

January 13, 2025  
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. Police Services Review
9. Resolution to approve appointments
10. Motion to approve the minutes of December 9<sup>th</sup> and December 23<sup>rd</sup> meetings.
11. Resolution to approve the vouchers
12. Resolution to approve transfers
13. Resolution to approve 2024 Town Clerk/Tax Receiver AUP report
14. Resolution calling for a public hearing on Local Law #1 of 2025 on Chapter 105 – Moratorium on Solar Energy, February 10, 2025.
15. Resolution calling for a public hearing on Local Law #2 of 2025 on Chapter 106 – Moratorium on battery energy storage systems February 10, 2025.
16. Trailer Bid opening
17. Executive Session

**January 13<sup>th</sup> 2025**  
**Albion Town Board Regular Meeting**

**PLEASE SIGN IN**

1. Tim McMurray
2. Dan Strachan
3. \_\_\_\_\_
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## Monthly Report December 2023

Plow 4x Salt 5x

Paint stained ceiling tiles in building

Cut brush with mini town wide

Sign repair-East County House/Lewis/Riches Corners

Mark plow routes

Exercise ALL water main valves

Clean and snake shop floor drain

253 Bidelman Chevy Check engine light

GPS ALL hydrants

254 AC compressor and Serpentine belt

Clean equipment

Hydrant hit 31/Allen Road

Communications: Winter Awareness Drive, GCASA water service, Spectrum internet outage

3665 Clarendon Road Albion NY 14411 • 585-689-7048 x16 • [highway@townofalbion.com](mailto:highway@townofalbion.com)

**Town of Albion statistics**  
**January 1<sup>st</sup> 2024 to December 31<sup>st</sup> 2024**

**Assist OCSO & NYSP**

MVA	CR#202400018
Larceny	CR#202400121
Suspicious vehicle	CR#202400138
MVA	CR#202400339
Burglar alarm	CR#202400414
Road rage	CR#202400610
Sick or intoxicated driver	CR#202400922
Suspicious vehicle	CR#202401055
Domestic	CR#202401333
Check the welfare	CR#202401374
Juvenile problem	CR#202401386
MVA	CR#202401448
Sick or intoxicated driver	CR#202401578
Hazardous condition	CR#202401713
Suspicious vehicle	CR#202401628
Reckless driver	CR#202401725
Reckless driver	CR#202401741
Suspicious vehicle	CR#202401875
Assist ambulance	CR#202401924
Property check	CR#202402041

Hazardous condition	CR#202402060
Property found	CR#202402153
Domestic	CR#202402170
MVA	CR#202402226
Assist ambulance	CR#202402303
Suspicious condition	CR#202402404
Reckless driver	CR#202402427
MVA	CR#202402629
Alarm	CR#202402776
Larceny	CR#202402777
Disturbance	CR#202402778
Warrant executed	CR#202402804
Warrant executed	CR#202402805
Larceny	CR#202402846
Criminal mischief	CR#202402847
Larceny	CR#202402904
Vehicle pursuit	CR#202402912
Road rage	CR#202402921
Domestic	CR#202403020
Domestic	CR#202403025
Suspicious vehicle	CR#202403236
Property found	CR#202403282
Sick or intoxicated driver	CR#202403325
Check the welfare	CR#202403379

Larceny	CR#202403423
Disturbance	CR#202403467
Assist Ambulance	CR#202403563
Disturbance	CR#202403591
MVA	CR#202403661
Larceny	CR#202403811
Sick or intoxicated driver	CR#202403830
DWI arrest	CR#202404087
Vehicle lock out	CR#202404126
MVA	CR#202404148
Sick or intoxicated driver	CR#202404162
Suspicious person	CR#202404171
Underage drinking	CR#202404185
Check the welfare	CR#202404571
Property found	CR#202404581
Reckless driver	CR#202404622
Trespass	CR#202404641
Larceny	CR#202404678
MVA	CR#202404800
Sick or intoxicated driver	CR#202404831
Reckless driver	CR#202405003
Reckless driver	CR#202405213
MVA	CR#202405222
Endangering welfare of child	CR#202405225

Larceny	CR#202405230
Drug possession	CR#202405257
DWI arrest	CR#202405371
MVA	CR#202405423
MVA	CR#202405426
Reckless driver	CR#202405572
Panic alarm	CR#202405625
Larceny	CR#202405651
Burglary	CR#202405722
MVA	CR#202405814
Hazardous condition	CR#202405883
Suspicious vehicle	CR#202405898
MVA	CR#202405927
Sick or intoxicated driver	CR#202405940
Trespass	CR#202406021
MVA	CR#202406209
DWI assistance	CR#202406218
Sick or intoxicated driver	CR#202406248
Property found	CR#202406262
Sick or intoxicated driver	CR#202406477
MVA	CR#202406545
Vehicle off the road	CR#202406586
Request for officer	CR#202406602
Sick or intoxicated driver	CR#202406607

MVA	CR#202406629
Domestic	CR#202406809
Felony traffic stop	CR#202406865
Assist Ambulance	CR#202406982
Reckless driver	CR#202407006
Sick or intoxicated driver	CR#202407022

**Total assists**

**98**

**Total traffic stops**

**193**





**Town of Hartland**

**Margaret M. Zaepfel, Supervisor**

**8942 Ridge Road, Gasport NY 14067**

**Phone: (716) 735-7179**

Dear Chief David Mogle,

The Town of Hartland has benefited from its relationship with the Middleport Police Department for several years. The Middleport Police have responded quickly to calls within our community. The close proximity of the Middleport Police Department has proven to be an economic and advantageous asset to our town residents.

The contract between the Town of Hartland and the Middleport Police Department has also afforded security for our Court and its Judges and provided a steady influx of revenue generated by traffic violations written within the Town limits.

I cannot find any downside to having this incredible relationship with the Police Department in Middleport who have served The Town of Hartland well.

Respectfully,

Margaret M. Zaepfel- Town Supervisor

SUPERVISOR  
Charles D. Snyder  
(716) 652-7590  
[csnyder@townofaurora.com](mailto:csnyder@townofaurora.com)



TOWN CLERK  
Martha L. Libroch  
(716) 652-3280  
[townclerk@townofaurora.com](mailto:townclerk@townofaurora.com)

## TOWN OF AURORA

Aurora Municipal Center  
575 Oakwood Avenue, East Aurora, NY 14052  
[www.townofaurora.com](http://www.townofaurora.com)

Dear Town of Albion, Chief David Mogle,

This letter is in response to the phone call from Sgt. Robert Wagner inquiring about The East Aurora Police Department, the arrangement we have, and a short overview.

The Village of East Aurora is the municipal body responsible for the East Aurora Police Dept, which serves the entire Town of Aurora. As we all know, our Sheriffs and Troopers do a terrific job, but they can't be everywhere quickly. Having a local police dept. ensures a quick response to an emergency and gives all residents peace of mind knowing help is only a few minutes away. Our police dept. has a good relationship with the community with activities like a beard growing contest, a child car seat safety check event and such. We are a small town too, if you don't know someone, you don't have to look far to find someone that does. Having our own police department adds to that small town feeling.

As Supervisor, I'd like to also mention the relationship between the Village and the Town is very good. The Town hires the police from the Village at a percentage of the total cost, in accordance with the contract between us. The Town has actively participated in negotiating that contract. This contract is usually for 3 to 5 years, then adjustments can be made relating to changing populations, number of calls, changes in laws and so on.

I hope this helps with your decisions.  
Feel free to call or email me anytime if you like.

Sincerely,

A handwritten signature in cursive script that reads "Charles D. Snyder".

Charles D. Snyder, Supervisor

James Farnholz  
Supervisor

Patricia A. Canfield  
Town Clerk/Tax Collector

Robert Jackson  
Robert Matice  
Town Justices

## TOWN OF LEROY



David Paddock  
Deputy Supervisor

John Armitage  
William Fox  
John Johnson  
Town Council

Eric Stauffer  
Supt. of Highways

January 8, 2025

To whom it may concern:


The Town of LeRoy entered into an agreement with the Village of LeRoy and the Village of LeRoy Police department to authorize the police to cover calls in the town based on a closest car concept.

Genesee county had at the time only 2 patrol cars on the overnight shift. Dispatch of the village PD into the town was at the discretion of the senior deputy on duty. This caused in our opinion an unacceptable delay in response time.

In the 3 years since the start of the program the residents of the Town and Village have both benefited from the relationship. We have had several instances where lives have been saved due to the rapid response time from the police. There have also been many instances where drugs and criminals have been apprehended prior to entering the village.

Both myself and the Board enthusiastically endorse this program.

Sincerely,



James Farnholz  
Supervisor Town of LeRoy

"This institution is an equal opportunity employer."

"This institution is an equal opportunity provider and employer. If you wish to file a Civil Rights program complaint of discrimination, complete the EEOC Program Discrimination Complaint Form, found online at [http://www.eeoc.gov/complaint\\_filing\\_cust.html](http://www.eeoc.gov/complaint_filing_cust.html), or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202)690-7442 or email at [program.intake@usda.gov](mailto:program.intake@usda.gov)."

## AGREEMENT

This Agreement entered this \_\_\_\_ day of \_\_\_\_\_ by and between the TOWN of ALBION,  
A municipal

corporation in the County of Orleans and State of New York, with its principal office at 3665  
Clarendon Rd, Albion, New York 14411, hereinafter referred to as the "TOWN" and the  
VILLAGE OF ALBION, a municipal corporation in the said Town of Albion, County of  
Orleans and State of New York, with its principal office at 35-37 East Bank St, Albion, New  
York, hereinafter referred to as the "VILLAGE".

1. LEGAL BASIS

This Agreement is authorized by Article 5-G of the General Municipal  
Law of the State of New York.

2. POLICE SERVICES

The Village shall, during the term of this Agreement, furnish police  
services to that area of the Town of Albion lying outside the Village  
limits of the incorporated Village of Albion in the following manner:

2.1 The Village will authorize and direct its members of the Police  
Department to patrol and operate police vehicles of the Village, along  
and over all of the public streets, highways, roads and thoroughfares  
of the Town of Albion lying outside the Village limits of the  
incorporated Village of Albion under the supervision of the chief or  
his designee.

2.2 During the term of the Agreement, the Police Department of the Village and its members will be subject to call by residents of the Town residing within the said area for police services and the said Police Department will respond to all such proper calls with reasonable dispatch and act with diligence to protect persons and/or property from injury and/or death, to preserve the peace, to prevent the commission of crime and to apprehend those who shall have committed crimes or offenses in the said area.

2.3 The Police Department of the Village shall enforce:

- (a) state statutes, and county ordinances and law in the Town to the same extent as enforced by the Police Department within the Village of Albion; and
- (b) Town ordinances and laws in the Town to the same extent as they would be enforced if said ordinances and laws were applicable and consequently enforceable within the Village of Albion.

#### 2.4 REPORTING

The Police Department shall provide to the Town a monthly report of activities. This report shall include response times, the number of calls for service, reported crimes, arrests, crimes cleared by arrest and traffic citations. The Chief of Police or his designee shall meet as necessary with the Town of Public Safety Committee to discuss police reports

and police activities, subject to the confidentiality of police activities.

## 2.5 AUTHORIZATION

The Town hereby authorizes and empowers all duly authorized members of the Police Department of the Village, during the term of this Agreement, to act and perform the duties as such police officers within the areas of the Town of Albion which are outside the Village limits of the incorporated Village of Albion with the same powers, duties, immunities and privileges as if such officers were acting as such police officers and performing such duties within the Village of Albion, New York. Nothing contained in this Agreement shall be construed as in any way limiting the jurisdiction of such duly authorized and appointed members of the Police Department of the Village to act and perform the duties of such police officers in the area of the Town of Albion hereinafter in this Agreement described, and such jurisdiction shall extend to all areas of the Town of Albion both inside and outside the boundaries of the incorporated Village of Albion.

## 2.6 VILLAGE PROTECTION

The police protection to be provided pursuant to this Agreement is to be reasonable in nature, but in no event will

the Village be required to send police officers outside the Village of Albion with the result of leaving the Village without police protection. It is further understood and agreed that in the event there are calls for police protection from residents of the Town outside the Village to which the Police Department cannot respond without leaving the Village without adequate police protection, such calls shall be immediately referred to the Sheriffs Office of the County of Orleans or the New York State Police Department.

## 2.7 UNIFORMS

The Village agrees to cause the uniforms of its police officers and the marked vehicles of its Police Department to be lettered in such a manner as to clearly indicate to the public that the said Police Department and vehicles are part of a Police Department that has jurisdiction both inside the boundaries of the Village of Albion and within the Town of Albion outside the boundaries of the said Village of Albion during the period covered by this Agreement.

## 2.8 COORDINATION

The Town and the Village Board shall each designate members of their respective boards to make or receive requests and to confer upon matters concerning the delivery

of police services by the Village to the Town. All such matters will be coordinated with the Chief of Police.

### 3.0 LIABILITY

#### 3.1 VILLAGE

The Village shall assume liability for, defend against, and secure the Town from all costs or damages for injury to persons or property or death, caused by any employees of the Village and arising out of the performance of this Agreement.

The Village shall cause all insurance policies covering the operations of its Police Department to be endorsed to include the Town as an insured on the same basis as the Village is insured by and under said insurance policies, during the term of this Agreement. The Village shall furnish proof of insurance referred to above.

### 4.0 PERSONNEL

#### 4.1 EMPLOYEE STATUS

For the purpose of this Agreement only, all persons employed by the Village and providing police services to the



Town shall be Village officers or employees and they shall not have any benefit, status or right of Town employment.

#### 4.2 INDEMNITY

All Village police officers performing services under the Agreement shall be deemed employees of the Village for the purposes of the Workman's Compensation Law and the Town shall not be responsible for the payment of any benefits thereunder.

#### 5.0 MUNICIPAL AGENCY

For the sole purpose of giving official status to their acts when performing municipal police functions within the scope of this Agreement, every Village officer or employee engaged in providing police services to the Town shall be considered an employee of the Town.

#### 6.0 FEES

##### 6.1 TOTAL SUM

The Town shall pay to the Village for services rendered pursuant to this Contract, as follows:

NO LATER THAN JANUARY 31, 2025 = 0% of the Village's direct and indirect expenses for police services, calculated for the Village's fiscal year June 1, 2024 through May 31, 2025.

## 7.0 COLLECTIVE BARGAINING AGREEMENT

The Village agrees that it will notify the Town in a timely manner of the commencement of Collective Bargaining Sessions between the Villages and the Police Department. The Town shall be informed of the time, date and place of all Collective Bargaining Sessions. The Town, at its own expense shall designate a representative to participate in the Collective Bargaining Sessions. The Village representative shall be the chief negotiator and shall keep the Town representative informed at all times and shall consult with the Town representative as the two representatives may agree. The Village shall execute any Contract with the police department.

8.0 INCREASE--deleted

9.0 TERM

This Agreement shall be effective as of the 30th day of January, 2025 and shall terminate on the 31st day of June, 2025.

In the event that the Town wishes to renew or re-negotiate this Agreement after the term herein, the Town recognizes that it is in the best interest of both parties if the Town notifies the Village of such intention within a reasonable period of time prior to the expiration of this Agreement.

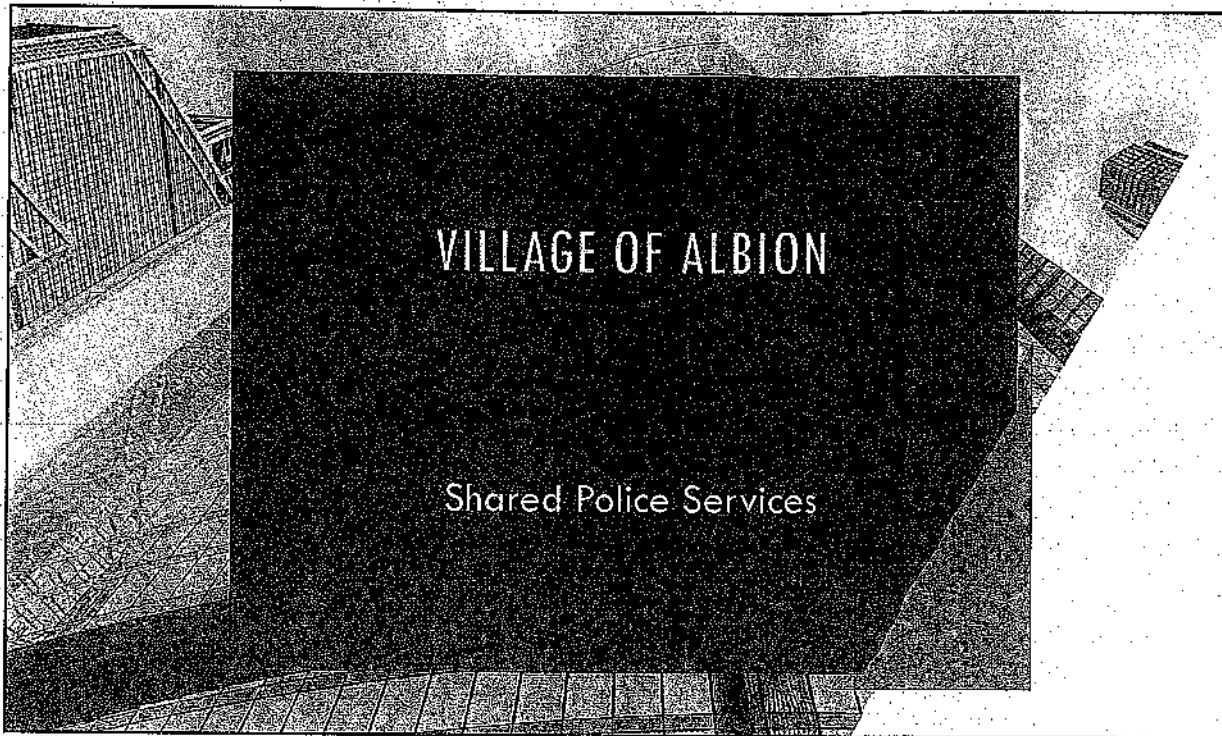
IN WITNESS WHEREOF, the parties hereto have caused these presents to be signed the day and year first above written.

VILLAGE OF ALBION

By:

TOWN OF ALBION

By:



## POLICE ENFORCEMENT TOWN OF ALBION

Town of Albion benefits:

- Faster response times
- Every Albion Police vehicle is equipped with first aid and AED
- Increased level of service
- Greater efficiency
- Public has a voice in the Police Department
- Body worn cameras



## RESPONSE TIME

In the Village of Albion, APD had a median response time of 1:55 and a 90th percentile response of 5:07 for priority one calls. In Holley, HPD had a median response time of 2:09 and a 90th percentile response of 7:06 for priority one calls. In Medina, MPD had a median response time of 1:58 and a 90th percentile response of 5:45 for priority one calls. In busiest town for priority one calls for the Orleans County Sheriffs Office, Murray, they had a median response time of 8:33 and a 90th percentile response of 20:32 for priority one calls. For calls in their overall busiest town, Albion, OCSO had a median response time of 4:46 and a 90th percentile response of 18:48 for Priority One calls.

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## FIRST AID AND AED

On April 28<sup>th</sup>, 2021 two Albion police officers were honored with 'lifesaver' awards

Within 2 minutes of the 911 call, Albion police officers arrived with a defibrillator. The Albion patrol vehicles all carry AEDs and are the only Police Force to do so in Orleans County.

Officer Robert Wagner and Officer Dillon Black were able to get Smith's heart beating again after shocking him with the defibrillator. They also did CPR until a crew from COVA ambulance arrived and took Smith to Strong Memorial Hospital.

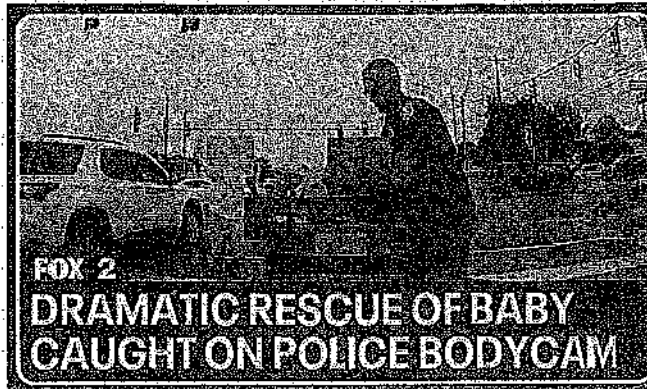
Mayor Eileen Banker credited recently retired Police Chief Roland Nenni for pushing to have each patrol vehicle outfitted with an AED and for having all of the officers trained in using them. Albion PD responds to ambulance calls, and is often first on the scene.

By Tom Rivers

2 more life's have been saved since April 28<sup>th</sup>, 2021 with the use of AEDs by Albion Police Officers.



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## PROFESSIONAL SERVICE

The only mandate for police officers or peace officers to complete for in-service training is 8 hours of firearms training for a condition of continued employment. That being said, Albion Police Department's annual in-service training consists of the following:

- Firearms training for all departmental issued weapons platforms.
- Use of Force/deadly physical force (NYS Penal Law Article 35)
- Legal Updates i.e. Bail Reform, Raise the Age, etc.
- EVOC (Emergency Vehicle Operation Course)
- Stinger Spike Strips: Vehicle pursuit termination efforts
- Administering Naloxone (Narcan)
- Tourniquet/ First Aid, CPR & AED
- Less than lethal shotguns

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## CURRENT TOWN OF ALBION POLICE COVERAGE

- Currently the New York State Police has on average, 2 patrol vehicles on the during the hours of 6am till 12am, after that the two troopers double up in one patrol vehicle. One patrol vehicle takes the west side of Orleans County and the other takes the East side of the County.
- Currently the Orleans County Sheriffs Office has on average 2 through 4 patrol vehicles on at a given time depending on staffing. On occasions there are only 2 patrol vehicles on duty during the hours of 10pm till 6am. The patrol vehicles will be designated for west and east side of Orleans County.
- There are no dedicated patrol units to the Town of Albion

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## TOWN OF ALBION SHARED POLICE SERVICE WITH VILLAGE OF ALBION

- Currently the Village of Albion Police has 2 patrol vehicles on during the hours of 6am till 6pm and 3 patrol vehicles on during the hours of 6pm till 6am.
- The Village of Albion could dedicate a patrol vehicle to the Town of Albion at all hours by sharing police services.
- The Village of Albion Police already uses the Town of Albion Court for traffic and criminal matters.
- The dedicated patrol unit to the Town of Albion could also provide additional revenue through traffic enforcement.

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## SHARED SERVICES MAKES BETTER USE OF RESOURCES

- 80% of the Village of Albion residents are already Town of Albion residents, Village of Albion residents already pay a Town of Albion tax on top of the Village of Albion tax rate, this will help offset some of the Town of Albion resident taxes that are within the Village limits, this will also provide the entire Town of Albion a dedicated police force which will enhance public safety.
- Having additional patrol coverage in the Town of Albion will make the town roads safer and reduce the amount of motor vehicle accidents.
- A benefit to towns having their own police departments is having more local control and greater responsiveness to local needs.
- Albion Police Officers respond to EMS calls and assist medical personnel.



## IMPROVED RELATIONS

- Allowing an agreement to contract with the Towns, will improve officer morale and generate more interest into the department for staffing
- The surrounding public will have a greater sense of security in their communities





## A SAFER COMMUNITY

### Safer roads

Village of Albion residents use the town's roads and this will improve safety. Most accidents happen within 25 miles of ones home.

### Those in need

Albion Police Officers will be able to assist the Orleans County Sheriffs Office and NY State Police when in need as they do with our agency. The OCSO typically only has 2-3 cars on at a time for about 40,000 people and the NYSP has only 1-2 cars on.

### More efficient

Decrease the response time to those in need. All Albion Police patrol vehicles are equipped with AED and first aid.

**"AT THE END OF THE DAY, THE GOALS ARE SIMPLE: SAFETY AND SECURITY"**  
**JODI RELL**

The Village of Albion is proud to announce the completion of the new Albion Police Station. This new facility will provide a more secure and efficient environment for the Albion Police Department. The new station will also provide a more secure and efficient environment for the Albion Police Department. The new station will also provide a more secure and efficient environment for the Albion Police Department.

## ALBION POLICE STATISTICS FOR TOWN OF ALBION 2024

SICK/INTOXICATED DRIVER-11 CALLS, TWO RESULTED IN DWI ARRESTS

DWI-2 ARRESTS

RECKLESS DRIVING -10 CALLS

MVA-16 CALLS

OTHER CALLS -61

TOTAL CALLS ASSISTING OCSO & NYSP IN TOA- 98

TOTAL TRAFFIC STOPS IN THE TOWN OF ALBION - 193

MOST TRAFFIC STOPS ARE FOR SPEEDING AND EQUIPMENT VIOLATIONS ON ROUTE 31 AND ROUTE 98

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## DEPARTMENT SUMMARY STATS 2017

	APD	HPD	LPD	MPD	OCSO (LE OC Only)	MCIT	Total
Sworn FT	12	2		11	24	3	52
Sworn PT	0	10	1	1	9	0	21
Marked Vehicles	4	2	1	5	9	0	21
911 Calls for Service*	3,471	816	46	2,638	5,579	n/a	12,550
Service Population	5,631	2,032	789	5,936	27,816	42,204	42,204
Dept. Budget (\$1000s)	1,360	300	30	1,300	3,500	300	6,790

\* Annual average over 3 years; The NYSP responded to an additional average of 1423 911 calls.

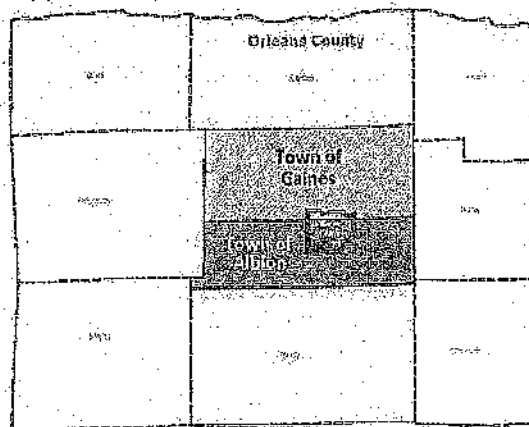
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## Rate of Serious Crime per 1000 Residents

	Index	Violent	Property
Albion Vg PD	44.0	3.7	40.3
Holley Vg PD	22.6	1.8	20.9
Medina Vg PD	30.8	2.1	28.7
Orleans County Sheriff	9.4	0.6	8.7
Orleans County State Police	2.4	0.4	2.0
County Total	19.1	1.5	17.5

Source: NYS DCJS Statistics

THE PREDOMINANTLY RURAL TOWNS OF ALBION AND GAINES IN UPSTATE NEW YORK SHARE A COMMON BORDER AND A VILLAGE, THE VILLAGE OF ALBION. ALTHOUGH ABOUT 80% OF THE VILLAGE'S LAND AREA AND POPULATION IS IN THE TOWN OF ALBION, THE VILLAGE IS VERY MUCH PART OF BOTH TOWNS. HALF OF THE TOWN OF ALBION'S RESIDENTS AND ONE-THIRD OF THE TOWN OF GAINES RESIDENTS LIVE INSIDE VILLAGE BOUNDARIES. THE THREE COMMUNITIES JOINTLY SERVE 12,420 RESIDENTS LIVING WITHIN 60 SQUARE MILES.



RW2

## IN CONCLUSION

Shared police services with the Village of Albion and Town of Albion will provide more efficient use of tax payers money. This will also lower the tax rate of the Village of Albion.

The shared police service with the Village of East Aurora and the Town of Aurora have been in effect for decades and shows that it works well for both the Village and Town.

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Whereas, the Town of Albion Board desires a high degree of Professionalism, Fairness, and Customer Service. We appoint the following personnel to the indicated positions and institute the following procedures:

**Resolution 1    Historian**

- Be it resolved that Ian Mowatt is hereby appointed to the position of Historian at a salary of \$490.00 per year.

**Resolution 2    Town Constable**

- Be it resolved that Phil McKenna is hereby appointed Town Constable at a salary of \$150.00 per year.

**Resolution 3    Deputy Supervisor**

- Be it resolved that Darlene Benton is hereby appointed as the Deputy Supervisor, and she will act in the capacity as Supervisor as the need arises.

**Resolution 4    Attorneys for the Town**

- Be it resolved that James Bell is hereby appointed Attorney for the Town. Mr. Bell is to be used for all routine matters. Mr. Daniel Spitzer (or his designee) of Hodgson Russ is appointed for special services only, including bond issues, etc. Hodgson Russ may only be consulted with prior approval from Attorney Bell or the Supervisor. Attorney Bell may call on as-needed basis.

**Resolution 5    Water/Sewer Superintendent**

- Be it resolved that Michael Neidert is appointed to the position at a salary of \$25,549.00 per year.

**Resolution 6    Deputy Highway Superintendent**

- Be it resolved that will be the Deputy Highway Superintendent to act in the absence of the Highway Superintendent at a yearly salary of \$1,500.00.

**Resolution 7    Water/Sewer Clerk**

- Be it resolved that Derek Reiner is hereby appointed to the position at a salary of \$9,435.00 per year.

**Resolution 8    Registrar of Vital Statistics**

- Be it resolved that Derek Reiner is hereby appointed Registrar of Vital Statistics at a salary of \$3,549.00 per year.

**Resolution 9    Town Clerk Deputy**

- Be it resolved that is hereby appointed to serve as Deputy Town Clerk at a salary not to exceed \$25.00/hr.

#### **Resolution 10 Town Clerk's Office Hours**

- Be it resolved that the Town Clerk's office hours are as follows:
  - Monday 8:30AM – 11:00AM and 12:00PM – 4:00PM
  - Tuesday 8:30AM – 11:00AM and 12:00PM – 4:00PM
  - Thursday 8:30AM – 11:00AM and 12:00PM – 4:00PM
  - Friday 8:30AM – 11:00AM and 12:00PM – 4:00PM

#### **Resolution 11 Monthly Meeting**

- Be it resolved that the monthly meetings shall be held on the second Monday of the month at 5:00PM except if otherwise published and that all Department heads are asked to attend. If necessary, a second meeting shall be held on the fourth Monday of the month.

#### **Resolution 12 Board Minutes**

- Be it resolved that the Board minutes will be emailed to the Board members ten (10) working days after the meeting. Once minutes are approved, they shall be sent to the website for posting on said site.

#### **Resolution 13 Department Reports**

- Be it resolved that each Department head (Town Clerk, Assessor, Highway Superintendent, and Code Enforcement Officer) shall present to the Board before or at the start of the monthly meeting a detailed written report outlining significant accomplishments for the month and to report any issues that the Board should be aware of. Issues (personal matters, etc.) should be discussed in executive session. Such matters shall be documented and presented to the Board in a separate report. All department reports shall be recorded in the meeting minutes, both the written version and online.

#### **Resolution 14 Holidays**

- Be it resolved that the holidays for the Town of Albion are as follows: New Year's Eve, New Year's Day, Martin Luther King Day, Presidents Day, Good Friday, Memorial Day, Juneteenth, Independence Day, Labor Day, Columbus Day, Election Day, Veterans Day, Thanksgiving Day, Day after Thanksgiving, Christmas Eve and Christmas Day. If any one of the above holidays falls on a Saturday then it shall be observed on the Friday before and if it falls on a Sunday then it shall be observed on the following Monday.

#### **Resolution 15 Bookkeeper to the Supervisor**

- Be it resolved that LGSS be appointed as bookkeeper to the Supervisor for 2025.

#### **Resolution 16 Budget Officer**

- Be it resolved that Supervisor Richard Remley is hereby appointed as Budget Officer at a salary of \$1,169.00/year.

**Resolution 17 Supervisor Monthly Report Auditing**

- Be it resolved that each month that 2 Councilperson will review and sign the Supervisor's monthly report.

**Resolution 18 Accounting Firm**

- Be it resolved LGSS is hereby appointed as accounting firm for 2025 and will serve at the pleasure of the Board.

**Resolution 19 Presentation of Vouchers**

- Be it resolved that an abstract of all vouchers is required for approval of payment at the Town Board meetings. All vouchers must be presented to the Town Clerk's Office on the Thursday before the Board meeting by noon. All vouchers must be itemized, starting dates, event, item purchased, mileage, food, etc. No less than 3 board members in addition to the authorizing official must sign vouchers before they are voted on at the appropriate Town Board meeting. Documentation of adherence to purchasing policy shall be attached. If purchase was from State or County Bid, a copy of such shall be attached. Permission to exceed budgetary allocation must be received from the Board prior to purchase. Vouchers for food reimbursement must be itemized, with alcoholic beverages subtracted from the total. Also, no faxes of bills shall be accepted.

**Resolution 20 Check Signing / ACH Transfers / Inter-fund transfers**

- Be it resolved that all checks shall be signed by the Supervisor, with signatory powers also accorded the Deputy Supervisor in the absence of the Supervisor. All ACH transfers shall be made by the Supervisor or the Deputy Supervisor.

**Resolution 21 Investment of Town Funds**

- Be it resolved that the Supervisor is authorized to invest any funds and all surplus funds that the Town may have in any legal investment at the highest rate of interest available to municipalities.

**Resolution 22 Bank Depositories**

- Be is resolved that Five Star Bank is designated as depository of funds for the Town of Albion.

**Resolution 23 Town Official Bond**

- Be it resolved that to satisfy Section 25 of the Town Law of New York which require certain officials to an undertaking, which may be in a form of a bond, and the proper bonding has been supplied; the cost of the undertaking shall be charged against the Town.

**Resolution 24 Assessment Review Board**

- Be it resolved that the Assessment Review Board members shall receive as follows:

Chairman.....\$300.00

Members (4)...\$175.00

**Resolution 25 Zoning Board Salaries**

- Be it resolved that the Chairman of the Zoning Board shall receive \$350.00 per year. Zoning Board will receive \$250.00 per year and a secretary is appointed to the Zoning Board at an hourly rate of \$15.00 per hour.

**Resolution 26 Planning Board Salaries**

- Be it resolved that the Chairman of the Planning Board shall receive \$1,000.00 per year, the Board Members will receive \$600.00 per year and a secretary is appointed at the salary of \$500.00 per year.

**Resolution 27 Official Newspaper**

- Be it resolved that the Batavia Daily News will be the Official Newspaper for the Town of Albion. The Lake Country Pennysaver and the Orleans Hub will be used for publishing supplemental public hearings notices and other notices as the Town Board deems appropriate.

**Resolution 28 Voting Delegates to the Association of Towns**

- Be it resolved that Darlene Benton is hereby appointed Delegate to the Association of Towns and the alternate to service in this capacity will be Terry Wilbert.

**Resolution 29 Elected Officials Salaries**

- Be it resolved the following salaries of these elected officials:
  - Board Members Each.....\$4,692.00
  - Town Clerk.....\$46,013.00
  - Supervisor.....\$8,476.00
  - Highway Superintendent...\$68,737.00
  - Justices.....\$21,717.00 each

**Resolution 30 Court Clerk**

- Be it resolved that Jaime Allport is hereby appointed as Court Clerk to Justice Gary Moore at a salary of \$54,405.00 for 2025.

**Resolution 31 Court Clerk**

- Be it resolved that Jaime Allport is hereby appointed as Court Clerk to Justice Joseph Fuller at an hourly salary of \$20.60 per hour for 2025.

**Resolution 32 Code Enforcement Officer**

- Be it resolved that the following are hereby appointed as Code Enforcement Officer and neither will be entitled to any health care coverage or other reimbursements for health insurance related costs.
  - Daniel Strong, \$32.75 an hour for 10 hours a week
  - Chris Kinter, \$22,325.00 as a shared service with the Village of Albion



**Resolution 33 Travel**

- Be it resolved that Town personnel who may choose to travel to conventions, seminars, or other events dealing with Town business and thereby incur hotel stay or airline travel expenses shall require authorization from the Town Board prior to commencement of travel if compensation is requested.

**Resolution 34 Mileage**

- Be it resolved that any Town Officer or employee who utilizes his/her vehicle in the furtherance of business pertaining to the Town of Albion, and thereby benefitting the Town of Albion, shall be compensated \$0.56 per mile upon presentation of proof to the Town Clerk. Milage to and from Town Board meetings in not a reimbursable expense for department heads and town board members.

**Resolution 35 Fair Housing Office**

- Be it resolved that Sandra Bensley is the Fair Housing Officer for the 2025 year.

**Resolution 36 Buildings and Grounds Maintenance**

- Be it resolved that Arnold Allen Jr. will chair and Terry Wilbert will service on this committee for the 2025 year. Additionally, all building maintenance issues shall be directed to Code Enforcement Officer, Daniel Strong.

**Resolution 37 Water Committee**

- Be it resolved that Terry Wilbert will serve on this committee for the 2025 year.

**Resolution 38 Highway Department Liaison**

- Be it resolved that Arnold Allen Jr. will serve as liaison to the Highway Department for the 2025 year.

**Resolution 39 Emergency Preparedness Committee**

- Be it resolved that Sandra Bensley will chair this committee and shall be responsible for developing a town emergency plan consistent with the county's emergency preparedness plan and in cooperation with the Albion Fire Department.

**Resolution 40 Liaison to Town of Albion Planning Board**

- Be it resolved that Darlene Benton shall be the liaison to the Town of Albion Planning Board.

**Resolution 41 Liaison to Town and County**

- Be it resolved that Daniel Strong shall be the liaison to the Town of Albion Zoning Board and the County of Orleans Planning and Zoning Boards.

**Resolution 42 Town Representative to the Village**

- Be it resolved that Darlene Benton and Sandra Bensley will serve as Town representatives to the Village for the purpose of ensuring better cooperation in joint municipal agreements and communication.

**Resolution 43 Town Economic Development Committee**

- Be it resolved that Darlene Benton and Terry Wilbert will serve as Economic Development representatives of the Town for 2025.

**Resolution 44 Payroll Provider**

- Be it resolved that LGSS will be the payroll provider to the Town of Albion for 2025.

**Resolution 45 Direct Deposit**

- Be it resolved that all employee paychecks will be sent through direct deposit and paid on a biweekly basis.

**Resolution 46 Reporting Hourly Employee Time**

- Be it resolved that Town representatives with hourly employees will report to Michael Wilson, LGSS, time in total hours worked for the previous work week. This report shall be provided no later than each Friday unless otherwise communicated by the Supervisor.

**Resolution 47 Town Engineer**

- Be it resolved that the MRB Group shall be the Town Engineer for 2025. The Town Engineer shall only be consulted by the Town Highway Superintendent, Code Enforcement Officer, Town Supervisor, Town Board or the Planning Board Chairman. All other requests must be made through one of these individuals.

**Resolution 48 Healthcare Bills**

- Be it resolved that regular monthly healthcare costs the Town pays for those covered employees will be paid monthly without requiring a Board resolution.

**Resolution 49 NYSERDA Representatives**

- Be it resolved that Darlene Benton and Terry Wilbert will service on this committee for 2025.

December 9, 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 Arnold Allen approving the agenda with the addition of village police department, Kevin Sheehan resignation, Garret Knaaks appointment and the holiday parade and executive session will be on a contract. 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 approve the minutes.

**Motion was made by Councilperson Arnold Allen and was seconded by Councilperson Terry Wilbert approving the minutes of the November 12 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 #99**

## Payment of Claims

**Whereas, the following are against the Town:**

General, Highway, Water & Sewer	468 - 474 & 476 - 521	\$247,006.32
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**Motion was made by Councilperson Terry Wilbert and was seconded by Councilperson Arnold Allen authorizing the payment of the above listed claims with the exception of #475, Marchese Computers. 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 reappoint Russ Olles.

Motion was made by Councilperson Arnold Allen and was seconded by Councilperson Darlene Benton to reappoint Russ Olles to the Zoning Board for a term of 1/1/2025-12/31/2029. Motion carried by the following vote:

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

Councilperson Sandra Bensley, aye  
Councilperson Terry Wilbert, aye

Supervisor Richard Remley: I need a motion to reappoint Isaac Robinson.

Motion was made by Councilperson Darlene Benton and was seconded by Councilperson Sandra Bensley to reappoint Isaac Robinson to the Planning Board for a term of 1/1/2025-12/31/2029. 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 appoint Christopher Kinter as the representative to the County Planning Board.

Motion was made by Councilperson Arnold Allen and was seconded by Councilperson Terry Wilbert authorizing the appointment of Christopher Kinter as the representative to the County Planning Board for a term of 01/01/2025 - 12/31/2027. 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 reappoint Kevin Parker as the alternate to the County Planning Board.

Motion was made by Councilperson Terry Wilbert and was seconded by Councilperson Arnold Allen authorizing the reappointment of Kevin Parker as alternate to the County Planning Board for a term of 01/01/2025–12/31/2027. 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 accept the retirement of Sarah Basinait.

Motion was made by Councilperson Sandra Bensley and was seconded by Councilperson Terry Wilbert accepting the retirement of Sarah Basinait, Town Clerk, effective December 31, 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 to appoint Derek Reiner.

#### Resolution #100

#### Appointment of Town Clerk

WHEREAS, Albion Town Clerk Sarah Basinait has submitted her retirement letter effective December 31, 2024, and

WHEREAS the Albion Town Board has considered various individuals to fill the position of Albion Town Clerk effective January 1, 2025, and

WHEREAS Derek Reiner has been recommended for the position by the Albion Town Board.

NOW THEREFORE BE IT RESOLVED:

Sec.1 The Albion Town Board agrees that it is in the best interests of the Town to hereby appoint Derek Reiner as Albion Town Clerk as of January 1, 2025.

Sec.2. The annual compensation for this position is Salary - \$46,013.00, Water Clerk – \$9,435.00, Registrar of Vital Statistics - \$3,874.00, Totaling \$59,322.00.

Sec.3. This Resolution shall take effect immediately.

Motion was made by Councilperson Darlene Benton and was seconded by Councilperson Arnold Allen authorizing the acceptance of 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 resolution calling for a public hearing

**RESOLUTION #101                      AMENDING ALBION TOWN CODE CHAPTER 25**

**WHEREAS                      the Albion Town Board is desirous of amending and/or modifying the Albion Town Code Chapter 25, and**

**WHEREAS                      the proposed change is in relationship to adding the office of a Deputy Highway Superintendent in the Town of Albion, and**

**WHEREAS                      it is the intent of the Albion Town Board to implement this Local Law in the calendar year 2024.**

**NOW THEREFORE BE IT RESOLVED:**

**Section 1.                      The Albion Town Board shall call a Public Hearing at the Town Hall, Town of Albion, at 3665 Clarendon Road, Albion, New York, 14411, on the 23<sup>rd</sup> day of December, 2024 at 5:00 p.m. to hear all persons for or against the adoption of this Local Law intended to create the office of Deputy Highway Superintendent in the Town of Albion.**

**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 Darlene Benton and was seconded by Councilperson Arnold Allen authorizing the acceptance of 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 motion to accept Kevin Sheehans resignation.

**Motion was made by Councilperson Terry Wilbert and was seconded by Councilperson Arnold Allen to accepting the resignation of Kevin Sheehan from the planning board effective December 31, 2024. 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 appoint Garrett Knaak.

**Motion was made by Councilperson Darlene Benton and was seconded by Councilperson Sandra Bensley to appoint Garrett Knaak to the Planning Board for a term of 1/1/2025-12/31/2026. 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 close the meeting and 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**

Motion made at 5:45pm to exit regular session and enter executive session

Made by    Arnie

2nd by Darlene

Vote 5 yes 0 no

Discussion on contract to state prisons for ambulance services

Discussion regarding hiring an employee for the highway department

Motion made to exit executive session and re-enter regular session at 6:16pm

Made by Darlene

2nd by Arnie

Vote Yes 5 No 0

Motion made to adjourn regular session at 6:17pm

Made by Sandra

2nd by Arnie

Vote yes 5 No 0

December 23, 2024

Albion Town Board public hearing and year end 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 Sandra Bensley, Supervisor Richard Remley, Councilperson Terry Wilbert and Councilperson Arnold Allen. Councilperson Darlene Benton was absent.

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

**Motion was made by Councilperson Sandra Bensley and was seconded by Councilperson Arnold Allen approving the agenda as submitted with the addition of the fund transfers. Motion carried by the following vote:**

**Councilperson Darlene Benton, absent  
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 #4.

**Motion was made by Councilperson Sandra Bensley and was seconded by Councilperson Terry Wilbert authorizing the opening of the public hearing on Local Law #4 at 5:02 pm. Motion carried by the following vote:**

**Councilperson Darlene Benton, absent  
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 #4.

**Motion was made by Councilperson Arnold Allen and was seconded by Councilperson Sandra Bensley authorizing the closing of the public hearing on Local Law #4 at 5:06 pm. Motion carried by the following vote:**

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

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

Supervisor Richard Remley: I need a resolution to adopt Local Law #4.

**RESOLUTION #102**

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

**WHEREAS, the Albion Town Board is desirous of amending and/or modifying the Albion Town Code Chapter 25, and**

**WHEREAS, the proposed change is in relationship to adding the office of a Deputy Highway Superintendent in the Town of Albion, and**

**WHEREAS, a duly advertised Public Hearing was held on December 23, 2024 at the Albion Town Hall at 3665 Clarendon Road, Albion, New York, 14411, and**

**WHEREA, all persons desirous to be heard were granted the opportunity to do so at that time, and**

**WHEREAS, due deliberation having been had thereon it is the intent of the Albion Town Board to implement this Local Law in the calendar year 2024.**

**NOW THEREFORE BE IT RESOLVED:**

**Section 1. The Albion Town Board hereby adopts Local Law #4 of 2024 amending Chapter 25 of the Albion Town Code to create the office of Deputy Highway Superintendent in the Town of Albion.**

**Section 2. The Albion Town Clerk is authorized and directed to file a complete copy of Local Law #4 of 2024 with the Secretary of State as required by law.**

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

Motion was made by Councilperson Arnold Allen and was seconded by Councilperson Sandra Bensley authorizing the adoption of Local Law #4, Deputy Highway Superintendent. Motion carried by the following vote:

Councilperson Darlene Benton, absent  
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 #103**                      **Payment of Claims**

Whereas, the following are against the Town:

General, Highway, Water & Sewer      522 - 531      \$13,154.91

Motion was made by Councilperson Sandra Bensley and was seconded by Councilperson Terry Wilbert authorizing the payment of the above listed claims. Resolution duly adopted by the following vote:

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

Councilperson Sandra Bensley, aye  
Councilperson Terry Wilbert, aye

Supervisor Richard Remley: I need a resolution authorizing the year end transfers.

**Resolution #104**                      **Year end fund transfers**

The fund transfers as listed and submitted by LGSS in their entirety are hereby filed with and made a part of these minutes.

Motion was made by Councilperson Sandra Bensley and was seconded by Councilperson Terry Wilbert authorizing the fund transfers. Resolution duly adopted by the following vote:

Councilperson Darlene Benton, absent  
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 and enter executive session.

Motion made to exit Regular Session and enter Executive Session at 5:11pm

Made by              Terry  
2nd by              Arnie  
Vote                  4 yes 0 No

Discussion followed concerning the state of the town's contract with Marchese Computer Products.

Motion made to exit Executive session and re=enter Regular session at 5:25pm

Made by              Sandra  
2nd by              Arnie  
Vote                  4 yes 0 No

Motion made to adjourn Regular session at 5:26pm

Mdae by              Terry  
2nd by              Arnie  
Vote                  4 Yes 0 No



**TOWN OF ALBION  
DECEMBER 2024  
EXECUTIVE SUMMARY**

**BALANCE SHEET**

- Bank accounts were reconciled as of 12/31/2024.
- The Town has \$ 2,045,738.38 in the bank.

**REVENUES AND EXPENSES**

• **REVENUES**

- Total receipts for the month were: \$71,981.19
- Major receipts were:
  - Town Clerk Report (November): \$414.80
  - Town Clerk Report (December): \$1,268.68
  - Mortgage Tax: \$26,023.02
  - Metered Sales: \$37,560.49
  - Miscellaneous Items: \$106.23
  - Interest: \$6,607.97

• **EXPENSES**

Expenditures through December on average should equal 100% of the annual budget.

General Fund Townwide:

- Year to date expenses are \$876,319.46 compared to the revised budget of \$1,009,974.54 or 86.77% of the budget.

General Fund Outside Village:

- Year to date expenses are \$237,166.36 compared to the revised budget of \$238,198.00 or 99.57% of the budget.

Highway Townwide:

- Year to date expenses are \$685,760.43 compared to the revised budget of \$827,548.00 or 82.87% of the annual budget

Highway Outside Village:

- Year to date expenses are \$325,008.47 compared to the revised budget of \$439,613.84 or 73.93% of the budget.

**TOWN OF ALBION**  
**PLEASE MAKE THE FOLLOWING TRANSFERS AT YOUR 1/6/25 MEETING:**

**SEWER FUND #1**

<i>Transfer From:</i>	SS.8120.400.020	Sanitary Sewers, Contr Expend, District 1	\$	81.00
			\$	81.00
<i>Transfer To:</i>	SS.8110.100.020	Sewer Administration, Pers Serv, District 1	\$	2.00
	SS.8110.103.020	Sewer Administration, Pers Serv, Clerk, District 1	\$	79.00
			\$	81.00

**WATER FUND #1**

<i>Transfer From:</i>	SW.8310.400.001	Water Administration Contractual	\$	82.00
			\$	82.00
<i>Transfer To:</i>	SW.8310.100.001	Water Administration, Pers Serv	\$	80.00
	SW.8340.103.001	Water Trans & Distrib, Pers Serv Supt	\$	2.00
			\$	82.00

**WATER FUND #2**

<i>Transfer From:</i>	SW.8310.400.002	Water Administration Contractual	\$	82.00
			\$	82.00
<i>Transfer To:</i>	SW.8310.100.002	Water Administration, Pers Serv	\$	80.00
	SW.8340.103.002	Water Trans & Distrib, Pers Serv Supt	\$	2.00
			\$	82.00

**WATER FUND #3**

<i>Transfer From:</i>	SW.8310.400.003	Water Administration Contractual	\$	81.00
			\$	81.00
<i>Transfer To:</i>	SW.8310.100.003	Water Administration, Pers Serv	\$	79.00
	SW.8340.103.003	Water Trans & Distrib, Pers Serv Supt	\$	2.00
			\$	81.00

**WATER FUND #4**

<i>Transfer From:</i>	SW.8310.400.004	Water Administration Contractual	\$	82.00
			\$	82.00
<i>Transfer To:</i>	SW.8310.100.004	Water Administration, Pers Serv	\$	80.00
	SW.8340.103.004	Water Trans & Distrib, Pers Serv Supt	\$	2.00
			\$	82.00

**WATER FUND #5**

<i>Transfer From:</i>	SW.8310.400.005	Water Administration Contractual	\$	81.00
			\$	81.00
<i>Transfer To:</i>	SW.8310.100.005	Water Administration, Pers Serv	\$	79.00
	SW.8340.103.005	Water Trans & Distrib, Pers Serv Supt	\$	2.00
			\$	81.00

**WATER FUND #6**

<i>Transfer From:</i>	SW.8310.400.006	Water Administration Contractual	\$	81.00
			\$	81.00
<i>Transfer To:</i>	SW.8310.100.006	Water Administration, Pers Serv	\$	79.00
	SW.8340.103.006	Water Trans & Distrib, Pers Serv Supt	\$	2.00
			\$	81.00

**WATER FUND #7**

<i>Transfer From:</i>	SW.8310.400.007	Water Administration Contractual	\$	80.00
			\$	80.00
<i>Transfer To:</i>	SW.8310.100.007	Water Administration, Pers Serv	\$	79.00
	SW.8340.103.007	Water Trans & Distrib, Pers Serv Supt	\$	1.00
			\$	80.00

**WATER FUND #8**

<i>Transfer From:</i>	SW.8320.400.008	Source of Supply Pwr & Pump, Contr Expend	\$	81.00
			\$	81.00
<i>Transfer To:</i>	SW.8310.100.008	Water Administration, Pers Serv	\$	79.00
	SW.8340.103.008	Water Trans & Distrib, Pers Serv Supt	\$	2.00
			\$	81.00

**WATER FUND #9**

<i>Transfer From:</i>	SW.8320.400.009	Source of Supply Pwr & Pump, Contr Expend	\$	81.00
			\$	81.00
<i>Transfer To:</i>	SW.8310.100.009	Water Administration, Pers Serv	\$	79.00
	SW.8340.103.009	Water Trans & Distrib, Pers Serv Supt	\$	2.00
			\$	81.00



APPROVED

☐ NOT APPROVED

\_\_\_\_\_  
SIGNATURE - SUPERVISOR

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SIGNATURE - COUNCILPERSON

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SIGNATURE - COUNCILPERSON

\_\_\_\_\_  
DATE

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SIGNATURE - COUNCILPERSON

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SIGNATURE - COUNCILPERSON

\_\_\_\_\_  
DATE

RESOLUTION CALLING FOR A PUBLIC HEARING  
FOR A MORATORIUM ON CHAPTER 105  
SOLAR ENERGY SYSTEMS AND FARMS  
IN THE TOWN OF ALBION

- WHEREAS the Albion Town Board is desirous of amending and/or modifying Albion Town Code Chapter 105, Solar Energy Systems and Farms, and
- WHEREAS a six (6) month period of time will be sufficient to accomplish this pursuant to a proposed Local Law concerning same, and
- WHEREAS it is the intent of the Albion Town Board to consider adopting said Local Law as soon as legally possible.

NOW THEREFORE BE IT RESOLVED:

- Section 1. By passage of this Resolution the Albion Town Board does hereby declare a moratorium in accepting any new applications for solar power farms and/or commercial solar power projects in the Town of Albion until such time as the aforesaid Local Law is duly before the Albion Town Board for consideration.
- Section 2. The moratorium effective by passage of this Resolution shall remain intact for no no longer than forty five (45) days.
- Section 3. The Albion Town Board shall hold a Public Hearing at the Town Hall, 3665 Clarendon Road, Albion, New York, on the 10<sup>th</sup> day of February, 2025 at approximately 5:00 p.m. to hear all persons for or against the adoption of a moratorium, not to exceed six (6) months, relating to Albion Town Code Chapter 105.
- Section 4. This Resolution shall take effect immediately.

MOTION for adoption of this Resolution by Darlene Benton  
Seconded by Terry Wilbert

VOTE BY ROLL CALL AND RECORD

Board Member Allen - Aye  
Board Member Bensley – Absent  
Board Member Benton – Aye  
Board Member Wilbert - Aye  
Supervisor Remley – Aye

Submitted - January 13, 2025

RESOLUTION CALLING FOR A PUBLIC HEARING  
FOR A MORATORIUM ON CHAPTER 106  
BATTERY ENERGY STORAGE SYSTEMS  
IN THE TOWN OF ALBION

- WHEREAS the Albion Town Board is desirous of amending and/or modifying the Albion Town Code Chapter 106, Battery Energy Storage Systems, and
- WHEREAS a six (6) month period of time will be sufficient to accomplish this pursuant to a proposed Local Law #2 of 2025 concerning same, and
- WHEREAS it is the intent of the Albion Town Board to consider adopting said Local Law as soon as legally possible.

NOW THEREFORE BE IT RESOLVED:

- Section 1. By passage of this Resolution the Albion Town Board does hereby declare a moratorium in accepting any new applications for battery energy storage systems in the Town of Albion until such time as the aforesaid Local Law #2 of 2025 is duly before the Albion Town Board for consideration.
- Section 2. The moratorium effective by passage of this Resolution shall remain intact for no longer than forty five (45) days.
- Section 3. The Albion Town Board shall hold a Public Hearing at the Town Hall, at 3665 Clarendon Road, Albion, New York on the 10<sup>th</sup> day of February, 2025 at approximately 5:00 p.m. to hear all persons for or against the adoption of a moratorium, not to exceed six (6) months, relating to Albion Town Code Chapter 106.
- Section 4. This Resolution shall take effect immediately.

MOTION for adoption of this Resolution by Arnold Allen  
Seconded by Terry Wilbert

VOTE BY ROLL CALL AND RECORD

Board Member Allen – Aye  
Board Member Bensley – Absent  
Board Member Benton – Aye  
Board Member Wilbert – Aye  
Supervisor Remley – Aye

Submitted – January 13, 2025

# 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

Local Law No. 1 of the year 20 25

A local law imposing a 6-month moratorium on Chapter 105 Solar Energy Systems  
(Insert Title)

Be it enacted by the of the  
(Name of Legislative Body)

☐ County ☐ City ☒ Town ☐ Village

(Select one.)

of Albion, Orleans County

as follows:

See attached Local Law #1 of 2025, Moratorium on Solar Energy Systems

(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. 1 of 20 25 of  
the ~~(County)(City)(Town)(Village)~~ of Albion, Orleans County was duly passed by the  
Town Board on February 10 20 25, 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 \_\_\_\_\_ 20 ☐ ☐, 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.



A LOCAL LAW #1 of 2025 IMPOSING A SIX (6) MONTH  
MORATORIUM ON CHAPTER 105  
SOLAR ENERGY SYSTEMS AND FARMS  
IN THE TOWN OF ALBION

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 the "Local Law #1 of 2025 Imposing a Six (6)  
Month Moratorium on Chapter 105 Solar Energy Systems and Farms in the Town of Albion".

SECTION 2. PURPOSE AND INTENT

Albion Town Code Chapter 105 was originally adopted by the Town of Albion in 2017.  
The Albion Town Board is now desirous of making additional amendments and/or modifications  
to Albion Town Code Chapter 105. Pursuant to the statutory powers vested in the Town of  
Albion (hereinafter referred to as the Town) to regulate and control land use and to protect the  
health, safety and welfare of its residents, the Board hereby declares a six (6) month moratorium  
on the establishment, placement, construction, erection and/or implementation of solar power  
farms and/or commercial solar power projects. It is the further purpose of this Local Law to  
enable the Town to prevent the construction or erection of solar power farms and/or commercial  
solar power projects for a reasonable period of time to allow the Board to contemplate and/or  
enact modifications to Albion Town Code Chapter 105.

No application affected by this Local Law and/or for approvals for a site plan, subdivision, variance, special use permit or other permit shall be considered by any Board Officer or agency of the Town while the moratorium imposed by this Local Law is in effect, except for any application previously submitted for consideration prior to the moratorium

#### SECTION 5. TERM

The moratorium imposed by this Local Law shall be in effect for a period of six (6) months from the effective date of this Local Law. This Local Law shall expire six (6) months from the effective date of this Local Law as more specifically discussed hereinbelow. This moratorium shall only apply to solar power farms and/or commercial solar power projects of an industrial scale encompassing more than one half (1/2) acre of land area and is not intended to apply to residential scale installations on or around homes designed to offset energy demands from the premises on which same is installed.

#### SECTION 6. PENALITIES

Any person, firm or corporation that shall establish, place, construct, enlarge or erect any solar power farms and/or commercial solar power projects in violation of the provisions of this Local Law in violation of the provisions of this Local Law shall be subject to:

A. All penalties as may otherwise be provided by applicable local laws, ordinances, rules, regulations of the Town for violations; and

## SECTION 9. EFFECTIVE DATE

Dated: Albion, New York  
  , 2025

A LOCAL LAW #1 of 2025 IMPOSING A SIX (6) MONTH  
MORATORIUM ON CHAPTER 105  
SOLAR ENERGY SYSTEMS AND FARMS  
IN THE TOWN OF ALBION

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 the "Local Law #1 of 2025 Imposing a Six (6)  
Month Moratorium on Chapter 105 Solar Energy Systems and Farms in the Town of Albion".

SECTION 2. PURPOSE AND INTENT

Albion Town Code Chapter 105 was originally adopted by the Town of Albion in 2017.  
The Albion Town Board is now desirous of making additional amendments and/or modifications  
to Albion Town Code Chapter 105. Pursuant to the statutory powers vested in the Town of  
Albion (hereinafter referred to as the Town) to regulate and control land use and to protect the  
health, safety and welfare of its residents, the Board hereby declares a six (6) month moratorium  
on the establishment, placement, construction, erection and/or implementation of solar power  
farms and/or commercial solar power projects. It is the further purpose of this Local Law to  
enable the Town to prevent the construction or erection of solar power farms and/or commercial  
solar power projects for a reasonable period of time to allow the Board to contemplate and/or  
enact modifications to Albion Town Code Chapter 105.

### SECTION 3. SCOPE OF CONTROLS

During the effective period of this Local Law:

1. The Board of the Town will not grant any approvals that would have as the result the establishment, placement, construction, erection and/or implementation of solar power farms and/or commercial solar power projects within the Town.

2. The Town of Albion Planning Board shall not grant any preliminary or final approval to a subdivision plat, site plan, special use permit or other permit that would have as a result the establishment, placement, construction, erection and/or implementation of solar power farms and/or commercial solar power projects within the Town.

3. The Town of Albion Zoning Board of Appeals shall not grant any variance or other permit for any use that would result in the establishment, placement, construction, erection and/or implementation of solar power farms and/or commercial solar power projects within the Town.

4. The Building Inspector/Code Enforcement Officer of the Town shall not issue any permit that would result in the establishment, placement, construction, erection and/or implementation of solar power farms and/or commercial solar power projects within the Town. The Board of the Town reserves the right to direct the Town Building Inspector/Code Enforcement Officer to revoke or rescind any building permits or certificates of occupancy issued in violation of this Local Law.

### SECTION 4. NO CONSIDERATION OF NEW APPLICATIONS

No application affected by this Local Law and/or for approvals for a site plan, subdivision, variance, special use permit or other permit shall be considered by any Board Officer or agency of the Town while the moratorium imposed by this Local Law is in effect, except for any application previously submitted for consideration prior to the moratorium

#### SECTION 5. TERM

The moratorium imposed by this Local Law shall be in effect for a period of six (6) months from the effective date of this Local Law. This Local Law shall expire six (6) months from the effective date of this Local Law as more specifically discussed hereinbelow. This moratorium shall only apply to solar power farms and/or commercial solar power projects of an industrial scale encompassing more than one half (1/2) acre of land area and is not intended to apply to residential scale installations on or around homes designed to offset energy demands from the premises on which same is installed.

#### SECTION 6. PENALITIES

Any person, firm or corporation that shall establish, place, construct, enlarge or erect any solar power farms and/or commercial solar power projects in violation of the provisions of this Local Law in violation of the provisions of this Local Law shall be subject to:

A. All penalties as may otherwise be provided by applicable local laws, ordinances, rules, regulations of the Town for violations; and

B. Injunctive relief in favor of the Town to cease any and all such actions which conflict with this Local Law and, if necessary, to remove any construction that may have taken place in violation of this Local Law.

#### SECTION 7. VALIDITY

The invalidity of any provision of this Local Law shall not affect the validity of any other provision of this Local Law that can be given effect without said invalid provision.

#### SECTION 8. HARDSHIP

A. Should any owner of property affected by this Local law suffer an unnecessary hardship in the way of carrying out the strict letter of this Local Law, then the owner of said property may apply to the Board of the Town in writing for a variation from strict compliance with this Local law upon submission of proof of said unnecessary hardship. For the purposes of this Local Law, unnecessary hardship shall not be the mere delay in being permitted to make an application or waiting for a decision on the application for a variance, special permit or other permit during the period of the moratorium imposed by this Local Law.

B. Procedure. Upon submission of a written application to the Albion Town Clerk by the property owner seeking a variation of this Local Law, the Board shall, within thirty (30) days of receipt of said application, schedule a Public Hearing on said application upon a five (5) day written notice in the official newspaper of the Town. At said Public Hearing, the property owner and any other parties wishing to present evidence with regard to the application shall have an

opportunity to be heard, and the Board shall, within fifteen (15) days of the close of said Public Hearing, render its decision either granting or denying the application for a variation from the strict requirements of this Local Law. In the event that the Board determines that a property owner will suffer an unnecessary hardship if this Local Law is strictly applied to a particular property, then the Board shall vary the application to this Local Law to the minimum extent necessary to provide the property owner relief from strict compliance with this Local Law.

#### SECTION 9. 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  
                    , 2025



## 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

Local Law No. #2 of the year 20<sup>25</sup>

A local law Imposing a 6 month moratoruim on Chapter 106, battery energy systems  
(Insert Title)

Be it enacted by the of the  
(Name of Legislative Body)

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

of Albion, Orleans County as follows:

See attached Local Law #2 for the Town of Albion, Orleans County

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

**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 \_\_\_\_\_ above.

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

Date: \_\_\_\_\_

(Seal)

A LOCAL LAW #2 of 2025 IMPOSING A SIX (6) MONTH  
MORATORIUM ON CHAPTER 106,  
BATTERY ENERGY STORAGE SYSTEMS  
IN THE TOWN OF ALBION

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 the "Local Law #2 of 2025 Imposing a Six (6)  
Month Moratorium on Chapter 106 Battery Energy Storage Systems in the Town of Albion".

SECTION 2. PURPOSE AND INTENT

Albion Town Code Chapter 106 was originally adopted by the Town of Albion in 2021.  
The Albion Town Board is now desirous of making amendments and/or modifications to Albion  
Town Code Chapter 106. Pursuant to the statutory powers vested in the Town of Albion  
(hereinafter referred to as the Town) to regulate and control land use and to protect the health,  
safety and welfare of its residents, the Board hereby declares a six (6) month moratorium on the  
establishment, placement, construction, erection and/or implementation of any battery energy  
storage systems in the Town of Albion. It is the further purpose to enable the Town to prevent  
the construction or erection of any battery energy storage system projects for a reasonable period  
of time to allow the Board to contemplate and/or enact amendments and/or modifications to  
Albion Town Code Chapter 106.

Officer or agency of the Town while the moratorium imposed by this Local Law is in effect, except for any application previously submitted for consideration prior to the moratorium.

#### SECTION 5. TERM

The moratorium imposed by this Local Law shall be in effect for a period of six (6) months from the effective date of this Local Law. This Local Law shall expire six (6) months from the effective date of this Local Law as more specifically discussed hereinbelow.

#### SECTION 6. PENALITIES

Any person, firm or corporation that shall establish, place, construct, enlarge or erect any battery energy storage systems in violation of the provisions of this Local Law in violation of the provisions of this Local Law shall be subject to:

- A. All penalties as may otherwise be provided by applicable local laws, ordinances, rules, regulations of the Town for violations; and
- B. Injunctive relief in favor of the Town to cease any and all such actions which conflict with this Local Law and, if necessary, to remove any construction that may have taken place in violation of this Local Law.

#### SECTION 7. VALIDITY

## SECTION 9. 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  
  , 2025

A LOCAL LAW #2 of 2025 IMPOSING A SIX (6) MONTH  
MORATORIUM ON CHAPTER 106,  
BATTERY ENERGY STORAGE SYSTEMS  
IN THE TOWN OF ALBION

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 the "Local Law #2 of 2025 Imposing a Six (6)  
Month Moratorium on Chapter 106 Battery Energy Storage Systems in the Town of Albion".

SECTION 2. PURPOSE AND INTENT

Albion Town Code Chapter 106 was originally adopted by the Town of Albion in 2021.  
The Albion Town Board is now desirous of making amendments and/or modifications to Albion  
Town Code Chapter 106. Pursuant to the statutory powers vested in the Town of Albion  
(hereinafter referred to as the Town) to regulate and control land use and to protect the health,  
safety and welfare of its residents, the Board hereby declares a six (6) month moratorium on the  
establishment, placement, construction, erection and/or implementation of any battery energy  
storage systems in the Town of Albion. It is the further purpose to enable the Town to prevent  
the construction or erection of any battery energy storage system projects for a reasonable period  
of time to allow the Board to contemplate and/or enact amendments and/or modifications to  
Albion Town Code Chapter 106.

### SECTION 3. SCOPE OF CONTROLS

During the effective period of this Local Law:

1. The Board of the Town will not grant any approvals that would have as the result the establishment, placement, construction, erection and/or implementation of any battery energy storage systems within the Town.
2. The Town of Albion Planning Board shall not grant any approvals that would have as the result the establishment, placement, construction, erection and/or implementation of any battery energy storage systems within the Town.
3. The Town of Albion Zoning Board of Appeals shall not grant any variance or other permit for any use that would result in the establishment, placement, construction, erection and/or implementation of any battery energy storage systems within the Town.
4. The Building Inspector/Code Enforcement Officer of the Town shall not issue any permit that would result in the establishment, placement, construction, erection and/or implementation of any battery energy storage systems within the Town. The Board of the Town reserves the right to direct the Town Building Inspector/Code Enforcement Officer to revoke or rescind any building permits or certificates of occupancy issued in violation of this Local Law.

### SECTION 4. NO CONSIDERATION OF NEW APPLICATIONS

No application affected by this Local Law and/or for approvals for a site plan, subdivision, variance, special use permit or other permit shall be considered by any Board

Officer or agency of the Town while the moratorium imposed by this Local Law is in effect, except for any application previously submitted for consideration prior to the moratorium.

#### SECTION 5. TERM

The moratorium imposed by this Local Law shall be in effect for a period of six (6) months from the effective date of this Local Law. This Local Law shall expire six (6) months from the effective date of this Local Law as more specifically discussed hereinbelow.

#### SECTION 6. PENALITIES

Any person, firm or corporation that shall establish, place, construct, enlarge or erect any battery energy storage systems in violation of the provisions of this Local Law in violation of the provisions of this Local Law shall be subject to:

- A. All penalties as may otherwise be provided by applicable local laws, ordinances, rules, regulations of the Town for violations; and
- B. Injunctive relief in favor of the Town to cease any and all such actions which conflict with this Local Law and, if necessary, to remove any construction that may have taken place in violation of this Local Law.

#### SECTION 7. VALIDITY



The invalidity of any provision of this Local Law shall not affect the validity of any other provision of this Local Law that can be given effect without said invalid provision.

#### SECTION 8. HARDSHIP

A. Should any owner of property affected by this Local Law suffer an unnecessary hardship in the way of carrying out the strict letter of this Local Law, then the owner of said property may apply to the Board of the Town in writing for a variation from strict compliance with this Local law upon submission of proof of said unnecessary hardship. For the purposes of this Local Law, unnecessary hardship shall not be the mere delay in being permitted to make an application or waiting for a decision on the application for a variance, special permit or other permit during the period of the moratorium imposed by this Local Law.

B. Procedure. Upon submission of a written application to the Albion Town Clerk by the property owner seeking a variation of this Local Law, the Board shall, within thirty (30) days of receipt of said application, schedule a Public Hearing on said application upon a five (5) day written notice in the official newspaper of the Town. At said Public Hearing, the property owner and any other parties wishing to present evidence with regard to the application shall have an opportunity to be heard, and the Board shall, within fifteen (15) days of the close of said Public Hearing, render its decision either granting or denying the application for a variation from the strict requirements of this Local Law. In the event that the Board determines that a property owner will suffer an unnecessary hardship if this Local Law is strictly applied to a particular property, then the Board shall vary the application to this Local Law to the minimum extent necessary to provide the property owner relief from strict compliance with this Local Law.

SECTION 9. 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  
                    , 2025

	A	B	C	D	E	F	G
1	BIDS FOR SPLIT DECK TILT BED TRAILER 1/13/2025 <i>5pm</i>						
2							
3	BIDDER					AMOUNT	
4	<i>email</i>	<i>1</i>	<i>George + Swede</i>	<i>12/23/24</i>		<i>\$21,032.60</i>	<i>} opened &amp; downloaded</i>
5							
6	<i>email</i>	<i>2</i>	<i>J P R Trailer Sales</i>	<i>1/10/25</i>		<i>\$17,200.00</i>	
7							
8	<i>Packet</i>	<i>3</i>	<i>Baschmann Services</i>			<i>\$18,207.00</i>	