

The Organizational Meeting of the Board of Trustees of the Village of Albion was held Monday, April 1, 2024, at 6:00 PM, Village Hall, 35 East Bank Street, Albion New York.

Present were Mayor Angel Javier Jr., Deputy Mayor Joyce Riley, Trustee Tim McMurray

Also, in attendance approximately 8 residents

Meeting audio was recorded and kept on file.

Mayor Javier had Attorney John Gavenda swear in William Gabalski and Gregory Bennett as new Village Trustees

Mayor Javier opened the meeting with a pledge of allegiance at 6:00 PM.

**ANNUAL APPOINTMENTS**

Moved by Trustee McMurray and seconded by Trustee Barry to allow the Mayor to appoint the following annual appointments

- |  |                                  |
|--|----------------------------------|
| Clerk – Treasurer to expire April 2026                 | Tracy VanSkiver                  |
| Registrar of Vital Records to expire April 2026        | Tracy VanSkiver                  |
| Deputy Clerk to expire April 2026                      | Jessy Holz                       |
| Deputy Registrar of Vital Records to expire April 2026 | Jessy Holz                       |
| Deputy Treasurer to expire April 2026                  | Derek Reiner                     |
| Disaster Coordinator to expire April 2025              | Police Chief, David Mogle        |
| Village Attorney to expire April 2026                  | John C Gavenda                   |
| Fair Housing Officer to expire April 2025              | Tracy VanSkiver                  |
| Historic Preservation Commission to expire April 2028  | Linda Smith & Courtney Henderson |
| Planning Board to expire April 2029                    | Samuel Robinson                  |

**CARRIED**

Mayor Javier	
Trustee Riley	Aye
Trustee Gabalski	Aye
Trustee Bennett	Aye
Trustee McMurray	Aye

**PROCUREMENT POLICY**

Moved by Trustee Riley and seconded by Trustee Gabalski to approve Chapter 66 of the Village Code-Procurement Policy

**CARRIED**

Mayor Javier	
Trustee Riley	Aye
Trustee Gabalski	Aye
Trustee Bennett	Aye

Trustee McMurray	Aye
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**ACCESS CONTROL POLICY**

Moved by Trustee McMurray and seconded by Trustee Riley to approve the access control policy, originally approved at the June 9, 2021, meeting

**CARRIED**

Mayor Javier	
Trustee Riley	Aye
Trustee Gabalski	Aye
Trustee Bennett	Aye
Trustee McMurray	Aye

**ADOPT RESOLUTION 2024-14**

**RESOLUTION 2024-14**

**DESIGNATION DEPOSITORIES**

At a meeting of the Village of Albion Board of Trustees held on the 1<sup>st</sup> day of April, 2024 at 6:00PM at 35-37 East Bank Street, Albion, New York at which the following were:

- PRESENT: Angel Javier Jr, Mayor  
 Joyce Riley, Deputy Mayor  
 William Gabalski, Trustee  
 Greg Bennett, Trustee  
 Tim McMurray, Trustee

Trustee Gabalski moved the adoption of the following resolution, Trustee Riley, seconded the motion.

Pursuant to Village Law 4-412 (3) (2)

WHEREAS, the Board of Trustees has determined that the Village Law Section 4-412 (3) (2) requires the designation of banks or trust companies for the deposit of all Village monies:

**NOW THEREFORE BE IT RESOLVED:**

Section 1. That the Board of Trustees designates the following institutions as depositories of all moneys received by the Village Treasurer, Clerk and Receiver of taxes: Key Bank, 5Star, JP Morgan Chase and NYCLASS

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-Aye  
Deputy Mayor, Joyce Riley-Aye  
Trustee, William Gabalski-Aye  
Trustee, Greg Bennett-Aye  
Trustee, Timothy McMurray-Aye

This resolution was deemed passed April 1, 2024

**ADOPT RESOLUTION 2024-15**

RESOLUTION 2024-15

INVESTMENT POLICY

At a meeting of the Village of Albion Board of Trustees held on the 1<sup>st</sup> day of April, 2024 at 6:00PM at 35-37 East Bank Street, Albion, New York at which the following were:

PRESENT: Angel Javier Jr, Mayor  
Joyce Riley, Deputy Mayor  
William Gabalski, Trustee  
Greg Bennett, Trustee  
Tim McMurray, Trustee

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

§20-1 Scope.

This investment policy applies to all moneys and other financial resources available for investment on behalf of the Village of Albion.

§20-2 Objectives.

The primary objectives of the local government’s investment activities are, in priority order, to:

- A. To conform with all applicable federal, state and other requirements (legal).
- B. Adequately safeguard principal (safety).
- C. Provide sufficient liquidity to meet all operating requirements (liquidity).
- D. Obtain a reasonable rate of return (yield).

§20-3 Delegation of authority.

The governing board’s responsibility for administration of the investment program is delegated to the Treasurer, who shall maintain an adequate internal control structure to provide a satisfactory level of accountability based on a data base or records incorporating description and amounts of investments, transaction dates and other relevant information and regulate the activities of subordinate employees.

§20-4 Responsibilities of participants.

A. All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the ability of the Village of Albion to govern effectively.

B. Investments shall be made with judgement and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

C. All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program or which could impair their ability to make impartial investment decisions.

§20-5 Diversification.

It is the policy of the Village of Albion to diversify its deposits and investments by financial institution, by investment instrument and by maturity scheduling.

§20-6 Internal controls.

A. It is the policy of the Village of Albion for all monies collected by any officer or employee of the government to be transferred to the Treasurer within five (5) days of the deposit or within the time period specified by law, whichever is shorter.

B. The Treasurer is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition and that transactions are executed in accordance with management's authorization and recorded properly and are managed in compliance with applicable laws and regulations.

§20-7 Designation of depositories.

The banks and trust companies authorized for the deposit of moneys up to the following maximum amounts are:

<b><u>Depository Name</u></b>	<b><u>Maximum Amount</u></b>	<b><u>Officer</u></b>
Key Bank	\$5,000,000.00	Clerk-Treasurer, Deputy Clerk and Deputy Treasurer
5 Star	\$5,000,000.00	Clerk-Treasurer, Deputy Clerk and Deputy Treasurer
JP Morgan Chase	\$5,000,000.00	Clerk-Treasurer, Deputy Clerk and Deputy Treasurer
NYCLASS	\$5,000,000.00	Clerk-Treasurer, Deputy Clerk and Deputy Treasurer

§20-8 Collateralizing of deposits.

In accordance with the provisions of General Municipal Law § 10, all deposits of the Village of Albion, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act, shall be secured by:

A. A pledge of eligible securities with an aggregate market value, or provided by General Municipal Law § 10, equal to the aggregate amount of deposits from the categories designated in Appendix A to this policy.<sup>[1]</sup>

[1]: Editor's Note: Said Appendix A, Schedule of Eligible Securities, is attached to and made a part of this chapter.

#### §20-9 Safekeeping and collateralization.

- A. Eligible securities used for collateralizing deposits shall be held by the depository and/or a third-party bank or trust company subject to security and custodial agreements.
- B. The security agreement shall provide that eligible securities are being pledged to secure local government deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released securities. In the event that the securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the village of Albion or its custodial bank.
- C. The custodial agreement shall provide that securities held by the bank or trust company or agent of and custodian for the local government will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution, or release of securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

#### §20-10 Permitted investments.

- A. As authorized by General Municipal Law § 11, the Village of Albion authorizes the Treasurer to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:
  - (1) Special time deposit accounts.
  - (2) Certificates of deposit.
  - (3) Obligations of the United States of America
  - (4) Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America.
  - (5) Obligations of the State of New York.
  - (6) Obligations issued pursuant to Local Finance Law § 24.00 or 25.00 (with approval of the State Comptroller) by any municipality, school district or district corporation other than the Village of Albion.
  - (7) Obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general state statutes governing such entities or whose specific enabling legislation authorizes such investments.
  - (8) Certificates of participation (COP'S) issued pursuant to General Municipal Law § 109-b.
  - (9) Obligations of this local government, but only with any moneys in a reserve fund established pursuant to General Municipal Law § 6-c, 6-d, 6-e, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m, or 6-n.
- B. All investment obligations shall be payable or redeemable at the option of the Village of Albion within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the Village of Albion within two (2) years of the date of purchase.

#### §20-11 Authorized financial institutions and dealers.

The Village of Albion shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments which can be made with each financial institution or dealer. All financial institutions with which the local government conducts business must be credit worthy.

Banks shall provide their most recent consolidated report of condition (call report) at the request of the Village of Albion. Security dealers not affiliated with a bank shall be required to classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The Treasurer is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners and custodians. Such listing shall be evaluated at least annually.

§20-12 Purchase of investments.

- A. The Treasurer is authorized to contract for the purchase of investments:
  - (1) Directly, including through a repurchase agreement, from an authorized trading partner.
  - (2) By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5-G of the General Municipal Law where such program meets all requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the governing board.
  - (3) By utilizing an ongoing investment program with an authorized tracking partner pursuant to a contract authorized by the governing board.
- B. All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to, and held in the custody of a bank or trust company. Such obligations shall be purchased, sold, or presented for the redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed, in writing, to the Village of Albion by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law § 10.
- C. The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the local government a perfect interest in securities.

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-Aye
- Deputy Mayor, Joyce Riley-Aye
- Trustee, William Gabalski-Aye
- Trustee, Greg Bennett-Aye
- Trustee, Timothy McMurray-Aye

This resolution was deemed passed April 1, 2024

**COMPLIANCE DISCLOSURE POLICIES**

Moved by Trustee Riley and seconded by Trustee Gabalski to approve the Post-Issuance tax Compliance and Continuing Disclosure Policies and Procedures for Tax Exempt Notes/Bonds

CARRIED

Mayor Javier	
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Trustee Riley	Aye
Trustee Gabalski	Aye
Trustee Bennett	Aye
Trustee McMurray	Aye

**ADOPT RESOLUTION 2024-16**

RESOLUTION 2024-16

ADVANCED APPROVAL OF CLAIMS

At a meeting of the Village of Albion Board of Trustees held on the 1<sup>st</sup> day of April, 2024 at 6:00PM at 35-37 East Bank Street, Albion, New York at which the following were:

PRESENT: Angel Javier Jr, Mayor  
Joyce Riley, Deputy Mayor  
William Gabalski, Trustee  
Greg Bennett, Trustee  
Tim McMurray, Trustee

Trustee Bennett moved the adoption of the following resolution, Trustee Riley, seconded the motion.

Pursuant to Village Law § 5-524 (6)

WHEREAS, the Board of Trustees has determined to authorize payment in advance of audit of claims for public utility services, postage, freight, express charges, car rental fees, schooling fees, credit cards, charge cards (ex. Home Depot) and medical reimbursements, and

WHEREAS, all such claims shall be presented at the next regular meeting for audit, and

WHEREAS, the claimant and officer incurring or approving the same shall be jointly and severally liable for any amount the Board of Trustees disallows.

NOW THEREFORE BE IT RESOLVED:

Section 1. That the Board of Trustees authorizes payment in advance of audit of claims for public utility services, postage, freight, express charges, car rental fees, pager fees, schooling fees, credit cards, charge cards and medical reimbursements and all such claims shall be presented at the next regular meeting for audit and the claimant and officer incurring or approving the same be jointly and severally liable for any amount disallowed by the Board of Trustees.

That 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-Aye  
Deputy Mayor, Joyce Riley-Aye  
Trustee, William Gabalski-Aye  
Trustee, Greg Bennett-Aye  
Trustee, Timothy McMurray-Aye

This resolution was deemed passed April 1, 2024

**ADOPT RESOLUTION 2024-17**

RESOLUTION 2024-17

MILEAGE ALLOWANCE

At a meeting of the Village of Albion Board of Trustees held on the 1<sup>st</sup> day of April, 2024 at 6:00PM at 35-37 East Bank Street, Albion, New York at which the following were:

PRESENT: Angel Javier Jr, Mayor  
Joyce Riley, Deputy Mayor  
William Gabalski, Trustee  
Greg Bennett, Trustee  
Tim McMurray, Trustee

Trustee McMurray the adoption of the following resolution, Trustee Bennett, seconded the motion.

WHEREAS, THE Board of Trustees has determined to pay a fixed rate for mileage as reimbursement to officers and employees of the Village who use their personal automobiles while performing their official duties on behalf of the Village;

Section 1. That the Board of Trustees shall approve reimbursement to such officers and employees at the rate of .655 cents per mile.

That this resolution is effective immediately.

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

Mayor, Angel Javier Jr-Aye  
Deputy Mayor, Joyce Riley-Aye  
Trustee, William Gabalski-Aye  
Trustee, Greg Bennett-Aye  
Trustee, Timothy McMurray-Aye

This resolution was deemed passed April 1, 2024

**ADOPT RESOLUTION 2024-18**

RESOLUTION 2024-18



## ATTEDANCE AT SCHOOLS AND CONFERENCES

At a meeting of the Village of Albion Board of Trustees held on the 1<sup>st</sup> day of April, 2024 at 6:00PM at 35-37 East Bank Street, Albion, New York at which the following were:

PRESENT: Angel Javier Jr, Mayor  
 Joyce Riley, Deputy Mayor  
 William Gabalski, Trustee  
 Greg Bennett, Trustee  
 Tim McMurray, Trustee

Trustee McMurray the adoption of the following resolution, Trustee Riley, seconded the motion.

Pursuant of General Municipal Law § 77-b

WHEREAS there is to be held during the coming official year;

- A) the New York State Conference of Mayors Annual Meeting and Training School;
- B) the New York State Conference of Mayors Fall Training School for Fiscal Officers and Municipal Clerks;
- C) the New York State Conference of Mayors Public Works School, and

WHEREAS attendance by certain municipal officials and employees at one or more of these meetings, conferences or schools benefits the municipality;

NOW THEREFORE BE IT RESOLVED:

Section 1. That the following officers and employees are authorized to attend the following schools:

- a) Board of Trustees, Mayor, Clerk-Treasurer, Deputy Clerk, Deputy Treasurer are hereby authorized to attend the New York State Conference of Mayors Annual Meeting and the New York State Conference of Mayors Fall Training School for Fiscal Officers and Municipal Clerks.
- b) Superintendent of the DPW is hereby authorized to attend the New York State Conference of Mayors Public Works School.

That 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-Aye  
 Deputy Mayor, Joyce Riley-Aye  
 Trustee, William Gabalski-Aye

Trustee, Greg Bennett-Aye  
Trustee, Timothy McMurray-Aye

This resolution was deemed passed April 1, 2024

**OFFICIAL NEWSPAPER**

Moved by Trustee McMurray and seconded by Trustee Gabalski to approve the Batavia Daily News as the Village of Albion official newspaper

**CARRIED**

Mayor Javier	
Trustee Riley	Aye
Trustee Gabalski	Aye
Trustee Bennett	Aye
Trustee McMurray	Aye

**DISASTER MANUAL**

Moved by Trustee McMurray and seconded by Trustee Bennett to approve the emergency disaster reparedeness manual as written and updated

**CARRIED**

Mayor Javier	
Trustee Riley	Aye
Trustee Gabalski	Aye
Trustee Bennett	Aye
Trustee McMurray	Aye

**MEETING TIMES**

Moved by Trustee McMurray and seconded by Trustee Gabalski to approve the official meeting dates as follows:

- Regular meetings the 2<sup>nd</sup> Wednesday of each month at 6PM with no public forums
- Workship meetings the 4<sup>th</sup> Wednesday of each month at 6PM with public forums, and required attendance from the Department Heads
- Planning Board meetings, the 2<sup>nd</sup> Thursday of each month at 5PM
- Historic Preservation meetings the 3<sup>rd</sup> Thursday of each month at 4PM

**CARRIED**

Mayor Javier	
Trustee Riley	Aye
Trustee Gabalski	Aye
Trustee Bennett	Aye
Trustee McMurray	Aye

**SIGNING& FINANCIAL AUTHORITY**

Moved by Trustee McMurray seconded by Trustee Bennett to allow Village Clerk-Treasurer and Deputy Clerk access to financial accounts and check signing authorization

**CARRIED**

Mayor Javier	
Trustee Riley	Aye
Trustee Gabalski	Aye
Trustee Bennett	Aye
Trustee McMurray	Aye

Mayor Javier appointed Joyce Riley to serve as Deputy Mayor

**APPOINTMENT COMMITTEES**

<u>Trustee Gabalski</u>	<u>Trustee Riley</u>	<u>Trustee McMurray</u>	<u>Trustee Bennett</u>
Albion Police Dept	Dept of Public Works	Albion Police Dept	Dept of Public Works
Albion Fire Dept	Code Enforcement	Code Enforcement	Albion Fire Dept
Sewer Dept	HPC	HPC	Cemetery
Cemetery	Recreation Dept	Animal Control	Water Dept
Water Dept	Trailer Parks	Planning Board	Recreation Dept
Law		Village Office	Law

\*Mayor Javier to serve as ex-officio member of each committee as prescribed

**FOOD TRUCKS**

Tabled until 4/10/2024 discussion on food trucks, possibly reinstating permit process along with temporary 50% decrease in fees, until the bridge reopens. Once bridge reopens full fees. When allowed-Determining where on Village properties food trucks would be able to set up

**PUBLIC HEARING**

A joint public hearing to be held on April 24, 2024, at 6:00 pm, at Albion High School LGI (Large Group Instruction), 324 East Avenue, Albion, New York 14411 for their consideration, which resolution, if adopted, will be subject to a permissive referendum

**RECIND VOTE**

Moved by Trustee Riley and seconded by Trustee Gabalski to rescind the vote from 3/28/2024 to allow the WTP to hire a new WTP Operator Trainee as this was approved after the Public Hearing was set for the tentative 2024-2025 Budget, this will be revisited after the 2024-2025 Budget Public Hearing scheduled for 4/10/24 at 6PM

**CARRIED**

Mayor Javier	
Trustee Riley	Aye
Trustee Gabalski	Aye
Trustee Bennett	Aye
Trustee McMurray	Aye

**ENTER EXECUTIVE**

Moved by Trustee McMurray and seconded by Trustee Riley to enter executive to discuss Attorney-Client matters

**CARRIED**

Mayor Javier	
Trustee Riley	Aye
Trustee Gabalski	Aye
Trustee Bennett	Aye
Trustee McMurray	Aye

Trustee Bennett exits meeting at 7:11PM

**EXIT EXECUTIVE**

Moved by Trustee McMurray and seconded by Trustee Gabalski to exit executive at 7:15PM

**CARRIED**

Mayor Javier	
Trustee Riley	Aye
Trustee Gabalski	Aye
Trustee Bennett	Absent
Trustee McMurray	Aye

**MEETING ADJOURNED**

Moved by Trustee McMurray and seconded by Trustee Gabalski having no further business, the meeting is hereby adjourned at 7:15PM.

**CARRIED**

Mayor Javier	
Trustee Riley	Aye
Trustee Gabalski	Aye
Trustee Bennett	Absent
Trustee McMurray	Aye

Respectfully submitted,

Tracy A. VanSkiver  
Clerk-Treasurer