

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 8th and 22nd 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

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:

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 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:

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 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 Basinait's purchase of a digital voice recorder. 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 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:

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

**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.