

June 10, 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 open public hearing on WD#10
9. Motion to close the public hearing on WD#10
10. Resolutions creating WD#10, SEQR & Creation
11. Motion to approve the minutes of May 13, 2024 meeting
12. Resolution to approve the vouchers
13. Motion to appoint Miranda Allen, Deputy Town Clerk, at \$25.00 per hour.
14. Motion calling public hearing on Local Law #1 of 2024, Water rate increase, July 8, 2024 at 5.
15. Motion calling public hearing on Local Law #2 of 2024, Sewer rate increase, July 8, 2024 at 5.
16. Resolution for the easement at 14049 Allen Rd
17. Intermunicipal agreement with Village – Code Enforcement
18. Motion to accept Denise Cornick's retirement effective April 30, 2024.
19. Resolution opposing Orleans County district court
20. Resolution – Joint Fire District Special Election
21. Discussion of Local Laws to update Town of Albion Code
22. Executive Session

10-Jun-24

Albion Town Board Public hearing and regular meeting

Please sign in:

1. David Grandy

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June 10, 2024

Albion Town Board 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 Terry Wilbert approving the agenda with the deletion of item 16 and the addition of a NYSERDA report. 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 water district 10.

Motion was made by Councilperson Terry Wilbert and was seconded by Councilperson Arnold Allen authorizing the opening of the public hearing on water district #10 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 water district 10.

Motion was made by Councilperson Arnold Allen and was seconded by Councilperson Terry Wilbert authorizing the closing of the public hearing on water district #10 at 5:05pm. 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 resolution of SEQR.

Resolution #72 DECLARATION OF LEAD AGENCY STATUS AND ADOPTION OF A NEGATIVE DECLARATION OF ENVIRONMENTAL SIGNIFICANCE FOR THE CREATION OF WATER DISTRICT NO. 10

WHEREAS, on November 13, 2023, the Town Board of the Town of Albion adopted a resolution proposing to use ARPA Funds for the creation and construction of a water district within the Town of Albion covering portions of Moore Street and Butts Road; and

WHEREAS, the New York State licensed engineering firm of MRB Group Engineering, Architecture & Surveying, D.P.C. of 145 Culver Road, Rochester, New York 14620 has prepared a map and plans of said proposed water district in such manner and detail as is satisfactory to the Albion Town Board; and

WHEREAS, a petition for formation of the Town of Albion Water District No. 10 was filed with the Town of Albion Town Clerk, which petition was signed by real property owners situate within the proposed district owning at least 50% in the aggregate of the assessed valuation of all the taxable real property of the proposed district, and signed by the resident owners owning taxable real property aggregating at least 50% of the assessed valuation of all

the taxable real property of the property district owned by resident owners, shown on the latest, completed assessment-roll of the Town; and

WHEREAS, the petition was otherwise in compliance with New York State Town Law §191; and

WHEREAS, on May 13, 2024, said Town Board duly adopted an Order reciting in general terms the filing of said petition, the boundaries of the proposed district, the improvements proposed, the maximum amount proposed to be expended for the improvements, and specifying that said Town Board shall meet at the Albion Town Hall, 3665 Clarendon Road, Albion, New York, on June 10, 2024 at 5:00 PM, to consider said petition and hear all persons interested in the subject thereof, concerning the same; and

WHEREAS, creation of a water district is considered an Action for the purposes of the State Environmental Quality Review Act; and

WHEREAS, on May 13, 2024, the Town Board of the Town of Albion hereby declared its intent to become itself lead agency for purposes of SEQRA review and has not received any objection from interested agencies; and

WHEREAS, on May 13, 2024, the Town Board of the Town of Albion classified the action as an Unlisted Action; and

WHEREAS, on May 14, 2024, a referral was made to the Orleans County Planning Board pursuant to GML §239-m; and

WHEREAS, on May 15, 2024, Orleans County Planning Board responded via letter that this project is of local concern and offered no comment;

WHEREAS, the Lead Agency held a public hearing on the proposed action at the Albion Town Hall on June 10, 2024 at 5:00 PM; and

WHEREAS, the Town Board has taken a hard look at any potentially significant environmental impacts resulting from this Action, and considered relevant input from the public and interested agencies

WHEREAS, the Town Board has thoroughly analyzed the relevant concerns discussed in the attached negative declaration of environmental significance, and has determined that no significant adverse environmental impacts will result from the creation and construction of Water District No. 10; and

NOW THEREFORE, the Town Board hereby finds that the action will not have any significant adverse impacts on the environment.

AND THEREFORE, the Town Board further resolves to adopt a negative declaration of environmental significance with respect to the action and incorporates it herein.

AND THEREFORE, the Town Clerk is hereby directed to enter this resolution and the attached negative declaration of environmental significance into the minutes of this meeting.

Motion was made by Councilperson Terry Wilbert and was seconded by Councilperson Darlene Benton approving the aforementioned 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 Arnold Allen, aye

Supervisor Richard Remley: I need a resolution to create water district #10.

Resolution #73 HEARING

ORDER ESTABLISHING TOWN OF ALBION WATER DISTRICT NO. 10 AFTER PUBLIC

WHEREAS, on November 13, 2023, the Town Board of the Town of Albion adopted a resolution proposing to use ARPA Funds for the creation and construction of a water district within the Town of Albion covering portions of Moore Street and Butts Road; and

WHEREAS, the New York State licensed engineering firm of MRB Group Engineering, Architecture & Surveying, D.P.C. of 145 Culver Road, Rochester, New York 14620 has prepared a map and plans of said proposed water district in such manner and detail as is satisfactory to the Albion Town Board; and

WHEREAS, a petition for formation of the Town of Albion Water District No. 10 was filed with the Town of Albion Town Clerk, which petition was signed by real property owners situate within the proposed district owning at least 50% in the aggregate of the assessed valuation of all the taxable real property of the proposed district, and

signed by the resident owners owning taxable real property aggregating at least 50% of the assessed valuation of all the taxable real property of the property district owned by resident owners, shown on the latest, completed assessment-roll of the Town; and

WHEREAS, the petition was otherwise in compliance with New York State Town Law §191; and

WHEREAS, on May 13, 2024, said Town Board duly adopted an Order reciting in general terms the filing of said petition, the boundaries of the proposed district, the improvements proposed, the maximum amount proposed to be expended for the improvements, and specifying that said Town Board shall meet at the Albion Town Hall, 3665 Clarendon Road, Albion, New York, on June 10, 2024 at 5:00 PM, to consider said petition and hear all persons interested in the subject thereof, concerning the same; and

WHEREAS, certified copies of said Order were duly published and posted according to law, and said Town Board, did at the time and place specified in said Order, duly meet and consider the matter of the establishment of Water District 10, and heard all persons interested in the subject thereof who appeared at such meeting concerning the same; and

WHEREAS, the evidence offered at such meeting requires that the Town Board make the determination hereinafter made;

NOW THEREFORE, it is FOUND, RESOLVED AND DETERMINED as follows:

1. The aforesaid petition was signed and acknowledged as provided by law and are otherwise sufficient.
2. That all the property and property owners within the proposed Water District Number 10 are benefitted thereby.
3. That all the property and property owners benefitted are included within the proposed Water District Number 10.
4. That it is in the public interest to establish the proposed Water District Number 10 hereinafter described ; and be it

FURTHER RESOLVED, that the Town Board does hereby approve the establishment of a water district hereinafter described to be known as Town of Albion Water District No. 10, and that the boundaries of Town of Albion Water District No. 10 are as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Albion, County of Orleans and State of New York, designated as Albion Water District No. 10 and as delineated on a map prepared by MRB Group Engineering, Architecture & Surveying, D.P.C. dated April 2024, entitled "District Map and Plan" (Project No. 0103.23001) and being more particularly bounded and described as follows:

BEGINNING at a point on the westerly right-of-way of Butts Road, said point being located at coordinates North 1,185,001'± and East 1,259,468'± at the northeast corner of Tax Map Parcel (TMP) 73.-1-2.2, said point being the Point of Beginning (POB) of Albion Water District No. 10; thence

1. Westerly 733'±, along the northern boundary of said TMP 73.-1-2.2 to the northwestern corner of said TMP; thence
2. Southerly 516'±, along the western boundary of TMP 73.-1-2.2 and continuing across the Moore Street right of way to a point on the northwest corner of TMP 73.-1-2.112; thence
3. Southerly 390'±, along the western boundary of TPM 73.-1-2.112 to the southwest corner of said TMP; thence
4. Easterly 810'± along the southern boundaries of TMP 73.-1-2.112, TMP 73.-1-2.11 and TMP 73.-1-2.12, to the southeast corner of said TMP 73.-1-2.12; thence
5. Southerly 152'± along the western boundary of the Butts Road right of way; thence
6. Southeasterly 74'±, across the Butts Road right of way to a point on the southwest corner of TMP 74.-1-1.1; thence
7. Easterly 4,425' along the southern boundary of TMP 74.-1-1.1 and TMP 74.-1-1.2 to a point on the southeast corner of said TMP 74.-1-1.2; thence
8. Continuing easterly 25'± to a point on the centerline of Keitel Road; thence
9. Northerly 1,236'± along the centerline of Keitel Road; thence
10. Westerly 32'± to the northeast corner of TMP 74.-1-1.2; thence

11. Westerly 4,325'± along the northern boundary of TMP 74.-1-1.2 to the northwest corner of TMP 74.-1-1.2; thence
12. Continuing westerly 32'± to a point on the centerline of Butts Road; thence
13. Southerly 345'± along the centerline of Butts Road; thence
14. Westerly 32'±, to the northeast corner of TMP 73.-1-2.2, said location being the point and place of beginning of Albion Water District No. 10.

AND IT IS FURTHER RESOLVED, that the improvements proposed consist of the installation of approximately 1,000 linear feet of 6" water main, 3x6" valves, hydrants, 6x1" water service taps, and appurtenances along the various roads set forth above. The proposed Water District will connect to the Village's 6" main on Riley Place 20' south of the Moore Street intersection. The Town of Albion receives its water from the Town of Barre. The Town of Barre receives its water from the Village of Albion. The source of the water for the Village of Albion is Lake Ontario. The cost of water charged to the Town of Albion by the Town of Barre is currently \$3.34 per 1,000 gallons. In addition, the Town of Albion pays to the Town of Barre \$0.18 per 1,000 gallons to cover the Town of Albion's portion of the cost of construction, maintenance and/or replacement of items of joint responsibility between the Towns. It is anticipated that the Town of Albion will charge property owners and residents of proposed Water District No. 10 the amount of \$4.88 per 1,000 gallons to cover the cost of purchasing water and associated operation and maintenance of the system;

AND IT IS FURTHER RESOLVED, that the method of proposed assessment within Water District No.10 shall be on a benefit basis, except for those parcels, if any, that are exempt from assessment under the Agricultural and Markets Laws of the State of New York;

AND IT IS FURTHER RESOLVED, that the total (maximum) estimated cost of constructing the proposed water district is \$ 70,000.00 which shall be paid entirely from ARPA funds, and none of which shall be financed or assessed against the properties in Water District No. 10;

AND IT IS FURTHER RESOLVED, that the estimated cost to the typical property (including a typical one family home, there being no known two-family homes) within the proposed district is as follows:

- a. Estimated Debt Service per parcel of typical property per year per parcel \$ 0.00;
- b. It is estimated that water usage would average 822 gallons per day for the district, and that the estimated number of non-exempt parcels within the district is 38 (EDU's). Non-exempt vacant land and land without a residence will be counted as one-half of a parcel. The average water usage per household is projected to be 26,250 gallons per year computes to approximately 72 gallons per day per household at a cost to the typical family unit of \$0.43 per day at the current estimated usage charge of \$6.00 per 1000 gallons of water, for a total annual cost of \$ 157.50 per typical residential property which includes one-family households. Usage will naturally vary depending upon household size and other utilization factors. Vacant parcels will not incur a charge. The current estimated existing population in the proposed district is 11 persons, and estimated future population (assuming a 10% growth over 20 years), would be 12 persons. In addition, each benefitted parcel will be charged \$15.00 per quarter as a maintenance fee and a \$5.00 monthly rental fee for meters up to 1 inch.

Total Cost to Average Residential User per year after first year: \$277.50;

- c. In addition, hookup fees for a water meter would cost \$ 478.55; and

AND IT IS FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to file a certified copy of the resolution, in duplicate, in the office of the State Department of Audit and Control in Albany, together with an application, if required, in duplicate for permission to so create said Water District in the manner and form prescribed in Town Law §194, within ten days after the adoption of this resolution;

AND IT IS FURTHER RESOLVED, that the Town Supervisor is hereby authorized and directed to execute said application on behalf of the Town, if required;

AND IT IS FURTHER RESOLVED, that Town of Albion Water District No. 10 is hereby established as described herein.

Motion was made by Councilperson Sandra Bensley and was seconded by Councilperson Arnold Allen approving the aforementioned resolution. Resolution duly adopted by the following vote:

Councilperson Darlene Benton, aye
Supervisor Richard Remley, aye

Councilperson Sandra Bensley, 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 Arnold Allen approving the minutes of the May 13, 2024 meeting as published and submitted. 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 resolution for the vouchers.

Resolution #74 Payment of Claims

Whereas, the following are against the Town:

General, Highway, Water & Sewer 209-254 \$158,102.81

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

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

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

****Councilperson Terry Wilbert abstained from Voucher #231 – Village Summer Parks Donation****

Supervisor Richard Remley: I need a resolution calling a public hearing on Chapter 99.

**RESOLUTION #75 AUTHORIZING A PUBLIC HEARING CONCERNING AMENDMENTS TO CHAPTER 99
OF THE ALBION TOWN CODE**

WHEREAS, the Albion Town Board is desirous of amending Chapter 99 of the Albion Town Code relating to water, and

WHEREAS, proposed amendments have been drafted in a Local Law, and

WHEREAS, the Albion Town Board is required to hold a Public Hearing on the matter before passage of these amendments.

NOW THEREFORE BE IT RESOLVED:

Section 1 The Albion Town Board shall call a Public Hearing to hear all persons for the amending of Chapter 99 of the Albion Town Code on July 8, 2024 at 5:00 p.m. at the Albion Town Hall, 36654 Clarendon Road, Albion, New York, 14411.

Section 2 The Albion Town Clerk is authorized and direct to cause an appropriate notice of this Hearing to be published in the official newspaper of the Town in accordance with Town Law §265.

Section 3 This Resolution shall take effect immediately.

Motion was made by Councilperson Terry Wilbert and was seconded by Councilperson Darlene Benton approving the aforementioned resolution. Resolution duly adopted 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 resolution calling a public hearing on Chapter 100.

RESOLUTION #76 CALLING A PUBLIC HEARING AMENDING ALBION TOWN CODE CHAPTER 100

WHEREAS, the Town Board of the Town of Albion is interested in updating and amending the provisions currently contained in Albion Town Code Chapter 100 concerning sewer service charges, and

WHEREAS, a proposed Local Law relating to same has been prepared, and

WHEREAS, the Town Board of the Town of Albion is required to hold a Public Hearing on the matter before enacting same.

NOW THEREFORE BE IT RESOLVED:

Section 1. The Albion Town Board hereby calls a Public Hearing to hear all persons for or against the adoption of the aforesaid Local Law on July 8, 2024, 5:00 p.m. at the Albion Town Hall, 3665 Clarendon Road, Albion, New York.

Section 2. The Albion Town Clerk is authorized and directed to cause an appropriate notice of this Hearing to be published in the official newspaper of the Town, in accordance with Town Law §265.

Section 3. This Resolution shall take effect immediately.

Motion was made by Councilperson Darlene Benton and was seconded by Councilperson Terry Wilbert approving the aforementioned resolution. Resolution duly adopted 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 resolution for the intermunicipal agreement.

RESOLUTION #77 APPROVING INTER-MUNICIPAL AGREEMENT FOR ZONING AND CODE ENFORCEMENT SERVICES

WHEREAS, the Town of Albion (hereinafter referred to as the Town) is desirous of entering into an Inter-Municipal Agreement for Zoning and Code Enforcement Services with the Village of Albion (hereinafter referred to as the Village), and

WHEREAS, a draft of said Agreement has been prepared, a copy of which is attached hereto.

NOW THEREFORE BE IT RESOLVED:

Section 1. The Albion Town Board does approve the attached Inter-Municipal Agreement for Zoning and Code Enforcement Services and authorizes Albion Town Supervisor F. Richard Remley to execute same.

Section 2. The aforesaid approval is conditioned upon the approval of said Inter-Municipal Agreement for Zoning and Code Enforcement Services by the Village of Albion and signature by Albion Village Mayor Angel Javier, Jr.

Section 3. Upon approval and signature by the Village as set forth in the previous Section, the Town shall forward to the Village a total of \$22,324.86 same representing the Town's share of salary and expenses for 2024.

Section 4. This Resolution shall take effect immediately.

Motion was made by Councilperson Terry Wilbert and was seconded by Councilperson Arnold Allen approving the aforementioned resolution. Resolution duly adopted 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 accept Denise's retirement.

Motion was made by Councilperson Darlene Benton and was seconded by Councilperson Arnold Allen accepting the retirement of Denise Cornick, Court Clerk, effective April 30, 2024. 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 resolution opposing the County district court.

RESOLUTION#78 OPPOSING THE ESTABLISHMENT OF AN ORLEANS COUNTY DISTRICT COURT

WHEREAS, there is currently 10 town justice courts in Orleans County that ensure the public's access to local judges who know their towns and provide the most direct, informed and timely support to those in need of court services, and

WHEREAS, Orleans County Legislature created a committee which has over the last few years, put forward the concept of a county-wide district court that leave the town residents convinced that such a court system would result in increased costs to the taxpayers, increased burdens of travel and time commitments for the public to access a county court, and decreased access to local judges and court clerks who understand the values, character and challenges of each community, be it

RESOLVED, that the Town of Albion is opposed to the creation of a county-wide district court system for Orleans County, and be it further

RESOLVED, that the Town of Albion is opposed to any efforts to eliminate the local and convenient access to justice by our citizens and find that the local presence of the Town Courts of Orleans County provide a meaningful and necessary presence within our community for judicial resolution of conflicts, continued public safety of our citizens and the protection of constitutional guarantees for all of our citizens;

RESOLVED, that copies of this resolution be sent to all Orleans County legislators, Orleans County District Attorney, the Orleans County Clerk, the Town of Albion Judge and Court Clerk.

Motion was made by Supervisor Richard Remley and was seconded by Councilperson Arnold Allen approving the aforementioned resolution. Resolution duly adopted by the following vote:

Councilperson Darlene Benton, abstain

Councilperson Sandra Bensley, nay

Supervisor Richard Remley, aye

Councilperson Terry Wilbert, aye

Councilperson Arnold Allen, aye

Supervisor Richard Remley: I need a resolution for the joint fire district election.

Resolution #79 TOWN OF ALBION RESOLUTION TO HOLD SPECIAL ELECTION TO VOTE ON PROPOSITION

The TOWN BOARD OF THE TOWN OF ALBION, (Board) in the County of Orleans, State of New York, met in regular session at the Town Offices in the Town of Albion, located at 3665 Clarendon Rd. Albion, New York, Orleans County, State of New York, on June 10, 2024, 5:00 p.m. The meeting was called to order by F, Richard Remley, Supervisor, and the following were present, namely: Supervisor F. Richard Remley, Arnold R. Allen, Jr. Councilperson, Darlene Benton, Councilperson, Terry B. Wilbert, Councilperson, and Sandra Bensley, Councilperson.

WHEREAS, on May 30, 2024, a petition (the "Petition") was filed with Town Clerk of the Town of Albion (the "Town Clerk") in response to a resolution subject to a permissive referendum dated April 30th, 2024 made by this board to establish a joint fire district encompassing the Towns of Albion and Gaines, including the incorporated Village of Albion. The Town Clerk of Albion has no objection to the petition submitted to the Town of Albion, requiring the Town Board to hold a special election to vote on the proposition.

WHEREAS the Town Board wishes to establish the date, time, and location for a special election to consider the question of establishing a joint fire district in the Town of Albion and Gaines on August 6th, 2024, (the "Special Election"), and, to set forth the parameters of the Special Election.

NOW, THEREFORE BE IT RESOLVED, that:

- 1. The Special Election shall be held on August 6th, 2024.**
- 2. The Proposition before the voters, as set forth on the Petition, shall be:**

" SHALL THE RESOLUTION AUTHORIZING THE BOARD OF TRUSTEES OF THE VILLAGE OF ALBION, THE TOWN BOARD OF THE TOWN OF ALBION AND THE TOWN BOARD OF THE TOWN OF GAINES, ORLEANS COUNTY, NEW YORK, DATED APRIL 30, 2024, TO ESTABLISH A JOINT FIRE DISTRICT TO BE KNOWN AS THE ALBION JOINT FIRE DISTRICT, WHICH FIRE DISTRICT WILL ENCOMPASS THE VILLAGE OF ALBION, THE TOWN OF ALBION AND THE TOWN OF GAINES BE APPROVED ?

- 3. The polling place for the Proposition shall be Hoag Library, 134 South Main Street, Albion, New York 14411.**

4. The time the polling place shall be open shall be from 12:00 pm to 8:00 pm.
5. The Special Election shall be noticed in accordance with the provisions of New York Town Law Section 82 by the Town Clerk by causing to be published in the Batavia Daily News, a newspaper published in the Town, a notice specifying the time when and place where the Special Election will be held, the hours during which the polls will remain open for the purpose of receiving ballots and setting forth in full the proposition to be voted on (the "Special Election Notice"). The Special Election Notice shall be published no later than July 25th, 2024. In addition, the Town Clerk shall post or cause to be posted a copy of the Special Election Notice on the signboard of the Town of Albion at Town Hall, on the website of the Town of Albion and in the Orleans Hub, no later than July 25th, 2024.
6. The Town shall allocate the necessary funds to pay the cost of the Special Election and hereby designates the Orleans County Board of Elections (the "Board of Elections") to assist and provide guidance in the administration of the Special Election in accordance with the relevant provisions of New York State law. The Town Board shall appoint the election inspectors and ballot clerks for the Special Election based on the advice and counsel of the Orleans County Board of Elections and through the existing election inspectors and ballot clerk's list it maintains. Each election inspector and ballot clerk shall be paid the sum of \$130.00 for their services for the special election.
7. Absentee voting shall be allowed for the Special Election and shall be coordinated with the Orleans County Board of Elections. The Town Clerk is hereby authorized and directed to work with the Orleans County Board of Elections to prepare the necessary documents to issue absentee ballots and rely on its expertise in processing the absentee ballots and spend the necessary funds to coordinate this effort. Notwithstanding the foregoing, an application for an absentee ballot must be received by the Town Clerk (i) at least seven days before the election if the ballot is to be mailed to the voter, or (ii) at the day before the election if the ballot is to be personally delivered to the voter or his or her agent. For an absentee ballot to be eligible for the Special Election, the Town Clerk shall receive all absentee ballots no later than 5:00 P.M. on August 6, 2024. The Town Clerk shall, on the day of the Special Election, transmit all absentee voters' envelopes, received by her, to the inspectors of election.
8. Upon the closing of the polls on August 6th, 2024, the election inspectors shall proceed to canvass the votes thereat and shall complete such canvass without adjournment. As soon as possible after completion, the inspectors shall file with the Town Clerk a certificate setting forth the holding of the election, the total number of votes cast upon the proposition and the number of votes cast for an against the proposition, together with the name and address of every person voting at such election upon such proposition.
9. The Town Supervisor is hereby authorized to take all steps necessary to ensure the Special Election shall take place pursuant to Town Law and Election Law and hereby has the authority to enter into an agreement with the Board of Elections to assist and provide guidance regarding the Special Election pursuant to this Resolution.
10. The Town Board hereby further authorizes the Town Supervisor to work with the Board of Elections to make provision at the Special Election for affidavit ballots under the same terms, conditions and regulations allowed for under New York State Law.

Motion was made by Councilperson Sandra Bensley and was seconded by Councilperson Darlene Benton approving the aforementioned resolution. Resolution duly adopted 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

Motion was made by Councilperson Darlene Benton and was seconded by Councilperson Terry Wilbert authorizing the close of the meeting at 5:48 pm. Motion carried by the following vote:

Councilperson Darlene Benton, aye
 Supervisor Richard Remley, aye

Councilperson Sandra Bensley, aye
 Councilperson Terry Wilbert, aye

Councilperson Arnold Allen, aye

Project: Town of Albion Water District No. 10

Date: June 10, 2024

Short Environmental Assessment Form

Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project: **Water District No. 10**Date: **June 10, 2024**

Short Environmental Assessment Form

Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

The Town Board of the Town of Albion has determined that there will be no or small impact to the environment as a result of the creation and construction of Water District 10. There may be a very small disruption to soil, traffic and noise during construction but best construction practices will be employed to minimize any impacts. Further the project itself is very small, only impacting 7 parcels, with the benefit of the availability of public water far outweighing any minor and temporary inconvenience during construction.

- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- ☒ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Town of Albion Town Board

June 10, 2024

Name of Lead Agency

Date

F. Richard Remley

Supervisor

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

PRINT FORM

Account#	Account Description	Fee Description	Qty	Local Share
A1255	Conservation	Conservation	5	4.98
	Marr. Lic.	Marriage Licensing Fee	1	17.50
	Misc. Fees	Cert. Copies - Death	31	310.00
		Cert. Copies - Marriage	1	10.00
	Sub-Total:			\$342.48
A2544	Dog Licensing	Female, Spayed	22	198.00
		Female, Unspayed	1	17.00
		Male, Neutered	16	144.00
		Male, Unneutered	9	153.00
		Replacement Tags	1	3.00
		Sub-Total:		
B1560	Building Permits	Building Permits	5	480.00
		Sub-Total:		
			Total Local Shares Remitted:	\$1,337.48
Amount paid to:	NYS Ag. & Markets for spay/neuter program			68.00
Amount paid to:	NYS Environmental Conservation			85.02
Amount paid to:	State Health Dept. For Marriage Licenses			22.50
Total State, County & Local Revenues:		\$1,513.00	Total Non-Local Revenues:	\$175.52

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

Report from May 9.

In attendance – Terry Wilbert, Town of Albion; Darlene Benton -Town of Albion; Mickey Edwards - Albion Central School; David Buczek – community, National Grid; Rex Harvey – community, Frontier Heating; absent Joyce Riley, Village of Albion; Chris Kinter- Town and Village of Albion

Went through introductions

David Buczek supplied everyone with information concerning Climate Smart Communities and Clean Energy Communities and the point system associated with the programs.

Began Reviewing the check list for CSC communities. Town has completed four high impact and completed the vehicle inventory. Climate smart Task Force is formed and CSC Coordinator is named.

David is going to explore information on a national or regional campaign or program.

Town and Village need to Energy Audit to develop GHG inventory and climate action plan. National Grid should be able to give information on community GHG emissions.

Develop Community programs including stand alone programs and events such as the 4H Fair.

Within the building there will be a need to upgrade HVAC, specifically the AC. Upgrade water efficient fixtures, dimmable lights, and motion detector lights.

Explore waste handling including community composting and wood chip program.

School district limited due to State Education Department requirements. Have a nonfunctioning solar array. Will have a smart energy system for the whole campus. When completed the Committee will tour. Rob Richardson will be contacted concerning solar array.

If Town has solar array could it help supply the ASD or would excess have to sent back to the grid?

Will look to NYSEDA assistance to explore purchasing energy supplies from renewable sources and conducting feasibility of renewable energy installations [heat pump and solar?]

Addendum:

The Town of Albion is eligible for and applied for a \$10,000 grant. This should be approved in the coming weeks. We are waiting to hear from NYSEDA will be doing the building energy audit.

Town of Albion - 2024-06-10 - Abstract of Claims										
#	Claimant	AA	BB	DA	DB	Water	Sewer	Amount	Date	Ck#
209	Univera Healthcare		9060.8		9060.8			\$557.31	AutoPay	
210	MVP Healthcare		9060.8		9060.8			\$6,569.13	AutoPay	
211	CSEA		9060.8					\$20.14	AutoPay	
212	Mark Huoh		1110.403					\$300.00	6/11/2024	4888
213	Batavia Newspapers		1010.4					\$455.77	6/11/2024	4873
214	Jesus Barberia		1110.403					\$260.61	6/11/2024	4871
215	COP Security		1110.4					\$2,812.00	6/11/2024	4878
216	Marchese Computers		1650.4					\$948.00	6/11/2024	4891
217	Joan Weet		1110.404					\$120.00	6/11/2024	4905
218	Joseph Martillotta		1430.4					\$175.00	6/11/2024	4892
219	Sandra Walter		1430.4					\$175.00	6/11/2024	4904
220	Daniel Conrad		1430.4					\$175.00	6/11/2024	4881
221	Kevin Parker		1430.4					\$300.00	6/11/2024	4895
222	Karen Conn		1430.4					\$175.00	6/11/2024	4880
223	NYSEG		1620.4				8130.4	\$425.57	AutoPay	
224	Charter Communications		1620.4					\$214.97	AutoPay	
225	James Bell		1420.4					\$16,520.83	6/11/2024	4874
226	Forbes Court reporting		1110.404					\$600.00	6/11/2024	4885
227	Clearly		1620.4					\$137.98	AutoPay	
228	Quill Corporation		1620.4, 1110.4					\$296.97	AutoPay	
229	Save Time Cleaning		1620.4					\$845.00	6/11/2024	4900
230	Heath & O'Toole		1420.4					\$1,187.50	6/11/2024	4887
231	Rebuild Bullard		7310.4					\$400.00	6/11/2024	4898
232	Raymond DiRaddo		1420.4					\$3,015.84	6/11/2024	4882
233	Cardmember Services		1620.4			8340.4		\$181.40	AutoPay	
234	Northern Supply				5110.4			\$1,250.00	6/11/2024	4893
235	Bentley Bros				5140.4			\$2,361.82	6/11/2024	4875
236	Frontier Heating		1620.4					\$239.90	6/11/2024	4886
237	Firematic Supply				5130.4			\$2,789.56	6/11/2024	4884
238	Bidelman Chevy				5130.4			\$2,573.07	6/11/2024	4876
								\$46,083.37		

[illegible]