

January 8, 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. Swearing in of Elected officials
6. Roll Call
7. Public Comment
8. Motion to approve agenda
9. Resolution to approve appointments
10. Motion to approve the minutes of December 11th and December 28th meetings.
11. Resolution to approve the vouchers
12. Resolution to approve Union Contract
13. Resolution for the Fire District
14. USLE Decommissioning plan
15. NYSDA Committee Update
16. Executive Session

8-Jan-24

Albion Town Board Organizational and Regular Meeting

Please sign in:

Jayce A. Riley

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January 8, 2024

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

Meeting called to order at 5:00 pm.

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

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

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

Motion was made by Councilperson Terry Wilbert and was seconded by Councilperson Darlene Benton to approve the agenda with the removal of the union contract and USLE and executive session will be on a personnel matter. 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 Remley: We will now review the appointments and consent to all or if someone has a question on one, we can move that to a non-consent item.

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 he 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 an as-needed basis.

Resolution 5 Water/Sewer Superintendent

Be it resolved that Michael Neidert is appointed to the position at a salary of \$27,304.00 per year.

Resolution #6 Deputy Highway Superintendent

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 Sarah Basinait is hereby appointed to the position at a salary of \$10,845.00 per year.

Resolution #8 Registrar of Vital Statistics

Be it resolved that Sarah Basinait is hereby appointed Registrar of Vital Statistics at a salary of \$3,761.00 per year.

Resolution #9 Town Clerk Deputy

Be it resolved that is hereby appointed to serve as Deputy Town Clerk at a salary of \$20.00 per hour.

Resolution #10 Town Clerk's Office Hours

Be it resolved that the Clerk's 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 5:00 PM 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. In addition to the above meetings the Town Board will have two special meetings concerning the proposed fire district on March 27 at 7:00 pm and April 24 at 7:00 pm.

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 2024.

Resolution #16 Budget Officer

Be it resolved that Supervisor Richard Remley is hereby appointed as Budget Officer at a salary of \$1,135.00/year.

Resolution #17 Supervisor Monthly Report Auditing

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

Resolution #18 Accounting Firm

Be it resolved LGSS is hereby appointed as accounting firm for 2024 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 it 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 that 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.....\$4,383.00
Town Clerk.....\$42,987.00
Supervisor.....\$7,918.00
Highway Superintendent....\$64,217.00
Justices.....\$20,289.00 each

Resolution #30 Court Clerk

Be it resolved that Denise Cornick is hereby appointed as Court Clerk to Justice Gary Moore at a salary of \$54,110.00 for 2024.

Resolution #31 Court Clerk

Be it resolved that is hereby appointed as Court Clerk to Justice Joseph Fuller at an hourly salary of \$20.00 per hour for 2024.

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, \$31.80 an hour for 10 hours a week

Chris Kinter, \$26.50 an hour for 20 hours week

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 \$.56¢ per mile upon presentation of proof to the Town Clerk. Mileage to and from Town Board meetings is 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 2024 year.

Resolution #36 Building s and Grounds Maintenance

Be it resolved that Arnold Allen will chair and Terry Wilbert will serve on this committee for the 2024 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 2024 year.

Resolution #38 Highway Department Liaison

Be it resolved that Arnold Allen will serve as liaison to the Highway Department for the 2024 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 2023.

Resolution #44 Payroll Provider

Be it resolved that LGSS will be the payroll provider to the Town of Albion for 2024.

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 the 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 2024. 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 serve on this committee for 2024.

Motion was made by Councilperson Terry Wilbert and was seconded by Councilperson Darlene Benton to approve the above listed appointments for 2024. Resolution duly adopted by the following vote:

Councilperson Darlene Benton, aye

Councilperson Sandra Bensley, aye

Supervisor Richard Remley, aye

Councilperson Terry Wilbert, aye

Councilperson Arnold Allen, aye

Supervisor Richard Remley: I need a motion to approve the minutes of the December 11th and the 28th meetings.

Motion was made by Councilperson Arnold Allen and was seconded by Councilperson Darlene Benton approving the minutes of December 11th and 28th meetings as published and submitted. Motion carried by the following vote:

Councilperson Darlene Benton, aye

Councilperson Sandra Bensley, aye

Supervisor Richard Remley, aye

Councilperson Terry Wilbert, aye

Councilperson Arnold Allen, aye

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

Resolution #50 Payment of Claims

Whereas, the following are against the Town:

General, Highway, Water & Sewer 1 – 32 \$38,947.50

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

Councilperson Darlene Benton, aye

Councilperson Sandra Bensley, aye

Supervisor Richard Remley, aye

Councilperson Terry Wilbert, aye

Councilperson Arnold Allen, aye

Supervisor Richard Remley: I need a resolution for the lead agency and mou for the joint fire district.

**Resolution #51 TOWN OF ALBION – RESOLUTION
RE: INVESTIGATION OF JOINT FIRE DISTRICT FORMATION**

WHEREAS the Town of Albion (hereinafter referred to as Albion), the Town of Gaines (hereinafter referred to as Gaines) and the Village of Albion (hereinafter referred to as the Village) having determined it to be in the public interest of their citizens to investigate the formation of a joint fire district to be called the Albion Joint Fire District (hereinafter referred to as AJFD), and

WHEREAS in furtherance of the investigative process, several meetings have taken place over the course of 2023 involving the Albion Supervisor, the Gaines Supervisor, the Village Mayor, representatives from the current Albion Fire Department, the Assessor for said municipalities and various legal counsel, and

WHEREAS also in furtherance of the investigative process, a proposed Memorandum of Understanding, a proposed SEQRA Agreement and a proposed Dissolution Plan have been prepared for consideration by Albion, Gaines and the Village, and

WHEREAS the Albion Town Board is desirous of proceeding forward in a timely fashion in pursuance of the AJFD.

NOW THEREFORE BE IT RESOLVED:

Section 1. The Memorandum of Understanding is approved and Supervisor F. Richard Remley is authorized to execute same on behalf of Albion.

Section 2. The proposed SEQRA Agreement and Resolution for Albion to become lead agency in this matter is approved and Supervisor F. Richard Remley is authorized to execute same on behalf of Albion.

Section 3. The foregoing approvals are subject to and contingent upon similar approvals from Gaines and the Village.

Section 4. The proposed Dissolution Plan is under review and subject to further action or approval going forward.

Section 5. This Resolution shall take effect immediately.

Motion was made by Councilperson Sandra Bensley and was seconded by Councilperson Terry Wilbert authorizing the adoption 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 a motion to enter executive session.

Motion was made by Councilperson Terry Wilbert and was seconded by Councilperson Arnold Allen authorizing executive session for the discussion of a personnel issue at 5:32 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

Account#	Account Description	Fee Description	Qty	Local Share	
A1255	Marr. Lic.	Marriage Licensing Fee	1	17.50	
	Misc. Fees	Cert. Copies - Death	12	120.00	
		Cert. Copies - Marriage	5	50.00	
		Sub-Total:			\$187.50
A2544	Dog Licensing	Female, Spayed	13	117.00	
		Male, Neutered	13	117.00	
		Male, Unneutered	7	119.00	
	Sub-Total:			\$353.00	
B1560	Building Permits	Building Permits	1	25.00	
		Sub-Total:			\$25.00
Total Local Shares Remitted:				\$565.50	
Amount paid to:	NYS Ag. & Markets for spay/neuter program			47.00	
Amount paid to:	State Health Dept. For Marriage Licenses			22.50	
Total State, County & Local Revenues:		\$635.00	Total Non-Local Revenues:		\$69.50

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

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 14414 • 585-589-7018 x16 • highway@townofalbion.com

TOWN OF ALBION HIGHWAY AND WATER

Town of Albion - 2024-01-08 - Abstract of Claims										
#	Claimant	AA	BB	DA	DB	Water	Sewer	Amount	Date	Ck#
1	CSEA	9060.8		9060.8		9060.8		\$140.98	AutoPay	
2	Pitney Bowes	1620.4						\$279.42	AutoPay	
3	Orleans Ctny Town Clerks	1410.4						\$45.00	1/9/2024	4720
4	TyLin		8020.4					\$337.50	1/9/2024	4724
5	James Bell		1420.4					\$2,083.33	1/9/2024	4704
6	Clearfly	1620.4						\$138.37	AutoPay	
7	Save Time Cleaning	1620.4						\$845.00	1/9/2024	4722
8	Raymond DiRaddo		1420.4					\$2,040.69	1/9/2024	4708
9	MRB Group		8020.4					\$6,591.32	1/9/2024	4713
10	Town of Albion Tax	1620.4				8310.4		\$312.40	1/9/2024	4723
11	FLBOA		8010.4					\$460.00	1/9/2024	4710
12	Cardmember Services	1010.4						\$468.66	AutoPay	
13	Michael Neidert	5010.4						\$800.00	1/9/2024	4715
14	Bentley Bros			5130.4				\$1,091.56	1/9/2024	4705
15	Casnter Communications			5130.4				\$285.00	1/9/2024	4706
16	Cook Brothers			5130.4				\$280.75	1/9/2024	4707
17	Albion Ace	1620.4		5130.4				\$92.97	1/9/2024	4702
18	Wayne Downs				9089.8			\$800.00	1/9/2024	4709
19	J & M Repair			5130.4				\$292.98	1/9/2024	4712
20	Guiseppe Navarra				9089.8			\$800.00	1/9/2024	4714
21	New York Rural Water					8340.4		\$410.00	1/9/2024	4716
22	Northern Supply			5142.4, 5148.4				\$1,158.00	1/9/2024	4717
23	NYS Assoc Town Supt	5010.4						\$250.00	1/9/2024	4718
24	OC Town Hwy Assoc	5010.4						\$200.00	1/9/2024	4721
25	Udlig					8340.4		\$20.00	1/9/2024	4725
26	Robert Verhagen				9089.8			\$800.00	1/9/2024	4726
27	Village of Albion			5130.4				\$217.00	1/9/2024	4727
28	Forbes Court Reporting	1110.404						\$540.00	1/9/2024	4711
29	National Grid	1620.4, 5182.4				8340.4	8130.4	\$1,250.58	AutoPay	
30	Orleans Ctny DPW			5142.4, 5148.4				\$1,542.20	1/9/2024	4719
								\$24,573.71	1/9/2024	

**TOWN OF ALBION
NOVEMBER 2023
EXECUTIVE SUMMARY**

BALANCE SHEET

- Bank accounts were reconciled as of 12/31/2023.
- The Town has \$ 2,107,235.10 in the bank.

REVENUES AND EXPENSES

• **REVENUES**

- Total receipts for the month were: \$ 76,685.03
- Major receipts were:
 - PILOT – Falls Road RR: \$ 671.62
 - Mortgage Tax: \$ 25,523.67
 - Justice Fees (November): \$ 4,054.00
 - Town Clerk fees (November): \$ 699.44
 - Metered Sales: \$ 38,632.69
 - Interest: \$ 7,103.61

• **EXPENSES**

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

General Fund Townwide:

- Year to date expenses are \$ 933,543.90 compared to the annual budget of \$ 1,137,169.00 or 82% of the budget.

General Fund Outside Village:

- Year to date expenses are \$ 240,184.03 compared to the annual budget of \$ 246,716 or 97% of the budget.

Highway Townwide:

- Year to date expenses are \$ 515,187.48 compared to the annual budget of \$ 512,940.00 or 100% of the annual budget

Highway Outside Village:

- Year to date expenses are \$ 293,898.40 compared to the annual budget of \$ 324,360.00 or 91% of the budget.