

LEGAL NOTICE

PLEASE TAKE NOTICE, the Village of Albion Board of Trustees will hold a Public Hearing to take into consideration of adopting a Local Law authorizing a property tax levy in excess of the limit established in General Municipal Law §3-c, on Wednesday, April 9, 2025, at 6:00PM located at the Village Hall, 35 East Bank St, Albion NY 14411

February 27, 2025
Tracy A VanSkiver
Clerk-Treasurer
Village of Albion

VILLAGE OF Albion
Local Law 2-2025

“Override the Tax Levy Limit Established in General Municipal Law §3-c”, the text of which is as follows:

Section 1. Legislative Intent.

It is the intent of this local law to allow the Village of Albion to adopt a budget for the fiscal year commencing June, 2025, that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

Section 2. Authority.

This local law is adopted pursuant to subdivision 5 of the General Municipal Law §3-c, which expressly authorizes a local government’s governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3. Tax Levy Limit Override.

The Board of Trustees of the Village of Albion, County of Orleans, is hereby authorized to adopt a budget for the fiscal year commencing June, 2025 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Severability.

If a Court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the Court’s Order or Judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such Judgment or Order shall be rendered.

Section 5. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State.

Chapter 66. Procurement Policy

[HISTORY: Adopted by the Board of Trustees of the Village of Albion 8-14-1996 by L.L. No. 5-1996. Amendments noted where applicable.]

GENERAL REFERENCES

Finances and fundraising — See Ch. 29.

§ 66-1. Review of purchase types; competitive bidding; documentation.

- A. Every purchase to be made must be initially reviewed to determine whether it is a purchase contract or a public works contract. Once that determination is made, a good faith effort will be made to determine whether it is known or can reasonably be expected that the aggregate amount to be spent on the item of supply or service is not subject to competitive bidding, taking into account past purchases and the aggregate amount to be spent in a year. The following items are not subject to competitive bidding pursuant to § 103 of the General Municipal Law: purchase contracts under \$20,000 and public works contracts under \$35,000; emergency purchases; certain municipal hospital purchases; goods purchased from agencies for the blind or severely handicapped; goods purchased from correctional institutions; purchases under state and county contracts; and surplus and secondhand purchases from another governmental entity.
[Amended 4-25-2012 by L.L. No. 3-2012]
- B. The decision that a purchase is not subject to competitive bidding will be documented, in writing, by the individual making the purchase. This documentation may include written or verbal quotes from vendors, a memo from the purchaser indicating how the decision was arrived at, a copy of the contract indicating the source which makes the item or service exempt, a memo from the purchaser detailing the circumstances which led to an emergency purchase or any other written documentation that is appropriate.

§ 66-2. Requests for proposals; exceptions.

[Amended 4-14-2010 by L.L. No. 3-2010]

- A. All goods and services will be secured by use of written requests for proposals, written quotations, verbal quotations or any other method that assures that goods will be purchased at the lowest price and that favoritism will be avoided, except in the following circumstances: purchase contracts over \$20,000 and public works contracts over \$35,000; goods purchased from agencies for the blind or severely handicapped pursuant to § 175-b of the State Finance Law; goods purchased from correctional institutions pursuant to § 186 of the Correction Law; purchases under state contracts pursuant to § 104 of the General Municipal Law; purchases under county contracts pursuant to § 103, Subdivision 3, of the General Municipal Law; or purchases pursuant to § 66-6 of this chapter.
[Amended 4-25-2012 by L.L. No. 3-2012]
- B. This procurement policy requires that consideration in the solicitation of bids or quotes for services, supplies or contracts to be given to:

- (1) Small and/or locally owned businesses, with priority to businesses owned by or which employ low- or moderate-income persons as defined by HUD; and
- (2) Qualified minority- and women-owned business enterprises (M/WBE) listed in the directory of certified minority- and women-owned businesses maintained by the Empire State Development Corporation on its website at <http://205.232.252.35> or at www.nyloveswmbes.ny.gov. These provisions shall apply to the procurement of goods and services related to the implementation of the CDBC-funded programs and activities as well as to the procurement of goods and services related to the general conduct of business by the Village of Albion.

§ 66-3. Method of purchase.

A. The following method of purchase will be used when required by this policy in order to achieve the highest savings:

[Amended 4-25-2012 by L.L. No. 3-2012]

(1) Purchase contracts.

Estimated Amount of Purchase Contract	Method
\$250 to \$2,999	Verbal quotations
\$3,000 to \$19,999	Written/fax quotations; written request for proposals

(2) Public works contract.

Estimated Amount of Purchase Contract	Method
\$250 to \$2,999	Verbal quotations
\$3,000 to \$4,999	Written/fax quotations
\$5,000 to \$34,999	Written/fax quotations; written request for proposals

B. A good-faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser will document the attempt made at obtaining the proposals. In no event shall the failure to obtain the proposals be a bar to the procurement.

§ 66-4. Documentation required.

Documentation is required of each action taken in connection with each procurement.

§ 66-5. Awarding of contracts.

Documentation and an explanation is required whenever a contract is awarded to other than the lowest responsible offeror. This documentation will include an explanation of how the award will achieve savings or how the offeror was not responsible. A determination that the offeror is not responsible shall be made by the purchaser and may not be challenged under any circumstances.

§ 66-6. Exemptions from solicitation.

Pursuant to General Municipal Law § 104-b, Subdivision 2f, the procurement policy may contain circumstances when or types of procurements for which, in the sole discretion of the governing body,

the solicitation of alternative proposals or quotations will not be in the best interest of the municipality. In the following circumstances, it may not be in the best interests of the Village of Albion to solicit quotations or document the basis for not accepting the lowest bid:

- A. Professional services or services requiring special or technical skill, training or expertise.
 - (1) The individual or company must be chosen based on accountability, reliability, responsibility, skill, education and training, judgment, integrity and moral worth. These qualifications are not necessarily found in the individual or company that offers the lowest price, and the nature of these services are such that they do not readily lend themselves to competitive procurement procedures.
 - (2) In determining whether a service fits into this category, the Board of Trustees shall take into consideration the following guidelines: whether the services are subject to state licensing or testing requirements; whether substantial formal education or training is a necessary prerequisite to the performances of the services; and whether the services require a personal relationship between the individual and municipal officials. Professional or technical services shall include, but not be limited to, the following: services of an attorney; services of a physician; technical services of an engineer engaged to prepare plans, maps and estimates; securing insurance coverage and/or services of an insurance broker; services of a certified public accountant; investment management services; printing services involving extensive writing, editing or artwork; management of municipally owned property; and computer software or programming services for customized programs or services involved in substantial modification and customizing of prepackaged software.
- B. Emergency purchases pursuant to § 103, Subdivision 4, of the General Municipal Law. Due to the nature of this exception, these goods or services must be purchased immediately, and a delay in order to seek alternate proposals may threaten the life, health, safety or welfare of the residents. This subsection does not preclude alternate proposals if time permits.
- C. Purchases of surplus and secondhand goods from any source. If alternate proposals are required, the Village of Albion is precluded from purchasing surplus and secondhand goods at auctions or through specific advertised sources where the best prices are usually obtained. It is also difficult to try to compare prices of used goods, and a lower price may indicate an older product.
- D. Goods or services under \$250. The time and documentation required to purchase through this policy may be more costly than the item itself and would therefore not be in the best interests of the taxpayer. In addition, it is not likely that such de minimis contracts would be awarded based on favoritism.

§ 66-7. Annual review.

This policy will be reviewed annually by the Village Board of Trustees.

Access Control Policy

I. Purpose of Policy

The purpose of this Policy is to protect, and reduce risk to, business operations by establishing requirements for creating, maintaining, and controlling access to information assets. This Policy ensures that both the information assets and the information in those assets are adequately protected against unauthorized access.

II. Policy Scope

This Policy applies to all of Village of Albion's Information Assets regardless of whether that is stored by Village of Albion on-site or by a Third Party Service Provider in a hosted or cloud environment and to all Village of Albion employees, including third parties, contractors, Third Party Service Providers, and anyone else who has, or may have, access to Village of Albion's data and/or information is of value to the organization, including such information as patient records, nonpublic information, intellectual property, or customer information, (together 'Information Assets').

III. Policy Statement

Access Control Policy

- A. Access to Village of Albion's Information Assets will be limited solely to users whose business needs, job functions, and responsibilities require such access, or to users on a need-to-know basis; such access will follow the Least Privilege Access protocol
- B. The ability to approve additions, changes, and deletions to a user's system access will be limited to specific personnel authorized by Village of Albion and that personnel shall grant such approvals only when necessary for valid business reasons.
- C. The ability to create, delete, and modify user accounts, as well as to grant access to Village of Albion's protected data and resources will be limited to specific personnel authorized by Clerk-Treasurer.
- D. Access reviews for all users and administrative access to Village of Albion's systems will be conducted periodically and, at a minimum, annually.
- E. Reported discrepancies in permitted access will be remediated immediately.

Granting & Removing User Access

- A. A process for establishing, activating, modifying, reviewing, disabling, and removing accounts will be formally documented, implemented, and maintained.
- B. Whenever there is a change in a user's employment status, that user's access will be reviewed and removed or revised to ensure access is limited to only that needed for legitimate business purposes.
- C. User access granted to third parties, including access granted to Third Party Service Providers and maintenance accounts, will be reviewed regularly, and removed or revised to ensure access is limited only to those third-party accounts with legitimate business purposes.
- D. Guest/anonymous, shared/group, emergency, and temporary accounts will be specifically authorized and monitored.
- E. Unnecessary accounts will be promptly be removed, disabled, or otherwise secured.
- F. As a best practice, Village of Albion will require strong passwords for all user accounts.
- G. Inactive accounts will be disabled after 30 days of inactivity.

- H. User access will be enabled only during the time period needed and disabled when an account is not in use.
- I. When an account is in use, access will be monitored.
- J. Users will be locked out after no more than 5 repeated access attempts.
- K. Lockout duration will be for a minimum of 30 minutes or until such personnel as authorized by Village of Albion re-enables the user ID.
- L. A user will be required to re-authenticate and to re-activate the terminal or session if the session has been idle for 10 minutes.
- M. Users will not be permitted to use generic, shared, or service accounts to login.

Privileged Account Management (Administrative Access)

- A. The allocation and use of Privileged Access to Village of Albion's Information Systems and services will be restricted and controlled. *Special attention shall be given to the allocation of Privileged Access rights, which allow users to override system controls.*
- B. Privileged user accounts will be separate from non-privileged user accounts and privileged user accounts will be used only when Privileged Access is required to complete a specific task or function.
- C. All of a user's Privileged Access to Village of Albion's Information Systems will be immediately revoked or revised as soon as that user's change in employment status, job function, or responsibilities dictate that the user no longer requires such access.
- D. No service account will be used by more than one service, application, or system.
- E. Users with Privileged Access will not extend a user group's permissions if such permissions would provide inappropriate access to any user in that group.
- F. When technically feasible, all servers, applications, and network devices will contain a login banner that conveys the following:
 1. This computer and network are provided for use by authorized members of Village of Albion.
 2. The use of this computer and network are subject to all applicable policies of Village of Albion and any applicable laws and regulations.
 3. The use of this computer or network constitutes acknowledgment that the user is subject to all applicable policies of Village of Albion, laws, and regulations. Any
 4. other use is prohibited.

Remote Access

- A. A SSL or IPSec Virtual Private Network (VPN) or Multi-Factor Authentication (MFA) will be required for all individuals using an external network to access Village of Albion's internal network.
- B. Village of Albion's VPN will require the use of a Company-supply application or tunnel connecting back to the Company controlled firewall or VPN appliance.
- C. Village of Albion's MFA will require the use of two authentication methods: first, a username and password or PIN combination, and second, a method not based on user credentials, such as a certificate or token, that Village of Albion shall provision to the user. All remote access communications to internal networks will be authenticated, encrypted and monitored within a log.
- D. All machines used for remote access will have the latest antivirus, security patches, and °

- host-based firewall software installed, running, and enabled.
- E. Third party access to Village of Albion's systems will be limited only to those specifically approved for valid business reasons.
 - F. The copying of data containing Nonpublic Information or other highly sensitive or confidential information to a user's remote machine is prohibited unless such copying is necessary for business purposes, approved by Clerk-Treasurer, and the copied data is encrypted.
 - G. Remote access will be disconnected automatically after 30 minutes of inactivity and will require a user to reauthenticate to regain access.

Review of Access Rights

- A. If a user's status changes as a result of a promotion, transfer, demotion, or termination of employment, that user's access rights will be reviewed and revised as necessary to ensure access remains limited only to those accounts with legitimate business purposes.
- B. System accounts will be reviewed annually, and any account that cannot be associated with a user or business process shall be disabled.
- C. User accounts assigned to third parties that have access to restricted or confidential information will be reviewed at least annually and access rights updated to ensure that those accounts have access only to what is needed for legitimate business purposes.

IV. Authentication

A user's identity at Village of Albion is comprised of many elements including their phone number and/or extension, username, office location, etc. All of these are protected by some form of authentication that proves who you are. To get into the office, you may have to use a badge or key. To use an Information Asset, users will need to log in with a username and password which comport with Village of Albion policies regarding same.

Responsible Parties of Village of Albion must adhere to the Village of Albion means of authentication:

1. Use passwords or PINs on all devices, including your personal phone and tablet.
2. Passwords or PINs must comply with the Village of Albion Password Policy
3. Never share accounts among multiple people.
4. Always enable two-factor authentication when available and offered on any application used on company devices or personal devices used for business. Contact IT if you are unsure whether or not it is supported.
5. Access to our data and systems is limited to the people that need it to do their job.

V. Policy Approval

Village of Albion will review this Policy periodically for accuracy, completeness, and applicability, and revise and approve it annually.

RESOLUTION 2025-04

DESIGNATION DEPOSITORIES

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:

RESOLUTION 2025-05
VILLAGE OF ALBION
INVESTMENT POLICY

§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 depositaries.

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

Depository Name	Maximum Amount	Officer
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.^[1]

[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.