

March 9, 2015

Town of Albion Town Board regular 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, Councilperson Jake Olles and Councilperson Todd Sargent.

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

Motion was made by Councilperson Todd Sargent and was seconded by Councilperson Richard Remley to approve the agenda with the addition of a water bill and possible water district. Motion carried by the following vote:

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

Supervisor Matthew Passarell: I need a motion to approve the minutes of the February meeting.

Motion was made by Councilperson Jake Olles and was seconded by Councilperson Todd Sargent to approve the minutes of the February 9, 2015 meeting 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, aye
Councilperson Todd Sargent, aye	

Supervisor Matthew Passarell: I need a resolution to approve the vouchers.

Resolution #45	Payment of Claims
Whereas, the following are against the Town:	
General A & B #'s – 54 – 82	\$ 47,384.85
Highway DA & DB #'s – 26 – 43	\$ 54,289.06
Water Districts #'s – 13 – 16	\$ 2,729.46
Sewer District #1 – 3	\$ <u>46.28</u>
For a grand total of	\$104,449.65

Motion was made by Councilperson Daniel Poprawski and was seconded by Councilperson Richard Remley to approve payment of the above listed claims. Resolution duly adopted by the following vote:

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

Supervisor Matthew Passarell: I need a motion to approve the health care bills.

Motion was made by Councilperson Jake Olles and was seconded by Todd Sargent to approve payment prior to abstract of the Univera and CSEA health care bills in the amount of \$7,438.67. Motion carried by the following vote:

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

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Supervisor Matthew Passarell: Isaac Robinson would like to discuss his water bill.

After discussion about the water bill at the Redemption center the following action was taken:

Motion was made by Councilperson Richard Remley and was seconded by Councilperson Daniel Poprawski to hold a special meeting on March 23, 2015 at 7:00 pm for the discussion of the water bill. Motion carried by the following vote:

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

Supervisor Matthew Passarell: I need a motion to approve the expenditure in the court.

Motion was made by Councilperson Daniel Poprawski and was seconded by Councilperson Richard Remley authorizing an expenditure in the amount of \$1,035.00 to SEI allowing the networking of the computers to allow for multiple users. Motion carried by the following vote:

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

Supervisor Matthew Passarell: I need a resolution to repeal safe act.

Resolution #46 SUPPORTING LEGISLATION TO REPEAL THE NEW YORK SECURE AMMUNITION AND FIREARMS ENFORCEMENT (SAFE) ACT OF 2013

WHEREAS, Senate bills S511-2015 and S1193-2015 have been introduced to the New York State Senate by Senators Michael Nozzolio and Katherine Marchione respectively, which would repeal all or part of the New York Secure Ammunition and Firearms Enforcement Act of 2013; and

WHEREAS, this Legislative Body has long advocated for the protection of the rights afforded our citizens under the Constitution, which has for generations guided our Nation and served as a framework to our republic and society; and

WHEREAS, the Second Amendment of the United States provides for the “right of the people to keep and bear arms” and further states that this right “shall not be infringed”; and

WHEREAS, members of the Orleans County Legislature, being elected to represent the people of Orleans County, are duly sworn by their oath of office to uphold the Constitution of the United States; and

WHEREAS, members of the New York State Assembly and the New York State Senate, being elected by the people of New York State, are duly sworn by their oath of office to uphold the Constitution of the United States; and

WHEREAS, the Civil Rights Law of the State of New York states in Article 2 Section 4, “ Right to keep and bear arms. A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms cannot be infringed.”; and

WHEREAS, the lawful ownership of firearms is a recreational benefit to our residents through hunting and target shooting, along with an economic and environmental benefit to our region with several locally owned and operated gun/sporting businesses; and

WHEREAS, the New York State Secure Ammunition and Firearms Enforcement (NY SAFE Act) of 2013 which was rushed to passage by the New York State Senate, Assembly and Governor, will have a detrimental effect on hunters, sportsmen and legal gun owners, creating a hostile environment both for them and for the sale and manufacture of legal firearms; and

WHEREAS, the legislation prohibits the sale of firearm magazines with a capacity larger than seven (7) rounds and, those firearm magazines with a capacity larger than seven (7) rounds, which are authorized to be retained by existing owners, may only be loaded with seven (7) rounds and eventually must be permanently altered to only accept seven (7) rounds or be disposed of; and

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WHEREAS, few or no low capacity (seven (7) rounds or less) magazines currently exist for many of the firearms commonly possessed by law-abiding residents of New York State; and

WHEREAS, the legislation severely impacts the possession and use of firearms now employed by the residents of Orleans County for the defense of life, liberty and property; and

WHEREAS, the legislation severely impacts the possession and use of firearms now employed for safe forms of recreation including, but not limited to hunting and target shooting; and

WHEREAS, while there are some areas of the legislation that the Orleans County Legislature finds encouraging, such as the strengthening of Kendra's Law and Marks's Law, as well as privacy protections for lawful permit holders, we find the legislation fails to offer little meaningful solutions to gun violence and places undue burdens where they don't belong, squarely on the backs of law abiding citizens; and

WHEREAS, there are many parts of this legislation that place an unfunded mandate on the local Sheriff Departments, County Clerk's Office and County Judges, while tax payers are crying out relief; and

WHEREAS, there will be significant financial impact due to the approximately 4,850 Orleans County pistol permits that will have to be renewed requiring additional manpower and computer systems; and

WHEREAS, requiring law-abiding gun owners to verify ownership of certain types of firearms every five years, in addition to registering them on permits, which now also must be renewed every five years, does not increase the safety of the public and is unnecessarily burdensome to the residents of New York State; and

WHEREAS, this legislation effectively treats countless New York State law abiding gun owners as criminals; and

WHEREAS, the enactment of the NY SAFE Act has engendered significant controversy over both the process by which it was enacted and certain provisions contained within; and

WHEREAS, the manner in which this legislation was brought forward for vote in the State Legislature is deeply disturbing to the Orleans County Legislature; and

WHEREAS, this legislative body unanimously voted to oppose the New York Secure Ammunition and Firearms Enforcement Act of 2013 for all reasons stated above in RESOLUTION NO.82-213 of the Orleans County Legislative proceedings of February 13, 2013; now be it

RESOLVED, that the Orleans County Legislature does hereby support Senators Michael Nozzolio's and Katherine Marchione's bills S511-2015 and S1193-2015 to repeal all or part of the New York Secure Ammunition and Firearms Enforcement Act of 2013; and be it

FURTHER RESOLVED, that this Legislature supports the introduction of an Assembly bill which calls for the repeal of the New York Secure Ammunition and Firearms Act of 2013; and be it

FURTHER RESOLVED, that this legislature supports efforts by the New York State Legislature to remove funds for enforcement of the New York Secure Ammunition and Firearms Act of 2013 from the New York State Budget; and be it

FURTHER RESOLVED, that certified copies of this Resolution be forwarded to the Governor of the State of New York, Senator Robert Ort, Assemblyman Stephen Hawley, Assemblywoman Jane Corwin and all others deemed necessary and proper.

Motion was made by Councilperson Jake Olles and 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, aye
Councilperson Todd Sargent, aye	

Supervisor Matthew Passarell: I need a resolution in support of AIM.

Resolution #47 SUPPORTING REFORM OF THE AID AND INCENTIVE FOR MUNICIPALITIES (AIM) FORMULA IN ORDER TO DISTRIBUTE THE NEW AID TO LOCAL GOVERNMENTS

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WHEREAS, unrestricted state aid to local governments – formerly known as revenue sharing, now known as Aid and Incentive for Municipalities, or AIM – is general purpose state aid provided to all of New York’s cities (outside of New York City), villages and towns; and

WHEREAS, since the late 1980s, the original “revenue sharing” formula – intended to provide property tax relief by redistributing the state’s progressive tax revenues to municipalities that do not have the tax base or the taxing authority to generate these revenues on their own – has been annually disregarded and various constraints have been imposed on the overall level of state aid to local governments; and

WHEREAS, the original “revenue sharing” formula has not been utilized for decades and, since that time, various additional aid categories have been targeted to specific municipalities based on no particular economic or demographic factors, the current allocation of unrestricted aid (AIM) fails to accurately reflect the fiscal need and capacity of its recipient cities, villages and towns; and

WHEREAS, unrestricted State aid to local governments is a clear and proven way to provide property tax relief, when sufficiently funded; and

WHEREAS, a strong and growing state-local fiscal partnership is essential to generating economic vitality in all regions of our State; and

WHEREAS, local governments are limited by the 2% cap on property tax levies, growth in unrestricted State aid is critical; now, therefore be it

RESOLVED, that the Orleans County Legislature calls on the Governor and the State Legislature to implement a multiyear phased 50% increase in the AIM program funding and a reform of the AIM formula in order to distribute the new aid to local governments in a fair and objective manner, and would account for local fiscal capacity and need; and be it

FURTHER RESOLVED, that the new program’s formula components, at a minimum, should include population, population density, poverty and public safety services and the formula should also consider the amount of tax-exempt property a municipality has within its boundaries, as this has a significant effect on a community’s ability to raise revenue; and be it

FURTHER RESOLVED, that the Clerk of the Legislature shall forward copies of this resolution to Governor Andrew M. Cuomo, Lieutenant Governor Kathy Hochul, Senator Robert Ort, Assemblyman Steve Hawley, Assemblywoman Jane Corwin and all others deemed necessary and proper.

Motion was made by Councilperson Jake Olles and 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, aye
Councilperson Todd Sargent, aye	

Supervisor Matthew Passarell: I need a motion to speak to the Mayor.

Motion was made by Councilperson Richard Remley and was Councilperson Jake Olles authorizing Supervisor Matthew Passarell to have a discussion only with Mayor Dean London about operations and maintenance of Town water lines. Motion carried by the following vote:

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

Supervisor Matthew Passarell: I need a motion for the \$3000.00 donation to the Strawberry festival.

Motion was made by Councilperson Jake Olles and was seconded by Councilperson Todd Sargent donating \$3000.00 to the Strawberry Festival to hear the bands play. Motion carried by the following vote:

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

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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 7:55 pm. Motion carried by the following vote:

**Councilperson Daniel Poprawski, aye
Supervisor Matthew Passarell, aye
Councilperson Todd Sargent, aye**

**Councilperson Richard Remley, aye
Councilperson Jake Olles, aye**