

MINUTES – TOWN OF ALLEGANY
REGULAR BOARD MEETING
TUESDAY, APRIL 27, 2021 7:00 PM TOWN HALL

PRESENT:

Supervisor Hitchcock
Councilman Maguire
Attorney Tuttle
Councilwoman Martin
Comptroller D. Piccioli

Town Clerk D. Pinney
Councilman Nazemetz
Councilman Cooper
Hwy. Superintendent Moshier

ABSENT:

ALSO PRESENT:

Mike Higgins

Salute to the Flag opened the meeting

#60-MOTION TO ACCEPT MINUTES FROM THE APRIL 13, 2021 REGULAR BOARD MEETING

Motion by Councilwoman Martin to accept the minutes from the April 13, 2021 Regular Board Meeting as written. 2nd by Councilman Cooper. Hitchcock-aye, Martin-aye, Maguire-aye, Cooper-aye, Nazemetz-obstain. CARRIED

CORRESPONDENCE - none

NEW BUSINESS

1. Adopt Fair Housing Plan

#61-MOTION TO ADOPT FAIR HOUSING PLAN

Motion by Councilman Nazemetz to adopt the Fair Housing Plan as written below. 2nd by Councilman Maguire. Hitchcock-aye, Martin-aye, Maguire-aye, Cooper-aye, Nazemetz-aye. CARRIED

Actions to Affirmatively Further Fair Housing

A FAIR HOUSING PLAN
Town of Allegany, New York 2020

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1. Introduction:

The Town of Allegany understands the importance of acting to further fair housing in the community and is committed to meeting its responsibilities in this respect as a recipient of the Federal Community Development Block Grant funds. To ensure that residents are aware of fair housing provisions under Federal and State law and of the processes and assistance available to obtain compliance with existing statutes, the Town has developed the Fair Housing Plan. The Plan describes the procedures developed to further fair housing in the community.

What is Fair Housing? It is the intent of the Town of Allegany to ensure that no person searching for housing opportunities, whether renting or purchasing, determining eligibilities, or in the conduct of transactions, shall be subjected to discrimination because of race, color, religion, sex, disability, age, familial status, or national origin.

2. Availability of Information:

The Town's Fair Housing Plan recognizes the public knowledge of fair housing provisions is the first step in expanding equal opportunity. Toward that end, the Town has taken, or will take the following actions:

- Appoint Rural Revitalization Corporation as a Fair Housing Officer
Rural Revitalization Corporation, appointed by the Town of Allegany, has the following responsibilities:
 - Forward copies of all complaints to and, as appropriate, consult the Fair Housing/ Equal Opportunity Division of the applicable HUD office.
 - Encourage community input on fair housing matters, hold an annual public meeting to discuss fair housing with the public.
 - * Provide educational resources to Town of Allegany staff.
 - * Conduct a survey to determine housing needs, including any barriers to housing in the community.

- Provide Information

The Town will make available, upon request, copies of applicable Federal and State laws which contain anti-discrimination provisions, including: Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, Fair Housing Amendments Act of 1988 and the Human Rights Law (Executive Law, Article 15 of the State of New York).

- Promote Fair Housing Activities and Available Resources
 - A) The Town will designate the month of April as Fair Housing Month and will promote said designation through Town of Allegany proclamation.

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- B) The Town will further promote fair housing and housing resources by posting Fair Housing posters in visible locations in Town buildings.
- C) All CDBG funded projects for which the Town of Allegany is a recipient (whether it is for housing, infrastructure, or economic development) will include attention to civil rights, fair housing, and equal opportunity. The CDBG project must be all inclusive, from the project design phase to the final progress report.
- D) The Town of Allegany shall incorporate and promote fair housing opportunities in all their comprehensive plans.
- E) The Town shall notify local banks and realtors of any fair housing activities and enlist their support and active participation.
- F) The Town will require contractors and/or agencies who the Town contracts with to administer CDBG funded programs to:
 - Demonstrate that they afford equal employment opportunities to all persons.
 - Demonstrate that their program benefits are not awarded in ways that discriminate.
 - Take affirmative steps to promote fair and equal housing.
 - In addition to equal access, affirmatively further fair housing accessibility for persons with disabilities.
 - Take affirmative steps to ensure that all segments of the community, regardless of economic, racial or ethnic status, are informed of grant opportunities.

3. Discrimination Complaints:

The Town of Allegany will provide information and assistance to individuals who feel that they have been the victims of discrimination regarding housing.

- Discriminatory Housing Practices

For the purpose of this Plan, a discriminatory housing practice means an act that is unlawful under sections 804, 805, 806 or 818 of the Fair Housing Act (Title VIII of the Civil Rights Act of 1968, as amended). Such discriminatory housing practices include discrimination in the sale or rental of housing, discrimination in the provision of brokerage services, or interference, coercion, or intimidation, as defined under the Act, on the basis of race, color, religion, national origin, sex, disability or familial status.

- Receiving Complaints

Rural Revitalization Corporation will record information on a standard form to ensure that a complete file is established. Following this, Rural Revitalization Corporation will then contact HUD and/or the New York State Division of Human Rights to review the particulars of the complaint and request guidance in the formal filing of the complaint in cases where the individual decides to use this method.

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Copies of all complaints will be forwarded to the Fair Housing and Equal Opportunity Division of HUD Office in Buffalo, New York. If the complainant decides to take his/her case directly to the Federal Court, the Town of Allegany will refer the complainant to the Lawyer Referral and Information Service Hotline, sponsored by the New York State Bar Association (1800 342-3661), for securing affordable legal services if the individual is of low-or-moderate income.

2. Fair Housing Month Proclamation

Motion by: Councilwoman Martin 2nd by: Councilman Maguire

#62 - FAIR HOUSING MONTH PROCLAMATION

WHEREAS the Fair Housing Act, enacted on April 11, 1968, enshrined into federal law the goal of eliminating racial segregation and ending housing discrimination in the United States; and

WHEREAS the Fair Housing Act prohibits discrimination in housing based on race, color, religion, sex, familial status, national origin, and disability, and commits recipients of federal funding to affirmatively further fair housing in their communities; and

WHEREAS the Town of Allegany is committed to the mission and intent of Congress to provide fair and equal housing opportunities for all; and

WHEREAS our social fabric, the economy, health, and environment are strengthened in diverse, inclusive communities; and

WHEREAS more than fifty years after the passage of the Fair Housing Act, discrimination persists, and many communities remain segregated; and

WHEREAS acts of housing discrimination and barriers to equal housing opportunity are repugnant to a common sense of decency and fairness.

NOW THEREFORE BE IT RESOLVED that the Town of Allegany does hereby declare the month of April 2021 as Fair Housing Month in the Town of Allegany as an inclusive community committed to fair housing, and to promoting appropriate activities by private and public entities to provide and advocate for equal housing opportunities for all residents and prospective residents of the Town of Allegany.

Hitchcock-aye, Martin- aye, Maguire-aye, Cooper-aye, Nazemetz-aye. CARRIED

3. Appoint Allegany Planning Board as Lead Agency for Allegany Crossings 3864 NYS Route 417 (Old Kmart)

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#63-MOTION TO APPOINT THE TOWN OF ALLEGANY PLANNING BOARD AS LEAD AGENCY FOR ALLEGANY CROSSINGS 3864 NYS ROUTE 417

Motion by Councilman Nazemetz to appoint the Town of Allegany Planning Board as Lead Agency for the Allegany Crossings 3864 NYS Route 417. 2nd by Councilwoman Martin. Hitchcock-aye, Martin- aye, Maguire-aye, Cooper-aye, Nazemetz-aye. CARRIED

4. Transfer \$125,000 from the sewer fund back to the sewer reserve fund. This amount was originally transferred from the sewer reserve to the sewer fund and approved by the Town Board at the meeting dated 12/10/2019, item #222.

#64-MOTION TO TRANSFER FROM THE SEWER FUND BACK TO THE SEWER RESERVE FUND

Motion by Councilwoman Martin to Transfer \$125,000 from the sewer fund back to the sewer reserve fund. This amount was originally transferred from the sewer reserve to the sewer fund and approved by the Town Board at the meeting dated 12/10/2019, item #222. 2nd by Councilman Nazemetz. Hitchcock-aye, Martin- aye, Maguire-aye, Cooper-aye, Nazemetz-aye. CARRIED

5. Transfer \$100,735 from the highway fund back to the highway equipment reserve fund. This amount was originally transferred from the highway equipment reserve to the highway fund and approved by the Town Board at the meeting dated 11/24/2020, item #114.

#65-MOTION TO TRANSFER FROM THE HIGHWAY FUND BACK TO THE HIGHWAY EQUIPMENT RESERVE FUND

Motion by Councilman Maguire to Transfer \$100,735 from the highway fund back to the highway equipment reserve fund. This amount was originally transferred from the highway equipment reserve to the highway fund and approved by the Town Board at the meeting dated 11/24/2020, item #114. 2nd by Councilwoman Martin. Hitchcock-aye, Martin- aye, Maguire-aye, Cooper-aye, Nazemetz-aye. CARRIED

6. Approve the Summer meeting schedule

#66-MOTION TO APPROVE THE SUMMER MEETING SCHEDULE FOR 2021

Motion by Councilman Nazemetz to approve the summer meeting schedule for 2021 as the 2nd Tuesday of the month in June, July & August, resuming to the regular schedule in September. 2nd by Councilman Maguire. Hitchcock-aye, Martin- aye, Maguire-aye, Cooper-aye, Nazemetz-aye. CARRIED

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OLD BUSINESS

1. The Board discussed the Fourth & Maple Lease agreement.
2. Councilwoman Martin – River Park lease agreement – The Village has terminated the agreement as of 5/1/2021.

#67-MOTION TO TERMINATE RIVER PARK LEASE

Motion by Councilman Nazemetz to accept the letter from the Village as termination of the River Park lease effective 5/1/2021. 2nd by Councilman Maguire. Hitchcock-aye, Martin- aye, Maguire-aye, Cooper-aye, Nazemetz-aye. CARRIED

OTHER BUSINESS - none

COMMITTEE REPORT

1. Supervisor Hitchcock is having conversations with Kinley, Duggan & Duggan and Worth W. Smith to refurbish the Welcome to Allegany signs.
2. A representative from the Board will attend the Allegany Crossing zoom meeting this Friday.
3. Councilman Maguire discuss electric vehicle charging station rebates with the Board.

FROM THE FLOOR - none

#67- MOTION TO ADJOURN THE MEETING

Motion by Councilman Nazemetz to adjourn the entire meeting at 7:39 pm. 2nd by Councilman Maguire. Hitchcock-aye, Martin- aye, Maguire-aye, Cooper-aye, Nazemetz-aye. CARRIED

Respectfully submitted,

Deryle L. Pinney, Town Clerk
4/27/2021