

The Regular Meeting of the Board of Trustees of the Village of Albion was held Wednesday, February 28, 2024, at 6:00 PM, Village Hall, 35 East Bank Street, Albion New York.

Present were, Deputy Mayor Joyce Riley, Trustees Chris Barry and Tim McMurray
Absent: Mayor Angel Javier Jr and Trustee David Buczek

Also in attendance were Village Employees- Water Treatment Plant Chief Operator Adam Rush and Chris Kinter

6 residents

Meeting audio was recorded and kept on file.

Deputy Mayor Joyce Riley opened the meeting with the pledge of allegiance at 6:00 PM.

GRANT SUPPORT

Moved by Trustee Barry and Trustee McMurray to approve the Village Grant Administrator to apply for a grant for Bullard Park and pocket parks, on behalf of the Recreation Dept.

CARRIED

Mayor Javier	Absent
Trustee Riley	Aye
Trustee Barry	Aye
Trustee Buczek	Absent
Trustee McMurray	Aye

APPROVE MEETING MINUTES

Moved by Trustee McMurray and seconded by Trustee Barry approving the minutes for the following:

- February 15, 2024-Budget Hearing
- February 15, 2024-Workshop Meeting
- February 20, 2024-Budget Hearing
- February 22, 2024-Budget Hearing
- February 27, 2024-Budget Hearing

With an addition to February 15, 2024-Workshop meeting, stating designated personnel, being DPW Superintendent, DPW Foreman and Animal Control Officer

CARRIED

Mayor Javier	Absent
Trustee Riley	Aye
Trustee Barry	Aye
Trustee Buczek	Absent
Trustee McMurray	Aye

WIA 1 CONTINGENCY

Board agreed to stay with original vote on 2/20/2024

GRANT ADMIN UPDATE

Jay Grasso from G&G Grant Administration advised the Board of RESTORE NY opening, updated Board on status of various grants the Village has applied for

APPROVED PAYMENT OF VILLAGE BILLS

Moved by Trustee McMurray and seconded by Trustee Barry approving the monthly journal entries and the payment of the following Village bills: Vouchers 45392-45537

General	\$80,809.74
Water	\$43,776.52
Sewer	\$12,015.68

CARRIED

Mayor Javier	Absent
Trustee Riley	Aye
Trustee Barry	Aye
Trustee Buczek	Absent
Trustee McMurray	Aye

APPROVED TREASURES REPORT

Moved by Trustee McMurray and seconded by Trustee Barry approving the January 2024 treasurers report

CARRIED

Mayor Javier	Absent
Trustee Riley	Aye
Trustee Barry	Aye
Trustee Buczek	Absent
Trustee McMurray	Aye

APPROVE BUDGET ADJUSTMENT

Moved by Trustee McMurray and seconded by Trustee Barry to approve the following budget adjustment:

- Increase line A0.1640.0435 (Tools) \$1963.45 for mounted generator
- Increase line F0.8330.0417 (Schools and Conferences) \$2,500.00 Jeremy Graham Training

CARRIED

Mayor Javier	Absent
Trustee Riley	Aye
Trustee Barry	Aye
Trustee Buczek	Absent
Trustee McMurray	Aye

PILOT ORLEANS COUNTY

Tabled until Attorney reviews

ADOPT RESOLUTION 2024-10

RESOLUTION 2024-10

GENERAL ELECTION FOR THE 2024 VILLAGE OF ALBION, PURSUANT TO SECTION 15-104 (3) (b) OF THE ELECTION LAW OF THE STATE OF NEW YORK

At a meeting of the Village of Albion Board of Trustees held on the 28th day of February 2024 at 6:00PM at 35-37 East Bank Street, Albion, New York at which the following were:

PRESENT: Joyce Riley, Deputy Mayor
Chris Barry, Trustee
Timothy McMurray, Trustee

Trustee Barry moved the adoption of the following resolution, Trustee McMurray, seconded the motion.

Pursuant to Section 15-104 (3) (b) of the Election Law of the State of New York, the General Village Election for the Village of Albion, Orleans County, New York, will be held on Tuesday March 19, 2024 at the Village of Albion Hall, 35 East Bank St, Albion, New York, with polls opening at 12:00PM noon and closing at 9:00PM and the name and address of those persons duly nominated for Village Offices are listed as follows:

DEMOCRATIC PARTY

TRUSTEE - 4 Years, Gregory Bennett; 235 Chamberlain St, Albion NY

REPUBLICAN PARTY

TRUSTEE - 4 Years, Gregory Bennett; 235 Chamberlain St, Albion NY

TRUSTEE 4 Years Jeffrey Holler; 223 East State St, Albion NY

The Village will NOT be holding a registration day. All eligible voters should register with the County Board of Elections. The deadline for registration to vote in the Village Election is March 8, 2024.

UPON being put to a vote, the following "AYE" in favor of the foregoing resolution:

Mayor, Angel Javier Jr- Absent
Deputy Mayor, Joyce Riley
Trustee, Christopher Barry
Trustee, Timothy McMurray
Trustee, David Buczek-Absent

This resolution was deemed passed February 28, 2024

BROWN STREET BRIDGE LETTER

Moved by Trustee McMurray and seconded by Trustee Barry for Mayor and Board of Trustees to sign letter of action to the following individuals:

Senator Robert G. Ort, Senator Chuck Schumer, Legislator Lynn Johnson, Representative Joe Morelle, representative Claudia Tenney, and Assemblyman Stephen Hawley

CARRIED

Mayor Javier	Absent
Trustee Riley	Aye
Trustee Barry	Aye
Trustee Buczek	Absent
Trustee McMurray	Aye

CEMETERY DEEDS

Moved by Trustee Barry and seconded by Trustee McMurray to approve the cemetery deed:

Timothy S. Gugel & Oleans Shkinder-Gugel
Brian Sultzbach

S.G. 1821 & 1822 East Greenbank Avenue
#26 Evergreen Columbarium

CARRIED

Mayor Javier	Absent
Trustee Riley	Aye
Trustee Barry	Aye
Trustee Buczek	Absent
Trustee McMurray	Aye

ADOPTION OF BOND RESOLUTION BR 2024-2

**EXTRACT OF MINUTES OF MEETING OF THE VILLAGE BOARD
ADOPTING BOND RESOLUTION**

At a meeting of the Board of Trustees of the Village of Albion, Orleans County, New York, held at the Village Offices in Albion, New York, on the 28th day of February 2024:

PRESENT: Deputy Mayor Joyce Riley, Trustee Chris Barry and Trustee Tim McMurray

ABSENT: Mayor Angel Javier Jr, and Trustee David Buczek

Trustee McMurray presented the following resolution and duly moved that it be adopted and was seconded by Trustee Barry:

SUPPLEMENTAL BOND RESOLUTION DATED FEBRUARY 28, 2024 OF THE BOARD OF TRUSTEES OF THE VILLAGE OF ALBION, NEW YORK, AUTHORIZING GENERAL OBLIGATION SERIAL BONDS TO FINANCE THE ACQUISITION OF MACHINERY AND APPARATUS, AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES IN CONTEMPLATION THEREOF, EXPENDITURES FOR SUCH PURPOSE, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, pursuant to a bond resolution dated December 13, 2024 (the “Original Bond Resolution”) the Board of Trustees of the Village of Albion, New York (hereinafter referred to as the “Village”) approved expenditures for, and the issuance and sale of, up to \$470,000 aggregate principal amount of general obligation bonds and bond anticipation notes relative to the acquisition of machinery and apparatus for construction and maintenance;

WHEREAS, actual project costs have proved to be approximately \$105,000 higher than the maximum estimated project costs and the Village desires to provide for the financing thereof by supplementing the Original Bond Resolution by the adoption of this Supplemental Bond Resolution;

WHEREAS, on December 13, 2024 the Village Board of Trustees has heretofore duly determined that the purpose hereinafter described constitutes a “type II” action under the State Environmental Quality Review Act of the State of New York and the applicable regulations thereunder (“SEQRA”) which will not result in any significant adverse environmental impacts and such purpose is not subject to any further environmental review under SEQRA; now therefor, be it

RESOLVED BY THE BOARD OF TRUSTEE OF THE VILLAGE OF ALBION, NEW YORK, by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

Section 1. The Village of Albion shall undertake the acquisition and equipping of two (2) 12 foot dump body trucks, which may include apparatus required in connection therewith, including, without limitation, front one-way plow, as set forth in the Original Bond Resolution (hereinafter referred to as “purpose”), in an additional amount not to exceed \$105,000, and additional general obligation serial bonds in an aggregate principal amount not to exceed \$105,000 and bond anticipation notes in anticipation thereof (and renewals thereof) of the Village are now hereby authorized to be issued to finance such additional costs of said purpose and said additional amount is hereby appropriated therefor.

Section 2. The aggregate maximum cost of said purpose, including preliminary costs and costs incidental thereto and costs of the financing thereof, is now estimated to be \$575,000. The plan for financing of said purpose is to provide up to \$470,000 of such maximum cost by the issuance of bonds or bond anticipation notes as authorized under the Original Bond Resolution and to provide up to \$105,000 of such maximum cost by the issuance of bonds or bond anticipation notes as herein authorized.

Section 3. It is hereby determined and declared that (a) said purpose is one of the class of objects or purposes described in Subdivision 28 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is fifteen (15) years, (b) the proposed maximum maturity of said bonds authorized by this resolution will be in excess of five years, (c) current funds required to be provided prior to the issuance of the bonds or notes herein authorized, pursuant to Section 107.00 of the Local Finance Law, to the extent applicable, if any, will be provided, (d) the notes herein authorized are issued in anticipation of bonds for an assessable improvement, and (e) there are presently no outstanding bond anticipation notes issued in anticipation of the sale of said bonds.

Section 4. The bonds and notes authorized by this resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general obligations of the Village and all the taxable real property in the Village is subject to the levy of ad valorem taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount, subject to statutory limitations, if any.

Section 5. It is hereby determined and declared that the Village reasonably expects to reimburse the general fund, or such other fund as may be utilized, not to exceed the maximum amount authorized herein, from the proceeds of the obligations authorized hereby for expenditures, if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations. This is a declaration of official intent under Treasury Regulation §1.150-2.

Section 6. The power to further authorize the sale, issuance and delivery of said bonds and notes and to prescribe the terms, form and contents of said bonds and notes, including, without limitation, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, all contracts for, and determinations with respect to, credit or liquidity enhancements, if any, and to sell and deliver said bonds and notes, subject to the provisions of this resolution and the provisions of the Local Finance Law, is hereby delegated to the Village Treasurer, the Village's chief fiscal officer. The Village Treasurer and the Village Clerk or Deputy Clerk are hereby authorized to sign by manual or facsimile signature and attest any bonds and notes issued pursuant to this resolution, and are hereby authorized to affix to such bonds and notes the corporate seal of the Village of Albion.

Section 7. The faith and credit of the Village of Albion, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes as the same respectively become due and payable. Such bonds and notes shall be payable from a levy on real property in such district benefitted or user charges therefor in the manner provided by law, but if not paid from such source, all the taxable real property within said Village shall be subject to the levy of an ad valorem tax, without limitation as to rate or amount, sufficient to pay the principal of and interest on said bonds and notes. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 8. After compliance with Section 9 hereof, this resolution, or a summary hereof, shall be published in full by the Village Clerk of the Village of Albion together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Village, in the manner prescribed by law. The validity of said bonds and

bond anticipation notes issued in anticipation of the sale of said serial bonds, may be contested only if such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or the provisions of law which should be complied with, at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution is subject to a permissive referendum of the qualified electors of the Village of Albion, pursuant to Section 36.00 of the Local Finance Law.

The motion having been duly seconded, it was adopted and the following votes were cast:

VOTED BY ROLL CALL AND RECORD:

- Mayor Javier- Absent
- Trustee Riley- Aye
- Trustee Barry-Aye
- Trustee McMurray-Aye
- Trustee Buczek- Absent

NOTICE PURSUANT TO LOCAL FINANCE LAW SECTION 81.00

The supplemental bond resolution published herewith was adopted on February 28, 2024, and the validity of the obligations authorized by such supplemental bond resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Village of Albion is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution. The supplemental bond resolution was subject to a permissive referendum pursuant to Section 36.00 of the Local Finance Law. The period of time has elapsed for the submission and filing of a petition for a permissive referendum and a valid petition has not been submitted and filed.

Tracy A VanSkiver
Village Clerk
Village of Albion, New York

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

I, the undersigned clerk of the Village of Albion, DO HEREBY CERTIFY as follows:

1. A meeting of the Village Board of the Village of Albion, Orleans County, State of New York, was held on February 28, 2024, and Minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of meetings of said Village Board.
2. I have compared the attached Extract with said Minutes so recorded and said Extract is a true copy of said Minutes and of the whole thereof insofar as said Minutes relate to matters referred to in said Extract.
3. Said Minutes correctly state the time and place when said Meeting was convened and the place where such meeting was held and the members of said Board who attended said Meeting.
4. Public Notice of the time and place of said Meeting was duly posted and duly given to the public and the news media in accordance with the Open Meetings Law, constituting Chapter 511 of the Laws of 1976 of the State of New York, and that all members of said Village Board had due notice of said Meeting and that the Meeting was in all respects duly held and a quorum was present and acted throughout.
5. IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of the Village of Albion this 28th day of February 2024.

{SEAL}

Tracy A VanSkiver
Village Clerk
Village of Albion

WATER/SEWER CHARGE REQUEST

The Board chose not to grant a reprieve to resident Kevin Sargent at 245 Ingersoll St’s removal of the 2nd water & sewer base charge. The Board offered Mr. Sargent to remove the 2nd meter at that time the base charges would be removed from the bill

APPROVE HIRE

Moved by Trustee McMurray and seconded by Trustee Barry to hire William Malone, provisional on passing and scoring in the top three on the Sewer Treatment Plant Operator Trainee exam, test must be taken 2 weeks from 2/29/2024, start date to be at the discretion of Pollution Control Operator Aric Albright, starting rate of \$21.20, probationary period of 52 weeks, and CDL required by 12/31/2024

CARRIED

Mayor Javier	Absent
Trustee Riley	Aye
Trustee Barry	Aye
Trustee Buczek	Absent
Trustee McMurray	Aye

TOWN OF CARLTON WATER CONTRACT

Tabled

USE OF RESERVES

Moved by Trustee McMurray and seconded by Trustee Barry to allow use of Water Improvement reserves to pay for 8” water meter, clerk to increase expense line F0.8340.0417 in the amount of \$2,675.88

CARRIED

Mayor Javier	Absent
Trustee Riley	Aye
Trustee Barry	Aye
Trustee Buczek	Absent
Trustee McMurray	Aye

ADOPT RESOLUTION 2024-12

2024-12

TO HOLD A JOINT MEETING PROPOSING A JOINT FIRE DISTRICT

At a meeting of the Village of Albion Board of Trustees held on the 28th day of February 2024 at 6:00PM at 35-37 East Bank Street, Albion, New York at which the following were:

PRESENT: Joyce Riley, Deputy Mayor
 Chris Barry, Trustee
 Timothy McMurray, Trustee

Trustee McMurray moved the adoption of the following resolution, Trustee Barry, seconded the motion.

WHEREAS, Town Law §189-a authorizes the town boards of more than one town, and the board of trustees of an incorporated village, located in said town or towns to establish in such towns, and such village a joint fire district in the manner provided in such statute for the purposes and in the manner, therein stated, provided that all of the territory in such joint fire district shall be continuous, and not within the limits of a city; and

WHEREAS, the Village of Albion, the Town of Albion and the Town of Gaines, Orleans County, New York, have formed a committee to discuss, prepare and determine the possibility of the establishment of a Joint Fire District, encompassing the Village of Albion, the Town of Gaines, and the Town of Albion which area encompasses the Albion and Gaines Fire Protection District. The joint fire district, if established, is to be called the Albion Joint Fire District. Said committee having met on numerous occasions to discuss and prepare the proposal for the establishment of the fire district and has shared the proposal with the members of the respective boards; and

WHEREAS, the Town Board of Albion on February 12, 2024, having determined it to be in the public interest of the citizens of the Town of Albion, which includes the geographic areas of the Albion Fire Protection District, to participate in a joint meeting with the Town Board of Albion, the Town Board of Gaines and the Village Board of the Village of Albion, to consider the proposal regarding the establishment of a joint fire district, to be called the Albion Joint Fire District, (Joint Fire District or Fire District); and

WHEREAS, said Boards are in favor of holding a joint public meeting at one location within the proposed joint fire district for the purpose of jointly proposing the establishment of such a joint fire district, and

WHEREAS, the boundaries of such joint fire district, which are contiguous and not within the limits of a city, encompasses the entire Village of Albion and the Towns of Albion and Town of Gaines (participating municipalities) all located within the County of Orleans, State of New York. The object and purposes for which it is proposed that a new fire district be created is to provide fire protection within the areas of the proposed Albion Joint Fire District' and

WHEREAS, at separate meetings held on January 8th, 2024, the Town Boards of Albion, and Gaines, and on January 10, 2024, the Village Board of Albion all designated the Town Board of the Town of Albion as lead agency for the purposes of environmental review pursuant to the New York State Environmental Quality Review Act (SEQRA) regarding the establishment of the joint fire district; and

WHEREAS, such joint meeting shall be open to the public, and held at the Gaines Town Hall, 14087 Ridge Road West, Albion, New York 14411 at 6:00 p.m. on March 27, 2024. The Gaines Town Hall is located in the Town of Gaines, Orleans County, New York; and

NOW, THEREFORE, BE IT RESOLVED by an affirmative vote of a majority of the voting strength of the Village of Albion Village Board, that a joint public meeting of the Town of Gaines, the Town of Albion and the Village Board of the Village of Albion, shall be held at 6:00 p.m. on March 27, 2024 at the Gaines Town Hall, 14087 Ridge Road West, Albion, New York 14411, this location being within the boundaries of the proposed joint fire district.

UPON being put to a vote, the following "AYE" in favor of the foregoing resolution:

Mayor, Angel Javier Jr- Absent

Deputy Mayor, Joyce Riley

Trustee, Christopher Barry

Trustee, Timothy McMurray

Trustee, David Buczek-Absent

This resolution was deemed passed February 28, 2024

ENTER EXECUTIVE

Moved by Trustee McMurray and seconded by Trustee Barry to go into executive session for contractual matters at 6:56PM

CARRIED

Mayor Javier	Absent
Trustee Riley	Aye
Trustee Barry	Aye
Trustee Buczek	Absent
Trustee McMurray	Aye

EXIT EXECUTIVE

Moved by Trustee McMurray and seconded by Trustee Barry to exit executive session at 7:31PM

CARRIED

Mayor Javier	Absent
Trustee Riley	Aye
Trustee Barry	Aye
Trustee Buczek	Absent
Trustee McMurray	Aye

GOMAC REQUEST

Moved by Trustee McMurray and seconded by Trustee Barry to allow GOMAC to enter into a month-to-month lease agreement at 121 N Main St, starting March 1, 2024

CARRIED

Mayor Javier	Absent
Trustee Riley	Aye
Trustee Barry	Aye
Trustee Buczek	Absent
Trustee McMurray	Aye

ADOPT RESOLUTION 2024-11

RESOLUTION 2024-11

MUNICIPAL COOPERATION WITH NYCLASS

At a meeting of the Village of Albion Board of Trustees held on the 28th day of February 2024 at 6:00PM at 35-37 East Bank Street, Albion, New York at which the following were:

PRESENT: Joyce Riley, Deputy Mayor
Chris Barry, Trustee
Timothy McMurray, Trustee

Trustee McMurray moved the adoption of the following resolution, Trustee Barry, seconded the motion.

WHEREAS, New York General Municipal Law, Article 5-G, Section 119-o (Section 119-o) empowers municipal corporations [defined in Article 5-G, Section 119-n to include school districts, boards of cooperative educational services, counties, cities, towns and villages, and districts] to enter into, amend, cancel, and terminate agreements for the performance among themselves (or one for the other) of their respective functions, powers, and duties on a cooperative or contract basis;

WHEREAS the Village of Albion wishes to invest portions of its available investment funds in cooperation with other corporations and/or districts pursuant to the NYCLASS Municipal Cooperation Agreement Amended and Restated as of March 28, 2019;

WHEREAS the Village of Albion wishes to satisfy the safety and liquidity needs of their funds;

Now, therefore, it is hereby resolved as follows:

That Tracy A VanSkiver, Clerk-Treasurer of Village of Albion is hereby authorized to participate in the NYCLASS program under the terms of the NYCLASS Municipal Cooperation Agreement Amended and Restated as of March 28, 2019.

Contact Signature Title

Printed Name Date

This resolution shall take effect immediately.

UPON being put to a vote, the following “AYE” in favor of the foregoing resolution:

Mayor, Angel Javier Jr- Absent
Deputy Mayor, Joyce Riley

Trustee, Christopher Barry
 Trustee, Timothy McMurray
 Trustee, David Buczek-Absent

This resolution was deemed passed February 28, 2024

MOVE FUNDS

Moved by Trustee Barry and seconded by Trustee McMurray to approve the Perpetual Care funds totaling \$416,387.00 into the NYCLASS account

CARRIED

Mayor Javier	Absent
Trustee Riley	Aye
Trustee Barry	Aye
Trustee Buczek	Absent
Trustee McMurray	Aye

PURCHASE OFFER

Moved by Trustee McMurray and seconded by Trustee Barry to allow Attorney to move forward on land for sale surrounding the Cemetery for a minimum of 40 acres

CARRIED

Mayor Javier	Absent
Trustee Riley	Aye
Trustee Barry	Aye
Trustee Buczek	Absent
Trustee McMurray	Aye

MEETING ADJOURNED

Moved by Trustee McMurray and seconded by Trustee Barry that there being no further business, meeting is hereby adjourned at 7:38PM

Respectfully submitted,

Tracy A. VanSkiver
 Clerk-Treasurer