

December 9, 2024  
Town of Albion Regular Meeting

Agenda

1. Call Meeting to Order
2. Pledge of Allegiance
3. Exit Message
4. FYI: Remind residents to sign attendance sheet
5. Roll Call
6. Public Comment
7. Motion to approve agenda
8. Motion to approve minutes of the November 12<sup>th</sup> meeting.
9. Resolution to approve the vouchers
10. Motion to reappoint Russ Olles to the Zoning board 1/1/2025 – 12/31/2029
11. Motion to reappoint Isaac Robinson to the Planning board 1/1/2025 – 12/31/2029
12. Motion to reappoint Chris Kinter as the representative to the Orleans Ctny Planning board  
1/1/2025 – 12/31/2027
13. Motion to reappoint Kevin Parker as the alternate representative to the Orleans Ctny Planning  
board 1/1/2025 – 12/31/2027
14. Motion to accept the retirement of Sarah Basinait, Town Clerk, effective December 31, 2024
15. Resolution appointing Derek Reiner, Town Clerk, effective January 1, 2025.
16. Resolution calling for public hearing on December 23, 2024 on Local Law #4, Deputy Hwy  
Superintendent
17. Resolution to approve contract with Municipal Solutions for EMMA filings
18. Executive Session



9-Dec-24

Albion Town Board Regular Meeting

Please sign in:

1. Tim McMurray

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Account#	Account Description	Fee Description	Qty	Local Share	
A1255	Conservation	Conservation	5	22.30	
	Marr. Lic.	Marriage Licensing Fee	3	52.50	
	Misc. Fees	Cert. Copies - Death	1	10.00	
		Cert. Copies - Marriage	9	90.00	
		Sub-Total:		\$174.80	
A2544	Dog Licensing	Female, Spayed	10	90.00	
		Female, Unspayed	1	17.00	
		Male, Neutered	11	99.00	
		Male, Unneutered	2	34.00	
		Sub-Total:		\$240.00	
Total Local Shares Remitted:				\$414.80	
Amount paid to:	NYS Ag. & Markets for spay/neuter program			30.00	
Amount paid to:	NYS Environmental Conservation			382.70	
Amount paid to:	State Health Dept. For Marriage Licenses			67.50	
Total State, County & Local Revenues:		\$895.00	Total Non-Local Revenues:		\$480.20

To the Supervisor:

Pursuant to Section 27, Sub 1, of the Town Law, I hereby certify that the foregoing is a full and true statement of all fees and monies received by me, Sarah M. Basinait, Town Clerk, Town of Albion during the period stated above, in connection with my office, excepting only such fees and monies, the application of which are otherwise provided for by law.

Supervisor

Date

Town Clerk

Date



November 12, 2024

Albion Town Board public hearing and regular meeting held in the Town hall, 3665 Clarendon Rd.

Meeting called to order at 5:00 pm.

Pledge of Allegiance was said and the exit message was given.

Present were Councilperson Darlene Benton, Councilperson Sandra Bensley, Supervisor Richard Remley, Councilperson Terry Wilbert and Councilperson Arnold Allen.

Supervisor Richard Remley: I need a motion to approve the agenda.

**Motion was made by Councilperson Darlene Benton and was seconded by Councilperson Sandra Bensley approving the agenda with the addition of surplus equipment sale and executive session will be on a contract and personnel issues. Motion carried by the following vote:**

**Councilperson Darlene Benton, aye  
Supervisor Richard Remley, aye  
Councilperson Arnold Allen, aye**

**Councilperson Sandra Bensley, aye  
Councilperson Terry Wilbert, aye**

Supervisor Richard Remley: I need a motion to open the public hearing on Local Law #3.

**Motion was made by Councilperson Sandra Bensley and was seconded by Councilperson Terry Wilbert authorizing the opening of the public hearing on Local Law #3, tax cap override at 5:03 pm. Motion carried by the following vote:**

**Councilperson Darlene Benton, aye  
Supervisor Richard Remley, aye  
Councilperson Arnold Allen, aye**

**Councilperson Sandra Bensley, aye  
Councilperson Terry Wilbert, aye**

Supervisor Richard Remley: I need a motion to close the public hearing on Local Law #3.

**Motion was made by Councilperson Terry Wilbert and was seconded by Councilperson Sandra Bensley authorizing the closing of the public hearing on Local Law #3, tax cap override at 5:05 pm. Motion carried by the following vote:**

**Councilperson Darlene Benton, aye  
Supervisor Richard Remley, aye  
Councilperson Arnold Allen, aye**

**Councilperson Sandra Bensley, aye  
Councilperson Terry Wilbert, aye**

Supervisor Richard Remley: I need a motion to adopt a resolution on Local Law #3.

**RESOLUTION #95      ADOPTING LOCAL LAW #3 OF 2024 AUTHORIZING A PROPERTY TAX LEVY IN EXCESS OF THE LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-c**

**WHEREAS      General Municipal Law §3-c sets forth a limit on the amount of real property taxes a local government can increase over and above the levy of the previous year, and**

**WHEREAS      the limit on increases can be overridden by a 60% vote of a Town Board, and**

**WHEREAS      the Town of Albion's 2024 Budget exceeds the limit levy as defined in General Municipal Law §3-c, and**

**WHEREAS      a Public Hearing was held on November 12, 2024 at 5:00 p.m. regarding a Local Law to override the tax levy cap and all persons desiring to be heard were heard at that time.**

**NOW THEREFORE BE IT RESOLVED:**

**Section 1.      The Albion Town Board does hereby adopt Local Law #3 of 2024 authorizing a property tax levy in excess of the limit established in General Municipal Law §3-c.**

**Section 2.** The Town Clerk is authorized and directed to file a complete copy of said Local Law #3 of 2024 with the Secretary of State as required by law.

**Section 3.** This Resolution shall take effect immediately.

Motion was made by Councilperson Terry Wilbert and was seconded by Councilperson Sandra Bensley authorizing the adoption of Local Law #3, tax cap override. Motion carried by the following vote:

Councilperson Darlene Benton, aye

Councilperson Sandra Bensley, aye

Supervisor Richard Remley, aye

Councilperson Terry Wilbert, aye

Councilperson Arnold Allen, aye

Supervisor Richard Remley: I need a motion to approve the minutes.

Motion was made by Councilperson Sandra Bensley and was seconded by Councilperson Terry Wilbert approving the minutes of the October 1, 10<sup>th</sup> and 21<sup>st</sup> meetings as published and submitted. Motion carried by the following vote:

Councilperson Darlene Benton, aye

Councilperson Sandra Bensley, aye

Supervisor Richard Remley, aye

Councilperson Terry Wilbert, aye

Councilperson Arnold Allen, aye

Supervisor Richard Remley: I need a resolution for the vouchers.

**Resolution #96**

**Payment of Claims**

Whereas, the following are against the Town:

General, Highway, Water & Sewer 425 – 467 \$85,708.16

Motion was made by Councilperson Darlene Benton and was seconded by Councilperson Arnold Allen authorizing the payment of the above listed claims. Resolution duly adopted by the following vote:

Councilperson Darlene Benton, aye

Councilperson Sandra Bensley, aye

Supervisor Richard Remley, aye

Councilperson Terry Wilbert, aye

Councilperson Arnold Allen, aye

Supervisor Richard Remley: I need a motion for the audit.

Motion was made by Councilperson Darlene Benton and was seconded by Councilperson Sandra Bensley approving the full audit of the Town Clerk/Tax Collector and the comptroller checklist of the court for the 2024 year by the Bonadio Group. Motion carried by the following vote:

Councilperson Darlene Benton, aye

Councilperson Sandra Bensley, aye

Supervisor Richard Remley, aye

Councilperson Terry Wilbert, aye

Councilperson Arnold Allen, aye

Supervisor Richard Remley: I need a resolution to approve the Mercy ambulance contract.

**RESOLUTION #97**

**CONDITIONAL APPROVAL OF CONTRACT FOR AMBULANCE SERVICES**

**WHEREAS** the municipalities of Albion, Barre, Gaines, Carlton, Murray, Clarendon and Kendall are all in need of ambulance services, and

**WHEREAS** the aforesaid municipalities have engaged in negotiations and dialogue with Mercy Flight Inc. d/b/a Mercy Flight EMS (hereinafter referred to as Mercy) resulting in a proposed written contract/agreement, and

**WHEREAS** the Town of Albion believes that the best interests of the health, safety and welfare of Albion Town residents would be best served by entering into the proposed contract/agreement, and

**WHEREAS** the proposed contract/agreement is a Type II action not subject to review under the state Environmental Quality Review Act, 6 NYCRR §617.5(c)(42).

**NOW THEREFORE BE IT RESOLVED:**

**Section 1.** The Albion Town Board does hereby approve the contract/ agreement with Mercy, the term of which commences January 1, 2025 and ends December 31, 2027.



**Section 2.** The Albion Town Board does authorize Albion Town Supervisor F. Richard Remley to execute the proposed contract/agreement.

**Section 3.** The above-described authorization and approval is conditioned upon similar authorization and approval by all municipalities listed hereinabove as well as Mercy.

**Section 4.** This Resolution shall take effect immediately.

Motion was made by Councilperson Darlene Benton and was seconded by Councilperson Sandra Bensley authorizing the adoption of the above forementioned resolution. Resolution duly adopted by the following vote:

Councilperson Darlene Benton, aye

Councilperson Sandra Bensley, aye

Supervisor Richard Remley, aye

Councilperson Terry Wilbert, aye

Councilperson Allen, aye

Supervisor Richard Remley: I need a motion to adopt a resolution to cancel the fire contract.

**Resolution #98 CONDITIONAL CANCELLING 2022-2026 FIRE CONTRACT**

**WHEREAS** the Town of Albion and the Village of Albion had previously entered into a 2022-2026 Fire Contract (hereinafter referred to as the Contract) for the Town of Albion engaged the Village of Albion to furnish firefighting and other emergency services conducted by the Fire Department of the Village of Albion and the Village agreed to furnish said services, and

**WHEREAS** in 2024 the Albion Joint Fire District was formed to take effect January 1, 2025 thus alleviating the necessity for the Contract between the Town of Albion and the Village of Albion, and

**WHEREAS** the Town of Albion is now desirous of terminating the aforesaid Contract.

**NOW THEREFORE BE IT RESOLVED:**

**Section 1.** The 2022-2026 Fire Contract between the Town of Albion and the Village of Albion is hereby terminated effective December 31, 2024.

**Section 2.** The Albion Town Board does hereby authorize Albion Town Supervisor F. Richard Remley to sign the proposed Termination Agreement attached hereto.

**Section 3.** This Conditional Resolution is conditioned upon a similar action and/or Resolution from the Village of Albion.

**Section 4.** This Conditional Resolution shall take effect immediately.

Motion was made by Councilperson Sandra Bensley and was seconded by Councilperson Darlene Benton authorizing the adoption of the above forementioned resolution. Resolution duly adopted by the following vote:

Councilperson Darlene Benton, aye

Councilperson Sandra Bensley, aye

Supervisor Richard Remley, aye

Councilperson Terry Wilbert, aye

Councilperson Allen, aye

Supervisor Richard Remley: I need a motion to approving the sale of surplus items.

Motion was made by Councilperson Darlene Benton and was seconded by Councilperson Sandra Bensley authorizing Highway Superintendent Neidert to sell a 2012 Chevy 3500 w/plow, 2010 gator trailer and a 2021 super line trailer. Motion carried by the following vote:

Councilperson Darlene Benton, aye

Councilperson Sandra Bensley, aye

Supervisor Richard Remley, aye

Councilperson Terry Wilbert, aye

Councilperson Arnold Allen, aye

Supervisor Richard Remley: I need a motion to enter executive session.

Motion was made by Councilperson Darlene Benton and was seconded by Councilperson Arnold Allen authorizing the close of the regular meeting and enter executive session at 5:47 pm. Motion carried by the following vote:

Councilperson Darlene Benton, aye

Councilperson Sandra Bensley, aye

Supervisor Richard Remley, aye

Councilperson Terry Wilbert, aye

Councilperson Arnold Allen, aye



TOWN OF ALBION  
OFFICE OF THE TOWN CLERK

Sarah M Basinait, Town Clerk

December 2, 2024

Town of Albion  
3665 Clarendon Rd  
Albion, NY 14411  
Attn: F Richard Remley

RE: Retirement

Dear Dick:

This shall serve as my official notification of my retirement effective December 31, 2024.  
Thank you for your attention in this matter.

Sincerely,  
Sarah Basinait  
Town Clerk

3665 Clarendon Rd  
Albion, NY 14411  
[www.townofalbion.com](http://www.townofalbion.com)

585-589-7048 Ext 2  
585-589-0669 Fax  
[townclerk@townofalbion.com](mailto:townclerk@townofalbion.com)



## Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

☐ County ☐ City ☒ Town ☐ Village  
(Select one.)

of Albion, Orleans County, New York

Local Law No. 4 of the year 2024

A local law Chapter 25, Deputy Highway Superintendent  
(Insert Title)

Be it enacted by the Albion Town Board of the  
(Name of Legislative Body)

☐ County ☐ City ☒ Town ☐ Village  
(Select one.)

of Albion as follows:

See attached Local Law #4 of 2024, Chapter 25, Deputy Highway Superintendent

(If additional space is needed, attach pages the same size as this sheet, and number each.)

**(Complete the certification in the paragraph that applies to the filing of this local law and  
strike out that which is not applicable.)**

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. 4 of 2024 of  
the ~~(County)(City)(Town)(Village)~~ of Albion, Orleans County, New York was duly passed by the  
Albion Town Board on December 23 2024, in accordance with the applicable  
(Name of Legislative Body)  
provisions of law.

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective  
Chief Executive Officer\*.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of  
the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the  
\_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)  
(Name of Legislative Body)  
(repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted  
(Elective Chief Executive Officer\*)  
on \_\_\_\_\_ 2024, in accordance with the applicable provisions of law.

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of  
the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the  
\_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)  
(Name of Legislative Body)  
(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_.  
(Elective Chief Executive Officer\*)

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative  
vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_  
20\_\_\_\_, in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of  
the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the  
\_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)  
(Name of Legislative Body)  
(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local  
(Elective Chief Executive Officer\*)  
law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_  
20\_\_\_\_, in accordance with the applicable provisions of law.

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there  
be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is  
vested with the power to approve or veto local laws or ordinances.

**5. (City local law concerning Charter revision proposed by petition.)**

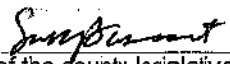
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

**6. (County local law concerning adoption of Charter.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.

  
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 12/24/2024

(Seal)

1. The first part of the paper discusses the importance of the study and the objectives of the research.

2. The second part of the paper describes the methodology used in the study and the data collection process.

3. The third part of the paper presents the results of the study and discusses the findings.

4. The fourth part of the paper concludes the study and provides recommendations for future research.



ALBION TOWN BOARD LOCAL LAW # 4 OF 2024  
AMENDING CHAPTER 25 OF THE ALBION TOWN CODE

Be it enacted by the Albion Town Board, County of Orleans, State of New York  
(hereinafter referred to as the Board), as follows:

SECTION 1. TITLE

This Local Law shall be referred to as "Local Law # 4 of 2024 amending Chapter 25 of the Albion Town Code."

SECTION 2. AUTHORIZATION

This Local Law is adopted pursuant to the legislative authority in the Municipal Home Rule Law, Town Law §261-264 and Town Law §32.

SECTION 3. PURPOSE AND INTENT

The Board desires of establishing the office Deputy Highway Superintendent in order to better serve the duties and functions of the Highway Superintendent and the best interests of the Town of Albion.

SECTION 4. AMENDMENT TO SECTION 25



Albion Town Code §25 is hereby amended to add §25-3 worded as follows:

“The office of Deputy Highway Superintendent is established and set appointment is to be on an annual basis. The Deputy Highway Superintendent is not required to be a resident of the Town of Albion and can be a resident from another municipality or location. The salary of the Deputy Highway Superintendent shall be set by the Albion Town Board annually. The establishment of the office of Deputy Highway Superintendent is pursuant to Town Law §32.”

#### SECTION 5. SEVERABILITY AND VALIDITY

If any clause, sentence, paragraph, subdivision, Section or part of this Local Law, or the application thereof to any person, individual, firm or corporation, or circumstance, shall be adjudged by a Court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section 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 said order or judgment shall be rendered.

#### SECTION 6. EFFECTIVE DATE

This Local Law shall take effect upon the date it is filed in the Office of the New York State Secretary of State in accordance with Municipal Home Rule Law §27.

Dated: Albion, New York  
12 - 23 , 2024



Supervisor Remley and Town of Albion Counsel,

As of December 31, 2024 please accept my resignation of the Town of Albion Planning Board.

It has been a pleasure being on the board, but my early retirement does not make it possible for me to be on the board.

Thank you,

Kevin P. Sheehan

A handwritten signature in black ink, appearing to read 'K. Sheehan', with a long horizontal flourish extending to the right.

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