

June 22, 2015  
Town of Albion Special 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 the agenda.
8. Brian Krieger – Albion Running Club
9. 2016 Reassessment Project
10. Discussion of agreement with the Town of Gaines for sharing of Code Enforcement Officer
11. Executive Session

22-Jun-15

Town of Albion Special Meeting

Please sign in:

- |                         |           |
|-------------------------|-----------|
| 1. <u>BRIAN KRISGER</u> | 28. _____ |
| 2. _____                | 29. _____ |
| 3. _____                | 30. _____ |
| 4. _____                | 31. _____ |
| 5. _____                | 32. _____ |
| 6. _____                | 33. _____ |
| 7. _____                | 34. _____ |
| 8. _____                | 35. _____ |
| 9. _____                | 36. _____ |
| 10. _____               | 37. _____ |
| 11. _____               | 38. _____ |
| 12. _____               | 39. _____ |
| 13. _____               | 40. _____ |
| 14. _____               | 41. _____ |
| 15. _____               | 42. _____ |
| 16. _____               | 43. _____ |
| 17. _____               | 44. _____ |
| 18. _____               | 45. _____ |
| 19. _____               | 46. _____ |
| 20. _____               | 47. _____ |
| 21. _____               | 48. _____ |
| 22. _____               | 49. _____ |
| 23. _____               | 50. _____ |
| 24. _____               | 51. _____ |
| 25. _____               | 52. _____ |
| 26. _____               | 53. _____ |
| 27. _____               | 54. _____ |

June 22, 2015

Town of Albion Town Board special 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 Richard Remley, Supervisor Matthew Passarell and Councilperson Todd Sargent. Absent was Councilperson Jake Olles.

Supervisor Matthew Passarell: I need a motion to approve the agenda.

**Motion was made by Councilperson Richard Remley and was seconded by Councilperson Todd Sargent approving the agenda with the deletion of item 11 and the addition of the purchase of an audio recorder. Motion adopted by the following vote:**

<b>Councilperson Daniel Poprawski, aye</b>	<b>Councilperson Richard Remley, aye</b>
<b>Supervisor Matthew Passarell, aye</b>	<b>Councilperson Jake Olles, absent</b>
<b>Councilperson Todd Sargent, aye</b>	

Supervisor Matthew Passarell: Brian Krieger is here to speak to the board about the running club.

**Brian Krieger gave a presentation to the Board regarding the running club and the upcoming race.**

Supervisor Matthew Passarell: I need a motion to accept the memorandum of understanding.

**Motion was made by Councilperson Daniel Poprawski and was seconded Councilperson Todd Sargent authorizing the acceptance of the Memorandum of Understanding for the 2016 reassessment project.**

**Motion adopted by the following vote:**

<b>Councilperson Daniel Poprawski, aye</b>	<b>Councilperson Richard Remley, aye</b>
<b>Supervisor Matthew Passarell, aye</b>	<b>Councilperson Jake Olles, absent</b>
<b>Councilperson Todd Sargent, aye</b>	

Supervisor Matthew Passarell: I need a resolution for the 2016 reassessment project.

**Resolution #60**

**Reassessment 2016**

**Whereas, Section 305 of the New York State Real Property Tax Law mandates uniform and equitable assessments; and**

**Whereas, computer- assisted mass appraisal systems, technical advice and financial assistance are available by cooperative agreement with the New York State Office of Real Property and the Orleans County Real Property Tax Service; and**

**Whereas, the last town-wide reassessment of real property took place in 2013.**

**Now therefore be it resolved by the Albion Town Board as follows:**

- 1. That the Assessor of the Town of Albion is hereby authorized to undertake and implement a reassessment of the 2016 assessment roll.**
- 2. That the Town Board does hereby agrees, in conjunction with the New York State of Real Property Services and the County of Orleans of Real Property Tax Service to support the Towns Assessment staff in this reassessment.**
- 3. That the Town Board and the Assessor are authorized to enter into any necessary agreements to achieve this purpose. Any agreement with a private contractor to provide services for the reassessment shall entered into only upon review of the Town Supervisor and the Assessor. The Albion Town Board shall approve said agreements that result in an expenditure.**

June 22, 2015

**Motion was made by Councilperson Daniel Poprawski and was seconded by Councilperson Todd Sargent authorizing the adoption of this resolution. Resolution duly adopted by the following vote:**

<b>Councilperson Daniel Poprawski, aye</b>	<b>Councilperson Richard Remley, aye</b>
<b>Supervisor Matthew Passarell, aye</b>	<b>Councilperson Jake Olles, absent</b>
<b>Councilperson Todd Sargent, aye</b>	

Supervisor Matthew Passarell: I need a resolution for the inter-municipal agreement with Gaines.

**Resolution #61            Inter-Municipal Agreement – Town of Gaines – Code Enforcement**

**The agreement in its entirety is hereby filed with and made a part of these minutes.**

**Motion was made by Councilperson Richard Remley and was seconded by Councilperson Todd Sargent authorizing the adoption of this agreement. Resolution duly adopted by the following vote:**

<b>Councilperson Daniel Poprawski, aye</b>	<b>Councilperson Richard Remley, aye</b>
<b>Supervisor Matthew Passarell, aye</b>	<b>Councilperson Jake Olles, absent</b>
<b>Councilperson Todd Sargent, aye</b>	

Supervisor Matthew Passarell: I need a motion authorizing the purchase of voice recorder.

**Motion was made by Councilperson Daniel Poprawski and was seconded by Councilperson Richard Remley authorizing Town Clerk Sarah Basinaitis' purchase of a digital voice recorder. Motion carried by the following vote:**

<b>Councilperson Daniel Poprawski, aye</b>	<b>Councilperson Richard Remley, aye</b>
<b>Supervisor Matthew Passarell, aye</b>	<b>Councilperson Jake Olles, absent</b>
<b>Councilperson Todd Sargent, aye</b>	

Supervisor Matthew Passarell: I need a motion to close.

**Motion was made by Councilperson Daniel Poprawski and was seconded by Councilperson Richard Remley to close the meeting at 7:48 pm. Motion carried by the following vote:**

<b>Councilperson Daniel Poprawski, aye</b>	<b>Councilperson Richard Remley, aye</b>
<b>Supervisor Matthew Passarell, aye</b>	<b>Councilperson Jake Olles, absent</b>
<b>Councilperson Todd Sargent, aye</b>	



## Department of Taxation and Finance

SUSAN E. SAVAGE  
Assistant Deputy Commissioner  
Office of Real Property Tax Services

CHRISTINE L. BANNISTER  
Regional Director  
Office of Real Property Tax Services

Genesee Co. Bldg. #2, 3837 West Main Street Rd., Batavia, NY 14020 | 585-343-4363 | [www.tax.ny.gov](http://www.tax.ny.gov)

May 4, 2015

### *Memorandum of Understanding*

Ms. Colleen A. Pahura, Assessor  
Town of Albion  
3 South Main Street  
Orleans County Real Property  
Albion, NY 14411

Dear Ms. Pahura:

I am pleased that the Town of Albion has decided to embark on an assessment improvement process that will result in an equitable 2016 assessment roll. You either already have a cyclical reassessment plan filed or are developing one with the assistance of Western Regional ORPTS staff. The plan shall be at least four years in length and will include:

- A local program for physically inspecting each parcel at least once every six years
- A reappraisal of all locally assessed properties at least once every four years
- Reappraisals in the first and last year of plan

The purpose of this Memorandum of Understanding is to clarify and outline the roles and responsibilities of the Town and the Office of Real Property Tax Services (ORPTS) in the reassessment process. Please review this document with your supervisor and sign the appropriate page indicating your agreement to proceed as described herein.

The goal of the Office of Real Property Tax Services (ORPTS) is to optimize State and local resources by working toward an integrated, efficient and equitable real property tax system that coordinates the reassessment process with our equalization study. This goal aligns ORPTS' Full Value Measurement Program with municipal assessment improvement activity by utilizing the reassessment process as the equalization study. ORPTS staff shall verify, in accordance with our reassessment verification process, that the stated uniform level of assessment has been achieved and that all steps to achieve equity have been implemented. This review will also:

- Provide the basis for making the determinations for payment of State aid, if applicable.
- Determine the level of assessment to apply to the special franchise and State-owned land valuations in the Town.
- Be used in the approval process if application has been made for Approved Assessing Unit Status (homestead and non-homestead tax rates).

In keeping with this goal, we look forward to a cooperative and productive relationship with the Town during the reassessment process. Our expectation is that this cooperative relationship will result in the use of your local determination of value (assessed value) as the basis for establishing the full value of the municipality for equalization purposes. The addendum “*Reassessment Verification Documentation*” lists the products the municipality must provide relative to the verification of the reassessment process and our State equalization responsibilities and State Aid determination.

Unless otherwise noted in Section D (Summary), we are assuming that the assessor is responsible for making decisions that affect the Town’s participation in the reassessment process. The Town must agree to maintain all relevant property inventory data characteristics and achieve an equitable assessment roll at the stated uniform percentage of value in accordance with RPTL § 305. State Aid, in accordance with RPTL § 1573, is available to those municipalities participating in the Aid for Cyclical Reassessments program and performing reappraisals according to an approved plan.

*In the event that the town executes its Cyclical Reassessment Plan in such a way that jeopardizes the successful completion of the plan and subsequent compliance with the acceptable standards, ORPTS reserves the right to withdraw support from the town.*

If applicable, the municipality will be billed for specific charges related to processing by ORPTS staff at our regional offices. The Town will be responsible for the payment of all charges (based on the fiscal year fee schedule in effect during the time in which the services were provided) within 30 days of billing. Please see “*RPS Processing Fees*” for the current fiscal year, attached, for a list of the charges that are applicable for services that could be rendered by ORPTS, staff time permitting.

The next three sections detail the responsibilities of the Town, your assessor and ORPTS. Cooperation and collaboration at all levels of government is critical to the successful execution of the reassessment process.

**A) Town Responsibilities:**

- 1) Submit a board resolution to ORPTS that indicates support by the Town to proceed with the reassessment.
- 2) Develop a cyclical reassessment plan with the assistance of Western Regional ORPTS staff. If applying for aid on the basis of the 2016 assessment roll, this plan must be accepted by the Town and submitted to ORPTS a minimum of 120 days prior to the filing of the tentative assessment roll implementing the reassessment (by January 1, 2016 ).
- 3) Support the assessor’s efforts and allocate sufficient funds to cover all costs associated with the process, and provide appropriate staff to support the reassessment efforts.
- 4) Consider the adoption of the Uniform Assessment Standards as guiding principles for the municipality’s assessment administration.

## B) Assessor Responsibilities:

- 1) Prepare a reassessment project timetable detailing project tasks with projected start and completion dates using the electronic version of this document provided separately. The addendum "*Reassessment Project Timetable*" provides suggested timeframes for the various tasks of a reassessment project.
- 2) Develop and implement a cyclical reassessment plan with the assistance of Western Regional ORPTS staff. If applying for aid on the basis of the 2016 assessment roll, this plan must be accepted by the municipality and submitted to ORPTS a minimum of 120 days prior to the filing of the tentative assessment roll implementing the reassessment (by January 1, 2016).
- 3) Coordinate a public information program throughout the process. This may include, but is not limited to, preparing all necessary press releases and conducting informational meetings dealing with various aspects of the reassessment process.
- 4) Maintain current assessment inventory and valuation data for all properties as defined by the Commissioner's Rules. This data is necessary to value each parcel using at least one of the standard appraisal methods (cost, market, income).
- 5) Reappraise each property individually, which includes the development and review of a new determination of market value for each parcel. The new market value must be based upon current data and be developed via one or more of the three accepted approaches (cost, market, or income).
- 6) Review the results of the valuation process to ensure that all properties are assessed at the stated uniform percentage of value.
- 7) Provide ORPTS with all applicable products referred to in the attachment "*Reassessment Verification Documentation*" in a timely manner that are required to verify the municipality's stated Level of Assessment (LOA). If appropriate documentation and valuation conclusions are not available, ORPTS' staff will have no basis to evaluate the locality's market value conclusions. **This may affect the Town's receipt of State Aid and / or the Town's eligibility for Approved Assessing Unit (AAU) status.**
- 8) Produce assessment disclosure notices as required per RPTL § 511. For the processing of assessment disclosure notices, the assessor must:
  - a) Provide all necessary tax rates, tax levy amounts, and computer data files reflecting the taxable values used in the prior year school and county/town/city tax extensions.
  - b) Schedule and conduct informal meetings with taxpayers following the mailing of the assessment disclosure notices. The assessor is responsible for making the necessary data and value corrections, as a result of such meetings, prior to establishment of the tentative roll.
- 9) If ORPTS didn't provide State utility advisory appraisals for the previous year's assessment roll, request State utility advisory appraisals for this year, if needed. The advisory request form is available on our website at [http://www.tax.ny.gov/pdf/current\\_forms/orpts/rp7021\\_fill\\_in.pdf](http://www.tax.ny.gov/pdf/current_forms/orpts/rp7021_fill_in.pdf)

- a) If applicable, provide ORPTS with the inventory and valuation methodology used to arrive at the utility and complex commercial/industrial values, which appear on the assessment roll, where advisory appraisals were not requested by your municipality, were requested but not used, or were requested only for some properties. If appropriate documentation and valuation conclusions are not available, ORPTS staff will have no basis to evaluate the locality's market value conclusions and, thus, will need to complete an independent field appraisal for use in determining your assessing unit's full value. **Such action may also affect your municipality's eligibility to receive State Aid and / or eligibility for Approved Assessing Unit (AAU) status.**

**C) Office of Real Property Tax Services Responsibilities:**

- 1) Provide project monitoring pursuant to our responsibilities regarding State equalization and State aid approval.
- 2) Provide periodic reassessment progress reports to all principals for review and discussion.
- 3) Participate in presentations to taxpayer groups, municipal officials, etc., if notified in writing two weeks in advance as to the meeting's purpose and participants.
- 4) Provide utility advisory appraisals for parcels identified by the assessor, requested in a timely fashion and agreed to by ORPTS.
- 5) Provide computer support and/or valuation assistance, where requested, and as regional resources permit. Additional fees may apply as described in "*RPS Processing Fees*".

**D) Summary**

Please review the following summary and provide the information required in items 2, 3 (and 7, if appropriate) below. If you have any questions or concerns, please contact your ORPTS Customer Relationship Manager (CRM). Signing this document signifies acceptance of this agreement by you and your assessor. Please return one signed copy to the ORPTS Western Regional office and retain the other copy for your reference.

- 1) I understand the roles and responsibilities of the parties involved (as described in this document) that are necessary to complete the reassessment process.
- 2) At the completion of the reassessment process, all property will be assessed at a uniform percentage of value as required by RPTL § 305. (Note: For purposes of

State Aid, § 1573 of the Real Property Tax Law requires a uniform percentage of value of 100%.) The uniform percentage of value intended (not binding) for use in calculating the new assessments will be (check appropriate box):

100 %  
 Other (please specify) \_\_\_\_\_

3) The valuation date for this reassessment will be (check appropriate box):

July 1 (of the year prior to the reassessment roll year)  
 Other (please specify) \_\_\_\_\_

4) The new assessed values will be based on parcel inventories that comply with Section 190-1.2, NYCRR.

5) ORPTS' staff will be provided with timely information and access to data as described in the attachment "Reassessment Verification Documentation".

6) The Town shall produce and mail assessment disclosure notices as required by RPTL §511.

7) If the assessor is not responsible for making decisions that affect the Town's participation in the reassessment process, please specify the appropriate person below:

Name \_\_\_\_\_  
 Title \_\_\_\_\_  
 Address \_\_\_\_\_  
 Telephone # \_\_\_\_\_

I look forward to working in a cooperative environment in which the reassessment process can be completed as efficiently and effectively as possible.

*Christine Barnsted* -5/4/2015  
 ORPTS Regional Director, Date  
 Acting

*Coleen A. Pakura* 6/2/15  
 Assessor Date

*Matthew Powell* 6/22/15  
 Supervisor Date

## Reassessment Verification Documentation

The following products are typically developed or generated during the course of a reassessment project. They are employed by the ORPTS' CRM to document the value verification process, wherein a determination is made regarding the use of local assessed values for ORPTS' measurement of municipal full value (equalization program), and also to determine a locality's compliance with requirements for State Aid pursuant to RPTL Section 1573.

The Assessor must allow the ORPTS' CRM to have timely access to these products as part of the pre-decisional collaboration (PDC) process. Many of these products are also appropriate for assessors who are not conducting a reassessment to submit in support of their own analysis during the PDC process.

- Access to parcel inventories that comply with the Rules.
- Copy of Request for Proposal (RFP), proposal, contract, or work plan (if project was not contractor assisted), which should include the following:
  - Time line (schedule of events)
  - Assignment of resources (staffing for each activity)
  - Software to be used for inventory maintenance (if applicable)
  - Software to be used for valuation (if applicable)
- Sales listings used in valuation analysis (minimum of valid sales occurring one year prior to valuation date), and the sales period used:
  - Residential
  - Commercial/Industrial
  - Vacant/Farm
- Documentation (reports and/or description) of analysis for evaluating the uniformity and level of the assessments; examples include:
  - Sales ratio analysis
  - Mass appraisal (sale substitution)
  - Unit comparison (value-to-inventory)
  - Tracking of value trends (cost, income, market)
- Description of all valuation methodologies used and accompanying documentation
  - Description of land valuation procedure, if applicable
  - Cost documentation
    - ◊ Base Cost Table (include identification of source)
    - ◊ Depreciation Schedule
  - Market documentation
    - ◊ Valuation Model (supply all of the following which are applicable):
      - ◆ Sales adjustments (time, physical characteristics)
      - ◆ Regression coefficients
      - ◆ Feedback coefficients
      - ◆ Component unit values
      - ◆ Commercial/Industrial market unit factors
  - Income documentation
    - ◊ Commercial/Industrial Income Factors including:
      - ◆ Gross Income per Unit
      - ◆ Vacancy Rates
      - ◆ Expense Ratios
      - ◆ Capitalization Rates
    - ◊ Income and Expense Source Data (if available)

- Trending (if values were updated by applying factors, percentages or indices in a non-reappraisal year to maintain the LOA)
    - Description of market areas (neighborhoods) and supporting documentation for the development of factors, percentages or indices, in each market area
  - Any other appropriate valuation documentation that supports your determination of market value
- Valuation Neighborhood Maps (if applicable)
- Advisory Appraisals:
  - Statement as to whether utility advisory appraisals were used in part or in their entirety
- Review:
  - List or file of predicted values (if available)
  - Access to review documents (review documents must be saved)
  - Access to a list of parcels that were re-inspected and/or reappraised this year
  - List of (or file containing) informal hearing changes (if applicable)
- Tentative Roll:
  - Copy of tentative roll or file containing tentative assessments
  - New statement of uniform percent, if different from original agreement
  - List of parcels with court ordered assessments (if any)
- Final Roll:
  - Copy of final roll or file containing final assessments
  - List of BAR changes

### Sample Reassessment Project Timetable

Project Tasks	Start Date	End Date
<b>Project Administration</b>		
Request for advisory appraisals (including SOL)	By	3/1
Public information program (on-going)	3/1	
<b>Collection of Subject and Sales Data</b>		
Data collection training (if necessary)	3/15	4/1
Subject inventory data collection / re-collection	4/1	7/1
Subject file creation / maintenance	4/1	7/1
Sales validation / verification /maintenance	4/1	8/1
Parcel inventory (data) mailers	7/1	7/15
Production in response to data mailers	7/1	8/1
<b>Valuation and Appraisal</b>		
Valuation file editing	7/1	8/15
Neighborhood / market analysis	7/1	8/1
Valuation development / testing	7/1	9/1
Valuation production	9/1	9/15
Field review of values	9/15	1/1
<b>Project Administration</b>		
Prepare & Submit Plan for Cyclical Reassessments (State Aid)	By	1/1
<b>Assessment Roll Processing</b>		
Update file with new values	1/1	1/15
Assessor recalculation of exemptions	1/15	2/1
<b>Assessment Full Disclosure Process (if required or desired)</b>		
Assessment disclosure notice production/analysis	2/1	2/15
Assessment disclosure notice mailing	2/15	3/1
Informal review meetings (including field activities)	3/1	4/15
Value change notice production	4/15	5/1
Prepare and file tentative roll	By	5/1
Post tentative roll on municipal website, per RPTL §1590	By	5/10
Grievance Day		4 <sup>th</sup> Tues May
Produce final assessment roll	By	7/1
Post final roll on municipal website, per RPTL §1590	By	7/10
<b>Project Administration</b>		
Submit Application for Aid for Cyclical Reassessments	By	9/30

RPS Processing Fees

Real Property System Fee Schedule for Fiscal Year 2015 – 2016 (04/01/2015 – 03/31/2016)

Type of Service	Fee	Comments
<b>1. RPS Licensing Fee</b>	Section 8190-3.2 State Board Rules	
<b>2. Reassessment Processing</b>		
a. File Editing using RPS Standard Edits (RPS440)	\$.60/parcel	Includes processing and printing of 1 set of reports produced.
b. Date Mailers	\$.75/parcel	Includes processing and printing of 1 set of notices and reports produced.
c. Market Analysis and Valuation Processing	\$3.00/parcel With/local editing*  \$3.60/parcel 2/ORPTS editing*	Includes neighborhood delineation, building land tables, developing valuation factor file and market analysis. Includes processing of all approaches to value, with assessor participation plus printing of 1 set of valuation documents.
d. Market Analysis and Trending Processing	\$2.50/parcel 2/local editing*  \$3.10/parcel w/ORPTS editing*	Includes neighborhood delineation, market analysis, developing trend factors, and application of trends for valuation, with assessor participation. Includes printing of 1 set of valuation documents.
e. Cosmetic Comparable Sales	\$.50/parcel	Includes printing of 1 set of valuation documents.
f. Assessment Disclosure Processing	\$1.00/parcel	Includes processing and printing of 1 set of notices, detail reports and arrays.
<b>3. Data Processing or RPS Technical Assistance Other Than Services Already listed</b>		
a. Hours	\$100.00/hour	For example Non-RPS to RPSV4 Data Conversions and other non-RPS related services
b. Expenses	Travel Expenses	Travel expenses at current State rate for transportation and lodging.
<b>4. Other Fees</b>		
a. printing (print file provided)	\$.15/slide	

Updated: March 6, 2015



**INTER-MUNICIPAL AGREEMENT  
FOR  
ZONING AND CODE ENFORCEMENT SERVICES**

**PURSUANT TO ARTICLE 5-G  
GENERAL MUNICIPAL LAW**

THIS AGREEMENT, made by and between the **TOWN OF ALBION**, a municipal corporation in the State of New York having its offices at \_\_\_\_\_ New York, hereinafter known as "Albion", and the **TOWN OF GAINES**, a municipal corporation in the State of New York, having its offices at \_\_\_\_\_ New York, hereinafter known as "Gaines".

**WITNESSETH**

**WHEREAS**, Gaines is desirous of utilizing the services of the Albion Zoning and Code Enforcement Officer (hereinafter "ZEO/CEO") at a cost to Gaines which is less than hiring its own dedicated ZEO/CEO, and

**WHEREAS**, Albion is desirous of permitted its ZEO/CEO to perform the same services to Gaines in return for fair consideration paid by Gaines to Albion, and

**WHEREAS**, the parties agree that this action is an efficient use of municipal resources, will benefit the budgets of each town, and will improve the delivery of ZEO/CEO services to both towns;

**NOW, THEREFORE**, the parties hereto hereby agree as follows:

1. The Albion ZEO/CEO shall undertake the following services, duties and responsibilities for Gaines, which cumulatively shall consume an average of 10 hours per week over the term of this agreement:

- a. Attendance at Town Board meetings;
- b. Attendance at Zoning Board of Appeals hearings;
- c. Attendance at Town Court when necessary in the course of an enforcement action or as reasonably requested by the village board;
- d. Process all building permit applications from initial permitting to issuance of Certificates of Occupancy or Certificates of Compliance;
- e. Process and respond to code violations and complaints
- f. Perform fire inspections;
- g. 24-hour availability for building-related emergencies; and
- h. Respond to inquiries by the Town Board as to any of the above matters.
- i. Presence in the office by appointment for Gaines residents convenience

2. In return for Albion undertaking the above duties and responsibilities for Gaines, Gaines shall pay to Albion the sum of \$\_\_\_\_\_ annually as consideration for the administrative services performed by Albion. The payment shall be made in \_\_\_\_ ( ) installments: the first on \_\_\_\_\_ and the last on \_\_\_\_\_. The first payment on \_\_\_\_\_ shall be adjusted and prorated from the effective date of this Agreement. This payment shall be Gaines' sole contribution for its share of the costs associated with maintaining the ZEO/CEO on Albion payroll, and both parties acknowledge that this payment represents a fair contribution towards these costs as more detailed in Paragraph 3 of this agreement.

3. Albion shall continue to pay the ZEO/CEO for his or salary, benefits, benefits, withholding tax, worker's compensation, unemployment, disability, retirement, and any other cost associated with maintaining the ZEO/CEO on its payroll.

4. Gaines shall retain all permit and licensing fees collected by the ZEO/CEO for applications pertaining to properties located in Gaines.

5. All violations in Gaines shall be made returnable in the Town of Gaines Justice Court and further all fines imposed shall be retained by Gaines.

6. The Gaines Town Board and Zoning Board of Appeals shall continue to exercise all authority vested in these bodies by the laws of the State of New York and the Code of the Town of Gaines.

7. ZEO/CEO shall have access to all files in the office of the Gaines ZEO/CEO necessary for the ZEO/CEO to perform his functions in the Town of Gaines. All files for matters arising in Gaines shall remain in the Gaines ZEO/CEO office.

**THIS AGREEMENT** shall remain in full force and effect until December 30, 2015, at which time it shall automatically renew for an additional 6 months, and shall automatically renew for additional 6-months increments every six months thereafter, unless either party notifies the other in writing of its intent to terminate this Agreement, which Notice must be made not later than one (1) month prior to the next subsequent automatic renewal date.

**[REST OF PAGE INTENTIONALLY LEFT BLANK]**

**THIS AGREEMENT** represents the entire Agreement of the parties and may not be modified or amended except by a written instrument duly approved by each of the respective parties.

**IN WITNESS WHEREOF**, the parties hereto hereby affix their hands and seals this \_\_\_\_ day of \_\_\_\_\_, 2015.

**TOWN OF GAINES**

By: \_\_\_\_\_  
Carol E. Culhane, Supervisor

**TOWN OF ALBION**

By: \_\_\_\_\_  
Matthew Passarrell, Supervisor

STATE OF NEW YORK    )  
                                  ) ss:  
COUNTY OF ORLEANS    )

On this \_\_\_\_ day of \_\_\_\_\_, 2015 before me personally came **CAROL E. CULHANE**, to me known to be the Supervisor of the Town of Gaines, New York, and the person who executed the foregoing instrument on behalf of the Town of Gaines, New York, who being by me duly sworn, did depose and say that she executed the said instrument by Order and resolution of the Town Board of the Town of Gaines, New York, and that the Seal affixed is the Seal of such Town and that it was so affixed thereto by Order of the Town Board of said Town.

\_\_\_\_\_  
NOTARY PUBLIC

STATE OF NEW YORK    )  
                                  ) ss:  
COUNTY OF ORLEANS    )

On this \_\_\_\_ day of \_\_\_\_\_, 2015 before me personally came **MATTHEW PASSARRELL**, to me known to be the Supervisor of the Town of Albion, New York, and the person who executed the foregoing instrument on behalf of the Town of Albion, New York, who being by me duly sworn, did depose and say that she executed the said instrument by Order and resolution of the Town Board of the Town of Albion, New York, and that the Seal affixed is the Seal of such Town and that it was so affixed thereto by Order of the Town Board of said Town.

\_\_\_\_\_  
NOTARY PUBLIC