

Resolution #63 NOTICE OF PUBLIC HEARING DISSOLUTION OF ALBION FIRE PROTECTION DISTRICT

Whereas, The Town Board of Albion (Board) having reviewed and discussed the Dissolution Plan for the Albion Fire Protection District for dissolution dated March 11, 2024, and the having determined it is in the public interest to endorse said Dissolution Plan and hold a public hearing to commence the dissolution process, and

NOTICE IS HEREBY GIVEN that a Public Hearing regarding the Dissolution Plan of the Albion Fire Protection District will be held by the Town Board of Albion for its consideration at a public hearing to be held at the Albion High School LGI (Large Group Instruction), 324 East Ave., Albion, NY 14411 on April 24, 2024, at 6:00pm.

At such hearing, any interested person shall be given a reasonable opportunity to be heard on any aspect of the proposed Dissolution of the Albion Fire Protection District. The Resolution to be considered is as follows;

A RESOLUTION AUTHORIZING THE TOWN BOARD OF THE TOWN OF ALBION , ORLEANS COUNTY, NEW YORK, TO DISSOLVE THE ALBION FIRE PROTECTION DISTRICT SUBJECT TO THE TERMS AND CONDITIONS AS SET FORTH IN THE PLAN FOR DISSOLUTION DATED MARCH 11. 2024.

A brief description of the boundaries of the Albion Fire Protection District is the entire Town of Albion including the area of the Village of Albion that lies within the Town of Albion located within the County of Orleans, State of New York.

The Descriptive Summary of the Plan for Dissolution is as follows

DESCRIPTIVE SUMMARY DISSOLUTION PLAN ALBION FIRE PROTECTION DISTRICT

The Town Board of the Town of Albion , pursuant to Article 17-A of the General Municipal Law proposes to dissolve the Albion Fire Protection District , contingent upon the establishment of the Albion Joint Fire District.

- The entity to be dissolved is the Albion Fire Protection District, established in 1982.
- The boundaries of the Albion Fire Protection District is the Town of Albion less that part of the Village of Albion, which lies within the Town of Albion .
- The cost of dissolution of the Albion Fire Protection District is approximately \$ 5,000 for professional fees, publications fees and disbursements.
- There is no plan for the transfer or elimination of public employees since the Albion Fire Protection District does not employ any individuals.
- The Albion Fire Protection District currently possesses no assets, therefore there will be no property transfer, real or personal, because of the dissolution.
- The Albion Fire Protection District has no liabilities and indebtedness, bonded and otherwise, except for the contractual obligations set forth in a 2023-2027 Fire Contract between the Village of Albion and the Town of Albion currently in effect.

- The Albion Fire Protection District encompasses the entire Town of Albion , except the Village of Albion . The Town of Albion fire protection agreement with the Village of Albion which ends on December 31, 2027, will be terminated as of December 31, 2024.
- The residents of the Albion Fire Protection District will be furnished fire protection services by the Albion Joint Fire District and the level of fire protection services will remain the same.
- Any taxes allocated to the Albion Fire Protection District will be spent by the effective date of dissolution, which is December 31, 2024.
- There will be no rules or regulations that pertain to the Albion Fire Protection District effective after December 31, 2024.
- The effective date of the proposed dissolution is December 31, 2024, at 11:59 PM, contingent upon the successful establishment of the Albion Joint Fire District.
- The public hearing on the proposed dissolution plan will be held on April 24, 2024 , at 6:00 PM , or as soon after as the matter can be heard, at the Albion High School LGI (Large Group Instruction), 324 East Avenue, Albion , New York 14411.

The full plan for Dissolution of the Albion Fire Protection District may be examined at the following locations.

Town of Albion Website
<https://townofalbion.com>

Town Hall
 Town of Albion
 3665 Clarendon Road
 Albion, New York 14411

Orleans County Public Safety Building (DAs) Office
 13925 NY State Route 31 West
 Albion NY 14411

Orleans County Administration Building
 14016 NY State Route 31 West
 Albion, NY 14411

The Villages of Orleans County
 14012 State Route 31
 Albion, New York 14411

Plan endorsed this date, subject to a public hearing and resolution of adoption.

Motion was made by Councilperson Darlene Benton and was seconded by Councilperson Arnold Allen authorizing the adoption of the aforementioned resolution. Resolution duly adopted by the following vote:

TOWN OF ALBION

Supervisor F. Richard Remley	Voting Yes
Arnold R. Allen, Jr. Councilperson	Voting Yes
Darlene Benton. Councilperson	Voting Yes
Terry B. Wilbert, Councilperson	Voting Yes
Sandra Bensley, Councilperson	Voting Yes

SEQR Resolution

Whereas, the Town Board of the Towns of Albion, the Town Board of the Gaines and the Village Board of the Village of Albion (the Boards), have proposed to commence the process to establish a Joint Fire District, (Establishment Action) encompassing part of the Town of Albion, part of the Town of Gaines and the Village of Albion; and

Whereas, if so established, the Town of Albion Fire Protection Districts will need to be dissolved and the Town of Albion is the only interested or involved agency in the dissolution of the Town of Albion Fire Protection District (Dissolution Action);and

Whereas the Establishment Action and the Dissolution Action are actions subject to the New York State Environmental Quality Review Act (SEQRA) the proposed actions are unlisted actions pursuant to SEQRA; and

Whereas the Boards as the only agencies involved in the establishment action have designated the Town Board of the Town of Albion as Lead Agency in the SEQRA review of the establishment action and, accordingly, that the determination of the Lead Agency shall be binding on the involved agencies pursuant to 6NYCRR 617.6(b)(3)(iii); and

Whereas the Town Board of the Town of Albion as Lead Agency for both the Establishment Action and the Dissolution Action, has completed Parts 1, II and III of the Short Environmental Assessment Form (SEAF), which has been reviewed by the Town Board of Albion as lead agency; and,

NOW THEREFORE BE IT RESOLVED that the Board as part of its compliance with the State Environmental Quality Review Act, (SEQRA) Article 8, NYS Environmental Conservation Law, and the implementing regulations set forth in Title 6 NYCRR Part 617, that;

- 1) regarding the establishment the Albion Joint Fire District (Establishment Action) the Town Board of the Town of Albion as Lead Agency and in accordance with 6NYCRR Part617, determines that based on the information and analysis cited above and any supporting documentation, that the proposed establishment action will not result in any significant adverse environmental impacts, and
- 2) regarding the dissolution of the Albion Fire Protection District (Dissolution Action) the Town Board of the Town of Albion is the only involved agency, and such, is the lead agency for this action and project. Any determination by the Town Board of the Town of Albion shall be binding on all Interested agencies, if any, pursuant to 6NYCRR 617.6 (b){3}(iii). Lead Agency and in accordance with 6NYCRR Part617, determines that based on the information and analysis cited above and any supporting documentation, the proposed dissolution action will not result in any significant adverse environmental impacts.

This resolution is made pursuant to 6 NYCRR 617. 6 (b) (2) (i).and pursuant to the following vote of the Town Board of the Town of Albion.

Town Board of the Town of Albion

On the resolution.

TOWN OF ALBION

Supervisor F. Richard Remley
Arnold R. Allen, Jr. Councilperson
Darlene Benton. Councilperson
Terry B. Wilbert, Councilperson
Sandra Bensley, Councilperson

Voting , *Yes*
Voting , *Yes*
Voting , *Yes*
Voting , *Yes*
Voting , *Yes*

March 11, 2024

The Town Board of the Town of Albion, County of Orleans, New York, pursuant to Article 17-A of the New York General Municipal Law proposes to dissolve the Albion Fire Protection District, contingent upon the establishment of the Albion Joint Fire District.

- (a) The name of the local government entity to be dissolved is the Albion Fire Protection District. The Albion Fire Protection District was established by action of the Albion Town Board, Orleans County, New York in December 1955.
- (b) The territorial boundaries of the Albion Fire Protection District encompass the entire geographic area of the Town of Albion. Less that area of the Town of Albion that encompasses the Village of Albion, Orleans County, New York.
- (c) The type or class of entity to be dissolved is a Fire Protection District established by New York Town Law.
- (d) the fiscal estimate of the cost of dissolution of the Albion Fire Protection District is approximately \$ 5,000 for professional fees, publications fees and disbursements.
- (e) Since the Albion Fire Protection District does not employ any public employees, there is no plan for the transfer or elimination of public employees because of the dissolution.
- (f) The Albion Fire Protection District currently possesses no assets. Therefore, there will be no property transfer, real or personal because of the dissolution.
- (g) The Albion Fire Protection District has no liabilities and indebtedness, bonded and otherwise, except for the contractual obligations set forth in a 2023-2027 Fire Contract between the Village of Albion and the Town of Albion currently in effect. This contract sets forth that the Town of Albion does engage the Village of Albion (and derivatively the Albion Fire Department) to furnish firefighting and other emergency services conducted by the Albion Fire Department throughout the area encompassed within the Albion Fire Protection District. The Town of Albion is contracted to pay \$124, 034.31 for calendar year 2024 and \$127, 755 34 for calendar year 2025 to the Village of Albion or fire protection
- (h) According to the Memorandum of Understanding (MOU) executed among the Village of Albion, the Town of Albion and the Town of Gaines, last dated January 10th, 2024, the Town of Albion and the Village of Albion will terminate their respective fire protection contracts effective December 31, 2024.
- (i) The residents of the Albion Fire Protection District will be furnished fire protection services by the newly established Albion Joint Fire District following the dissolution of the Albion Fire Protection District. The level of fire protection services will remain the same as is currently provided within the Albion Fire Protection District by the agreement with the Village of Albion.

Any expenses the Town of Albion incurs, outside the cost fire protection contract, regarding the Albion Fire Protection District will be eliminated from the Town of Albion budget for 2025. For the calendar year 2024, it is proposed that the Town of Albion and Village of Albion modify their fire protection contract to provide monthly payments, and that the Town of Albion and the Village of Albion established a local law which will

provide that a certain percentage of the unpaid fire protection monies be transferred to the newly established Albion Fire District.

(j) The Albion Fire Protection District has no assets, liabilities or indebtedness. Other than the liability under the fire protection contract mentioned in paragraph (g) and (h) above. Any taxes levied, collected, and allocated to the Albion Fire Protection District will be expended by the effective date of dissolution, pursuant to the terms of the fire protection agreement with the Village, which will expire December 31, 2027. There will be no unexpended taxes for the fire protection district as of December 31, 2024. Should there be any unexpended monies in the Albion Fire Protection District budget, such monies will be paid to the newly formed Albion Joint Fire District, which will be used for fire protection until the Albion Joint Fire District can levy its own taxes commencing January 2025.

(k) The Albion Fire Protection District did not adopt, or make, any rules or regulations for the Albion Fire Protection District. Accordingly, there will be no rules or regulations remaining after the effective date of dissolution.

(l) The effective date of the proposed dissolution is December 31, 2024, at 11:50 PM contingent upon the successful establishment of the Albion Joint Fire District.

(m) The public hearing on the proposed dissolution plan will be held on April 24, 2024, at 6:00 PM , or as soon after as the matter can be heard, at the Albion High School LGI (Large Group Instruction),324 East Avenue, Albion , New York 14411.

(n) In order to carry out this dissolution, the Albion Joint Fire District must be established so that there is uninterrupted fire protection for those residents of the Town of Albion currently provided fire protection by the Albion Fire Protection District. The process of establishment of the Albion Joint Fire District occurring simultaneously with this dissolution

Endorsed March 11, 2024, subject to a public hearing and resolution of Adoption.

Motion was made by Councilperson Snadra Bensley and was seconded by Councilperson Darlene Benton authorizing the adoption of the aforementioned resolution. Resolution duly adopted by the following vote:

Supervisor F. Richard Remley	Voting Yes
Arnold R. Allen, Jr. Councilperson	Voting Yes
Darlene Benton. Councilperson	Voting Yes
Terry B. Wilbert, Councilperson	Voting Yes
Sandra Bensley, Councilperson	Voting Yes

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Resolution #61 DESCRIPTIVE SUMMARY DISSOLUTION PLAN ALBION FIRE PROTECTION DISTRICT

The Town Board of the Town of Albion, pursuant to Article 17-A of the General Municipal Law proposes to dissolve the Albion Fire Protection District , contingent upon the establishment of the Albion Joint Fire District.

- The entity to be dissolved is the Albion Fire Protection District, established in 1982.
- The boundaries of the Albion Fire Protection District is the Town of Albion less that part of the Village of Albion, which lies within the Town of Albion.
- The cost of dissolution of the Albion Fire Protection District is approximately \$ 5,000 for professional fees, publications fees and disbursements.
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- The effective date of the proposed dissolution is December 31, 2024, at 11:59 PM, contingent upon the successful establishment of the Albion Joint Fire District.
- The public hearing on the proposed dissolution plan will be held on April 24, 2024, at 6:00 PM , or as soon after as the matter can be heard, at the Albion High School LGI (Large Group Instruction),324 East Avenue, Albion , New York 14411.

Endorsed March 11, 2024, subject to a public hearing and resolution of Adoption.

Motion was made by Councilperson Terry Wilbert and was seconded by Councilperson Arnold Allen authorizing the adoption of the aforementioned resolution. Resolution duly adopted by the following vote:

Supervisor F. Richard Remley	Voting Yes
Arnold R. Allen, Jr. Councilperson	Voting Yes
Darlene Benton. Councilperson	Voting Yes
Terry B. Wilbert, Councilperson	Voting Yes
Sandra Bensley, Councilperson	Voting Yes

RESOLUTION #62 OF ENDORSEMENT DISSOLUTION OF THE ALBION FIRE PROTECTION DISTRICT

A RESOLUTION AUTHORIZING THE TOWN OF ALBION, ORLEANS COUNTY, NEW YORK, TO ENDORSE A PLAN TO DISSOLVE THE ALBION FIRE PROTECTION DISTRICT

WHEREAS, The Town Board of the Town of Albion has begun the process to establish a joint fire district, to be called the Albion Joint Fire District, and

WHEREAS, the dissolution of the Albion Fire Protection District would be necessary upon the establishment of the Albion Joint Fire District, and

WHEREAS, the Town Board of the Town of Albion, having been presented a Dissolution Plan for the Dissolution of the Albion Fire Protection District, endorses such plan for the purposes of commencing dissolution proceedings and in order to receive public comment on the plan.

BE IT RESOLVED that the Town Board of the Town of Albion, Orleans County, New York, hereby endorses such Dissolution Plan dated March 11, 2024, and

BE IT FURTHER RESOLVED that the Clerk of the Town of Albion is hereby authorized to publish, post and make available, pursuant to law, copies of such Dissolution Plan, and a descriptive summary where and when required, and

BE IT FURTHER RESOLVED that the Town Board of the Town of Albion will hold a public hearing on the Dissolution Plan on April 24, 2024, at the Albion High School LGI (Large Group Instruction), 324 East Avenue, Albion, New York 14411, 6:00 P.M. or as soon thereafter as this public hearing may be held at which time the Town Board will hear all interested parties regarding said Dissolution Plan.

Motion was made by Councilperson Darlene Benton and was seconded by Councilperson Terry Wilbert authorizing the adoption of the aforementioned resolution. Resolution duly adopted by the following vote:

TOWN OF ALBION

**Supervisor F. Richard Remley
Arnold R. Allen, Jr. Councilperson
Darlene Benton. Councilperson
Terry B. Wilbert, Councilperson
Sandra Bensley, Councilperson**

**Voting , Aye
Voting, Aye
Voting, Aye
Voting, Aye
Voting, Aye**