

The Workshop Meeting of the Board of Trustees of the Village of Albion was held Monday, March 25, 2024, at 4:30 PM, Village Hall, 35 East Bank Street, Albion New York.

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

Deputy Mayor Riley opened the meeting with a pledge of allegiance at 4:30 PM.

**RETAIN LEGAL SERVICES**

Moved by Trustee Buczek and seconded by Trustee McMurray to allow Deputy Mayor or Mayor to sign contract with the Law Office of Robert King, PLLC and Stage Liuzza, L.L.C. (through attorney Michael Stag, LLC) for the purpose of providing legal services related to the filing and litigation of a civil action for damages due to soil and water contamination regarding PFAS. (refer to below)

**CARRIED**

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

**ADOPT BOND RESOLUTION BR 2024-4**

**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 25<sup>th</sup> day of March 2024:

PRESENT: Deputy Mayor Joyce Riley, Trustee David Buczek and Trustee Tim McMurray

ABSENT: Mayor Angel Javier Jr, and Trustee Chris Barry

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

**SUPPLEMENTAL BOND RESOLUTION DATED MARCH 25, 2024, OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF ALBION, NEW YORK, AUTHORIZING GENERAL OBLIGATION SERIAL BONDS TO FINANCE WATER SYSTEM CAPITAL IMPROVEMENTS WITHIN THE VILLAGE, AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES IN CONTEMPLATION THEREOF, THE EXPENDITURE OF SUMS FOR SUCH PURPOSE, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.**

WHEREAS, the purpose hereinafter described consists of water system capital improvements authorized to be undertaken by the Village Board of Trustees pursuant to the Village Law; and

WHEREAS, pursuant to a bond resolution dated November 10, 2021 (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 \$7,855,059 aggregate principal amount of general obligation bonds and bond anticipation notes relative to the construction of water system capital improvements; and

WHEREAS, actual project costs have proved to be approximately \$3,563,441 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; and

WHEREAS, on November 10, 2021 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 VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF ALBION, NEW YORK (hereinafter referred to as the “Village”), 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 continue to undertake the construction of water system capital improvements primarily at the water treatment plant, water storage tank and the water transmission system, including, without limitation, various improvements to the water filtration system and clarification (sedimentation) system, installation of a new clearwell at the water plant, sludge thickening improvements, water storage tank improvements, miscellaneous transmission line improvements and water treatment plant fencing and storage building improvements, and the acquisition of original furnishings, equipment, machinery or apparatus, or the replacement of such equipment, machinery or apparatus, and other incidental improvements that may be required in connection therewith for such construction and Village use, as set forth in the Original Bond Resolution (hereinafter referred to as “purpose”), in an additional amount of \$3,563,441 and additional general obligation serial bonds in an aggregate principal amount not to exceed \$3,563,441 and bond anticipation notes in anticipation thereof (and renewals thereof) of the Village are hereby authorized to be issued to finance such additional costs of said purpose and said additional amount is hereby appropriated therefor.

Section 2. The estimated aggregate maximum cost of said purpose, including preliminary costs and costs incidental thereto and costs of the financing thereof, is now estimated to be \$11,418,500. The plan for financing of said purpose is to provide (i) up to \$7,855,059 of such maximum cost by the issuance of bonds or bond anticipation notes as authorized under the Original Bond Resolution, and (ii) up to \$3,563,441 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 1 of Paragraph (a) of Section 11.00 of the Local Finance

Law, and that the period of probable usefulness of said purpose is forty (40) 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 power to contract and issue indebtedness pursuant to §169.00 of the Local Finance Law, if applicable, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, whether to authorize the receipt of bids in an electronic format, 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. 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 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-Absent
- Trustee McMurray-Aye
- Trustee Buczek- Aye

**CROSSING GUARD**

Moved by Trustee McMurray and seconded by Trustee Buczek to have Attorney Gavenda inform Albion Central School the Village will no longer provide a crossing guard after the 2023-2024 school year. Services will end in June 2024

**CARRIED**

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

**BUDGET ADJUSTMENT**

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

- o Increase line A0.1640.0203 (Equipment) \$7850.00 for 2024 Trailer

**CARRIED**

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

**CAMERAS**

Update on cameras for DPW and Bullard Park from Trustee McMurray

**MEETING ADJOURNED**

Moved by Trustee McMurray and seconded by Trustee Buczek having no further business, the meeting is hereby adjourned at 4:58PM.

**CARRIED**

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

Attorney John Gavenda arrived at 5:00PM

**MEETING OPENED**

Moved by Trustee McMurray and seconded by Trustee Buczek to reopen meeting at 5:01PM

**CARRIED**

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

**RETAIN LEGAL SERVICES**

Moved by Trustee McMurray and seconded by Trustee Buczek to allow Deputy Mayor or Mayor to sign contract with the Law Office of Robert King, PLLC and Stage Liuzza, L.L.C. (through attorney Michael Stag, LLC) for the purpose of providing legal services related to the filing and litigation of a civil action for damages due to soil and water contamination regarding PFAS, contingent upon there being no other entity involved with the Village in litigation this matter or retained by the Village

**CARRIED**

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

**MEETING ADJOURNED**

Moved by Trustee McMurray and seconded by Trustee Buczek having no further business, the meeting is hereby adjourned at 5:12PM.

**CARRIED**

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

Respectfully submitted,

Tracy A. VanSkiver  
Clerk-Treasurer

*\*Italics indicate approved changes*