections;
- g. 24-hour availability for building-related emergencies; and
- h. Respond to inquiries by the Town Board as to any of the above matters.
- i. Presence in the office by appointment for Gaines residents convenience

2. In return for Albion undertaking the above duties and responsibilities for Gaines, Gaines shall pay to Albion the sum of \$\_\_\_\_\_ annually as consideration for the administrative services performed by Albion. The payment shall be made in \_\_\_\_ ( ) installments: the first on \_\_\_\_\_ and the last on \_\_\_\_\_. The first payment on \_\_\_\_\_ shall be adjusted and prorated from the effective date of this Agreement. This payment shall be Gaines' sole contribution for its share of the costs associated with maintaining the ZEO/CEO on Albion payroll, and both parties acknowledge that this payment represents a fair contribution towards these costs as more detailed in Paragraph 3 of this agreement.

3. Albion shall continue to pay the ZEO/CEO for his or salary, benefits, benefits, withholding tax, worker's compensation, unemployment, disability, retirement, and any other cost associated with maintaining the ZEO/CEO on its payroll.

4. Gaines shall retain all permit and licensing fees collected by the ZEO/CEO for applications pertaining to properties located in Gaines.

5. All violations in Gaines shall be made returnable in the Town of Gaines Justice Court and further all fines imposed shall be retained by Gaines.

6. The Gaines Town Board and Zoning Board of Appeals shall continue to exercise all authority vested in these bodies by the laws of the State of New York and the Code of the Town of Gaines.

7. ZEO/CEO shall have access to all files in the office of the Gaines ZEO/CEO necessary for the ZEO/CEO to perform his functions in the Town of Gaines. All files for matters arising in Gaines shall remain in the Gaines ZEO/CEO office.

**THIS AGREEMENT** shall remain in full force and effect until December 30, 2015, at which time it shall automatically renew for an additional 6 months, and shall automatically renew for additional 6-months increments every six months thereafter, unless either party notifies the other in writing of its intent to terminate this Agreement, which Notice must be made not later than one (1) month prior to the next subsequent automatic renewal date.

**[REST OF PAGE INTENTIONALLY LEFT BLANK]**

**THIS AGREEMENT** represents the entire Agreement of the parties and may not be modified or amended except by a written instrument duly approved by each of the respective parties.

**IN WITNESS WHEREOF**, the parties hereto hereby affix their hands and seals this \_\_\_\_ day of \_\_\_\_\_, 2015.

**TOWN OF GAINES**

By: \_\_\_\_\_

Carol E. Culhane, Supervisor

**TOWN OF ALBION**

By: \_\_\_\_\_

Matthew Passarrell, Supervisor

STATE OF NEW YORK     )  
                                      ) ss:  
COUNTY OF ORLEANS    )

On this \_\_\_\_ day of \_\_\_\_\_, 2015 before me personally came **CAROL E. CULHANE**, to me known to be the Supervisor of the Town of Gaines, New York, and the person who executed the foregoing instrument on behalf of the Town of Gaines, New York, who being by me duly sworn, did depose and say that she executed the said instrument by Order and resolution of the Town Board of the Town of Gaines, New York, and that the Seal affixed is the Seal of such Town and that it was so affixed thereto by Order of the Town Board of said Town.

\_\_\_\_\_  
NOTARY PUBLIC

STATE OF NEW YORK     )  
                                      ) ss:  
COUNTY OF ORLEANS    )

On this \_\_\_\_ day of \_\_\_\_\_, 2015 before me personally came **MATTHEW PASSARRELL**, to me known to be the Supervisor of the Town of Albion, New York, and the person who executed the foregoing instrument on behalf of the Town of Albion, New York, who being by me duly sworn, did depose and say that she executed the said instrument by Order and resolution of the Town Board of the Town of Albion, New York, and that the Seal affixed is the Seal of such Town and that it was so affixed thereto by Order of the Town Board of said Town.

\_\_\_\_\_  
NOTARY PUBLIC



Resolution #

Whereas, the Town of Albion supports the efforts of the Village of Albion to submit a grant application to the New York State Office Parks Recreation and Historic Preservation (OPRHP) for a grant under the Environmental Fund for a park project to be located on the corner of East Ave and Clarendon St in the Village of Albion.

Whereas, the Albion Town Board does hereby support the efforts of the Village of Albion.

Now therefore be it resolved, that the Albion Town Board does hereby approve and endorse the application for a grant under the Environmental Protection fund for the Bullard Park Phase I project.

Be it further resolved that the Albion Town Board will review any request made by the Village of Albion regarding the Bullard Park Phase I project.