

The Regular Meeting of the Board of Trustees of the Village of Albion was held Wednesday, April 10, 2024, at 6:00 PM, Village Hall, 35 East Bank Street, Albion New York.

Present were, Mayor Angel Javier Jr, Deputy Mayor Joyce Riley, Trustees William Gabalski, Greg Bennett, and Tim McMurray

5 residents

Meeting audio was recorded and kept on file.

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

PUBLIC FORUM

Robin-Jo Zaczek spoke on the concerns from residents on East State St in respect to the fire hydrants being covered by black plastic bags and the need for fire protection. She made mention to the liability of the Village if anything was to happen to her home due to this issue. She read a write-up that had been emailed to the Board at an earlier time and requested the Clerk to include it in the meeting minutes.

- Clerk will include on website for reference

COMMUNITY HERO PRESENTATION

Trustee McMurray presented Faith Smith with the Community Hero Award for her work and dedication to Orleans Koinonia Kitchen which serves meals every Thursday evening amongst various other volunteer work throughout Orleans County.

OPEN PUBLIC HEARING

Moved by Trustee McMurray and seconded by Trustee Bennett to open the public hearing on the 2024-2025 Budget at 6:23PM

CARRIED

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

Discussion was had on various concerns about going over the tax cap and ideas were tossed around on how to avoid this.

CLOSE PUBLIC HEARING

Moved by Trustee McMurray and seconded by Trustee Riley to close the public hearing at 7:13PM

CARRIED

Mayor Javier	
Trustee Riley	Aye
Trustee Bennett	Aye

Trustee Gabalski	Aye
Trustee McMurray	Aye

OPEN PUBLIC HEARING

Moved by Trustee McMurray and seconded by Trustee Bennett to open the public hearing on the proposed water and sewer rate increases at 7:13PM

CARRIED

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

Discussion was had on the need for the increases for future water debt service and to start building the fund balance for the sewer fund

CLOSE PUBLIC HEARING

Moved by Trustee McMurray and seconded by Trustee Gabalski to close the public hearing at 7:16PM

CARRIED

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

APPROVE WATER AND SEWER RATES

Moved by Trustee Riley and Trustee McMurray to approve the rate increases for water and sewer as follows:

WATER RATE INCREASES

Water Base Sizes	Current	New
3/4"	\$ 21.00	\$ 33.60
1"	\$ 35.00	\$ 56.00
1 1/2"	\$ 75.00	\$ 120.00
2"	\$ 115.00	\$ 184.00
3"	\$ 250.00	\$ 400.00
4"	\$ 450.00	\$ 720.00
6"	\$ 750.00	\$ 1,200.00
8"	\$ 1,185.00	\$ 1,896.00

Volumetric Increases	Current	New
Residential Inside Rate-per 1,000 gallons	\$ 3.39	\$ 3.90
Commercial Inside rate-per 1,000 gallons	\$ 3.39	\$ 3.90
Residential Outside Rate-per 1,000 gallons	\$ 4.19	\$ 4.82
Commercial Outside rate-per 1,000 gallons	\$ 4.19	\$ 4.82
Towns	\$ 3.34	\$ 3.57
Correctional	\$ 4.35	\$ 4.65

SEWER RATE INCREASES

Volumetric Increases	Current	New
Residential Inside Rate-per 1,000 gallons	\$ 3.97	\$ 4.25
Commercial Inside rate-per 1,000 gallons	\$ 3.97	\$ 4.25
Residential Outside Rate-per 1,000 gallons	\$ 4.95	\$ 5.30
Commercial Outside rate-per 1,000 gallons	\$ 4.95	\$ 5.30
Northwood & Creekwood	\$ 6.30	\$ 6.49
Correctional	\$ 4.65	\$ 4.98

CARRIED

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

ZONING REQUEST

John Pastore representative from Reid Patroleum, Hawley Development and Crosby’s informed the Board of their intent to request the change in zoning for the property located at 210 S Main St.

APPROVE MEETING MINUTES

Moved by Trustee Riley and seconded by Trustee Bennett approving the minutes for the following:

- March 28, 2024-Regular meeting
- April 1, 2024-Organizational meeting

CARRIED

Mayor Javier	
Trustee Riley	Aye

Trustee Bennett	Aye
Trustee Gabalski	Aye
Trustee McMurray	Aye

APPROVED VAC SELL BACK/ROLL OVER/MEDICAL OPT OUT

Moved by Trustee McMurray and seconded by Trustee Gabalski approving the following list of unused vacation/personal days to sell back in the 2023-2024 budget, rollover request into the 2024-2025 budget and medical opt-out request for the 2024-2025 budget per employees contract/agreements

EMPLOYEE	HRS TO ROLL OVER	HRS TO SELL BACK	PL TO SICK
ARIC ALBRIGHT	80	80	32
JEFF ARNETT	40.25		
DAN BAASE	48	38	
DILLON BLACK		72	
JACOB COTRISS	48	36	
WILL FRANCIS	48	36	
CHRIS GLOGOWSKI	48	70	
JUSTYN HAINES	42		
JESSY HOLZ	60	60	
DON JONES	48	24	
DAVID MOGLE	80	52	
JAMES PAHURA	80	80	
KYLE PICCIRILLI	30.5	80	
ALEX REIGLE	48	6	
DEREK REINER	3.75		
CHARLIE RICCI	52.25		
MATTHEW SMITH	40		
NATHANIEL STAINES	48	62	
BRYAN VAGG	40		
TRACY VANSKIVER	80	80	
VANCE VANSKIVER	56	40	
GARY VANWYCKE	80		
ROB WAGNER	48		
JASON ZICARI	80	80	
MARTIN ZWIFKA		80	

Medical opt out

Brandon Annable, Dan Baase, Pete Mathes and Vance VanSkiver

CARRIED

Mayor Javier	
Trustee Riley	Aye

Trustee Bennett	Aye
Trustee Gabalski	Aye
Trustee McMurray	Aye

LARGE PLANTERS

Moved Trustee Riley and seconded by Trustee McMurray to allow AMA to paint large planters. Trustee Riley informed Board that Albion Betterment Committee will be purchasing small trees/bushes to plant in large planters and planters will be placed at canal park

CARRIED

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

RELEVY TO COUNTY

Moved by Trustee McMurray and seconded by Trustee Riley to send the following unpaid water/sewer bills to Orleans County and to added to the 2024-2025 Village taxes

TAX MAP	WATER	SEWER	TOTAL	Owner
73.6-3-66.1	21.31	26.36	47.67	Corso, Frank
62.13-1-1	4.85	5.68	10.53	Oak Orchard Estates
62.13-1-1	107.91	82.84	190.75	Oak Orchard Estates
62.13-1-1	130.98	139.42	270.4	Oak Orchard Estates
62.13-1-1	21.85	26.99	48.84	Oak Orchard Estates
62.13-1-1	24.05	29.57	53.62	Oak Orchard Estates
62.13-1-1	900.77	255.92	1156.69	Oak Orchard Estates
62.13-1-1	21.24	26.28	47.52	Oak Orchard Estates
62.13-1-1	22.15	27.35	49.5	Oak Orchard Estates
62.13-1-1	105.59	37.38	142.97	Oak Orchard Estates
62.13-1-1	109.97	114.8	224.77	Oak Orchard Estates
62.13-1-1	32.32	39.26	71.58	Oak Orchard Estates
62.13-1-1	42	52	94	Oak Orchard Estates
62.13-1-1	21	26	47	Oak Orchard Estates
62.13-1-1	21.31	26.36	47.67	Oak Orchard Estates
62.18-2-34	228.81	260.18	488.99	Hillman, Kevin
62.18-3-4	99.66	88.29	187.95	Smith, Ryan G
62.19-2-22.1	27.34	33.42	60.76	Derwick, Gary
62.19-2-27	69.31	54.85	124.16	Hellems, Mary

73.11-1-10	62.13	75.58	137.71	Woodin, Sarah
73.11-1-13	95.84	85.92	181.76	Scharping, Jason
73.11-1-19	63.59	46.6	110.19	Roman, Andrea
73.11-1-42	42.55	55.41	97.96	Hill, Robert J
73.11-1-45	76.14	91.98	168.12	Sayyeau, Karrie
73.14-1-8	41.44	49.94	91.38	Tgl Properties, LLC
73.14-1-8	0	0.23	0.23	Tgl Properties, LLC
73.14-1-8	88.38	77.19	165.57	Tgl Properties, LLC
73.23-1-12	75	0	75	Smith, Linda
73.23-1-21	116.16	138.99	255.15	Wittman, William
73.23-1-21	42.82	40.78	83.6	Wittman, William
73.5-1-5	179.45	96	275.45	Duke Properties, LLC
73.5-1-5	40.59	48.95	89.54	Coville, Tammy
73.5-2-57	56.75	69.4	126.15	Ostrander, Jon
73.5-3-19	127.1	68.48	195.58	Golisano-Beach, Vickie
73.5-3-19	93.05	28.6	121.65	Golisano, Vicki
73.5-4-25	113.4	137.3	250.7	Zaffrann, Martin
73.5-4-25	176.75	209.97	386.72	Zaffrann, Marty
73.5-4-37	22.02	27.19	49.21	Dysard. Robert & Maria
73.5-4-49	46.12	55.42	101.54	Nashburn, Kevin
73.5-4-49	30.22	36.8	67.02	Nashburn, Kevin
73.6-2-61	34.36	41.79	76.15	Roath, Tim
73.6-3-3	26.63	32.59	59.22	Fitzwater, Mark
73.6-3-3	45	54.11	99.11	Fitzwater, Mark
73.6-3-3	66.79	64.63	131.42	Fitzwater, Mark
73.6-3-31	69.1	54.6	123.7	LaDue, Scott
73.6-3-32	66.42	76.14	142.56	Oakes, Emily
73.6-3-37	98.1	28.6	126.7	Ostrander, Jon
73.6-3-4	74.19	95.29	169.48	Zaffrann, Martin
73.6-3-4	45.99	56.82	102.81	Zaffrann, Martin
73.6-3-4	541.99	318.2	860.19	Zaffrann, Martin
73.6-3-46	128.62	159.95	288.57	Kleinhans, Ruthann
73.6-3-47	30.36	36.96	67.32	Zaffrann, Martin
73.6-3-47	31.44	38.23	69.67	Zaffrann, Martin
73.6-3-88	77.62	93.84	171.46	JF Holdings, LLC
73.6-7-16	27.34	33.42	60.76	Rosario, Leonel
73.6-7-72	133.03	70.91	203.94	Jimenez, M
73.6-7-73	112.19	45.11	157.3	Jiminez, Mauricio
73.6-7-73	146.13	84.84	230.97	Jiminez, Mauricio
73.6-7-74	315	0	315	Schmidt, Angel
73.7-2-46	122.45	57.11	179.56	Ryan, Tabitha

73.9-1-12	79.37	94.72	174.09	Moss, Wilfred Jr
TOTAL	5874.04	4331.54	10205.58	

CARRIED

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

APPROVED PAYMENT OF VILLAGE BILLS

Moved by Trustee McMurray and seconded by Trustee Gabalski approving the monthly journal entries and the payment of the following Village bills: Vouchers #45763-45856

General	\$44,134.21
Water	\$11,012.29
Sewer	\$8,025.95

CARRIED

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

APPROVED TREASURES REPORT

Moved by Trustee McMurray and seconded by Trustee Riley approving the March 2024 treasurers report

CARRIED

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

FREEZE PURCHASES

Moved by Trustee Riley and seconded by Trustee Gabalski to freeze the 2023-2024 budget to only allow for contractual spending, any necessary items need to be brought to the Board at the next scheduled meeting

CARRIED

Mayor Javier	
Trustee Riley	Aye

CARRIED

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

CODES MOU

Table until 5/8/2024

TOWN OF CARLTON SURPLUS WATER

Table until 5/8/2024

MT. ALBION LEASE AGREEMENT

Moved by Trustee Gabalski and seconded by Trustee Riley to approve the increase in rent for Diane Rouse from \$900.00 a month to \$1,000.00 a month for the 4-bedroom apartment starting June 1, 2024

CARRIED

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

121 N MAIN ST LEASE

Moved by Trustee Bennett and seconded by Trustee Riley to approve the increase in rent for Darlene Benton from \$405.00 to \$425.00 for the 289 sqft office space located at 121 N Main St, starting May 1, 2024

CARRIED

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

CROWN CASTLE

Moved by Trustee McMurray and seconded by Trustee Bennett to approve the request from Crown Castle to lease an additional land for expansion at a rate of \$207.00 a month plus 30% of net sublet proceeds received by Crown for the DISH license located at 301 Washington St (DPW)

CARRIED

Mayor Javier	
Trustee Riley	Aye
Trustee Bennett	Aye

Trustee Gabalski	Aye
Trustee McMurray	Aye

EASEMENT

Moved by Trustee Bennett and seconded by Trustee McMurray to approve Mayor to sign easement with Niagara Mohawk Power Company to gain access to village property, #62.20-1-3.11, 660 Densmore St, Albion aka 14740 Densmore St, Albion

CARRIED

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

MORATORIUM ON FOOD TRUCKS

Moved by Trustee Gabalski and seconded by Trustee Riley effective 4/11/2024 reinstate the permitting process along with temporary 50% fees until the bridge reopens, at which point the fees will increase to the original amount

APRIL 11, 2024

BRIDGE REOPENS

1 DAY -7 DAYS	\$50.00	\$100.00
8 DAYS - 6 MONTHS	\$125.00	\$250.00
7 MONTHS - 1 YEAR	\$250.00	\$500.00

CARRIED

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

ADVERTISE

Moved by Trustee Riley and seconded by Trustee Bennett to allow Clerk to advertise for vacancies at 121 N Main St at a rate of \$1.50 per sqft this includes utilities, building maintenance and cleaning. Advertise for openings available on grievance committee, water committee and Planning and Zoning alternate positions.

CARRIED

Mayor Javier	
Trustee Riley	Aye
Trustee Bennett	Aye
Trustee Gabalski	Aye

Trustee McMurray	Aye
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DESTROY RECORDS

Moved by Trustee McMurray and seconded by Trustee Gabalski to approve the Clerk to destroy the following documents according to LGS-1 RECORDS RETENTION schedule:

FISCAL RECORDS – after 6 years of last date

- Journal Vouchers: 06/1/2005-5/31/2006
- Journal entries: 06/01/2015-5/31/2016
- Journal entries: 06/01/2014-05/31/2015
- Journal vouchers: 06/1/2003-5/31/2004
- Journal Vouchers: 06/01/2004-5/31/2005

- T&A vouchers: 6/1/2013-5/31/2015
- T&A Vouchers: 06/01/2011-05/31/2013
- T&A Abstracts: 06/1/2011-05/31/2013
- T&A Abstracts: 06/01/2016-05/31/2017
- T&A Abstracts:06/01/2013-05/31/2016

- Cash receipts JE 6/1/2005-05/31/2006
- Cash receipts JE 06/1/2004-05/31/2005
- Cash receipts JE: 06/01/2003-05/31/2004

- Bank reconciliations: 06/2012-5/2013
- Bank reconciliations: 6/1/2013-05/31/2014
- Bank reconciliations: 6/1/2015-05/31/2026
- bank reconciliations: 06/01/2014-05/31/2015
- Bank reconciliations: 06/01/2016-05/31/2017

ELECTION MATERIALS

- 2014
- 2016
- 2018
- 2020
- 2021
- 2022

CARRIED

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

ADOPT BOND RESOLUTION BR 2024-5**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 10th day of April 2024:

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

ABSENT:

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

SUPPLEMENTAL BOND RESOLUTION DATED APRIL 10, 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- Aye
 Trustee Riley- Aye
 Trustee Gabalski-Aye
 Trustee McMurray-Aye
 Trustee Bennett- Aye

ADOPT BOND RESOLUTION BR 2024-6

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 10th day of April 2024:

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

ABSENT:

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

SUPPLEMENTAL BOND RESOLUTION DATED APRIL 10, 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, 2023 (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- Nay
- Trustee Riley- Aye
- Trustee Gabalski-Aye
- Trustee McMurray-Aye
- Trustee Bennett- Aye

CAMERAS

DPW and Bullard Park, tabled until 5/8/2024

PARKS

Moved by Trustee McMurray and seconded by Trustee Gabalski to remove the gates Lafayette and St. Joe’s Park effective immediately

CARRIED

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

EXPENSE LINES

Discussion was had on the separation of the parts and repair lines for DPW, Police and Fire Departments, as DPW line is over on as of right now, Board would like to have Superintendent Jay

Pahura to continue to use each parts & repair line for each Department respectively to better show the use of expenses for each department

INCREASE EXPENSE LINE AND INVOICE

Moved by Trustee McMurray and seconded by Trustee Gabalski to increase expense line H0.8320.0210.014, for the payment to Labella \$4,238.45 for services associated with WTP Fluoridation Building

CARRIED

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

EMPLOYMENT APPLICATIONS

Accept the following applications to be kept on file for one (1) year

Ian Mank Summer Help

ENTER EXECUTIVE

Moved by Trustee McMurray and seconded by Trustee Riley to go into executive session for personnel matters at 8:51PM

CARRIED

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

EXIT EXECUTIVE

Moved by Trustee McMurray and seconded by Trustee Gabalski to exit executive session at 9:17PM

CARRIED

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

MEETING ADJOURNED

Moved by Trustee McMurray and seconded by Trustee Riley that there being no further business, meeting is hereby adjourned at 9:17PM

Respectfully submitted,

Tracy A. VanSkiver
Clerk-Treasurer