February 11, 2013

Agenda

1. Call Meeting to order
2. Pledge of Allegiance
3. Exit Message
4. FYI: Remind residents to sign attendance sheet
5. Roll Call
6. Public Comment
7. Motion to approve agenda
8. Motion to approve the minutes of the January 14, 2013 meeting
9. Resolution to approve the vouchers
10. Motion to approve payment prior to abstract of the MVP bill in the amount of $4,619.70.
11. Motion to approve Dan Strong's hours as submitted
12. Resolution of support for Bill #'s A.88 and A.824, NYS Contact Information for vacant structures.
13. Resolution of support for Senate bill No. S2026-2013- Lien Law – Public Officials
14. Resolution for Engineering Amendment #1 – Water District #9
15. Comprehensive Plan
16. FYI: Tuesday Court time change from 5:00 pm to 9:00 am on Tuesdays being March 1, 2013.
17. Executive Session

January 14, 2013

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

Meeting called to order at 7:00 pm.

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

Present were Councilperson Daniel Poprawski, Councilperson Timothy Neilans, Supervisor Dennis Stirk, Councilperson Jake Olles and Councilperson Matthew Passarell.

Supervisor Dennis Stirk: I need a motion to approve the agenda.

Motion was made by Councilperson Matthew Passarell and was seconded by Councilperson Jake Olles to approve the agenda as published and submitted. Motion carried by the following vote:

Councilperson Daniel Poprawski, aye **Councilperson Timothy Neilans, aye**
Supervisor Dennis Stirk, aye **Councilperson Jake Olles, aye**
Councilperson Matthew Passarell, aye

Supervisor Dennis Stirk: I need a motion to approve the minutes.

Motion was made by Councilperson Daniel Poprawski and was seconded by Councilperson Jake Olles to approve the minutes of the December 27th and January 7th meetings as published and submitted. Motion carried by the following vote:

Councilperson Daniel Poprawski, aye **Councilperson Timothy Neilans, aye**
Supervisor Dennis Stirk, aye **Councilperson Jake Olles, aye**
Councilperson Matthew Passarell, aye

Supervisor Dennis Stirk: I need a motion for the vouchers.

Resolution #48 Payment of Claims

Whereas, the following are against the Town:

General A & B #'s – 1 – 44	**$ 100,591.62**
Highway DA & DB #'s – 1 – 15	**$ 8,463.23**
Water Districts #'s – 1 – 8	**$ 4,209.03**
Grant #9 #1	**$ 297.42**
For a grand total of	**$ 113,561.30**

Motion was made by Councilperson Daniel Poprawski and was seconded by Councilperson Jake Olles authorizing the payment of the above listed claims. Resolution duly adopted by the following vote:

Councilperson Daniel Poprawski, aye **Councilperson Timothy Neilans, aye**
Supervisor Dennis Stirk, aye **Councilperson Jake Olles, aye**
Councilperson Matthew Passarell, aye

Councilperson Timothy objected to the payment of General vouchers numbers 4 and 40 and Highway voucher number 4.

Councilperson Matthew Passarell objected to the payment of General vouchers numbers 4, 39 and 40.

January 14, 2013

Supervisor Dennis Stirk: I need a motion to approve the health care bill.

Motion was made by Councilperson Matthew Passarell and was seconded by Councilperson Jake Olles to approve payment prior to abstract of the MVP bill in the amount of $4,228.20. Motion carried by the following vote:

Councilperson Daniel Poprawski, aye
Supervisor Dennis Stirk, aye
Councilperson Matthew Passarell, aye
Councilperson Timothy Neilans, aye
Councilperson Jake Olles, aye

Supervisor Dennis Stirk: I need a motion for Dan's schooling.

Motion was made by Councilperson Daniel Poprawski and was seconded by Councilperson Matthew Passarell authorizing the attendance of Daniel Strong at the FLBOA Conference, March 18 – 21 at a cost not to exceed $390.00. Motion carried by the following vote:

Councilperson Daniel Poprawski, aye
Supervisor Dennis Stirk, aye
Councilperson Matthew Passarell, aye
Councilperson Timothy Neilans, aye
Councilperson Jake Olles, aye

Supervisor Dennis Stirk: I need a motion to close.

Motion was made by Councilperson Jake Olles and was seconded by Councilperson Daniel Poprawski to close the meeting at 7:12 pm. Motion carried by the following vote:

Councilperson Daniel Poprawski, aye
Supervisor Dennis Stirk, aye
Councilperson Matthew Passarell, aye
Councilperson Timothy Neilans, aye
Councilperson Jake Olles, aye

TOWN OF ALBION

Code Enforcement Office
3665 Clarendon Road
Albion, New York 14411
585-589-7048 Extension 15

1/14/2012

To Albion Town Board Members,

At the January 7th meeting it was discussed about the possibility of a future adjustment to the work week schedule being conducted by the code enforcement office.
I would be very interested in working a four day schedule during a portion of the year as discussed and would prefer to conduct the following hours.

Monday thru Friday 7:00 am until 3:00 pm from October 15th until April 15th.

Monday thru Thursday 7:00 am until 4:00 pm from April 15th thru October 15th.

As I discussed with you prior I will still remain available for appointments and construction inspections on Friday and or Saturday as necessary. In addition I will attend any evening meetings as the need arises such as Town Board, Planning Board, Zoning Board and County Planning Board. As has been past practice I will remain available to respond to any requests from the Albion Fire Department and Emergency Management Office on an 24/7 schedule. If at any time where I will be out of the area for an extended period, I will contact a NYS certified replacement officer to assist at any Fire or Emergency as needed.
I would like to thank you for any consideration in this matter. I hope this proposed schedule will meet with your approval and look forward to hearing from you at your convenience.

Sincerely,

Daniel D. Strong

MICHAEL P. KEARNS
Assemblyman 145th District

THE ASSEMBLY
STATE OF NEW YORK
ALBANY

January 2, 2013

Dennis Stirk
Town of Albion Supervisor
3665 Clarendon Rd.
Albion, NY 14411

Dear Representative Stirk:

I am writing to you regarding two foreclosure bills (A.88 and A.824) currently referred to the Judiciary Committee in the New York State Assembly. Last session the New York Assembly joined the list of states that have passed foreclosure bills making it mandatory for banks to provide municipalities with contact information of property managers or other parties responsible for upkeep and maintenance of foreclosed or abandoned properties. Unfortunately, the companion bill in the New York State Senate was referred to the Senate Committee on Housing and received no further action including no vote on the floor of the Senate.

I am concerned that the notice of contact information bill (A.88) and bill (A. 824) requiring 'good faith' in obtaining a foreclosure will encounter considerable special interest headwinds this year. In anticipation of significant opposition to these bills, I am hoping that your governing body could provide a resolution, in support of these bills. They can be viewed at my webpage: www.assembly.state.ny.us/mem/Michael-P-Kearns or I can be reached at the email below. Included are two editorials directly dealing with these foreclosure issues and a sample resolution. My intention is to make financial institutions and lenders more accountable to the surrounding community when homes and buildings are abandoned or foreclosure proceedings have started. A resolution from your governing body will add depth and resonance to committee deliberations, as well as establish a robust and persuasive record based on the facts and the needs of the people.

I would be grateful for your participation. Please send your resolution to my District Office in Buffalo, New York. Thank you for your time and help.

Sincerely,

Michael P. Kearns - Assemblyman 142nd District

ALBANY OFFICE: Room 431 Legislative Office Building, Albany, New York 12248 • 518-455-4691
DISTRICT OFFICE: 2189 Seneca Street, Buffalo, NY 14210 • 716-826-0152
EMAIL: kearnsm@assembly.state.ny.us

The following RESOLUTION was adopted by the Town Board of the Town of _____
At a regular meeting held on _____:

Resolution XXX-XX
SUPPORT FOR NYS-CONTACT INFORMATION FOR VACANT STRUCTURES
On a motion made by Councilman_____, seconded by Councilman_____,
the following was
ADOPTED AYES # Councilman_____, Councilman_____
NAYES # Councilman_____, Councilman_____

Resolved to support New York State regarding the proposed laws concerning contact information for vacant structures.

WHEREAS, vacant, abandoned and foreclosed homes and structures have proliferated throughout New York State over the last five years; and

WHEREAS, vacant structures that are not maintained for months at a time degrade and depreciate the value of the vacant structure as well as the value of surrounding properties; and

WHEREAS, lending institutions that hold mortgages on said vacant structures do not always provide the contact information of a responsible party; and

WHEREAS, Assembly Bill A.88 and Assembly Bill A.824, currently pending, would make it mandatory for lending institutions to provide contact information of responsible parties regarding vacant structures; and require good faith in obtaining a foreclosure; and

WHEREAS, the Town of _____ Town Board supports the passage of said Bills.

NOW THEREFORE, BE IT RESOLVED that the town of _____ hereby supports the passage of said Bills and respectfully requests that the State Representatives who represents constituents in the Town of _____ support the passage of said Bills.

Copies of this resolution to be forwarded to Senator_____, Assemblyman _____,Co-Sponsors of this bill: Senator_____, Assemblyman_____.

I, _____ DO HEREBY CERTIFY, that the foregoing is a true copy of a Resolution passed by the Town Board of the Town of _____ at its regular meeting held on _____, and members of the Town Board had due notice of said meeting, and further that such resolution has been fully recorded in the Town Clerks books.

In Witness thereof, I have hereunto set my hand the XX day of XXXX, 2012

_____

XXXXX XXXXXXXXX
Town Clerk
Town of XXXXXXX

es. The reason for that is simple: Religious liberty is *not* ıg threatened in the United States. Americans remain to pray and attend church as they wish.

ing the operations of the church's important but secular side businesses, the church is entering a realm to which it is not well-suited. Its own members are saying so.

Web site, scroll to the bottom of the page; click on Contact Us and then click on News Opinion Pages. Or send a self-addressed, stamped envelope to Opinion Pages Guidelines, The Buffalo News, P.O. Box 100, Buffalo, NY 14240

ıother Voice / *Vacant properties*

Banks, property managers must be held accountable

By Michael P. Kearns

cting responsibly as a neighbor and en is essential to the operation of a society. When homes, residences, es and other buildings become va-, their maintenance and upkeep is to sustaining the property values ıtire communities.

o it is surprising that in this eco-ic downturn, despite large profits the financial sector, banks, mort-ırs and lenders are not meeting this lamental responsibility. Several of e institutions are presiding over legradation and depreciation of va-structures throughout the United es. The property portfolios of va-structures for many of these insti-ıns, at least in part, are becoming run down with the effects spilling over to the hardworking neighbors in many hometowns and districts.

The 145th Assembly District is confronted with this problem daily. Constituents who are alarmed repeatedly call about vacant buildings and homes that are not maintained for months at a time, if at all. The main complaint is that there is no one to call, contact or hold responsible. Attempts to contact banks holding the mortgage, after a foreclosure proceeding is commenced, are met with recordings and in the rare instance when a person is reached, no contact information of a responsible party is divulged.

I have been told on several occasions that giving out this information would create privacy breaches. My staff has also been told that the information could not be divulged for fear of harassing phone calls made to individuals. These reasons seem specious because a neighbor living in a structure whose acts or omissions violate local building codes would not enjoy privacy protection or avoid responsibility for requests made by neighbors to do basic upkeep on the premises. The runaround is disconcerting and frustrating for many.

In an economic environment of dwindling net worth, degradation of our neighborhoods is an issue of national economic importance. In 2011, the states or policy laboratories of this country had no shortage of proposed legislative experiments to combat this issue. Arizona, Connecticut, Georgia, Hawaii, Illinois, Indiana, Kentucky, Maryland, Minnesota, Nevada, New Jersey, Oregon and Rhode Island have passed bills in one or both houses to address this lack of vacant property maintenance, accountability and responsibility. A federal response is hoped for.

For the protection of our neighborhoods and communities, I have asked that Assembly Bill 10524 and Senate Bill 7620, which would make it mandatory for lending institutions to provide contact information of responsible parties regarding vacant structures, be speedily made law in New York. It is my fervent hope that the people of New York contact their local representatives and join in this endeavor, which concerns us all.

Michael P. Kearns represents the 145th State Assembly District.

The Buffalo News

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MRS. EDWARD H. BUTLER
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Vice President, Chief Financial Officer

ORLEANS COUNTY LEGISLATURE ALBION, NEW YORK

RESOLUTION NO. 49-113

RESOLUTION IN SUPPORT OF SENATE BILL NO. S2026-2013 TO AMEND THE LIEN LAW IN RELATION TO FILING OF FALSE LIENS AGAINST PUBLIC OFFICIALS

WHEREAS, the Orleans County Legislature strongly supports this lien law legislation as it relates to the filing of false records against public officials and the prosecution of those who do; be it

RESOLVED, that the Orleans County Legislature does hereby support Senate Bill No. S2026-2013 to amend the lien law in relation to filing of false liens against public officials; and be it

FURTHER RESOLVED, that the Clerk of the Legislature shall forward copies of this resolution to Governor Andrew M. Cuomo, Senator Maziarz, Assemblyman Hawley, NYSAC, Intercounty Association of WNY, Orleans County Towns and Villages; and all those deemed necessary and proper.

Moved, Johnson; second, Bower.
Adopted. 7 ayes; 0 nays; 0 absent.

COUNTY OF ORLEANS
STATE OF NEW YORK

I hereby certify that the foregoing is a true and correct transcript of a resolution duly adopted by the Orleans County Legislature on the 23rd day of January, 2013.

Dated at Albion, New York
January 24, 2013

Nadine P. Hanlon

Nadine P. Hanlon, Clerk
Orleans County Legislature
County of Orleans, New York

L.S.

STATUS:
S2026 MAZIARZ No Same as
Lien Law
TITLE....Relates to the filing of false liens against certain public officials
01/09/13 REFERRED TO JUDICIARY

SUMMARY:

MAZIARZ, GALLIVAN, DeFRANCISCO, RANZENHOFER
Add S66, Lien L
Relates to the filing of false liens against certain public officials.

BILL TEXT:

STATE OF NEW YORK

2026

2013-2014 Regular Sessions

IN SENATE

(Prefiled)

January 9, 2013

Introduced by Sens. MAZIARZ, GALLIVAN, DeFRANCISCO, RANZENHOFER -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary

AN ACT to amend the lien law, in relation to filing of false liens against public officials

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The lien law is amended by adding a new section 66 to read
2 as follows:
3 § 66. Filing of false liens against certain public officers. Whoever
4 files or conspires to file, in any public record or private record which
5 is generally available to the public, any false lien or encumbrance
6 against the real or personal property of a local or state officer as
7 defined in section two of the public officers law, on account of the
8 performance of official duties of that individual, knowing or having
9 reason to know that such lien or encumbrance is false or contains any
10 materially false, fictitious, or fraudulent statement or representation,
11 shall be guilty of a class E felony punishable by a fine of ten thousand
12 dollars per incidence or up to one year in prison, or by both such fine
13 and imprisonment.
14 § 2. This act shall take effect immediately.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD03615-02-3

SPONSORS MEMO:

NEW YORK STATE SENATE
INTRODUCER'S MEMORANDUM IN SUPPORT
submitted in accordance with Senate Rule VI, Sec 1

BILL NUMBER: S2026

SPONSOR: MAZIARZ

TITLE OF BILL: An act to amend the lien law, in relation to filing of false liens against public officials

PURPOSE: To ensure that appropriate punishments and deterrents exist in relation to the malicious filing of false or fictitious liens against local or state officers as defined in state law, including but not limited to police officers and elected officials.

SUMMARY OF PROVISIONS:

Section one: Amends the lien law to prohibit the filing of false or fictitious liens against public officers as defined in section two of the public officers law, and imposes a criminal sanction of $10,000 per incidence or up to one year in prison or both.

Section two: sets forth the effective date

JUSTIFICATION: In recent years, members of the so called "Sovereign. Citizens Movement" have begun to utilize the tactic of filing multiple false or fictitious liens against police officers and public officials as a means to intimidate these individuals and undermine the rule of law. The FBI describes such individuals as anti-government extremists who believe that even though they are in the country they are separate or "sovereign" from the United States. There are multiple examples across New York State of "sovereigns" using false liens as a part of a scheme to destroy the lives of ordinary people who are simply doing their jobs. These bogus liens are meritless, but in multiple cases they were accepted by the Department of State and other entities and began to appear on credit reports and had a significant and negative impact on law abiding citizens.

In response to this problem, the Federal Government has enacted 18 USCA 1521, which gives Federal authorities the ability to prosecute those involved in this activity, but the law only covers those victims who are Federal Government officials.

This bill would provide equivalent state protections to public officers covered under New York State law, including local elected leaders and law enforcement officials.

LEGISLATIVE HISTORY: New legislation.

FISCAL IMPACT: None.

EFFECTIVE DATE: This act shall take effect immediately.

CHATFIELD ENGINEERS, P.C. • 2800 Dewey Avenue • Rochester, New York 14616
(585) 227-6040 • Fax (585) 227-4233

February 4, 2013 CE#08-893

Supervisor Dennis J. Stirk
and Town Board Members
Town of Albion
3665 Clarendon Road
Albion, NY 14411

RE: Town of Albion Water District No. 9
Engineering Amendment No. 1

Dear Dennis and Town Board Members:

Enclosed please find four (4) copies of the Engineering Amendment No. 1 for the above referenced project.

This Engineering Amendment is for the temporary and permanent easement maps and descriptions provided for the Project. Preparation of these maps and descriptions are additional services as per the Engineering Agreement and have been previously billed and paid.

Please **return four (4) copies of the signed Amendments** to our office for further processing with USDA Rural Development.

Upon your review, should you have any questions, please do not hesitate to call.

Sincerely,

Paul R. Chatfield, P.E.

Enc.
cc (by email only):
Sarah Basinait, Town Clerk (w/ Enc.)
Kathy Dear, Stuart I. Brown Associates (w/ Enc.)
John Helgren, USDA RD (w/ Enc.)

This is **EXHIBIT K**, consisting of **2** pages, referred to in and part of the **Agreement between Owner and Engineer for Professional Services** dated **July 12, 2010.**

AMENDMENT TO OWNER-ENGINEER AGREEMENT
Amendment No. 1

1. *Background Data:*

   a. Effective Date of Owner-Engineer Agreement: July 12, 2010

   b. Owner: Town of Albion

   c. Engineer: Chatfield Engineers, P.C.

   d. Project: Town of Albion Water District No. 9

2. *Description of Modifications:*

[NOTE TO USER: Include the following paragraphs that are appropriate and delete those not applicable to this amendment. Refer to paragraph numbers used in the Agreement or a previous amendment for clarity with respect to the modifications to be made. Use paragraph numbers in this document for ease of reference herein and in future correspondence or amendments.]

a. Engineer shall perform or furnish the following Additional Services:
   - ***Preparation of Temporary and Permanent Easements.***

b. The Scope of Services currently authorized to be performed by Engineer in accordance with the Agreement and previous amendments, if any, is modified as follows: ***(No Changes)***

c. The responsibilities of Owner are modified as follows: ***(No Changes)***

d. For the Additional Services or the modifications to services set forth above, Owner shall pay Engineer the following additional or modified compensation:
   - ***Preparation of Temporary and Permanent Easements: + $1,360.00***

e. The schedule for rendering services is modified as follows: ***(No Changes)***

f. Other portions of the Agreement (including previous amendments, if any) are modified as follows: ***(No Changes)***

Engineering Amendment Attachment is attached to this Exhibit

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5. Agreement Summary (Reference only)

a. Original Agreement amount:	$ 67,626.00
b. Net change for prior amendments:	$ 0.00
c. This amendment amount:	$ 1,360.00
d. Adjusted Agreement amount:	**$ 68,986.00**

The foregoing Agreement Summary is for reference only and does not alter the terms of the Agreement, including those set forth in Exhibit C.

Owner and Engineer hereby agree to modify the above-referenced Agreement as set forth in this Amendment. All provisions of the Agreement not modified by this or previous Amendments remain in effect. The Effective Date of this Amendment is February 11, 2013

OWNER: Town of Albion

By: Dennis Stirk

Title: Town Supervisor

Date Signed: _____

ENGINEER: Chatfield Engineers, P.C.

By: Paul R. Chatfield, P.E.

Title: President

Date Signed: February 4, 2013

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USDA - Rural Development
Engineering Amendment Attachment
(EJCDC E-500, Exhibit K - 2008 Edition)

Amendment No. One (1)

Applicant/Borrower: Town of Albion Water District No. 9

Engineer/Architect: Chatfield Engineers, P.C.

	Original Agreement Amount	Previous Increase/ Decrease	Increase/ Decrease this Amendment	Revised Amount
Study and Report Phase	$2,500.00	$0.00	$0.00	$2,500.00
Preliminary Design Phase	$13,706.00	$0.00	$0.00	$13,706.00
Final Design Phase	$13,490.00	$0.00	$0.00	$13,490.00
Bidding and Negotiation Phase	$2,258.00	$0.00	$0.00	$2,258.00
Construction Phase Services	$9,914.00	$0.00	$0.00	$9,914.00
Post Construction Phase	$918.00	$0.00	$0.00	$918.00
Resident Inspection	$21,840.00	$0.00	$0.00	$21,840.00
Additional/Other Services (Specify):				
Printing	$3,000.00	$0.00	$0.00	$3,000.00
Preparation of Easement Maps			$1,360.00	$1,360.00
				$0.00
				$0.00
				$0.00
				$0.00
				$0.00
Totals	$67,626.00	$0.00	$1,360.00	$68,986.00

USDA - Rural Development Concurrence

By: _____

Typed Name: **John T. Helgren, P.E.**

Title: **State Engineer for USDA - RD**

Date: _____

Daniel Strong

From: Johnston, Barbara <bjohnston@LaBellaPC.com>
Sent: Monday, January 14, 2013 3:47 PM
To: codes@townofalbion.com
Subject: Adoption of Comprehensive Plan
Attachments: ENB-Notice-Town .doc; NegDec Resolution-Town.doc; Adoption Resolution - Town.doc; NEGDEC-Town.doc

Dan –
As we discussed, attached are the resolutions and forms needed for the Town Board to officially adopt the Comprehensive Plan.
You already have the Environmental Assessment Form and narrative.

Steps to Complete Adoption of the Albion Comprehensive Plan

1. Town Board adopts resolution to issue a Negative Declaration of Environmental Significance pursuant to SEQR.
2. Town Board adopts resolution to adopt Comprehensive Plan.
3. Town Clerk e-mails notice of Negative Declaration for publication in the Environmental Notice Bulletin to enb@gw.dec.state.ny.us

Attached:

- Town Board Resolution Issuing the Negative Determination of Environmental Significance
- Negative Declaration Form
- Town Board Resolution to Adopt the Comprehensive Plan
- ENB SEQRA Notice Publication Form

Let me know if you have any questions.
- Barbara

Barbara Johnston, AICP
Senior Planner
Direct: 585-295-6636 | bjohnston@labellapc.com

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TOWN OF ALBION

TOWN BOARD RESOLUTION ISSUING THE NEGATIVE DETERMINATION OF ENVIRONMENTAL SIGNIFICANCE

WHEREAS:

1. The Albion Town Board (hereinafter referred to as Town Board) has reviewed the Environmental Assessment Form for the adoption of the Village and Town of Albion Comprehensive Plan Update (hereafter referred to as the Comprehensive Plan).

2. The Town Board has considered the Environmental Assessment Form prepared for this action, comments received from the public, and the proposed Negative Determination of Environmental Significance.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Town Board declares that the action to adopt the Albion Comprehensive Plan will not have a significant adverse effect on the environment.

2. The Town Board further declares that the reasons supporting this negative declaration include:

   a. Compared with the criteria listed in Section 617.11 of SEQR regulations, all indications are that the proposed action will not cause substantial adverse change in community character, aesthetics, design and natural features; and,

   b. Review of the proposed Comprehensive Plan Program and the Environmental Assessment Form has indicated that the action to adopt the Comprehensive Plan will not have a significant adverse impact on the environment of the Town of Albion.

3. The Supervisor is directed to sign the Negative Determination of Environmental Significance on page 1 of the Environmental Assessment Form.

4. The Town Clerk is directed to file copies of the Negative Determination of Environmental Significance and Attachment thereto with the Village of Albion, the Environmental Notice Bulletin and the New York State Department of Environmental Conservation.

The above Resolution was made by Councilman _____ and seconded by Councilman _____ at a Town Board Meeting held on _____, 2013, and after discussion was approved by a roll call vote of the Town Board recorded as follows:

ROLL CALL VOTE:

I, _____, Town Clerk, Town of Albion, Orleans County, do hereby certify that the foregoing resolution to be a true and exact copy of said original resolution as adopted by the Albion Town Board and contained in the official minutes of said Board.

_____ L.S.
, Town Clerk

Dated:

TOWN OF ALBION

TOWN BOARD RESOLUTION TO ADOPT THE COMPREHENSIVE PLAN

WHEREAS,

1. The Albion Town Board has, after careful study, considered the proposed document entitled Village and Town of Albion Comprehensive Plan Update, which was prepared by a Steering Committee;

2. The Albion Comprehensive Plan Steering Committee conducted a public hearing on the draft Plan on April 26, 2012;

3. The Albion Town Board has considered comments made by the public and interested agencies at the Town Board public hearing held on October 1, 2012;

4. The Orleans County Planning Board reviewed the draft Comprehensive Plan at its meeting on December 20, 2012 and recommended "Approval."

5. The Albion Town Board has completed the Environmental Assessment Form on the adoption and maintenance of said document and issued a "Negative Declaration" of significance on _____, 2013, pursuant to the State Environmental Quality Review (SEQR) regulations;

6. The Albion Town Board acknowledges that the adoption of said Comprehensive Plan is the beginning of a ten to twenty year planning program for guiding growth and development in the Town of Albion, New York and, as such, will require periodic maintenance to keep the document viable;

7. The Albion Town Board has carefully considered the impacts associated with the Plan adoption and finds that said Plan constitutes a suitable, logical and timely strategy for the future development of the Town of Albion;

8. The Albion Town Board hereby gives public notice that official copies of the Comprehensive Plan and all modifications thereof shall be on file in the Office of the Albion Town Clerk;

NOW THEREFORE BE IT RESOLVED, that

1. The document consisting of text, maps and charts entitled Village and Town of Albion Comprehensive Plan Update is hereby adopted as the Comprehensive Plan for the Town of Albion, Orleans County, New York in accordance with Section 272-a of the NYS Town Law.

2. In order for the Comprehensive Plan to be at all times current with the needs of the community, and to provide appropriate direction to the various municipal boards, agencies and departments of the Town, the Town Planning Board shall annually review the Comprehensive Plan and make recommendations for revisions by the Town Board, as may be deemed necessary, following public review and input.

Should the Town Planning Board find that no changes are necessary, this finding shall be reported.

ROLL CALL VOTE:

I, _____, Town Clerk, Town of Albion, Orleans County, do hereby certify that the foregoing resolution to be a true and exact copy of said original resolution as adopted by the Albion Town Board and contained in the official minutes of said Board.

_____L.S.

_____, Town Clerk

Dated:

14-12-7(2/87)--9c

SEQR

612.21
Appendix F
State Environmental Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance

Project Number _____ Date _____

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Albion Town Board ,as lead agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action: Adoption of the Albion Comprehensive Plan

SEQR Status: Type I ☒
Unlisted ☐

Conditioned Negative Declaration: ☐ Yes
☒ No

Description of Action:
The Albion Town Board proposes to adopt a Comprehensive Plan pursuant to NYS Town Law Section 272-a. The Comprehensive Plan includes an inventory of existing conditions, a set of policies and recommended actions to guide future land use development and community services; future land use plan maps; recommendations for infrastructure improvements, and recommendations for implementing the Plan.

Location: Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.)

Town of Albion (outside Village) and Village of Albion

Reasons Supporting This Determination:
(See 617.6(g) for requirements of this determination; see 617.6(h) for Conditioned Negative Declaration)

Compared with the criteria listed in Section 617.7 of the SEQR regulations, all indications are that the proposed action will not have significant short-term, long-term or cumulative direct or indirect adverse impacts on the natural environment that would change the character of the community, aesthetics, design and natural features. It is anticipated that the adoption of the Comprehensive Plan will have a positive impact on the community by guiding future development so that it occurs in an orderly and reasoned manner while protecting the natural environment.

If Conditioned Negative Declaration, provide on attachment the specific mitigation measures imposed.

For Further Information:

Contact Person:

Dennis Stirk, Supervisor

Address: Town of Albion
3665 Clarendon Road
Albion, NY 14411

Telephone Number: 585-589-7048

For Type I Actions and Conditioned Negative Declaration, a Copy of this Notice Sent to:

Commissioner, Department of Environmental Conservation, 50 Wolf Road, Albany, New York 12233-0001.

Appropriate Regional Office of the Department of Environmental Conservation

Office of the Chief Executive Officer of the political subdivision in which the action will be principally located.

Application (if any)

Other involved agencies (if any)

The ENB SEQRA Notice Publication Form - *Please check all that apply*

Deadline: Notices must be received by **6 p.m. Wednesday** to appear in the following Wednesday's ENB

X Negative Declaration - Type I

____ Conditioned Negative Declaration

____ Draft Negative Declaration

____ Positive Declaration
____ with Public Scoping Session

____ Draft EIS
____ with Public Hearing
____ Generic
Supplemental

____ Final EIS
____ Generic
____ Supplemental

DEC Region# 8 County: Orleans Lead Agency: Town of Albion

Project Title: Adoption of Albion Comprehensive Plan

Brief Project Description:

The Albion Town Board and the Albion Village Board of Trustees proposed to adopt a Comprehensive Plan pursuant to NYS Town Law Section 272-a. The Comprehensive Plan includes an inventory of existing conditions, a set of policies and recommended actions to guide future land use development and community services; future land use plan maps; recommendations for infrastructure improvements, and recommendations for implementing the Plan.

Project Location (include street address/municipality): Entire Town and Village of Albion, Orleans County

Contact Person: Dennis Stirk, Supervisor

Address: 3665 Clarendon Road City: Albion State: NY Zip: 14411

Phone: 585-589-7048 Fax: (585)589-0669 E-mail: supervisor@townofalbion.com

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For Draft Negative Declaration/Draft EIS: Public Comment Period ends: ____ / ____ / ____

For Public Hearings or Scoping Sessions: Date: ____ / ____ / ____ Time: ____ : ____ am/pm

Location:

For Conditioned Negative Declaration: In summary, conditions include:

TOWN OF ALBION COURT
3665 CLARENDON ROAD
ALBION, NEW YORK 14411

TO: ALBION POLICE DEPARTMENT
ORLEANS COUNTY SHERIFF'S DEPARTMENT
NEW YORK STATE POLICE DEPARTMENT
ALL OTHER AGENCIES

FROM: GARY L. MOORE, JUSTICE Gmlde

DATE: JANUARY 15, 2012

RE: CHANGING OF COURT TIME

PLEASE BE ADVISED, AS OF MARCH 1, 2013, TUESDAY COURT TIME WILL CHANGE FROM 5:00 P.M. TO 9:00 A.M..

PLEASE SCHEDULE ALL TRAFFIC AND CRIMINAL CASES FOR JUSTICE GARY L. MOORE'S COURT FOR TUESDAY AT 9:00 A.M.

THANKING YOU IN ADVANCE.