

January 09, 2013: Regular Board Meeting

Body:

The Regular Meeting of the Board of Trustees of the Village of Albion was held Wednesday, January 9, 2013 at 7:00 PM, at the Village Hall, 35 East Bank Street, Albion, New York.

Present were Mayor Dean A Theodorakos, Trustees Eileen S Banker, Fred Miller, Kevin P Sheehan, Peter Sidari and Attorney John C Gavenda.

Mayor Theodorakos opened the meeting with the pledge of allegiance at 7:00 PM.

PUBLIC HEARING

Mayor Theodorakos opened the Public Hearing to consider amending Section §263-14 and §263-47 of the Vehicle and Traffic Section of the Code of the Village of Albion to restrict the weight of motor vehicles from the streets or parts of streets in the Village of Albion.

The Board of Trustees discussed the following: exempting farm equipment; posting a truck route; local deliveries; Police enforcing the limit.

CLOSED PUBLIC HEARING

Moved by Trustee Banker and seconded by Trustee Sheehan that in as much as everyone who wished to speak to consider amending Section §263-14 and §263-47 of the Vehicle and Traffic Section of the Code of the Village of Albion to restrict the weight of motor vehicles from the streets or parts of streets in the Village of Albion were heard, the Public Hearing is hereby closed at 7:07 PM.

CARRIED

5 Ayes

0 Nays

Adopt Local Law #1, 2013

The following Local Law #1, 2013 was proposed by Trustee Sheehan who moved its adoption and seconded by Trustee Sidari:

WHEREAS, a proposed Local law #1 of the year 2013 for the purpose of amending CHAPTER 263 was presented to the Village Board of Trustees, and

WHEREAS, the Board of Trustees at a Regular Board Meeting of said Board held on Wednesday, December 12, 2012 did adopt a motion that a Public Hearing be held on the aforesaid proposed Local Law at 7:00 PM on January 9, 2013, at 35 East Bank Street, Albion, New York and that said notice thereof be published in the Batavia Daily Newspaper, the official newspaper of the Village of Albion at least seven days before January 9, 2013,

WHEREAS, a notice of such Public Hearing on said proposed Local law was duly published in the Batavia Daily Newspaper on December 24, 2012, and

WHEREAS, a Public Hearing on said proposed Local Law was held by the Board of Trustees, at 35 East Bank Street, Albion, New York at 7:00 PM on January 9, 2013, at which time all were heard who wished to speak regarding said Local Law,

NOW THEREFORE BE IT RESOLVED, that the following Local Law be hereby made part of the code of the Village of Albion, New York:

LOCAL LAW #1

CHAPTER 263
VEHICLES AND TRAFFIC

§263-14 Trucks over certain weights excluded.

All trucks, tractors and tractor trailer combinations in excess of the gross weights indicated, 6 tons with the exception of agricultural vehicles used in the furtherance of agricultural activities are hereby excluded from the streets or parts of streets described in Schedule XI (§263-47), attached to and made part of this chapter, except for the pickup and delivery of materials on such streets.

§263-47

In accordance with the provisions of §263-14, all trucks, tractors and tractor trailer combinations in excess of gross weights indicated, 6 tons, except for agricultural vehicles used in the furtherance of agricultural activities, are hereby excluded from the following streets or parts thereof, except for the pickup and delivery of materials on such streets:

All Village streets or parts thereof.

CARRIED

5 Ayes

0 Nays

STREETSCAPE

Mr Tom Rivers presented the Board of Trustees ideas on what the \$50,000 from the Main Street Grant through AMSA could be used for. Mr Rivers discussed the following: 20 new wooden benches which would have different themes painted on them; planting 24 trees and planters on Main Street; constructing a sandstone base for the clock on Main Street; providing bike racks; signage noting that Downtown Albion is listed on the National Register of Historic places; doing a Veterans memorial on Main Street; installing street light filters; quarrymen's park/median; provide lights in the median in the Main Street parking lot. Also discussed placing Historic Hitching Posts in the Downtown area and that the Albion Rotary has raised \$4,000 for a 16 x 10 mural on the second level of the building just north of the Main Street parking lot.

Mr Rivers also suggested that the old Swan Library building project and the quarryman project should be put together when applying for a grant. The next step is that the Streetscape Committee should provide the Code Enforcement Officer Ron Vendetti with a specific proposal as to where everything is going to be placed so he can present it to the Historic Preservation Commission. Also, New York State Department of Transportation will need to approve anything that will be placed on Main Street.

APPROVED SEMINAR

Moved by Trustee Sheehan and seconded by Trustee Banker approving Police Chief Roland Nenni to attend the New York State Tactical Officers Association Annual Training Seminar April 23 to 25, 2013.

CARRIED

5 Ayes

0 Nays

LIEUTENANT POSITION

Moved by Trustee Sheehan and seconded by Trustee Banker removing Officer O'Hearn from the position of provisional Lieutenant effective immediately.

CARRIED

5 Ayes

0 Nays

Moved by Trustee Banker and seconded by Trustee Sheehan appointing Officer O'Hearn as provisional Police Lieutenant pending the successful completion of the Police Lieutenant exam.

CARRIED

5 Ayes

0 Nays

REQUEST LIEUTENANT TEST

Moved by Trustee Sheehan and seconded by Trustee Sidari authorizing Orleans

County Civil Service to schedule a Promotional and Open Competitive Exam for the open Police Lieutenant position in the Village of Albion Police Department. The salary range is \$54,000 to \$65,000.

CARRIED

5 Ayes 0 Nays

ACCEPT TREASURERS REPORT

Moved by Trustee Sheehan and seconded by Trustee Banker accepting the Treasurer's Report for December 2012.

CARRIED

5 Ayes 0 Nays

APPROVED MINUTES

Moved by Trustee Miller and seconded by Trustee Banker that in as much as each member received copies of the minutes of December 12, 2012 and there being no errors or omissions, minutes are hereby approved as written.

CARRIED

5 Ayes 0 Nays

TABLED COMPREHENSIVE PLAN

The Board of Trustees tabled adopting the Village and Town of Albion Comprehensive Plan as submitted by Stuart I Brown Associates until the January 23, 2013 Workshop Meeting. The Board of Trustees would like time to review Orleans County Planning Boards recommendations.

APPROVED PAYMENT OF BILLS

Moved by Trustee Miller and seconded by Trustee Banker approving the payment of the following Village bills:

General Fund	voucher #14419-	\$36,536.75
Water Fund	to #14630	\$32,066.62
Sewer Fund		\$ 2,035.74

CARRIED

5 Ayes 0 Nays

APPROVED PAYMENT CHATFIELD BILLS

Moved by Trustee Sheehan and seconded by Trustee Banker approving the following bills submitted by Chatfield Engineers to be paid:

General Engineering	94-193-173	\$
154.50		
JMIPCF Capital Improvement Plan	09-924-28	
\$2,760.90		

CARRIED

5 Ayes 0 Nays

APPROVED PAYROLLS JMIPCF PROJECT

Moved by Trustee Sheehan and seconded by Trustee Miller approving payrolls as submitted by Stuart I Brown Associates for work performed at the Joint Municipal Industrial Pollution Control Facility.

CARRIED

5 Ayes 0 Nays

APPROVED PAYMENT TO SUBURBAN ELECTRIC

Moved by Trustee Miller and seconded by Trustee Sheehan approving payment to Suburban Electric for Contract #2, Pay Application #6 for work performed at the Joint Municipal Industrial Pollution Control Facility in the amount of \$53,295.00.

CARRIED

5 Ayes

0 Nays

ANNUAL PERFORMANCE REPORT

Moved by Trustee Sheehan and seconded by Trustee Miller approving Mayor Theodorakos to sign the Annual Performance Report and the Grant Closeout Transmittal Form for the \$600,000 received from New York State Office of Community Renewal for the Joint Municipal Industrial Pollution Control Facility Project.

CARRIED

5 Ayes

0 Nays

APPROVED CEMETERY DEEDS

Moved by Trustee Banker and seconded by Trustee Sidari approving Mayor Theodorakos to sign the following Cemetery Deeds:

Clifford L Braman S.G. 577 and 578 Deerfield Avenue
Carol Murphy S.G. 582 Deerfield Avenue

CARRIED

5 Ayes

0 Nays

AFD INSURANCE COVERAGE

Moved by Trustee Sheehan and seconded by Trustee Sidari approving to have ESIP provide Accident Insurance Coverage for the Albion Fire Department in the amount of \$1,459.00 per year.

CARRIED

5 Ayes

0 Nays

CORRESPONDENCE

The Board of Trustees received a correspondence from Trevett Cristo Salzer and Andolina P.C. regarding the creation of the new PT Water Treatment Plant Operator position.

CORRESPONDENCED

The Board of Trustees received a correspondence from NYS Office of Parks, Recreation and Historic Preservation regarding the recent CLG audit they preformed.

CORRESPONDENCED

The Board of Trustees received a correspondence from Arthur J Gallagher Risk Management Services Inc regarding their services they offer for Property & Casualty consulting and brokerage services.

CORRESPONDENCED

The Board of Trustees received a correspondence from the United State Department of the Interior thanking Chief Nenni and his department for their cooperation and assistance during a Federal Investigation at the Iroquois National Wildlife Refuge.

SERVICE PROPOSAL

The Board of Trustees received a service proposal from Five Star Bank.

EXECUTIVE SESSION

Moved by Trustee Sheehan and seconded by Trustee Sidari to adjourn to executive session to discuss litigations at 8:02 PM.

CARRIED

5 Ayes

0 Nays

EXECUTIVE SESSION CLOSED

Moved by Trustee Sidari and seconded by Trustee Miller to come out of executive session at 9:20 PM.

CARRIED

5 Ayes

0 Nays

EXECUTIVE SESSION

Moved by Trustee Banker and seconded by Trustee Sheehan to adjourn to executive session to discuss litigations at 9:30 PM.

CARRIED

5 Ayes 0 Nays

EXECUTIVE SESSION CLOSED

Moved by Trustee Sheehan and seconded by Trustee Sidari to come out of executive session at 10:10 PM.

CARRIED

5 Ayes 0 Nays

JOB POSTING

Moved by Trustee Sheehan and seconded by Trustee Banker to request the Superintendent of the Water Treatment Plant Kevin Miller do a job posting for a full-time Water Treatment Plant Operator.

CARRIED

5 Ayes 0 Nays

SALARY ADJUSTMENTS

Moved by Trustee Banker and seconded by Trustee Sheehan to implement the 2.5% salary adjustments as recommended in the 2010 job reviews. The adjustments are effective December 1, 2012.

CARRIED

4 Ayes 1 Nay
Trustee Banker Trustee

Miller

Trustee Sheehan
Trustee Sidari
Mayor Theodorakos

MEETING ADJOURNED

Moved by Trustee Miller and seconded by Trustee Sheehan that there being no further business, meeting is hereby adjourned at 10:20 PM.

CARRIED

5 Ayes 0 Nays

Respectfully submitted,
Linda K Babcock
Clerk-Treasurer

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January 23, 2013: Workshop Meeting

Body:

The Workshop Meeting of the Board of Trustees of the Village of Albion was held Wednesday, January 23, 2013 at 7:00 PM, at 35 East Bank Street, Albion, New York.

Present were Mayor Dean A Theodorakos, Trustees Eileen S Banker, Fred Miller, Kevin P Sheehan, Peter Sidari and Attorney John C Gavenda.

Mayor Theodorakos opened the meeting with the pledge of allegiance at 7:00 PM.

DEPARTMENT HEAD REQUEST

Moved by Trustee Sheehan and seconded by Trustee Sidari approving the request from the Superintendent of Public Works Dale Brooks to attend the Advocacy day in Albany March 5th and 6th.

CARRIED

5 Ayes

0 Nays

WINDOWS

The Superintendent of Public Works Dale Brooks informed the Board of Trustees that he will review the three quotes he received for replacing the windows at the Village Office.

The Superintendent of Public Works Dale Brooks discussed the street lights downtown. He had placed a loaned LED 45W lamp in one of the lights to see if there was any difference in the lighting. He stated it was a lot better and it will save the Village approximately \$8,900 a year switching the lamps out. He will try a 30W lamp to see if there is a difference from the 45W (as far as the light they give out), which would result in even more savings.

STREETSCAPE

Mr Tom Rivers discussed the placing of trees, benches, etc for Main Street. He will get together with the Superintendent of Public Works Dale Brooks to review layout and he will ask the store front owners about placing them in front of their respective stores. The Village Department of Public Works would need to store and place the benches.

DEPARTMENT HEAD REPORTS

The Board of Trustees received monthly reports from the Department of Public Works Dale Brooks, Police Chief Roland Nenni, Code Enforcement Officer Ron Vendetti, Cemetery Supervisor Jason Zicari, Village Clerk Linda Babcock, Water Treatment Plant Superintendent Kevin Miller and the Superintendent of the Pollution Control Plant Aric Albright.

CLARENDON STREET BRIDGE REIMBURSEMENT

The Village Clerk will check into why the last reimbursement for the period 10/17/11-4/12/12 for the Clarendon Street Bridge was short \$798.30

APPROVED MINUTES

Moved by Trustee Sheehan and seconded by Trustee Banker that in as much as each member received copies of the minutes of January 9, 2013 and there being no errors or omissions, minutes are hereby approved as written.

CARRIED

5 Ayes

0 Nays

APPROVED PAYMENT TO STC-CONTRACT #3

Moved by Trustee Sheehan and seconded by Trustee Banker approving payrolls and the payment to STC Construction for Contract #3, Pay Application #2 for work performed at the JMIPCF in the amount of \$189,287.50. This contract is 64% completed as of December 31, 2012.

CARRIED

5 Ayes

0 Nays

APPROVED PAYMENT TO SUBURBAN-CONTRACT #2

Moved by Trustee Sheehan and seconded by Trustee Banker approving payment to Suburban Electric for Contract #2, Pay Application #7 for work performed at the JMIPCF in the amount of \$27,385.65. This contract is 76% completed as of December 29, 2012.

CARRIED

5 Ayes

0 Nays

APPROVED PAYMENT TO DIOGUARDI CONSTRUCTION

Moved by Trustee Sheehan and seconded by Trustee Banker approving payment to DioGuardi Construction for the final pay estimate for work performed at the Visitor's Center Rear Façade Renovations Project in the amount of \$1,303.00 as submitted by Chatfield Engineers. Chatfield Engineers also provided the following documents:

Contractors Final Payment Acknowledgements, Contractor's Affidavit of Payment of Debts and Claims, Consent of Surety to Final Payment, Contractors Affidavit of Release of Lien's and a copy of their Liability Insurance Certificate.

CARRIED

4 Ayes

1 Nay

Trustee Sheehan

Trustee

Miller

Trustee Banker

Trustee Sidari

Mayor Theodorakos

APPROVED PAYMENT TO STUART BROWN

Moved by Trustee Miller and seconded by Trustee Sheehan approving payment to Stuart I Brown Associates in the amount of \$1,400.00 for professional services for the JMIPCF Project for the period of October 27, 2012 to December 28, 2012.

CARRIED

5 Ayes

0 Nays

ADOPT SEQR FOR COMPREHENSIVE PLAN

The following resolution was proposed by Trustee Banker who moved its adoption and seconded by Trustee Sheehan:

WHEREAS:

1. The Albion Village Board (hereinafter referred to as Village 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 Village 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 Village Board declares that the action to adopt the Albion Comprehensive Plan will not have a significant adverse effect on the

environment.

2. The Village 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 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 Village of Albion.

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

4. The Village 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.

CARRIED

5 Ayes

0 Nays

ADOPT COMPREHENSIVE PLAN

The following resolution was proposed by Trustee Banker who moved its adoption and seconded by Trustee Sheehan:

WHEREAS, The Albion Village Board has, after careful study, considered the proposed document entitled Village and Town of Albion Comprehensive Plan Update ("Comprehensive Plan") dated January 2013 that was prepared by the Albion Comprehensive Plan Steering Committee and revised based on comments from the public and the Orleans County Planning Board; and

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

The Albion Village Board has considered comments made by the public and interested agencies at the Village Board Public Hearing held on September 12, 2012; and

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

The Albion Village Board has completed the Environmental Review Record on the adoption and maintenance of said document and issued a "Negative Declaration" of significance on January 23, 2013, pursuant to the State Environmental Quality Review (SEQR) regulations; and

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

The Albion Village 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 and Village of Albion; and

The Albion Village Board acknowledges and hereby gives public notice that official copies of the Comprehensive Plan and all modifications thereof shall be on file in the Offices of the Albion Town Clerk and Albion Village 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, to be dated January 2013, is

hereby adopted as the Comprehensive Plan for the Village of Albion, Orleans County, New York in accordance with Village Law Section 7-722.

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 Village, the Village Planning Board shall annually review the Comprehensive Plan and make recommendations for revisions by the Village Board, as may be deemed necessary, following public review and input. Should the Village Planning Board find that no changes are necessary, this finding shall be reported.

CARRIED

5 Ayes

0 Nays

AUDIT REVIEW

Mr Richard Ertel from Amato, Fox and Company was present to review the audit with the Board of Trustees for June 1, 2011 to May 31, 2012. He stated that it shows the Village of Albion is in good shape, but should look at raising water/sewer rates in the future.

CORRESPONDENCE

The Board of Trustees received a correspondence from NYMIR (Village's Insurance carrier) with recommendations from their recent survey of the municipality. The Village Clerk needs to respond by March 8th as to how the recommendations will be addressed. NYMIR also sent information regarding sidewalks, which the Board of Trustees needs to discuss further. Attorney Gavenda will check NYCOM's policy on sidewalks.

MAIN STREET PARKING LOT

Attorney Gavenda stated that the survey map and the topographical map for the Main Street parking lot/land have been sent to Chatfield Engineers so he can provide a plan/cost for the area.

APPROVED JOB POSTING

Moved by Trustee Sidari and seconded by Trustee Sheehan approving the "Job Posting" for the Senior Water Treatment Plant Operator for an open position at the Water Treatment Plant.

CARRIED

5 Ayes

0 Nays

APPROVED JOB POSTING

Moved by Trustee Sidari and seconded by Trustee Sheehan approving the "Job Posting" for the Water Treatment Plant Operator Trainee for an open position at the Water Treatment Plant.

CARRIED

5 Ayes

0 Nays

APPLICATION

The following application will be place on file for future reference:

Water Treatment Plant Operator IIA - Todd JM Shervin

RESOLUTION OF SUPPORT

The Board of Trustees received a correspondence from Assemblyman Michael P Kearns asking for support by the following resolution regarding two foreclosure bills (A.88 and A.824) which will add depth and resonance to committee deliberations.

The following resolution to support New York State regarding the proposed laws concerning contact information for vacant structures was proposed by Trustee Miller who moved its adoption and seconded by Trustee Sheehan:

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 Village of Albion Village Board supports the passage of said Bills.

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

CARRIED

5 Ayes 0

Nays

CLARENDON STREET BRIDGE PROJECT

Moved by Trustee Sheehan and seconded by Mayor Theodorakos approving to go with the Hy-Span structure and leaving Crimson Drive the way it is for the Clarendon Street Bridge Project.

CARRIED

3 Ayes 2 Nays
Trustee Sheehan Trustee

Miller

Mayor Theodorakos Trustee

Banker

Trustee Sidari

STRAWBERRY FESTIVAL REQUEST

The Board of Trustees received a correspondence from the Albion Strawberry Festival Committee requesting the use of the Village Police Department, the Department of Public Works, picnic tables from Bullard Park and to close East State Street and East Bank Street between Main Street and Platt Street. The Committee will need to turn in a Special Use Permit Application.

SELF-INSURANCE MEETING

The Board of Trustees received a correspondence from Orleans County Personnel and Self Insurance indicating that the next meeting will be Monday, January 28th at 10:45 AM to review the Village of Albion's cases.

IDA LEASE

Received a correspondence from Orleans County IDA stating they voted to exercise its first one year renewal option for the offices at 121 North Main Street. Their monthly rent will be \$1,800 for the period of March 1, 2013 to February 28, 2014.

EXECUTIVE SESSION

Moved by Trustee Sheehan and seconded by Trustee Sidari to adjourn to executive session to discuss litigations and personnel issues at 9:16 PM.

CARRIED

5 Ayes 0 Nays

EXECUTIVE SESSION CLOSED

Moved by Trustee Banker and seconded by Trustee Sidari to come out of executive session at 9:55 PM.

CARRIED

5 Ayes

0 Nays

APPROVED PAYMENT

Moved by Trustee Sheehan and seconded by Trustee Miller approving the stipulation offer from the Orleans County Board of Health which includes a civil compromise payment of \$250.00 in regards to the "Matter of the Finding Violation against the Village of Albion" pending Attorney Gavenda's approval.

CARRIED

5 Ayes

0 Nays

MEETING ADJOURNED

Moved by Trustee Sheehan and second by Trustee Miller that there being no further business, meeting is hereby adjourned at 10:05 PM.

CARRIED

5 Ayes

0 Nays

Respectfully submitted,
Linda K Babcock
Clerk-Treasurer

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February 04, 2013: Special Meeting

Body:

The Workshop Meeting of the Board of Trustees of the Village of Albion was held Monday, February 4, 2013 at 6:00 PM, at 35 East Bank Street, Albion, New York.

Present were Mayor Dean A Theodorakos, Trustees Eileen S Banker, Kevin P Sheehan, Peter Sidari and Attorney John C Gavenda.

Also present were Village of Albion DPW Employees Association members Mr Brad Rouse, Mr Todd Sargent and Mr Jeff VanNostrand.

Mayor Theodorakos opened the meeting with the pledge of allegiance at 6:00 PM.

REQUEST WPT OPERATOR LIST

Moved by Trustee Sheehan and seconded by Trustee Sidari approving Mayor Theodorakos to request the "Certification of Eligible's" list for Water Treatment Plant Operator.

CARRIED

5 Ayes 0 Nays

Trustee Miller entered meeting at 6:02 PM.

DECLINED LIST

Moved by Trustee Sheehan and seconded by Trustee Banker approving Mayor Theodorakos to sign off on the "Certification of Eligible's" list for Water Treatment Plant Operator, stating the person on the list has declined taking the position.

CARRIED

5 Ayes 0 Nays

WTP POSITION

Mr Todd Sargent informed the Board of Trustees that he signed the "Job Posting" for the position of Water Treatment Plant Operator, but at this time he has chosen to respectfully decline transferring to the Water Treatment Plant.

APPROVED TO ADVERTISE

Moved by Trustee Miller and seconded by Trustee Sidari approving to advertiser for the position of a full-time Water Treatment Plant Operator Trainee.

CARRIED

5 Ayes 0 Nays

APPROVED LETTER TO TOWN OF CARLTON

Moved by Trustee Sheehan and seconded by Trustee Miller approving Mayor Theodorakos to sign the letter to NYS DEC stating that the Village of Albion has sufficient capacity available to supply 36,000 gallons of water per day for the Town of Carlton Water System Extension.

CARRIED

5 Ayes 0 Nays

EXECUTIVE SESSION

Moved by Trustee Banker and seconded by Trustee Miller to adjourn to

executive session to discuss personnel issues at 6:30 PM.

CARRIED

5 Ayes

0 Nays

EXECUTIVE SESSION CLOSED

Moved by Trustee Miller and seconded by Trustee Sheehan to come out of executive session at 7:10 PM.

CARRIED

5 Ayes

0 Nays

APPROVED APPOINTMENT

Moved by Trustee Sheehan and seconded by Trustee Sidari approving the Superintendent of the Water Treatment Plant Kevin Miller's appointment of Paul Fadale to the position of Senior Water Treatment Plant Operator.

CARRIED

5 Ayes

0 Nays

MEETING ADJOURNED

Moved by Trustee Miller and second by Trustee Sidari that there being no further business, meeting is hereby adjourned at 7:11 PM.

CARRIED

5 Ayes

0 Nays

Respectfully submitted,
Linda K Babcock
Clerk-Treasurer

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January 17, 2013: Historic Preservation Commission Meeting

Body:

HISTORIC PRESERVATION COMMISSION January 17, 2013 Meeting Minutes

PRESENT:

Richard Nenni, Chris Haines, Sandy Church, Mary Anne Braunbach, and Aric Albright

ALSO IN ATTENDANCE:

CEO Vendetti
Mr. Dan Dunn - owner of 125 Liberty Street
Tom Rivers

CALL TO ORDER:

The meeting was called to order at 7:01 pm by Sandy. The Pledge of Allegiance followed.

PUBLIC HEARING:

A motion was made by Sandy, seconded by Chris to open the public hearing regarding the hardship process requested by Mr. Dan Dunn for the demolition of the building located at 125 Liberty Street.

Motion passed unanimously

Public hearing opened at 7:02 pm.
Linda Smith arrived at 7:04 pm

Mr. Dunn explained to the Commission that he would like to be granted a demolition permit for the building located at 125 Liberty Street. He stated that he purchased the building to help out the previous owner (J. Theodorakos) and eventually sell the stone from the building.

Mr. Vendetti informed the commission that he had already issued tickets to Mr. Dunn for having an unsafe structure .

The commission asked what would be done with the property once the building was removed. Mr Dunn told them that he would grade the property and cover it with dirt/grass or gravel . There was concern expressed by members about what would happen if the property was not maintained. Mr. Vendetti informed the commission that if that were to happen Mr. Dunn would be issued tickets to maintain it. The Village could also perform maintenance at the cost of the property owner - this is added to the Village tax bill if necessary.

Sandy asked Mr. Dunn what his preference would be for the lot. He stated that he would prefer to put gravel on it so that it was the same as the rest of the lot surrounding his property. The timeline from the removal of the building to the grading of the lot was also discussed.

Mary Anne inquired about the boundaries of Mr. Dunn's property - she owns the lot next to his.

Jordan Bonafede arrived at 7:21pm. He reviewed information already given to the HPC as follows

- Ownership of the property was transferred from Mr. Theodorakos to Mr. Dunn in March 2012 for a purchase price of \$100.00.
- The HPC had received copies of a demolition permit that was already issued to Mr. Theodorakos in 2010
- An extension was granted to Mr. Theodorakos through August 2012.

Everyone present who wished to speak was heard. A motion was made by Chris, seconded by Mary Anne to close the public hearing at 7:30 pm.

Motion passed unanimously

ADJUSTMENTS TO AGENDA:

- Add: Tom Rivers - downtown streetscape presentation to "new business"
- Add: HPC elections to "new business"

APPROVE MINUTES:

A motion was made by Chris, seconded by Linda to approve the minutes from the December 20, 2012 meeting as submitted.

Motion passed unanimously

APPROVE AGENDA:

A motion was made by Sandy, seconded by Linda to approve the agenda for the January 17, 2013 meeting with the above mentioned additions

Motion passed unanimously

HARDSHIP APPLICATION - 125 LIBERTY STREET

A motion was made by Sandy, seconded by Chris to grant the hardship application submitted by Mr. Daniel Dunn for the demolition of the building located at 125 Liberty Street with the provision that the site will be backfilled with 2 inch crusher run and topped with a 1 inch layer of crusher run. The project will be completed within ninety (90) days - from the start to finish with the exception of the asbestos abatement. If necessary, a thirty (30) day extension could be granted if Mr. Dunn is proceeding in good faith and circumstances are beyond his control.

Motion passed

5 - Ayes

Sandy Church

Chris Haines

Aric Albright

Richard Nenni

Linda Smith

2 - Abstained

Mary Anne Braunbach

Jordan Bonafede

STREETSCAPE PRESENTATION

Tom Rivers gave a presentation to the HPC showing downtown streetscape ideas to be funded by grant money through AMSA and SHPO. The plans included benches, trees bike racks and signage. The HPC supports the streetscape project as long as the plans are approved by SHPO.

DESIGN STANDARDS

Nothing further to report this month

ELECTIONS: Elections for "chair" and "vice chair" of the Historic Preservation Commission will be held at the regular monthly meeting in April. The date of the meeting is April 18, 2013 at 7:00 pm.

ADJOURN

A motion was made by Chris seconded by Linda to adjourn the meeting at 8:40 pm.

Motion passed unanimously

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CARRIED

4 Ayes 0 Nays

APPROVED MINUTES

Moved by Trustee Miller and seconded by Trustee Sidari that in as much as each member received copies of the minutes of January 23, 2013 and February 4, 2013 and there being no errors or omissions, minutes are hereby approved as written.

CARRIED

4 Ayes 0 Nays

WTP POSITION

Moved by Trustee Sidari and seconded by Trustee Banker to place the job opening for the Water Treatment Plant Operator Trainee position in the Lake Country Pennysaver and Batavia Daily Newspaper one more time. The job posting will include a deadline of February 22, 2013 to have applications in.

CARRIED

4 Ayes 0 Nays

APPROVED PAYMENT OF BILLS

Moved by Trustee Sidari and seconded by Trustee Banker approving the payment of the following Village bills:

General Fund	voucher #14686-	\$53,356.06
Water Fund	to #14920	\$17,649.67
Sewer Fund		\$10,195.84

CARRIED

4 Ayes 0 Nays

APPROVED PAYMENT CHATFIELD BILLS

Moved by Trustee Miller and seconded by Trustee Banker approving the following bills submitted by Chatfield Engineers to be paid:

General Engineering	94-193-174	\$
232.50		
JMIPCF Capital Improvement Plan	09-924-29	
\$2,811.90		

CARRIED

4 Ayes 0 Nays

APPROVED PAYMENT TO SUBURBAN ELECTRIC

Moved by Trustee Banker and seconded by Trustee Miller approving payment to Suburban Electric for Contract #2, Pay Application #8 for the Joint Municipal Industrial Pollution Control Facility in the amount of \$49,995.65. This contract is 84% completed as of January 28, 2013.

CARRIED

4 Ayes 0 Nays

APPROVED PAYMENT TO OSBORN, REED & BURKE

Moved by Trustee Banker and seconded by Trustee Sidari approving payment to Osborn, Reed & Burke, LLP for professional services the month of January for \$429.00.

CARRIED

4 Ayes 0 Nays

APPROVED CEMETERY DEEDS

Moved by Trustee Sidari and seconded by Trustee Miller approving Mayor Theodorakos to sign the following Cemetery Deeds:

Richard C Bradley	S.G. 569 Deerfield Avenue
Patricia Gayton	S.G. 272 Deerfield Avenue
Irving W Wilson	S.G. 474 Deerfield Avenue

CARRIED

4 Ayes

0 Nays

ACCEPT APPLICATION

The Board of Trustees accepted the following application to be placed on file for future reference:

Thomas R Moss DPW/Summer Help

TABLED ENGINEERING SERVICES FOR MAIN ST PARKING LOT

The Board of Trustees tabled approving the Village of Albion Quarryman's Park and Parking Lot Engineering Services Proposal for \$5,336 submitted by Chatfield Engineers until the February 27, 2013 Workshop Meeting. The Superintendent of Public Works Dale Brooks, the Code Enforcement Officer Ron Vendetti and Mr Tom Rivers will work on the layout of the area and present it at the next meeting.

SENATE BILL S2006 ADOPTED

The following resolution supporting Senate Bill S2026 regarding the filing of false liens against Public Officials was proposed by Trustee Sidari who moved its adoption and seconded by Trustee Miller:

WHEREAS, the Village of Albion Board of Trustees 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 Board of Trustees 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 for the Board of Trustees shall forward copies of this resolution to Governor Andrew M Cuomo, Senator George Maziarz, Assemblyman Stephen Hawley and all those deemed necessary and proper.

CARRIED

4 Ayes

0 Nays

PRINTER PURCHASE APPROVED

Moved by Trustee Banker and seconded by Trustee Miller approving the request from the Code Enforcement Officer and the Superintendent of Public Works to transfer the following funds to purchase a HP Design jet T790 44-in ePrinter:

A 3620.0410 \$120.00 to A 3620.0202 F 8340.0420 \$300.00 to F 8340.0207 A 3620.0413 \$200.00 to A 3620.0202 G 8120.0405 \$100.00 to G 8120.0207 A 3620.0414 \$166.07 to A 3620.0202 G 8120.0415 \$156.63 to G 8120.0207 A 3620.0416 \$ 70.56 to A 3620.0202

The total cost for the printer is \$4,453.00 which \$3,339.75 (75%) will be reimbursed through NYSERDA.

CARRIED

4 Ayes

0 Nays

APPROVED CEMETERY DEED

Moved by Trustee Sidari and seconded by Trustee Banker approving Mayor Theodorakos to sign the following Cemetery Deed:

John Spinks S.G. 393 Deerfield Avenue

CARRIED

4 Ayes

0 Nays

APPROVED AUDITOR

Moved by Trustee Miller and seconded by Trustee Banker approving to hire Freed Maxick CPA's PC to perform the Village Audit and Single Audit for the

fiscal year June 1, 2012 to May 31, 2013 at a cost of \$11,700 per Clerk-Treasurer's recommendation.

CARRIED

4 Ayes

0 Nays

APPROVED AWSO AGREEMENT

Moved by Trustee Banker and seconded by Trustee Sidari approving Mayor Theodorakos to sign the American Wind Symphony Orchestra agreement as revised by Attorney John Gavenda.

CARRIED

4 Ayes

0 Nays

121 NORTH MAIN ST PARKING

Trustee Banker stated that other vehicles are parking in the area that should be for tenants of 121 North Main Street. There was a brief discussion on how to solve the problem.

APD

Trustee Banker stated that she went with the Albion Police Department on their latest detail and was extremely impressed on the great job the department did.

EXECUTIVE SESSION

Moved by Trustee Sidari and seconded by Trustee Miller to adjourn to executive session to discuss litigations at 8:29 PM.

CARRIED

4 Ayes

0 Nays

EXECUTIVE SESSION CLOSED

Moved by Trustee Sidari and seconded by Trustee Banker to come out of executive session at 9:09 PM.

CARRIED

4 Ayes

0 Nays

APPROVED LETTER

The Board of Trustees received the "Certification of Eligible's" list for the Water Treatment Plant Operator Trainee with one name listed.

Moved by Trustee Miller and seconded by Trustee Sidari approving Mayor Theodorakos to send a letter to Mr Todd Sargent asking if he is interested in the position.

CARRIED

4 Ayes

0 Nays

MEETING ADJOURNED

Moved by Trustee Sidari and seconded by Trustee Miller that there being no further business, meeting is hereby adjourned at 9:12 PM.

CARRIED

4 Ayes

0 Nays

Respectfully submitted,
Linda K Babcock
Clerk-Treasurer

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February 27, 2013: Workshop Meeting

Body:

The Workshop Meeting of the Board of Trustees of the Village of Albion was held Wednesday, February 27, 2013 at 7:00 PM, at 35 East Bank Street, Albion, New York. Present were Mayor Dean A Theodorakos, Trustees Eileen S Banker, Fred Miller, Peter Sidari and Attorney John C Gavenda. Mayor Theodorakos opened the meeting with the pledge of allegiance at 7:00 PM.

APPROVED MINUTES

Moved by Trustee Sidari and seconded by Trustee Miller that in as much as each member received copies of the minutes of February 13, 2013 and there being no errors or omissions, minutes are hereby approved as written.

CARRIED

4 Ayes 0 Nays

Trustee Kevin P Sheehan entered meeting at 7:02 PM.

STREETSCAPE

Moved by Trustee Banker and seconded by Trustee Sheehan to approve Mr Tom Rivers Streetscape list for downtown:

27 trees, 13 wooden benches, 5 flower pots, 4 bike racks, 1 historical marker, 1 sandstone bench, 1 sandstone base by clock, 1 bigger welcome sign, and 1 memorial stone and plaque. Mr Rivers will get written approval from each store owner who will have any of the above items in front of their stores.

CARRIED

5 Ayes 0 Nays

The Superintendent of Public Works Dale Brooks found out that replacing the light poles would have turned out to be too big of a burden on the Village at some point. The Superintendent of Public Works Dale Brooks and Code Enforcement Officer Ron Vendetti presented the Board of Trustees two rough draft layout's of the Main Street parking area. The Board of Trustees liked the idea of the green space being on three sides which would have a buffer on Main Street. Both plans would double the parking space that is currently there. The Superintendent of Public Works Dale Brooks will provide an approximate cost estimate which will be discussed and possibility added into next year's budget. Mr Tom Rivers stated that he has talked to a County Legislature about putting Quarryman Park on the Court House lawn. Mayor Theodorakos will have Chatfield Engineers redo their proposal for the Main Street parking lot deleting the items that Mr Brooks and Mr Vendetti have already completed.

DEPARTMENT HEAD REPORTS

The Board of Trustees received monthly reports from the Department of Public Works Dale Brooks, Police Chief Roland Nenni, Code Enforcement Officer Ron Vendetti, Cemetery Supervisor Jason Zicari, Village Clerk Linda Babcock, Water Treatment Plant Superintendent Kevin Miller and the Animal Control Officer Harry Papponetti.

The Superintendent of the Pollution Control Plant Aric Albright didn't submit a monthly report.

The Code Enforcement Officer Ron Vendetti gave the Board of Trustees an update on the meetings he has attended regarding the abandoned properties in the Village.

APPROVED PAYMENT TO HEWLETT PACKER

Moved by Trustee Banker and seconded by Trustee Sheehan approving the payment to Hewlett Packard for the HP Design jet T790 44-in ePrinter in the amount of \$4,800.00.

CARRIED

5 Ayes

0 Nays

APPROVED PAYMENT TO BROWN

Moved by Trustee Sheehan and seconded by Trustee Banker approving payment to Stuart I Brown Associates for professional services performed September 29, 2012 to January 25, 2013 in the amount of \$800 for the Town/Village of Albion Comprehensive Plan.

CARRIED

5 Ayes

0 Nays

APPROVED PAYMENT TO DONEGAN

Moved by Trustee Sheehan and seconded by Trustee Banker approving payment Bernard P Donegan Inc for the following professional services October 1, 2012 through December 21, 2012:

JMIPCF	\$ 870.73
Clarendon St Bridge	\$ 335.00
CDU	<u>\$ 170.06</u>
	\$1,375.79

CARRIED

5 Ayes

0 Nays

121 FAÇADE FINAL

Moved by Trustee Sheehan and seconded by Trustee Banker approving Mayor Theodorakos to sign the "Final Acceptance of Locally Administered Federal-Aid Project" and the "Certificate of Substantial Completion" forms for the "Albion Visitor's Center Rear Façade Improvement Project".

CARRIED

5 Ayes

0 Nays

APPROVED PAYMENT OTTNEY/MILLER

Moved by Trustee Banker and seconded by Trustee Sidari approving payment to Ottney & Miller for the topographic and boundary survey of the Main Street Parking area in the amount of \$1,300.00. The invoice will be paid out of the Small Cities Revolving Loan account.

CARRIED

5 Ayes

0 Nays

APPROVED PAYMENT SURVEY MAIN ST PARKING LOT

Moved by Trustee Miller and seconded by Trustee Sheehan approving payment to Orleans Abstract and Title Services for services rendered for the Main Street Parking area in the amount of \$1,100.00. The invoice will be paid out of the Small Cities Revolving Loan account.

CARRIED

5 Ayes

0 Nays

ELIGIBLES LIST WTP

Moved by Trustee Sheehan and seconded by Trustee Miller approving Mayor Theodorakos to sign the "Certification of Eligible's" list for Water Treatment Plant Operator Trainee position stating person listed has declined the position.

CARRIED

5 Ayes

0 Nays

APPROVED APB AGREEMENT

Moved by Trustee Banker and seconded by Trustee Miller approving Mayor Theodorakos to sign the "Memorandum of Agreement" with the Albion Police Benevolent Association regarding the reinstatement of the canine program.

CARRIED

5 Ayes

0 Nays

HARTFORD DISABILITY COVERAGE

Moved by Trustee Miller and seconded by Trustee Sheehan approving to cover all employees, full time and part time, through the New York State Disability Insurance except for High School students.

CARRIED

5 Ayes

0 Nays

ADOPT SEXUAL HARASSMENT POLICY

Moved by Trustee Banker and seconded by Trustee Sheehan adopting the following "Sexual Harassment Policy" as recommended by the Village of Albion's Insurance carrier, NYMIR. The Police Chief Roland Nenni will schedule/teach the class which all Village employees must attend.

VILLAGE OF ALBION'S POLICY AGAINST SEX DISCRIMINATION AND SEXUAL HARASSMENT

SECTION 1: PURPOSE

- A. Scope of Policy
- B. Policy Objectives

SECTION 2: DEFINITIONS

SECTION 3: POLICY

SECTION 4: POLICY ENFORCEMENT

- A. Complaint Procedure for Employees
 - 1. Notification Procedure
 - 2. Making a Complaint
- B. Time for Reporting a Complaint
- C. Confidentiality and Privacy
- D. Acknowledgment of Complaints

SECTION 5: INVESTIGATION PROCEDURES

- A. Timing of Investigations
- B. Method of Investigation
- C. Notification to Complaining Party and the Accused Party
- D. Remedial Measures

SECTION 6: PROHIBITION AGAINST RETALIATION AND ABUSE OF THE POLICY

SECTION 7: APPEALS

SECTION 8: RECORD KEEPING

SECTION 9: QUESTIONS

SECTION 10: COMPLIANCE OFFICERS

SECTION 11: EFFECTIVE DATE AND POLICY DISSEMINATION

SECTION 1: PURPOSE

Village of Albion believes in the dignity of the individual and recognizes the rights of all people to equal employment opportunities in the workplace. In this regard, Village of Albion is committed to a policy of protecting and safeguarding the rights and opportunities of all people to seek, obtain and hold employment without subjugation to harassment or discrimination in the workplace. It is the Village of Albion's policy to provide an employment environment free from harassment and discrimination based on sex.

•A. Scope of Policy

This Policy applies to all Village of Albion employees and all personnel in a contractual or other business relationship with Village of Albion including, for example, applicants, temporary or leased employees, independent contractors, vendors, consultants, volunteers and visitors. Depending on the extent of the Village of Albion's exercise of control, this Policy may be applied to the conduct of non-employees with respect to unlawful harassment and/or discrimination of Village of Albion's employees in the workplace. This Policy applies with equal force on Municipality's property as it does at Municipal - sponsored events, programs, and activities that take place off Municipal premises.

•B. Policy Objectives

By adopting and publishing this Policy, it is the intention of the Village of Albion's Board to:

- 1. notify employees about the types of conduct that constitute sexual harassment and discrimination prohibited by this Policy;
- 2. inform employees about the complaint procedures established by the Municipality that enable any employee who believes (s)he is the victim of harassment or discrimination to submit a complaint which will be investigated by the Municipality;
- 3. clearly advise all supervisory staff, administrators, and employees that sexual harassment and discrimination is strictly prohibited and no such person possesses the authority to harass or discriminate; and
- 4. notify all employees that the Municipality has appointed a Compliance Officer who is specifically designated to receive complaints and ensure compliance with this Policy.

NOTE: The names and office location of each Compliance Officer designated to receive and investigate complaints for the (Insert Dates) year are listed below at the end of this Policy.

SECTION 2: DEFINITIONS

"Prohibited Discrimination of Employees" Prohibited discrimination of employees can take the form of any negative treatment of an employee, by either a Municipality employee or official, or a third party engaged in activities sponsored by the municipality which: (a) negatively impacts a employee's employment opportunities and/or employment benefits; *and* (b) is based upon the employee's sex. Prohibited discrimination of employees can also take the form of harassment even where there is no tangible impact upon the employee's employment opportunities and/or employment benefits. The phrase "prohibited discrimination" as used in this Policy includes all forms of prohibited sex discrimination, and "Sexual Harassment" as defined below:

"Sexual Harassment"

Sexual harassment is prohibited including, but not limited to inappropriate forms of behavior described by the Equal Employment Opportunity Commission as follows:

- 1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- 2. Submission to, or rejection of, such conduct by an individual is used as the basis for employment decisions affecting such individual (e.g., promotion, transfer, demotion, termination); or
- 3. Such gender-based conduct has the purpose or effect of unreasonably interfering with an individual's work performance, or of creating an intimidating, hostile or offensive working environment.

Specific forms of behavior the Village of Albion considers sexual harassment are set forth below. Every conceivable example cannot be delineated herein, and thus the descriptions below should not be interpreted in any way as being all-inclusive.

Verbal

Abusive verbal language including jokes, comments, teasing or threats related to an employee's sex, sexual activity and/or body parts whether or not said in that person's presence including, but not limited to: sexual innuendos; slurs; suggestive, derogatory, or insulting comments or sounds; whistling; jokes of a sexual nature; sexual propositions; threats; comments on a person's appearance that make the person feel uncomfortable because of his or her sex; continuing to ask someone for dates or to meet after work after the person has made it clear that he or she does not want to go; sexually oriented comments about an employee's anatomy that are unwelcome, unreasonably interfere with an employee's work performance, or create an intimidating, hostile or offensive work environment; and unwelcome sexual advances or demands for sexual favors.

Nonverbal

Abusive written language showing or displaying pornographic or sexually explicit objects

or pictures; graphic commentaries; luring or obscene gestures in the workplace; staring at a person's body in a sexually suggestive manner; sexually-related gestures or motions; sending sexually graphic material through the Municipality e mail system or other electronic communication devices (e.g. voice mail) or using the Municipality's mail or computers to view such material.

Physical

Unwelcome physical conduct, including but not limited to: petting, pinching, grabbing, holding, hugging, kissing, tickling, massaging, displaying private body parts, coerced sexual intercourse, assault, persistent brushing up against a person's body, unnecessary touching and flashing or other unwelcome physical conduct.

While a single incident of these types of behavior may not create a hostile learning environment, if such behavior is severe, persistent or pervasive, or if submission to such conduct is made either explicitly or implicitly a term or condition of employment or receipt of employment benefits, such conduct constitutes prohibited sexual harassment.

SECTION 3: POLICY

The Village of Albion prohibits harassment and discrimination based sex and will not tolerate any form of unlawful discrimination or harassment. The Village of Albion will take all steps necessary to prevent and stop the occurrence of unlawful discrimination and/or harassment in the workplace.

All employees, including but not limited to, Village of Albion's officials and supervisory personnel, are responsible for ensuring a work environment free from prohibited harassment and discrimination. All employees will be held responsible and accountable for avoiding or eliminating inappropriate conduct that may give rise to a claim of sexual harassment or sex discrimination. Employees are encouraged to report violations to one of the Compliance Officers listed in Section 10 of this Policy in accordance with the Complaint Procedure set forth in this Policy. Officials and supervisors must take immediate and appropriate corrective action when instances of prohibited harassment and/or discrimination come to their attention to assure compliance with this Policy.

Each employee is assured pursuant to Section 6 of this Policy, that retaliation against an individual who makes a complaint or report under this Policy is absolutely prohibited and constitutes, in and of itself, a violation of this Policy.

Any questions regarding the scope or application of this Policy should be directed to one of the Compliance Officers listed in Section 10 of this Policy.

SECTION 4: POLICY ENFORCEMENT

A. Complaint Procedure for Employees

1. Notification Procedure: Prompt reporting of complaints or concerns is required so that timely and constructive action can be taken before relationships become strained. Reporting of all perceived incidents of prohibited discrimination and/or harassment is essential, regardless of the offender's identity or position. An employee or other individual who feels aggrieved because of harassment or discrimination shall I contact his or her supervisor or a Compliance Officer listed in Section 10 of this Policy, or another administrator.

2. Making a Complaint: If the complainant prefers, s/he may report the matter directly to her/his supervisor. If the complainant feels uncomfortable reporting the harassment to her/his supervisor, s/he should immediately report the matter to any other member of management. The Village of Albion will not tolerate violations of this policy and strongly encourages victims of sexual harassment to report such harassment as soon as it occurs.

Complainants are expected to cooperate with the Municipality's investigation procedures by providing all relevant information relating to the complaint, as are other supervisory and non-supervisory employees having relevant or related knowledge or information.

B. Time for Reporting a Complaint

Prompt reporting of all complaints is strongly encouraged. All employees should be aware

that appropriate resolution of complaints and effective remedial action oftentimes is possible only when complaints are promptly filed. Furthermore, complaining parties should be aware that statutes of limitations may constrain the time period for instituting legal actions outside of this Policy.

C. Confidentiality and Privacy

In recognition of the personal nature of discrimination and/or harassment complaints and the emotional impact of the alleged acts, the Municipality shall keep complaints as confidential as is consistent with a thorough investigation, applicable collective bargaining agreements, and other laws and regulations regarding employees. For the protection of all individuals who make complaints or are accused of prohibited harassment and/or discrimination, every witness interviewed during an investigation under this Policy will be advised of the confidentiality requirement and instructed not to discuss the complaint, the investigation, or the persons involved. To the extent complaints made under this Policy implicate criminal conduct, the Municipality may be required by law to contact and cooperate with the appropriate law enforcement authorities.

SECTION 5: INVESTIGATION

The Municipality will investigate all allegations of discrimination and harassment prohibited by this Policy as promptly as possible.

SECTION 6: PROHIBITION AGAINST RETALIATION AND ABUSE OF THE POLICY

Retaliation is strictly prohibited by this Policy and by law against anyone who in good faith reports a suspected violation of this Policy, who assists in making such a complaint, or who cooperates in a harassment or discrimination investigation. Retaliation means taking any adverse action in response to a complaint being made.

Complaints of retaliation should be brought directly to a Compliance Officer, or another administrator. Such complaints will be promptly investigated. If retaliation is found, the person retaliating will be subject to corrective action up to and including termination from employment, or in the case of a non-employee, an appropriate remedy up to and including termination of the business relationship.

SECTION 7: APPEALS

Any complainant or accused party who wishes to appeal the procedures which the Municipality followed in investigating a written complaint filed under this Policy, may do so within ten (10) days of receipt of the appellant's notification of the investigation outcome. Untimely submissions shall not receive consideration. Such appeal must be made in writing to the Board of Trustees by submission to the Clerk. The appellant shall be entitled to present evidence as to why the investigation procedures were flawed, improper, or otherwise not in compliance with this Policy. The Board's consideration and review of any such appeal shall be conducted confidentially in executive session.

Following a review of that evidence, as well as the information obtained in the investigation process and conclusions derived there from, the Board of Trustees, or its designee, shall render a decision. The Board's decision shall be final. The appellant shall be notified of the decision in writing.

Nothing set forth in the Appeal Process above shall be construed to in any way confer upon either the complainant(s) or the person(s) accused of violating this Policy any right to appeal the Municipality's determination as to appropriate disciplinary and/or corrective action to be taken on meritorious complaints. In this regard, the Municipality at all times retains sole discretion to determine the appropriate disciplinary and/or corrective action to be taken with regard to a meritorious complaint.

SECTION 8: RECORD KEEPING

The Municipality shall maintain a written record of all complaints of sex discrimination and/or sexual harassment for a period of at least six years. The Municipality shall also document the steps taken with regard to investigations, as well as conclusions reached and remedial action taken, if any. The Municipality shall also maintain these documents for, at a minimum, six years.

The Municipality records regarding alleged discrimination shall be maintained separate and apart from personnel records.

SECTION 9: QUESTIONS

Any questions by employees of the Municipality about this Policy or potential harassment or discrimination should be brought to the attention of one of the Municipality's Compliance Officers or the chief elected official. The names, addresses, and telephone numbers of the Municipality's Compliance Officers are listed in Section 10 of this Policy.

SECTION 10: COMPLIANCE OFFICERS

NAME	OFFICE LOCATION
TELEPHONE NUMBER	ADDRESS

NAME	OFFICE LOCATION
TELEPHONE NUMBER	ADDRESS

NAME	OFFICE LOCATION
TELEPHONE NUMBER	ADDRESS

SECTION 11: EFFECTIVE DATE AND POLICY DISSEMINATION

The effective date of this Policy shall be February 27, 2013. The Chief Municipal Office shall ensure that this Policy is adequately disseminated and made available to all employees of the Municipality. This Policy shall be distributed at the beginning of each year with or as part of the Village of Albion employee handbook. In addition, copies of this Policy and Complaint Form shall be maintained in the office of each Compliance Officer and Payroll Manager, as well as the Municipality's Policy Book that is available at the Village Office.

Upon the effective date of this Policy, the provisions of this Policy shall supersede and replace all prior Municipal policies and regulations regarding employee discrimination and harassment, and related complaint procedures with the exception of the " Village of Albion's Policy Against Sex Discrimination and Sexual Harassment."

CARRIED

5 Ayes

0 Nays

APPLICATIONS

The following application will be place on file for future reference:

Water Treatment Plant Operator IIA

Jodie L Allport	Christopher M Banker	Benjamin W Bigford	
Edward C Bloom	Floyd T Campbell	Michael B Clemons	Daniel J
Conrad	Linda S Crown	Alan R Davis	Scott L
Fleming	Justin E Froman	Michael K Furness	Jeff
Garcia Mathewson	Daniel E Geiger	Michael C Groden	
Ryan M Hill	Timothy J Irwin	William J Jones	
Jr	Christopher Kinter	John S Lang	Bobby H Mullins Jr
Brian A Nanni		John S Neri Jr	Robert W Owens
Andrew C Patten	Ferinand Piano	Michael R Pilon	Shane
A Porter	Charles W Robertson	Michael R Schuck	John Scurry
III	Dale M Shawver	George P Stanton	Matthew D
Valsente	Jared Vandegenachte	Robert VanWuyckhuyse	
	Jerry W Velesko	Ernest A Wodrich	Devin E
Erdle	Terry W Nottingham		

SCHUDLED PUBLIC HEARING TENTATIVE BUDGET

Moved by Trustee Sheehan and seconded by Trustee Miller to hold a Public Hearing on

Monday, April 1, 2013 at 6:00 PM to hear comments relating to the tentative budget as proposed by the Board of Trustees for the Fiscal Year beginning June 1, 2013.

CARRIED

5 Ayes

0 Nays

ORGANIZATIONAL MEETING

Moved by Trustee Banker and seconded by Trustee Sheehan to hold the annual Organizational Meeting on Monday, April 1, 2013 at 6:00 PM.

CARRIED

5 Ayes

0 Nays

SCHEDULED DATE TO ADOPT BUDGET TABLED

The Board of Trustees tabled scheduling the date to adopt the budget for the fiscal year June 1, 2013 to May 31, 2014 until the April 10, 2013 meeting.

CORRESPONDENCE

The Board of Trustees received a correspondence from Stuart I Brown Associates regarding the 2013 Consolidated Funding Grant Applications. The Clerk will invite them to the March 13, 2013 meeting to review. Ms Jean O'Connell will be invited to the March 27, 2013 meeting to discuss the application with her.

AMSA ANNUAL REPORT

The Board of Trustees received the Albion Main Street Alliance Annual Report for 2012.

Trustee Banker will meet with AMSA to inquire into what their vision for the future is.

SCHEDULED PUBLIC HEARING TAX CAP

Moved by Trustee Banker and seconded by Trustee Sidari to schedule a Public Hearing to consider adopting a Local Law authorizing a property tax levy in excess of the limit established in General Municipal Law §3-c for Wednesday, March 27, 2013 at 7:30 PM.

CARRIED

5 Ayes

0 Nays

NYS DOT WORK PERMIT

Moved by Trustee Sheehan and seconded by Trustee Miller to adopt the following resolution from NYS Department of Transportation regarding permits for work affecting State Highways:

UNDERTAKING For the benefit of
The New York State Department of Transportation
In connection with work affecting state highways

For use by New York municipalities and federal agencies

WHEREAS, the undersigned Village of Albion (Municipality, County, Town, City or Village; or any agency of the federal government, hereinafter referred to as "Permittee") from time to time receives permits from the New York State Department of Transportation (hereinafter referred to as the "NYSDOT") and otherwise conducts activities and operations upon highways and/or within right-of-way controlled by the State of New York for such purposes as the obstruction, installation, construction, maintenance and/or operation of facilities; and

WHEREAS, Permittee's access and operation upon state right-of-way is conditioned upon compliance with Highway Law Sections 52, 103, 203 and/or 234, including the conditions that Permittee assume all responsibility for (a) the temporary control of all modes of traffic (including motorized and non-motorized travel) affected by Permittee's operations, (b) complete restoration of state facilities to their condition prior to permitted use or activity, and (c) all claims, damages, losses and expenses,

NOW, THEREFORE, in relation to all operations and/or actions undertaken within state right-of-way, Permittee hereby agrees to the following terms and conditions:

- 1. Permit Applications. Excepting only activities undertaken to protect public safety because of emergency conditions or incidents, Permittee shall provide timely written notice to NYSDOT of operations or activities affecting state right-of-way. Under normal circumstances, a minimum of five business days notice shall be provided. Notification of emergency activities shall be provided to NYSDOT as

soon as practicable after the activity. The Permittee shall apply for project-specific permits for activities not allowed under any existing annual permit. Such application shall identify proposed project locations, desired dates/hours, proposed work/activities, traffic control, and site restoration.

- 2. Applicable Rules, Regulations & Conditions. Permittee shall comply with all of the laws, rules and regulations applicable to construction, maintenance activities and operations and shall further comply with such terms and conditions that may be imposed by NYSDOT in connection with permitted activity or operations. Temporary Traffic Control, highway safety appurtenances, and restoration of state facilities shall be completed in accordance with NYSDOT regulations and standards.
- 3. Site Restoration. Permittee shall, at its own expense, promptly complete the work allowed under each permit and, within a reasonable time, restore State property damaged by its work/activities to substantially the same or equivalent condition as existed before such work was begun as determined by the Commissioner or his/her designee. In the event that the Permittee fails to so restore damaged State property within what the Commissioner deems to be a reasonable time, the Commissioner, after giving written notice to the Permittee, may restore the property to substantially the same or equivalent condition as existed before the Permittee's work/activities, in which case, Permittee agrees to reimburse the reasonable expenses in connection therewith.
- 4. Payment & Release of Liens. Permittee shall be responsible for the payment of all costs and materials relating to its work in the public right-of-way, and agrees to defend and save harmless NYSDOT against any and all lien claims made by persons supplying services or materials to Permittee in connection with Permittee's work.
- 5. Indemnity. In addition to the protection afforded to NYSDOT under any available insurance, NYSDOT shall not be liable for any damage or injury to the Permittee, its agents, employees; or to any other person, or to any property, occurring on the site or in any way associated with Permittee's activities or operations, whether undertaken by Permittee's own forces or by contractors or other agents working on Permittee's behalf. To the fullest extent permitted by law, the Permittee agrees to defend, indemnify and hold harmless the State of New York, NYSDOT, and their agents from and against all claims, damages, losses and expenses, including but not limited to, claims for personal injuries, property damage, wrongful death, and/or environmental claims and attorney fees arising out of any such claim, that are in any way associated with the Permittee's, activities or operations under any and all permits issued using this Undertaking.

FURTHERMORE, Permittee hereby warrants that the obligations of this Undertaking are backed by the full faith and credit of Permittee. Permittee may insure or bond any of the obligations set forth herein, or may rely upon self-insurance, budgeted funds, or funds for general operations.

This Undertaking shall be applicable to all permitted activities and operations undertaken after the date of execution and work initiated while this Undertaking is in effect. This Undertaking may be revoked by the Permittee or rejected by NYSDOT upon thirty days written notice but will continue to apply to all permitted activities/operations that were permitted by virtue of this Undertaking. Unless terminated for the purpose of future activities/operations, this Undertaking shall have a term of twenty (20) years and shall be kept on file to facilitate the issuance of future permits to which it will apply.

IN WITNESS WHEREOF, the Village of Albion (Municipality- County, Town, City, Village or federal agency) agrees to the terms of this Undertaking, and has caused its execution by the authorized officer or employee.

CARRIED

5 Ayes

0 Nays

BUDGET

Each Board member will be meeting with their Department Heads to review the budgets they submitted for the fiscal year June 1, 2013 to May 31, 2014 before the March 13, 2013 Board Meeting.

MEN'S SOFTBALL LEAGUE

Moved by Trustee Sheehan and seconded by Trustee Banker to approve the following regarding the Men's Softball League:

- To allow only one game on Sunday, the rest will have to be played during the week
- The Board would like to have a meeting with the league before the season begins to discuss drinking, littering, smoking and fighting
- A Special Event Permit Application will need to be completed with appropriate insurance certificates submitted
- The Recreation Director will have expanded duties to oversee the league

CARRIED

5 Ayes

0 Nays

EXECUTIVE SESSION

Moved by Trustee Sidari and seconded by Trustee Miller to adjourn to executive session to discuss litigations and personnel issues at 9:13 PM.

CARRIED

5 Ayes

0 Nays

EXECUTIVE SESSION CLOSED

Moved by Trustee Miller and seconded by Trustee Sheehan to come out of executive session at 10:00 PM.

CARRIED

5 Ayes

0 Nays

MEETING ADJOURNED

Moved by Trustee Miller and second by Trustee Sheehan that there being no further business, meeting is hereby adjourned at 10:05 PM.

CARRIED

5 Ayes

0 Nays

Respectfully submitted,
Linda K Babcock
Clerk-Treasurer

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February 21, 2013: Historic Preservation Commission

Body:

HISTORIC PRESERVATION COMMISSION February 21, 2013 Meeting Minutes

PRESENT:

Jordan Bonafede, Richard Nenni, Mary Anne Braunbach, Chris Haines, Sandy Church and Aric Albright

ALSO IN ATTENDANCE:

CEO Vendetti

CALL TO ORDER:

The meeting was called to order at 6:59 pm by Jordan. The Pledge of Allegiance followed

APPROVE MINUTES:

A motion was made by Sandy, seconded by Chris to approve the minutes of the January 17, 2013 meeting as written.

Motion passed unanimously

ADJUSTMENTS TO AGENDA :

- Add : Certificate of Appropriateness application (20 North Main Street) to new business
- Add: Discussion of an issue at 133 East Bank Street to new business

APPROVE AGENDA :

A motion was made by Mary Anne, seconded by Chris to approve the agenda with the adjustments

Motion passed unanimously

NEW BUSINESS:

CERTIFICATE OF APPROPRIATENESS - 20 NORTH MAIN STREET

A Certificate of Appropriateness application was submitted by Vinnie Navarra for a sign to be located at 20 North Main Street. This application included a colored copy of the new sign as well as dimensions and its location on the building. The sign is for a new liquor store.

A motion was made by Chris, seconded by Richard to approve the CoA for the sign to be located at 20 North Main Street with the condition that the sign *not* be made of plastic.

Motion passed unanimously

DISCUSSION - 133 EAST BANK STREET

It was brought to the attention of the HPC that the brick building at this location had been painted. Part of this building was painted in the past but the entire brick structure has now been painted. A CoA would have been required to paint over the exposed brick. This took place several months ago. Members discussed the fact that final design standards need to be adopted and distributed to the property owners in the district to alleviate this type of confusion. No action will be taken at this time.

OLD BUSINESS:

Previously approved CoA applications were signed by Jordan as chair of the HPC

A letter to the County Clerk to file the Historic District was signed by Jordan. A \$60 filing fee will accompany the list. The County Clerk will provide the Village of Albion with a stamped copy once the district has been filed.

DESIGN STANDARDS :

ROOFS: Members reviewed the suggested standards for roofs as submitted by Aric . Colors, materials and pitch were all discussed. A vote was cast to determine whether or not the HPC would like a CoA submitted for "all" changes in pitch (Code enforcement already requires a building permit for change in pitch) . VOTE: 2 - Ayes (Aric & Jordan) 4 Nays - (Chris, Sandy, Richard & Mary Anne)

GUTTERS & DOWNSPOUTS: any change to gutters and downspouts would be visible and

therefore would require a CoA.

A motion was made by Sandy, seconded by Mary Anne to enact Section 2 of the design standards - Roofs , Gutters and Downspouts - removing the statement : "Try to avoid patchwork of roofs".

Motion passed unanimously

NEXT MONTH'S DESIGN STANDARD TOPIC: Windows

ADJOURN:

A motion was made by Sandy, seconded by Chris to adjourn the meeting at 7:50pm.

Motion passed unanimously

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March 13, 2013: Regular Meeting

Body:

The Regular Meeting of the Board of Trustees of the Village of Albion was held Wednesday, March 13, 2013 at 7:00 PM, at the Village Hall, 35 East Bank Street, Albion, New York.

Present were Mayor Dean A Theodorakos, Trustees Eileen S Banker, Fred Miller, Kevin P Sheehan and Peter Sidari. Attorney John C Gavenda was absent.

Mayor Theodorakos opened the meeting with the pledge of allegiance at 7:00 PM.

RESIDENTS

Ms Deborah Monnier addressed the Board of Trustees about the ditch that is in the lot across the street from her home and is owned by St Mary's Club. She stated that the over grown trees and trash are causing her property to flood and it needs to be cleaned out. The Superintendent of Public Works Dale Brooks and the Code Enforcement Officer Ron Vendetti will look at the property to see what can be done.

Mr Gregg Bennett and Jason Foote addressed the Board of Trustees regarding the Albion Men's Softball League. They now have a Commissioner and are getting better organized. They would like to continue having all their games on Sunday at Bullard Park. The Board of Trustees stands on their motion to have only one game on Sundays at Bullard Park this year and if there are no problems, the Board will readdress their request and will discuss being more flexible next year. Trustee Sheehan, Trustee Miller, Recreation Director John Grillo and members of the league will have a meeting to discuss.

Ms Linda Smith informed the Board of Trustees that she would like the zoning changed at the property she is looking to purchasing at 448 West State Street. Ms Smith will get in touch with the Code Enforcement Officer Ron Vendetti to make her request to the Planning Board.

Ms Lisa Stratton inquired if the Board of Trustees was committed to hanging and watering the flowers for downtown this coming season. The Board of Trustees stated they will do what they have done in the past. The Code Enforcement Officer Ron Vendetti will contact AMSA to see what their intentions are for the future.

Mr Ed Flynn from LaBella Associates was present to discuss the 2013 Consolidated Funding Grants. The Village hasn't received funding the last two years. Submitting more than one application was discussed.

Bullard Park - resubmit application from last year with a couple of additions. Getting council support will help.

Sanitary Sewer Replacement - Doing sections throughout the Village per consent order. Mr Flynn will check if house hold surveys need to be done because those areas were part of the original consent order.

Trustee Sidari left meeting.

ACCEPT TREASURERS REPORT

Moved by Trustee Sheehan and seconded by Trustee Banker accepting the

Treasurer's Report for February 2013.

CARRIED
4 Ayes 0 Nays

APPROVED MINUTES

Moved by Trustee Sheehan and seconded by Trustee Banker that in as much as each member received copies of the minutes of February 27, 2013 and there being no errors or omissions, minutes are hereby approved as written.

CARRIED
4 Ayes 0 Nays

Trustee Sidari returned.

APPROVED PAYMENT OF BILLS

Moved by Trustee Sheehan and seconded by Trustee Sidari approving the payment of the following Village bills:

General Fund	voucher #14939-	\$42,165.85
Water Fund	to #15171	\$29,261.93
Sewer Fund		\$10,144.56

CARRIED
5 Ayes 0 Nays

APPROVED PAYMENT CHATFIELD BILLS

Moved by Trustee Sheehan and seconded by Trustee Miller approving the following bills submitted by Chatfield Engineers to be paid:

General Engineering	94-193-175	\$
165.00		
JMIPCF Capital Improvement Plan	09-924-30	
\$6,652.38		

CARRIED
5 Ayes 0 Nays

APPROVED PAYMENT TO STUART I BROWN

Moved by Trustee Sheehan and seconded by Trustee Sidari approving payment to Stuart I Brown Associates for professional services provided for the Joint Municipal Industrial Pollution Control Facility for the period 12/29/12 to 2/22/13 in the amount of \$2,800.00.

CARRIED
5 Ayes 0 Nays

APPROVED PAYMENT TO STC CONSTRUCTION

Moved by Trustee Sheehan and seconded by Trustee Banker approving payment to STC Construction for Contract #1, Pay Application #7 for the Joint Municipal Industrial Pollution Control Facility Project in the amount of \$13,061.56. This contract is 99% completed as of February 2, 2013.

CARRIED
5 Ayes 0 Nays

APPROVED PAYMENT TO SUBURBAN ELECTRIC

Moved by Trustee Sheehan and seconded by Trustee Sidari approving payment to Suburban Electric for Contract #2, Pay Application #9 for the Joint Municipal Industrial Pollution Control Facility Project in the amount of \$31,376.30. This contract is 94% completed as of February 27, 2013.

CARRIED
5 Ayes 0 Nays

APPROVED PAYMENT TO SUBURBAN ELECTRIC

Moved by Trustee Sheehan and seconded by Trustee Banker approving payment to Suburban Electric for the revised invoice for Contract #2, Pay Application #8 for the Joint Municipal Industrial Pollution Control Facility Project in the

amount of \$22,610.00. The Board of Trustees also approved the certified payrolls they submitted.

CARRIED

5 Ayes 0 Nays

APPROVED PAYMENT TO OSBORN, REED & BURKE

Moved by Trustee Banker and seconded by Trustee Sheehan approving payment to Osborn, Reed and Burke for professional services for the period ending February 28, 2013 in the amount of \$214.40.

CARRIED

5 Ayes 0 Nays

APPROVED CEMETERY DEEDS

Moved by Trustee Sheehan and seconded by Trustee Sidari approving Mayor Theodorakos to sign the following Cemetery Deeds:

Bob E & Eileen MPM Collins	S.G. 94 and 95 Deerfield Avenue
Gary R Dingle	S.G. 312 Deerfield Avenue
Roger L Soule	S.G. 352 and 353 Deerfield Avenue

CARRIED

5 Ayes 0 Nays

ACCEPT APPLICATIONS

The Board of Trustees accepted the following application to be placed on file for future reference:

<u>WTP Operator Trainee</u>	<u>Seasonal</u>
Daniel M Gardner	Tim N Keller
	Richard J Way

ACCEPT NEW AFD MEMBERS

Moved by Trustee Sheehan and seconded by Trustee Sidari accepting the following as new members into the Albion Fire Department:

Lora D Hicks and Beau Piskerowski

CARRIED

5 Ayes 0 Nays

APPROVED DEMOLITION

Moved by Trustee Sheehan and seconded by Trustee Miller approving the demolition of 125 Liberty Street, per Section 173-9(E) of the Village Code. The Historic Preservation Commission approved the demolition at their January 17, 2013 meeting stating that the criteria for hardship had been met.

CARRIED

5 Ayes 0 Nays

APPROVED COMPLIANCE OFFICERS

Moved by Trustee Sheehan and seconded by Trustee Banker appointing Police Chief Rolland Nenni and Clerk-Treasurer Linda K Babcock as the compliance officers for the Sexual Harassment and Discrimination Policy. The effective date of the policy is February 27, 2013.

CARRIED

5 Ayes 0 Nays

EMPLOYEES RETIRING

The Board of Trustees received a correspondence from Mr Paul Fadale stating his intentions of retiring during the fiscal year June 1, 2013 to May 31, 2014. The Board of Trustees received a correspondence from Officer John Doyle stating his intentions of retiring during the fiscal year June 1, 2013 to May 31, 2014.

APPROVED TRAINING

Moved by Trustee Sheehan and seconded by Trustee Sidari approving the request from Albion Historian Neil Johnson to attend the training seminar and membership for Government Appointed Historians of Western New York on

April 20, 2013 in Batavia for \$45.00.

CARRIED

5 Ayes

0 Nays

EFC CORRESPONDENCE

The Board of Trustees received a correspondence from NYS Environmental Facilities Corporation stating the Village's 2010 Principal Forgiveness Energy Efficiency Analysis Requirement has been fulfilled.

SPECIAL MEETING SCHEDULED

Moved by Trustee Sheehan and seconded by Trustee Miller to hold a Special Meeting on Wednesday, March 20, 2013 at 6:00PM for budget reviews. The Board of Trustees would like the Water Treatment Plant Superintendent Kevin Miller, Superintendent of the Pollution Control Plant Aric Albright and the Superintendent of the Public Works Dale Brooks to attend.

CARRIED

5 Ayes

0 Nays

PUBLIC HEARING SCHEDULED

Moved by Trustee Sheehan and seconded by Trustee Sidari to hold a Public Hearing on Wednesday, April 24, 2013 at 6:00PM to hear comments relating to the Clarendon Street Bridge Project.

CARRIED

5 Ayes

0 Nays

APPLICATIONS ACCEPTED

The Board of Trustees accepted the following applications to be placed on file for future reference:

Seasonal
Cemetery

Swanson

Lucretia A Hannah

Eric C

Sherry L Skellon

APPROVED McDONALD'S REQUEST

Moved by Trustee Sheehan and seconded by Trustee Miller approving the Superintendent of Public Works Dale Brooks recommendation to approve McDonald's request for a break on the sewer portion of their water/sewer bill for the period 10/1/12 to 1/1/2013. It was determined that their leak was under the floor in the sub-grade of the building.

CARRIED

5 Ayes

0 Nays

RESIDENT REQUEST

The Board of Trustees received a correspondence from Mr Mike Neidert requesting permission to close King Street between Washington St and West Park Street during the Little League games. Chief Nenni will contact Mr Neidert to see what his concerns are.

BROWN/MAIN BRIDGE UPDATES

Mayor Theodorakos gave updates on the Main Street bridge and the Brown Street bridge. The New York State DOT has applied for funding to fix the Main Street bridge and if approved will fix in 2016. The New York State DOT said that the Brown Street bridge needs major repairs and that there is no temporary fix planned. They have applied for funding and if approved will be fixed in 2016.

The Code Enforcement Officer Ron Vendetti gave the Board of Trustees an update on the properties at 134 and 136 Liberty Street. Orleans County will fund the pre demo survey for asbestos. A Special In-Rem process may take place to turn it over to the Village.

EXECUTIVE SESSION

Moved by Trustee Sheehan and seconded by Trustee Banker to adjourn to

executive session to discuss personnel matters at 8:49 PM.

CARRIED

5 Ayes

0 Nays

EXECUTIVE SESSION CLOSED

Moved by Trustee Miller and seconded by Trustee Sheehan to come out of executive session at 9:35 PM.

CARRIED

5 Ayes

0 Nays

MEETING ADJOURNED

Moved by Trustee Miller and seconded by Trustee Sheehan that there being no further business, meeting is hereby adjourned at 9:36PM.

CARRIED

5 Ayes

0 Nays

Respectfully submitted,
Linda K Babcock
Clerk-Treasurer

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March 20, 2013: Special Meeting

Body:

The Workshop Meeting of the Board of Trustees of the Village of Albion was held Wednesday, March 20, 2013 at 6:00 PM, at 35 East Bank Street, Albion, New York.

Present were Mayor Dean A Theodorakos, Trustees Eileen S Banker, Fred Miller and Kevin P Sheehan.

Mayor Theodorakos opened the meeting with the pledge of allegiance at 6:00 PM.

Trustee Peter Sidari entered meeting at 6:30 PM.

REVIEW BUDGET

The Board of Trustees reviewed the Pollution Control Plant's budget with Superintendent Aric Albright. The Clerk-Treasurer will reallocate 15% of his time to the water fund and 10% to the general fund.

The Board of Trustees reviewed the Water Treatment Plant budget with Superintendent Kevin Miller.

SPECIAL MEETING

Moved by Trustee Sidari and seconded by Trustee Sheehan to hold a Special Meeting on Saturday, March 30, 2013 at 1:30 PM to conduct interviews for the Water Treatment Plant Operator Trainee position.

CARRIED

5 Ayes

0 Nays

The Board of Trustees reviewed the Department of Public Works budget with Superintendent Dale Brooks.

CLEANER POSITION

Moved by Trustee Miller and seconded by Trustee Sheehan to combine the cleaners for the Department of Public Works, Village Hall Complex and 121 North Main Street into one position.

CARRIED

4 Ayes

0 Nays

Trustee Miller

Trustee Sheehan

Trustee Sidari

1 Abstained

Trustee

Banker

Mayor Theodorakos

BULLARD PARK COMMITTEE

Mayor Theodorakos recommended the Bullard Park Committee hold a meeting to come up with suggestions on what to use the funds from Capital Reserves and the Town of Albion for. The Committee suggestions will be brought back to the Board of Trustees for the final decision.

NO ACTION REGARDING LIST

Moved by Trustee Miller and seconded by Trustee Sheehan approving Mayor Theodorakos to sign off on the "Certification of Eligible's" list for Police Sergeant, stating "no action taken".

CARRIED

4 Ayes
Trustee Miller

1 Nay
Trustee

Banker

Trustee Sheehan
Trustee Sidari
Mayor Theodorakos

MEETING ADJOURNED

Moved by Trustee Miller and second by Trustee Sidari that there being no further business, meeting is hereby adjourned at 10:14 PM.

CARRIED

5 Ayes
0 Nays

Respectfully submitted,
Linda K Babcock, Clerk-Treasurer

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March 27, 2013: Workshop Meeting

Body:

The Workshop Meeting of the Board of Trustees of the Village of Albion was held Wednesday, March 27, 2013 at 7:00 PM, at 35 East Bank Street, Albion, New York.

Present were Mayor Dean A Theodorakos, Trustees Eileen S Banker, Fred Miller, Peter Sidari and Attorney John C Gavenda.
Trustee Kevin P Sheehan was absent.

Mayor Theodorakos opened the meeting with the pledge of allegiance at 7:00 PM.

PUBLIC HEARING

Mayor Theodorakos opened the Public Hearing at 7:00 PM to consider amending the Code of the Village of Albion by adding one handicapped parking space pursuant to Section 263-29 and 263-60 of the Code of the Village of Albion on East State Street adjacent to the First Presbyterian Church in the Village of Albion. Said space would be made available for handicapped parking for vehicles on Sundays only.

Resident Ms Kim Remley stated that the church would like the handicapped parking space all the time and not just on Sundays as the Church sometimes has functions during the week.

CLOSED PUBLIC HEARING

Moved by Trustee Miller and seconded by Trustee Banker that in as much as everyone who wished to speak to consider amending the Code of the Village of Albion by adding one handicapped parking space pursuant to Section 263-29 and 263-60 of the Code of the Village of Albion on East State Street adjacent to the First Presbyterian Church in the Village of Albion was heard, the Public Hearing closed at 7:07 PM. Said space would be made available for handicapped parking for vehicles on Sundays only.

CARRIED

4 Ayes

0 Nays

Adopt Local Law #2, 2013

The following Local Law #2, 2013 was proposed by Trustee Banker who moved its adoption and seconded by Trustee Miller:

WHEREAS, a proposed Local Law #2 of the year 2013 for the purpose of amending CHAPTER 263 was presented to the Village Board of Trustees, and

WHEREAS, the Board of Trustees at a Regular Board Meeting of said Board held on Wednesday, February 13, 2013 did adopt a motion that a Public Hearing be held on the aforesaid proposed Local Law at 7:00 PM on March 27, 2013, at 35 East Bank Street, Albion, New York and that said notice thereof be published in the Batavia Daily Newspaper, the official newspaper of the Village of Albion at least seven days before March 27, 2013,

WHEREAS, a notice of such Public Hearing on said proposed Local law was duly published in the Batavia Daily Newspaper on March 15, 2013 and

WHEREAS, a Public Hearing on said proposed Local Law was held by the Board of Trustees, at 35 East Bank Street, Albion, New York at 7:00 PM on

March 27, 2013, at which time all were heard who wished to speak regarding said Local Law,

NOW THEREFORE BE IT RESOLVED, that the following Local Law be hereby made part of the code of the Village of Albion, New York:

LOCAL LAW #2
CHAPTER 263
VEHICLES AND TRAFFIC

§263-60

East State Street
a point 184

North

From a point 164 feet east of Main Street to

feet east of Main Street. This space will be designated for handicapped parking on Sundays only.

CARRIED

4 Ayes

0 Nays

GRANT WRITER

Grant consultant Ms Jean O'Connell provided the Board of Trustees with information regarding how her company would help seek out grants for the Village. She will provide a 2 year proposal for the Board of Trustees to review.

PUBLIC HEARING

Mayor Theodorakos opened the Public Hearing at 7:30 PM to consider adopting a Local Law authorizing a property tax levy in excess of the limit established in General Municipal Law §3-c.

Resident Mr Gary Deiboldt spoke about high taxes in Orleans County.

CLOSED PUBLIC HEARING

Moved by Trustee Banker and seconded by Trustee Sidari that in as much as everyone who wished to speak to consider adopting a Local Law authorizing a property tax levy in excess of the limit established in General Municipal Law §3-c was heard, the Public Hearing closed at 7:56 PM.

CARRIED

4 Ayes

0 Nays

Adopt Local Law #3, 2013

The following Local Law #3, 2013 was proposed by Trustee Banker who moved its adoption and seconded by Trustee Sidari:

WHEREAS, a proposed Local Law #3 of the year 2013 for the purpose of amending CHAPTER 263 was presented to the Village Board of Trustees, and

WHEREAS, the Board of Trustees at a Regular Board Meeting of said Board held on Wednesday, February 27, 2013 did adopt a motion that a Public Hearing be held on the aforesaid proposed Local Law at 7:30 PM on March 27, 2013, at 35 East Bank Street, Albion, New York and that said notice thereof be published in the Batavia Daily Newspaper, the official newspaper of the Village of Albion at least seven days before March 27, 2013,

WHEREAS, a notice of such Public Hearing on said proposed Local law was duly published in the Batavia Daily Newspaper on March 15, 2013 and

WHEREAS, a Public Hearing on said proposed Local Law was held by the Board of Trustees, at 35 East Bank Street, Albion, New York at 7:30 PM on March 27, 2013, at which time all were heard who wished to speak regarding said Local Law,

NOW THEREFORE BE IT RESOLVED, that this local law shall take effect immediately upon filing with the Secretary of State:

Section 1. Legislative Intent

It is the intent of this local law to allow the Village of Albion to adopt a budget for the fiscal year commencing June 1, 2013 that requires a real property

tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government's governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3. Tax Levy Limit Override

The Board of Trustees of the Village of Albion, County of Orleans, is hereby authorized to adopt a budget for the fiscal year commencing June 1, 2013 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date

This local law shall take effect immediately upon filing with the Secretary of State.

CARRIED

4 Ayes

0 Nays

DEPARTMENT HEAD REPORTS

The Board of Trustees received monthly reports from the Animal Control Officer Harry Papponetti, Department of Public Works Dale Brooks, Police Chief Roland Nenni, Code Enforcement Officer Ron Vendetti, Cemetery Supervisor Jason Zicari, Village Clerk Linda Babcock, Water Treatment Plant Superintendent Kevin Miller and the Superintendent of the Pollution Control Plant Aric Albright.

The Village Clerk will ask the Superintendent of Pollution Control Facility Aric Albright to send the Board of Trustees clarification on a couple of items on his report.

APPROVED MINUTES

Moved by Trustee Miller and seconded by Trustee Banker that in as much as each member received copies of the minutes of March 13, 2013 and March 20, 2013 and there being no errors or omissions, minutes are hereby approved as written.

CARRIED

4 Ayes

0 Nays

CORRESPONDENCE

The Board of Trustees tabled the request from Chatfield Engineers to be reappointed Village Engineer. The Village Clerk will check with Paul Chatfield to see if this is something new or if he has documentation when he was appointed last.

CORRESPONDENCE

The Board of Trustees received a correspondence from Orleans County Job Development regarding the work program they offer.

NFAVO MEETING

Notification from Northwestern Frontier Association of Village Officials

regarding the dinner meeting that will be held April 17, 2013 at 6:00 PM at the Ho-Jack's Bar and Grill.

POLICE SRTS GRANT

Moved by Trustee Miller and seconded by Trustee Banker approving Mayor Theodorakos to sign the Master Federal Aid Project Agreement for the Safe Routes to School grant that the Albion Police Department received for \$10,000.00. The Police Department will be purchasing an ACT Electronic Trailer Mounted Solution.

CARRIED

4 Ayes

0 Nays

TABLED ADAPTIVE REUSE OVERLAY

Tabled approving to send the "adaptive reuse overlay" to the Orleans County Planning Board for approval as submitted by the Code Enforcement Officer Ron Vendetti. Mr Vendetti would like feedback from the Board of Trustees and Attorney Gavenda.

CLARENDON STREET BRIDGE REIMBURSEMENT

Moved by Trustee Sidari and seconded by Trustee Banker approving Mayor Theodorakos to sign the reimbursement forms for the Clarendon Street Bridge project. This is for services performed September 29, 2012 to November 23, 2012 by Bergmann Associates.

CARRIED

4 Ayes

0

Nays

CORRESPONDENCE

The Board of Trustees received a correspondence from Assemblyman Steve Hawley regarding the 2013 Local Government Conference that will be held June 2, 2013 to June 4, 2013.

APPROVED COUNTY FUEL AGREEMENT

Moved by Trustee Miller and seconded by Trustee Banker approving Mayor Theodorakos to sign the "Motor Fuel Purchase Agreement" with the Orleans County Highway Department.

CARRIED

4 Ayes

0 Nays

APPLICATIONS ACCEPTED

The following applications were accepted and will be placed on file for future reference:

DPW

CEMETERY

DPW/Cemetery

Brian D Bentley

Philip A Brown

Matthew A

Flugel

Marc J Grimm

James H Jett

Daniel D Spriegel

Robert C

Lowe

William P Weldon

WTP INTERVIEWS

The Board of Trustees will be conducting interviews for the Water Treatment Plant Operator Trainee position on Saturday, March 30, 2013 and one interview on Monday, April 1, 2013.

EXECUTIVE SESSION

Moved by Trustee Sidari and seconded by Trustee Miller to adjourn to executive session to discuss litigations at 9:31 PM.

CARRIED

4 Ayes

0 Nays

EXECUTIVE SESSION CLOSED

Moved by Trustee Sidari and seconded by Trustee Miller to come out of executive session at 9:46 PM.

CARRIED

4 Ayes

0 Nays

MEETING ADJOURNED

Moved by Trustee Banker and second by Trustee Sidari that there being no further business, meeting is hereby adjourned at 9:47 PM.

CARRIED

4 Ayes

0 Nays

Respectfully submitted,
Linda K Babcock
Clerk-Treasurer

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March 30, 2013: Special Meeting

Body:

A Special Meeting of the Board of Trustees of the Village of Albion was held Saturday, March 30, 2013 at 1:30 PM, at 35 East Bank Street, Albion, New York to conduct interviews for the Water Treatment Plant Operator Trainee position.

Present were Mayor Dean A Theodorakos, Trustees Eileen S Banker, Fred Miller, Kevin P Sheehan and Peter Sidari.

Mayor Theodorakos opened the meeting with the pledge of allegiance at 1:30 PM.

EXECUTIVE SESSION

Moved by Trustee Sheehan and seconded by Trustee Sidari to adjourn to executive session to conduct interviews at 1:31 PM.

CARRIED

5 Ayes 0 Nays

EXECUTIVE SESSION CLOSED

Moved by Trustee Banker and seconded by Trustee Sheehan to come out of executive session at 3:20 PM.

CARRIED

5 Ayes 0

Nays

MEETING ADJOURNED

Moved by Trustee Banker and second by Trustee Sidari that there being no further business, meeting is hereby adjourned at 3:21 PM.

CARRIED

5 Ayes 0 Nays

Minutes were taken by Mayor Theodorakos.

Respectfully submitted,

Linda K Babcock

Clerk-Treasurer



ZONING BOARD

Tabled the appointment to the Zoning Board until the April 10, 2013 Regular Meeting.

RECREATION COMMITTEE

Moved by Trustee Sidari and seconded by Trustee Sheehan approving Mayor Theodorakos appointments of Bernard Baldwin, Mike Beach, Annette Finch, Paula Knaak and Kathy LaLonde to the Recreation Committee for terms of one year each.

CARRIED

5 Ayes 0 Nays

HISTORIC PRESERVATION

Moved by Trustee Sheehan and seconded by Trustee Banker approving Mayor Theodorakos appointment of Mary Anne Braunbach to the Historic Preservation Commission, for a term of four years.

CARRIED

5 Ayes 0 Nays

PROCUREMENT POLICY

Moved by Trustee Sheehan and seconded by Trustee Sidari adopting the Village of Albion's Procurement Policy, Chapter 66 of the Village Code, for goods and services which are not required by law to be publicly bid.

CARRIED

5 Ayes 0 Nays

INVESTMENT POLICY

The following resolution was proposed by Trustee Sheehan who moved its adoption and seconded by Trustee Miller:

BE IT RESOLVED, that the objective of the Investment Policy of the Village of

Albion is to minimize risk; to insure that investments mature when the cash is required to finance operations, and to insure a competitive rate of return. In accordance with this policy, the Clerk-Treasurer is hereby authorized to invest all funds including proceeds of obligations and reserve funds in:

Certificates of Deposit issued by a Commercial Bank or Trust Company authorized to do business in New York State;

Time Deposits Accounts in a Commercial Bank or Trust Company authorized to do business in New York State.

BE IT RESOLVED, that Certificates of Deposit and Time Deposit Accounts shall be

fully insured by insurance of the Federal Deposit Insurance Corporation, and Commercial Bank's pledge collateral.

BE IT RESOLVED, that a register of investments be kept in the office of the Clerk-Treasurer. At least annually, and if practicable, at the April meeting of the Board of Trustees, members shall review and amend, if necessary, those investment guidelines.

BE IT RESOLVED, no investments will be made in a Savings and Loan Bank.

CARRIED

5 Ayes 0

Nays

OFFICAL BANKS

The following resolution was proposed by Trustee Sheehan who moved its adoption and seconded by Trustee Miller:

WHEREAS, the Board of Trustees has determined that the Village Law Section 4-412 (3)

(2) requires the designation of banks or trust companies for the deposit of all Village monies:

NOW THEREFORE BE IT RESOLVED:

Section 1. That the Board of Trustees designates the following institutions as depositories of all moneys received by the Village Treasurer, Clerk and Receiver of taxes: First Niagara Bank, Bank of America, 5 Star Bank and JP Morgan Chase.

CARRIED

5 Ayes

0 Nays

EARLY PAYMENTS

The following resolution was proposed by Trustee Sheehan who moved its adoption and seconded by Trustee Miller:

WHEREAS, the Board of Trustees has determined to authorize payment in advance of

audit of claims for public utility services, postage, freight, express charges, car rental fees, pager fees, schooling fees, credit cards, charge cards (ex. Home Depot) and medical reimbursements, and

WHEREAS, all such claims shall be presented at the next regular meeting for audit, and

WHEREAS, the claimant and officer incurring or approving the same shall be jointly and severally liable for any amount the Board of Trustees disallows.

NOW THEREFORE BE IT RESOLVED:

Section 1. That the Board of Trustees authorizes payment in advance of audit of claims for public utility services, postage, freight, express charges, car rental fees, pager fees, schooling fees, credit cards, charge cards and medical reimbursements and all such claims shall be presented at the next regular meeting for audit and the claimant and officer incurring or approving the same be jointly and severally liable for any amount disallowed by the Board of Trustees.

CARRIED

5 Ayes

0 Nays

MILEAGE RATE SET

The following resolution was proposed by Trustee Sidari who moved its adoption and seconded by Trustee Miller:

WHEREAS, the Board of Trustees has determined to pay a fixed rate for mileage as

reimbursement to officers and employees of the Village who use their personal automobiles while performing their official duties on behalf of the Village;

Section 1. That the Board of Trustees shall approve reimbursement to such officers and employees at the rate of .50 cents per mile.

CARRIED

5 Ayes

0 Nays

SCHOOL ATTENDANCE

The following resolution was proposed by Trustee Sheehan who moved its adoption and seconded by Trustee Miller:

WHEREAS, there is to be held during the coming official year;

- A) The New York State Conference of Mayors Annual Meeting and Training School;
- B) The New York State Conference of Mayors Fall Training School for Fiscal Officers and Municipal Clerks;
- C) The New York State Conference of Mayors, Public Works School, and

WHEREAS, attendance by certain municipal officials and employees at one or more of these meetings, conferences or schools benefit the municipality;

NOW THEREFORE BE IT RESOLVED:

Section 1. That the following officers and employees are authorized to attend the following schools:

- A) Board of Trustees, Mayor, Clerk-Treasurer and Deputy Clerk-Treasurer are hereby authorized to attend the NYS Conference of Mayors Annual Meeting and the NYS Conference of Mayors Fall Training School for Fiscal Officers and Municipality Clerks.
- B) Superintendent of the DPW is hereby authorized to attend the NYS Conference of Mayors Public Works School.

CARRIED

5 Ayes

0 Nays

NEWSPAPER

Moved by Trustee Miller and seconded by Trustee Sidari approving the Batavia Daily News as the official newspaper for the Village of Albion.

CARRIED

5 Ayes

0 Nays

DISASTER MANUAL TABLED

Tabled adopting the Disaster Manual until the April 10, 2013 Regular Meeting.

DISASTER COORDINATOR

Tabled appointing the Disaster Coordinator until the April 10, 2013 Regular Meeting.

MEETING DATES

Moved by Trustee Sheehan and seconded by Trustee Sidari setting the official meeting dates for the Village Board of Trustees as the second Wednesday of every month for the Regular Meetings and fourth Wednesday of every month for the Workshop Meetings.

CARRIED

5 Ayes

0 Nays

TRUSTEE COMMITTEES

Mayor Theodorakos appointed the Trustees to the following Departments:

<u>Trustee Banker</u>	<u>Trustee Miller</u>	<u>Trustee Sidari</u>	
<u>Trustee Sheehan</u>			
Attorney	Animal Control	Streets Department	
Animal Control			
Cemetery	Police Department	Codes	
Attorney			
Codes	Recreation	Insurance	Fire
Department			
Police Department	Streets Department	Fire Department	

Insurance		Trailer Parks	Public Relations	
HPC				
Recreation		Village Office	Water & Sewer	Water
Planning Board				
& Sewer		Cemetery		
Village Office				
Trailer Parks				

*Mayor Theodorakos to serve as ex-officio member of each committee as prescribed.

EXECUTIVE SESSION

Moved by Trustee Sheehan and seconded by Trustee Sidari to adjourn to executive session to conduct interviews at 6:42 PM.

CARRIED

5 Ayes 0 Nays

EXECUTIVE SESSION CLOSED

Moved by Trustee Miller and seconded by Trustee Sidari to come out of executive session at 7:30 PM.

CARRIED

5 Ayes 0

Nays

MEETING ADJOURNED

Moved by Trustee Sheehan and second by Trustee Sidari that there being no further business, meeting is hereby adjourned at 7:31 PM.

CARRIED

5 Ayes 0 Nays

Respectfully submitted,
Linda K Babcock
Clerk-Treasurer

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March 20, 2013: Planning Board Meeting

Body:

VILLAGE OF ALBION PLANNING BOARD MEETING March 20, 2013

PRESENT:

Dan Gleason, Cliff Thom, John Andrews and Steve Watkins

ALSO IN ATTENDANCE:

CEO Vendetti, Linda Smith, Angel Javier, DJ Javier

CALLED TO ORDER:

Dan opened the meeting at 7:06 pm. The Pledge of Allegiance followed

APPROVAL OF MINUTES:

A motion was made by Cliff, seconded by John to approve the minutes of the November 7, 2012 meeting as written.

Motion passed unanimously

448 WEST STATE STREET:

Linda Smith addressed the board concerning her possible purchase of 448 West State Street. This is a vacant building (formerly a daycare) zoned R2. She expressed an interest in creating short term housing (less than 1 year) primarily for correctional officers who relocate to this area temporarily to work at the prison. The converted daycare would essentially be a rooming house. A Special Use permit will need to be obtained to go further with this project. The board reviewed information given to them by Linda. It included photos of the property as well as a plan showing the proposed layout for the building. There are 30-40 parking spaces available as well as room for a buffer zone. If Linda Smith is interested in proceeding, she will submit a site plan review and special use permit application at next month's meeting.

ADAPTIVE REUSE OVERLAY DISTRICT:

CEO Vendetti presented a proposal for an "Adaptive Reuse Overlay District". The purpose is to encourage the development of abandoned properties or underutilized buildings within the Village. Mr. Vendetti asked the board to review the proposal and recommend any changes they feel might be needed. Discussion followed.

A motion was made by John, seconded by Cliff to make a recommendation to the Village Board that they adopt the "Adaptive Reuse Overlay District" with the following changes:

- Change applicable property size from 2 acres to 1.75 acres
- Change vacant or underutilized time from 3 years to 2 years

Motion passed unanimously

NEXT MEETING: Wednesday April 17, 2013 at 7pm

ADJOURN

A motion was made by Cliff, seconded by Steve to adjourn the meeting at 7:40pm.

Motion passed unanimously

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April 10, 2013: Regular Meeting

Body:

The Regular Meeting of the Board of Trustees of the Village of Albion was held Wednesday, April 10, 2013 at 7:00 PM, at the Village Hall, 35 East Bank Street, Albion, New York.

Present were Mayor Dean A Theodorakos, Trustees Eileen S Banker, Fred Miller, Kevin P Sheehan and Attorney John C Gavenda.

Mayor Theodorakos opened the meeting with the pledge of allegiance at 7:00 PM.

ACCEPT TREASURERS REPORT

Moved by Trustee Sheehan and seconded by Trustee Banker accepting the Treasurer's Report for March 2013.

CARRIED

4 Ayes 0 Nays

APPROVED MINUTES

Moved by Trustee Miller and seconded by Trustee Banker that in as much as each member received copies of the minutes of March 13, 2013, March 27, 2013 and April 1, 2013 and there being 1 error or omission, minutes are hereby approved with the following correction:

March 27, 2013 Page 2 Local Law #3 was proposed by Trustee Banker

CARRIED

4 Ayes 0 Nays

Trustee Peter Sidari entered meeting at 7:03PM

APPROVED PAYMENT OF BILLS

Moved by Trustee Banker and seconded by Trustee Sheehan approving the payment of the following Village bills:

General Fund	voucher #15181	\$53,201.01
Water Fund	to #15411	\$15,043.06
Sewer Fund		\$ 5,888.44

CARRIED

5 Ayes 0 Nays

APPROVED PAYMENT CHATFIELD BILLS

Moved by Trustee Sheehan and seconded by Trustee Banker approving the following bills submitted by Chatfield Engineers to be paid:

General Engineering	94-193-176	\$
-0-		
JMIPCF Capital Improvement Plan	09-924-31	
\$15,669.82		

CARRIED

5 Ayes 0 Nays

APPROVED PAYMENT FROM BUILDING RESERVES

Moved by Trustee Sheehan and second by Trustee Miller approving payment of

the following invoices from the Capital Reserve Building Account:

Suburban Electric	\$ 405.91
Elmer W Davis	\$ 409.78
Stockham Lumber	

\$1,899.10

CARRIED

5 Ayes 0 Nays

APPROVED PAYMENT FROM WTP RESERVES

Moved by Trustee Sheehan and second by Trustee Miller approving payment of the following invoices from the Capital Reserve Water Treatment Plant Account:

5 Star Steel and Fabrication	\$ 609.50
Bailey Electric	\$1,799.56
Booth Electric Supply	\$5,142.11
Kimball Midwest	\$1,504.91
Lee Shuknecht & Sons	\$1,201.28
RS Automation	\$ 521.03
Suburban Electric	\$ 104.44
Tower Site Services LLC	\$ 461.19
V J Stanley Inc	\$1,191.18

CARRIED

5 Ayes 0 Nays

APPROVED PAYMENT FROM WTP RESERVES

Moved by Trustee Sheehan and second by Trustee Sidari approving payment of the following invoice from the Capital Reserve Water Treatment Plant Account:

Family Hardware	\$ 112.08
-----------------	-----------

CARRIED

4 Ayes 0 Nays
Trustee Sheehan
Trustee Sidari 1 Abstained
Trustee Banker Trustee

Miller

Mayor Theodorakos

APPROVED PAYMENT TO SUBURBAN ELECTRIC

Moved by Trustee Sheehan and seconded by Trustee Sidari approving payment to Suburban Electric for Contract #2, Pay Application #10 for the Joint Municipal Industrial Pollution Control Facility Project in the amount of \$9,690.00. The Board of Trustees also approved the payrolls submitted by Suburban Electric. This contract is 98% completed as of March 25, 2013.

CARRIED

5 Ayes 0 Nays

APPROVED PAYMENT TO DONEGAN

Moved by Trustee Sheehan and seconded by Trustee Banker approving payment to Bernard P Donegan Inc for the period of January 13, 2013 to February 25, 2013:

JMIPCF	\$692.39
CDU	\$101.26

CARRIED

5 Ayes 0 Nays

APPROVED PAYMENT TO DONEGAN

Moved by Trustee Sheehan and seconded by Trustee Banker approving payment

to Bernard P Donegan Inc for the period of January 13, 2013 to February 25, 2013:

Clarendon Street Bridge \$167.50

CARRIED

4 Ayes 1 Nay
Trustee Sheehan Trustee

Miller

Trustee Banker
Trustee Sidari
Mayor Theodorakos

APPROVED CEMETERY DEEDS

Moved by Trustee Miller and seconded by Trustee Sheehan approving Mayor Theodorakos to sign the following Cemetery Deed:

Angeline M Golisano S.G. 572 and 573 Deerfield Avenue

CARRIED

5 Ayes 0 Nays

ACCEPT APPLICATIONS

The Board of Trustees accepted the following applications to be placed on file for future reference:

<u>DPW</u>	<u>DPW or Cemetery</u>
James M Edwards	David C Tetrault Sr
Matthew D Quider	
Scott A Smith	

GRANT WRITER PROPOSALS

The Board of Trustees discussed the grant writer proposals from LaBella Associates and J O'Connell and Associates Inc. There was a discussion on applying for various sanitary sewer replacements and re-applying for the Bullard Park Grant.

MEDICAL OPT OUT RECEIVED

The Board of Trustees received notification from Mr Dale Snyder stating his intention of opting out of the Village's Health Insurance coverage for the fiscal year June 1, 2013 to May 31, 2014.

APPROVED WATER/SEWER/ LAWN MOWING/PROPERTY MAINT BILLING TO TAXES

Moved by Trustee Sheehan and seconded by Trustee Miller approving to add the following unpaid water/sewer/lawn mowing/property maintenance bills from 2012 to the June 2013 Village tax bills:

Water/Sewer Billing

<u>TAX MAP</u>	<u>WATER</u>	<u>SEWER</u>	<u>OWNER</u>
62.13-1-1 MHC LLC	\$ 202.98	\$ 188.17	Oak Orchard
62.15-1-21 Rosa	\$ 51.04	\$ 27.45	Washington,
62.18-1-40 Diana	\$ 67.31	\$ 72.33	Jubenville,
62.18-2-20 Richard	\$ 76.30	\$ 81.16	Colonna,
62.18-2-29 Jamie	\$ 347.02	\$ 344.81	Tavelaris,
62.18-2-57 William	\$ 111.65	\$ 117.87	Wittman,

62.19-2-22.1 Gary	\$ 106.87	\$ 112.78	Derwick,
62.19-2-46.1 Ashley	\$ 71.65	\$ 76.08	Wodrich,
62.19-2-47.1 Mary	\$ 118.28	\$ 99.62	Koester,
62.20-2-49.1 Michael & Dawn	\$ 20.84	\$ 57.65	Reigle,
62.20-2-58 Debbie	\$ 195.33	\$ 183.41	Clark,
73.5-2-5 Angela	\$ 26.04	\$ 27.45	Peragine,
73.5-2-46 Calvin	\$ 49.78	\$ 53.26	Robinson,
73.5-2-50 Paul	\$ 259.10	\$ 250.00	Chappius,
73.5-2-58 Patricia	\$ 62.48	\$ 39.89	Nolan,
73.5-2-59 Richard	\$ 26.04	\$ 27.45	Colonna,
73.5-2-61 Michael	\$ 122.35	\$ 74.13	Chadsey,
73.5-3-8 Richard	\$ 154.55	\$ 140.01	Colonna,
73.5-3-49 Wilfred	\$ 26.04	\$ 27.45	Moss,
73.5-3-52	\$ 54.68	\$ 57.65	Brady, Viola
73.5-4-22 Jeff	\$ 30.02	\$ 31.77	Starkweather,
73.5-4-54 Martin	\$ 50.35	\$ 57.65	Zaffrann,
73.5-4-58 & Kerry	\$ 84.47	\$ 90.02	Panek, James
73.6-2-2	\$ 26.04	\$ 27.45	Flesch, April
73.6-2-40 Gary	\$ 75.50	\$ 80.37	Derwick,
73.6-2-57 Jeffrey	\$ 86.44	\$ 91.40	Colonna,
73.6-2-61 Jeffrey	\$ 131.76	\$ 112.55	Colonna,
73.6-3-4 Martin	\$ 196.84	\$ 207.98	Zaffrann,
73.6-3-47 Martin	\$ 134.61	\$ 142.83	Zaffrann,
73.6-4-6 Donald	\$ 69.51	\$ 74.72	Howard,
73.6-4-24	\$ 230.12	\$ 219.50	Parker, Susan
73.6-4-32 Joshua	\$ 434.06	\$ 467.41	Capwell,
73.6-5-3 Charles	\$ 79.68	\$ 57.65	Northrup,
73.6-5-72 Timothy	\$ 104.81	\$ 113.01	Hagen,
73.6-6-24.1	\$ 79.68	\$ 57.65	Kitanik,

Nancy			
73.6-7-8	\$ 132.90	\$ 141.67	
Knickerbocker, Darla			
73.6-7-22	\$ 28.36	\$ 29.97	Lutes, Arthur
73.6-7-66	\$ 137.50	\$ 145.73	Colonna,
David			
73.6-7-72	\$ 105.72	\$ 85.10	Colonna,
Jeffrey			
73.6-7-74	\$ 148.10	\$ 131.12	Colonna,
Richard			
73.6-7-85	\$ 132.94	\$ 123.66	Pulley, Henri
73.7-1-18	\$ 266.58	\$ 260.88	Solis,
Gerardo			
73.7-1-38	\$ 51.74	\$ 54.90	Hayes,
William			
73.7-2-13	\$ 26.04	\$ 27.45	Brannan,
Mark			
73.9-1-7.2	\$ 85.38	\$ 67.33	Moss,
Wilfred			
73.9-1-26	\$ 70.03	\$ 75.28	Bourke,
Christopher			
73.9-2-13	\$ 122.17	\$ 131.04	Colonna,
Richard			
73.9-2-51	\$ 540.77	\$ 440.61	Hillcrest
Homes LLC			
73.9-2-54.2	\$ 151.14	\$ 134.56	Hillcrest
Homes LLC			
73.10-2-7	\$ 51.90	\$ 55.47	Vanderlaan,
Richard			
73.13-1-6	\$ 61.88	\$ 95.91	Bobak II
LLC			
73.13-2-55	\$ 68.50	\$ 72.66	Hillcrest
Homes LLC			
73.23-1-7	\$ 54.68	\$ 57.65	Pulley, Henri
73.23-1-21	\$ <u>86.26</u>	\$ <u>92.06</u>	Wittman,
William			
TOTAL	\$ 6,286.81		
\$6,113.63			

Lawn Mowing/Property
Maint

<u>TAX MAP</u>	<u>OWNER</u>	<u>ADDRESS</u>
<u>AMOUNT</u>		
62.15-1-22	Wall, Willie	41 Lydun
Drive	\$ 450.00	
62.19-1-55	Stratton, Darrin	Vacant land - Linwood
\$ 225.00		
62.19-3-39	Wells Fargo	544 Moore Street
\$ 225.00		
62.20-2-5	Pawlaczyk, Lucy	Vacant land - Knapp St
\$ 375.00		
73.5-2-22	Lutes, Scott	210 West Bank Street
\$ 300.00		
73.5-2-52	Windhauser, Edward & Sandra	327 West State Street
\$ 900.00		

73.5-2-61	Chadsey, Michael	11 West
Street	\$ 75.00	
73.5-4-15	McMullen, Megan	346 West State
Street	\$ 75.00	
73.5-4-24.1	Lape, Craig	318 West State
Street	\$ 1,050.00	
73.5-4-38	Zaragoza, Lorenzo	317 West Park
St	\$ 150.00	
73.5-4-49	Nashburn, Kevin	353 West Park
Street	\$ 75.00	
73.6-2-1	Shaw, Jack	134 West Bank
Street	\$ 525.00	
73.6-2-3	Gritsay, Bogden	120 West Bank
Street	\$ 75.00	
73.6-3-45	Klatt, Richard & Barbara	17 Ingersoll
Street	\$ 150.00	
73.6-3-74	Turk, Dan	102 East Bank
Street	\$ 300.00	
73.6-3-84	McClary, Steven M	222 East Bank
Street	\$ 37.50	
73.6-5-59	Dubois, Susan	117 Reynolds
Street	\$ 75.00	
73.6-7-8	Knickerbocker, Darla	218 West State
Street	\$ 150.00	
73.6-7-21	Hunt Jr, Charles H	104 Beaver
Street	\$ 1,500.00	
73.6-7-23	Hildreth, Arthur	12 Beaver
Street	\$ 75.00	
73.6-7-77	Hunt Jr, Charles H	106 Beaver
Street	\$ 1,500.00	
73.7-2-3	Kuyal, Gary	331 East State Street
	\$ 150.00	
73.7-2-55	Duckett, Gilbert Living Trust	129 Clarendon Street
	\$ 525.00	
73.8-1-11	Santiago, Lisa (Habitat)	639 East State Street
	\$ 150.00	
73.9-1-17.111	Zaragoza, Lorenzo	158 Hamilton
Street	\$ 150.00	
73.10-1-53	Hunt, Charles	26 West
Avenue	\$ 75.00	
73.10-2-17	Ames, Steven	230 East
Avenue	\$ 225.00	
73.11-1-52	Ribble, Bruce	315 East
Avenue	<u>\$ 900.00</u>	
		TOTAL LAWN MOWING
\$13,462.50		
62.15-1-22	Wall, Willie	41 Lydun
Drive	\$ 307.00	
73.13-1-7	Rushing, Robert	344 Hamilton
Street	<u>\$ 321.00</u>	
		TL PROPERTY MAINT
\$ 628.00		
		CARRIED

5 Ayes

0 Nays

SCHEDULE ADOPTING BUDGET

Moved by Trustee Sheehan and seconded by Trustee Sidari to adopt the Village Budget for the fiscal year June 1, 2013 to May 31, 2014 at the Workshop Meeting scheduled for April 24, 2013.

CARRIED

5 Ayes

0 Nays

CIVIL SERVICE LIST

Moved by Trustee Sheehan and seconded by Trustee Sidari to take no action on the Civil Service list for the Water Treatment Plant Operator Trainee position. The Village Clerk will send letters to the individuals on the list stating that no action was taken at this time.

CARRIED

5 Ayes

0 Nays

PHONE REIMBURSEMENT INCREASE

The Board of Trustees will discuss increasing the phone stipend for qualified employees after Attorney Gavenda researches the request. The Board of Trustees would like to know what kind of phones the qualified employees have and what they use them for (phone calls, emails, take pictures, etc)

CORRESPONDENCE

The Board of Trustees received a correspondence from the Albion Strawberry Festival regarding their annual parade which will be held on June 8, 2013.

SEWER TAP

The Board of Trustees received a correspondence from Cropsey and Cropsey regarding accessing the Village's sewer line for vacant land at Northwood Drive. Attorney Gavenda will invite Attorney Conrad Cropsey and the possible buyer for the property to a Village Board meeting to discuss.

APPROVED PAYMENT TO STC

Moved by Trustee Sheehan and seconded by Trustee Miller approving payment to STC Construction for Contract #3, Pay Estimate #3 in the amount of \$98,705.00. This contract is 92% completed as of April 1, 2013.

CARRIED

5 Ayes

0 Nays

APPROVED PAYMENT FROM WATER RESERVES

Moved by Trustee Sheehan and seconded by Trustee Banker approving payment of the following invoice to be paid out of the Water Treatment Plant Capital Reserve Account.

Lawson Products \$798.99

CARRIED

5 Ayes

0 Nays

APPROVED ROLLOVER/SELL BACK

Moved by Trustee Sheehan and seconded by Trustee Sidari approving the following vacation roll over/sell back days as requested by eligible employees:

<u>EMPLOYEE</u>	<u>SELL BACK</u>
ROLL OVER	
Albright, Aric	
80	0
Annable, William	
0	80
Andrews, Stacey	
54	52.5
Babcock, Linda	
75	52.5

	Ballard, Robert	280
0	Banker, Timothy	
240	Brooks, Dale	0
80	Doyle, John	0
80	Fadale, Paul	0
0	Fuller, Joseph	240
0	Gifaldi, Jeffrey	40
40	Kennedy, Kimberly	48
20.5	Hughes, Karol	0
40	Logan, William	40
0	Miller, Kevin	72
80	Mogle, David	80
0	Nenni, Roland	24
80	O'Hearn, Thomas	64
80	O'Sullivan, Mary	0
0	Pahura, James	30
56	Sargent, Todd	0
0	Scribner, William	160
40	Smith, Ray	40
0	Snyder, Dale	40
0	VanNostrand, Jeff	96
0	VanSkiver, Tracy	34.25
0	Vendetti, Ronald	12
80	Zicari, Jason	80
80	Zwifka, Martin	80
132		0

CARRIED

5 Ayes

0 Nays

CORRESPONDENCE

The Board of Trustees received a correspondence from AMSA regarding the

Annual Canal Clean Sweep to be held on Saturday, April 20, 2013 in connection with Earth Day.

SPECIAL MEETING SCHEDULED

Moved by Trustee Sheehan and seconded by Trustee Banker to hold a Special Meeting on Thursday, April 18, 2013 at 6:00 PM to work on the budget for the fiscal year June 1, 2013 to May 31, 2014.

CARRIED

5 Ayes

0 Nays

AMSA

Ms Maarit Vega and Mr Michael Bonafede from AMSA did a presentation of what the organization has done over the last four years.

ENGINEER REQUEST

The Board of Trustees took no action on the request from Chatfield Engineers to be appointed Village Engineer. The Board of Trustees agreed that Mr Chatfield is doing a good job, but they just don't make yearly engineer appointments.

CEMETERY SIGN

Attorney John C Gavenda will request \$500 additional from the insurance company representing the individual who damaged the Cemetery sign and fence. The company has offered to pay approximately \$1,900.00 less than what Supervisor Jason Zicari had figured the replacement cost to be.

EMPLOYEES AKNOWLEDGED

Trustee Sheehan stated that he witnessed the Village Department of Public Works, Albion Police Department employees and the Code Enforcement Officer at Wednesday's fire and how they did an incredible job.

MEETING ADJOURNED

Moved by Trustee Sidari and seconded by Trustee Banker that there being no further business, meeting is hereby adjourned at 9:25 PM.

CARRIED

5 Ayes

0 Nays

Respectfully submitted,
Linda K Babcock
Clerk-Treasurer

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April 18, 2013: Special Meeting

Body:

A Special Meeting of the Board of Trustees of the Village of Albion was held Thursday, April 18, 2013 at 6:00 PM, at 35 East Bank Street, Albion, New York. Present were Mayor Dean A Theodorakos, Trustees Eileen S Banker, Fred Miller, Peter Sidari and Kevin P Sheehan. Mayor Theodorakos opened the meeting with the pledge of allegiance at 6:00 PM.

REVIEW BUDGET

The Board of Trustees reviewed the General Fund budget for the fiscal year June 1, 2013 to May 31, 2014.

SPECIAL MEETING

Moved by Trustee Sheehan and seconded by Trustee Banker to hold a Special Meeting on Tuesday, April 23, 2013 at 6:00 PM to review the budget for the fiscal year June 1, 2013 to May 31, 2014.

CARRIED

5 Ayes 0 Nays

APPROVED MOA WITH COUNTY

Moved by Trustee Sheehan and seconded by Trustee Banker approving Mayor Theodorakos to sign the Memorandum of Agreement with Orleans County and the Executor Mr Edmund S VanDeGenachte for the Daniel VanDeGenachte Estate regarding 134 and 136 Liberty Street. Tax Map numbers 73.6.7-80 and 73.6.7-81.

CARRIED

5 Ayes 0 Nays

APPROVED SANSONE AGREEMENT

Moved by Trustee Sheehan and seconded by Trustee Banker approving Mayor Theodorakos to sign the "Legal Services Agreement" with Attorney John S Sansone at a rate of \$150.00 per hour for all work associated with prosecution matters.

CARRIED

5 Ayes 0 Nay

APPROVED CANAM AGREEMENT

Moved by Trustee Sheehan and seconded by Trustee Miller approving Mayor Theodorakos to sign the agreement with CanAM for asbestos demolition surveys at 132, 134 and 136 Liberty Street. The cost will be \$5,925.00 which will be reimbursed from Orleans County EDA.

CARRIED

5 Ayes 0 Nays

MEETING ADJOURNED

Moved by Trustee Miller and second by Trustee Sheehan that there being no

further business, meeting is hereby adjourned at 8:20 PM.

CARRIED

5 Ayes

0 Nays

Respectfully submitted,
Linda K Babcock,
Clerk-Treasurer

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March 21, 2013: Historic Preservation Commission

Body:

HISTORIC PRESERVATION COMMISSION March 21, 2013 Meeting Minutes

PRESENT:

Jordan Bonafede, Richard Nenni, Chris Haines, Sandy Church, Linda Smith and Aric Albright

ALSO IN ATTENDANCE:

CEO Vendetti, Gertrud Albano

CALL TO ORDER:

The meeting was called to order at 7:01 pm by Jordan. The Pledge of Allegiance followed

APPROVE MINUTES:

A motion was made by Chris, seconded by Sandy to approve the minutes of the February 21, 2013 meeting as written.

Motion passed 5 - ayes 1 - abstain (L. Smith)

ADJUSTMENTS TO AGENDA :

- Add : First Niagara Bank (48 North Main Street) CoA - Grant discussion under old business
- Add: 21 Platt Street (specifically) to district discussion under old business

APPROVE AGENDA :

A motion was made by Sandy, seconded by Chris to approve the agenda with the adjustments

Motion passed unanimously

NEW BUSINESS:

CERTIFICATE OF APPROPRIATENESS - ORLEANS COUNTY COURTHOUSE

A "straw poll" was taken via email concerning the mounting of 2 "grapefruit" sized cameras on the outside of the courthouse. The straw poll concluded that 6 members were in favor of the cameras and one abstained (S. Church). Discussion followed concerning straw polls vs. Certificate of Appropriateness vote. CEO Vendetti stated that Judge Punch was looking for approval prior to the regular meeting and he needed to respond to him. Since the majority of the members were comfortable with the idea of the cameras, Ron sent a letter to the Dave Callard at the County Legislature which stated the HPC's approval of their plan. Members inquired as to whether or not SHPO approval was needed for this project. They also would like Ron to get information to them concerning the wiring and mounting of the cameras. A motion was made by Sandy, seconded by Linda to approve the CoA for the cameras at the Courthouse.

Motion passed unanimously

CERTIFICATE OF APPROPRIATENESS - 107 East Bank Street (Sign)

A Certificate of Appropriateness application was submitted by Gertrud Albano for a sign to be located at 107 East Bank Street. This application included a hand drawn sketch of the new sign and a sample of the material the sign will be made of. The sign will be 5' by 26' with white background and black lettering. The sign will be mounted by screwing it into the existing clapboard.

A motion was made by Sandy, seconded by Linda to approve the CoA for the sign to be located at 107 East Bank Street

Motion passed unanimously

OLD BUSINESS:

First Niagara Bank (48 North Main Street) Information concerning the Main Street Grant was sent via email to CEO Vendetti concerning repairs to be made to the columns, front façade, vestibule, brick and gutter system of the building. Ron was out of town at school and did not get the emails in time for the meeting. The Main Street Grant committee was looking for immediate approval on the project. SHPO has already approved it. HPC expressed concern about making immediate decisions without adequately reviewing the information. They would also like a formal Certificate of Appropriateness application to be submitted, as this has been done with the other grant applications that include exterior work.

A motion was made by Linda, seconded by Aric to table the decision on repairs to 48 North Main

Street. The HPC will reconvene on Monday March 25, 2013 at 12:15. The commission expects to have a completed Certificate of Appropriateness application at that time.

Motion passed unanimously

District The Village of Albion Historic Preservation District was filed at the Orleans County Clerk's Office on March 1, 2013. After the district had already been filed it was noted that there was a property listed that the owner felt was excluded - 21 Platt Street (73.6-3-71). The property is owned by Linda Smith. Members discussed whether or not the property had ever been excluded. It is not stated in any of the previous minutes of the commission. Members inquired about the map that was used at the public hearing held on October 6, 2011 at the Swan Library. They would like to see if this property was included on that map. It is possible that this map will not be able to be retrieved as a former HPC member might have had it. Members would also like to review the district more closely to verify the accuracy prior to sending any changes to the county for recordation.

A motion was made by Chris, seconded by Aric to table the exclusion of 21 Platt Street from the district at this time.

Motion passed unanimously

DESIGN STANDARDS :

WINDOWS: Members reviewed the suggested standards for windows as submitted by Richard .

A motion was made by Chris, seconded by Sandy to enact Section 3 of the design standards - windows

Motion passed unanimously

NEXT MONTH'S DESIGN STANDARD TOPIC: Signs

ELECTIONS: Elections for Chair and Vice Chair will be held at the April meeting

ADJOURN:

A motion was made by Chris, seconded by Linda to adjourn the meeting at 8:02 pm.

Motion passed unanimously

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March 25, 2013: Historic Preservation Commission Special Meeting

Body:

HISTORIC PRESERVATION COMMISSION March 25, 2013 Meeting Minutes

PRESENT:

Richard Nenni, Chris Haines, Sandy Church, Linda Smith and Aric Albright

ALSO IN ATTENDANCE:

CEO Vendetti

CALL TO ORDER:

The meeting was called to order at 12:17 pm by Sandy.

CERTIFICATE OF APPROPRIATENESS: First Niagara Bank / 48 North Main Street

The Albion Main Street Alliance (AMSA) submitted a Certificate of Appropriateness application on behalf of First Niagara Bank for the repair of their wooden columns at the front façade, reconstruction of the gutter system and vestibule and cleaning and patching brick work. There was not an application available for the HPC to review at their regular meeting held on March 21, 2013. HPC requires the receipt of the application before they make a decision. The work also needed to be approved by SHPO as the work was grant funded. Members reviewed the Certificate of Appropriateness application. There was no one present from First Niagara or AMSA to answer any questions.

A motion was made by Sandy, seconded by Aric to approve the Certificate of Appropriateness application submitted for the repairs to be made at 48 North Main Street.

Members would like to discuss procedures for Certificate of Appropriateness applications at their next regular meeting.

ADJOURN:

A motion was made by Aric, seconded by Linda to adjourn the meeting at 12:30 pm.

Motion passed unanimously

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April 24, 2013: Workshop Meeting

Body:

The Workshop Meeting of the Board of Trustees of the Village of Albion was held Wednesday, April 24, 2013 at 6:00 PM, at 35 East Bank Street, Albion, New York.

Present were Mayor Dean A Theodorakos, Trustees Eileen S Banker, Fred Miller, Peter Sidari and Attorney John C Gavenda.

Mayor Theodorakos opened the meeting with the pledge of allegiance at 6:00 PM.

RECONSTRUCTION OF THE CLARENDON STREET BRIDGE

From 6:00 PM to 7:00 PM Mr Kevin Miller and Mr Mark Murphy from Bergmann Associates were present to answer any questions regarding the Reconstruction of the Clarendon Street Bridge Project. Also present were Mr Steve Beauvais and Mr Robert Wrona from New York State Department of Transportation to answer questions.

Trustee Kevin P Sheehan entered meeting at 6:57 PM.

PUBLIC HEARING

Mr Kevin Miller from Bergmann Associates opened the Public Hearing at 7:00 PM regarding the Reconstruction of the Clarendon Street Bridge Project. The cost of the project is approximately \$1,785,000.00 80% federal funded, 15% state funded and 5% Village funded. Mr Miller provided the following tentative schedule:

Public Hearing	April 24, 2013
Comments Due	May 6, 2013
Design Approval	July 2013
Right-of-way acquisition	Fall 2013
Letting (receive bids)	March 2014
Begin Construction	April 2014
Construction completion	November 2014

There was a stenographer present to take minutes during the hearing.

CLOSED PUBLIC HEARING

Mr Kevin Miller from Bergmann Associates closed the Public Hearing at 7:42 PM.

DEPARTMENT HEAD REPORTS

The Board of Trustees received monthly reports from the Animal Control Officer Harry Papponetti, Department of Public Works Dale Brooks, Police Chief Roland Nenni, Code Enforcement Officer Ron Vendetti, Cemetery Supervisor Jason Zicari, Village Clerk Linda Babcock, Water Treatment Plant Superintendent Kevin Miller and the Superintendent of the Pollution Control Plant Aric Albright.

The Special Event Permit Application was discussed. The Board of Trustees decided that no permit would be required for any sporting event. A list of what would require or not require the permit needs to be worked out.

The Superintendent of Public Works Dale Brooks updated the Board of Trustees on Ms Deborah Monnier's drainage issue on Moore Street. The Board

determined that no further action will be taken regarding Ms Monnier complaint. The Village has done their due diligence.

Trustee Sidari will contact Mr Bob Ballard to set up a meeting with Trustee Sheehan, the Superintendent of the Water Treatment Plant Kevin Miller, Mr Ballard and himself regarding the Part Time Water Treatment Plant Operator position.

The Board of Trustees thanked the Superintendent of Public Works Dale Brooks for offering to buy new chairs for them out of the Building Reserves account, but for now they are fine with the ones they have.

REQUEST POLICE OFFICER LIST

Moved by Trustee Miller and seconded by Trustee Banker approving Mayor Theodorakos to request the Orleans County Civil Service list for Police Officer, per Chief Roland Nenni's recommendation.

CARRIED

5 Ayes

0 Nays

APPROVED MINUTES

Moved by Trustee Banker and seconded by Trustee Sidari that in as much as each member received copies of the minutes of April 10, 2013 and April 18, 2013 and there being no errors or omissions, minutes are hereby approved as written.

CARRIED

5 Ayes

0 Nays

ADOPT BUDGET

The following resolution was proposed by Trustee Banker who moved its adoption and seconded by Trustee Sheehan:

WHEREAS, the tentative budget for the fiscal year June 1, 2013 to May 31, 2014 has been duly presented to the Board of Trustees and a duly advertised Public Hearing was held on April 1, 2013;

NOW THEREFORE BE IT RESOLVED, pursuant to Section 5.508, Subdivision 4 of the Village Law, the said tentative budget as changed altered and revised by and hereby is adopted as the budget of the Village of Albion for the fiscal year June 1, 2013 to May 31, 2014:

GENERAL FUND

Appropriations	Estimated Revenues	Fund Balance	Tax Levy
\$3,686,620.93	\$ 966,645.05	\$300,000.00	
\$2,419,975.88			

WATER FUND

Appropriations	Estimated Revenues	Fund Balance
Balance	\$1,481,387.16	\$1,502,100.00
(\$20,712.84)		

SEWER FUND

Appropriations	Estimated Revenues	Fund Balance
\$1,104,502.68	\$1,031,190.00	\$73,312.68

TOTAL ALL FUNDS

\$6,272,510.77

CARRIED

4 Ayes

1 Nay

Trustee Banker

Trustee

Miller

Trustee Sheehan

Trustee Sidari

Mayor Theodorakos

Mayor Theodorakos stated that the Village's assessed valuation decreased by \$608,407 making the tax rate \$16.86 per thousand. He also stated that the Village has met the 2% tax cap levy implemented by the New York State Comptroller. Trustee Miller stated he wasn't comfortable with getting bonds to do projects.

APPROVED PAYMENT TO STC

Moved by Trustee Sheehan and seconded by Trustee Sidari approving the payrolls and final payment to STC Construction for Contract #1, Pay Estimate #8 in the amount of \$32,645.55 for work performed at the Joint Municipal Industrial Pollution Control Facility.

CARRIED

5 Ayes

0 Nays

MEDICAL OPT OUT

The Board of Trustees received notification from Mr William Logan stating his intention of opting out of the Village's Health Insurance coverage for the fiscal year June 1, 2013 to May 31, 2014.

CORRESPONDENCE

The Board of Trustees received a correspondence from the Town of Clarendon thanking Cemetery Supervisor Jason Zicari for his recent help.

ADAPTIVE REUSE OVERLAY

The Board of Trustees tabled Code Enforcement Officer Ron Vendetti's recommendation to send the "adaptive reuse overlay" to the Orleans County Planning Board. There was a discussion on having the Planning Board hold a meeting for the residents to have input. Also discussed was sending letters to the residents that live in the area, posting the meeting in the Pennysaver and the Batavia Daily Newspaper.

ADOPTED REVISED DISASTER MANUAL

Moved by Trustee Banker and seconded by Trustee Miller adopting the revised Disaster Manual for the Village of Albion.

CARRIED

5 Ayes

0 Nays

The Board of Trustees discussed changing the law to state that the type of disaster would determine who was in charge instead of appointing a Disaster Coordinator. The Clerk-Treasurer will make copies of the plan for all the Department Heads.

OUTSTANDING WATER/SEWER BILL

The Board of Trustees would like the Albion Police Department to look into locating an individual who owes the Village \$5,839.96 for an old water/sewer bill.

TABLED LABELLA INCOME SURVEY PROPOSAL

The Board of Trustees tabled approving the proposal from LaBella Associates to conduct the income survey which will be needed for the 2013 CDBG Grant application. The cost to the Village would be \$500 plus direct reimbursement of cost for postage.

APPROVED PAYMENT TO BERGMANN

Moved by Trustee Sheehan and seconded by Trustee Sidari approving payment to Bergmann Associates in the amount of \$22,201.14 for services rendered 11/24/12 to 3/28/2013 for the Replacement of the Clarendon Street Bridge Project.

CARRIED

5 Ayes

0 Nays

EXECUTIVE SESSION

Moved by Trustee Sidari and seconded by Trustee Sheehan to adjourn to

executive session to discuss litigations at 9:35 PM.

CARRIED

5 Ayes

0 Nays

EXECUTIVE SESSION CLOSED

Moved by Trustee Miller and seconded by Trustee Sheehan to come out of executive session at 9:54 PM.

CARRIED

5 Ayes

0 Nays

APPROVED RETAINING SURVEYORS

Moved by Trustee Sheehan and seconded by Trustee Sidari approving to proceed with retaining the surveyors for the dangerous building at 125 North Liberty Street, per Code Enforcement Officer Ron Vendetti's recommendation.

CARRIED

5 Ayes

0 Nays

MEETING ADJOURNED

Moved by Trustee Miller and second by Trustee Sheehan that there being no further business, meeting is hereby adjourned at 9:55 PM.

CARRIED

5 Ayes

0 Nays

Respectfully submitted,
Linda K Babcock
Clerk-Treasurer

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April 23, 2013: Special Meeting

Body:

A Special Meeting of the Board of Trustees of the Village of Albion was held Tuesday, April 23, 2013 at 6:00 PM, at 35 East Bank Street, Albion, New York. Present were Mayor Dean A Theodorakos, Trustees Eileen S Banker, Fred Miller, Peter Sidari and Kevin P Sheehan. Mayor Theodorakos opened the meeting with the pledge of allegiance at 6:00 PM.

REVIEW BUDGET

The Board of Trustees reviewed the General Water and Sewer Fund budgets for the fiscal year June 1, 2013 to May 31, 2014.

MEN'S BASEBALL LEAGUE

The Board of Trustees agreed that the Men's Baseball League could hold 1 (one) game per field on Sundays only at Bullard Park this season. Any makeup games will need to be held during the week at Bullard Park or at the St Mary's field.

MEETING ADJOURNED

Moved by Trustee Banker and second by Trustee Sidari that there being no further business, meeting is hereby adjourned at 8:06 PM.

CARRIED

5 Ayes

0 Nays

Respectfully submitted,
Linda K Babcock,
Clerk-Treasurer

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April 17, 2013: Planning Board Meeting

Body:

VILLAGE OF ALBION PLANNING BOARD MEETING April 17, 2013

PRESENT:

Dan Gleason, Cliff Thom, John Andrews , Steve Watkins, Chris Buongiorne and Steve Corrigan

ALSO IN ATTENDANCE:

CEO Vendetti

CALLED TO ORDER:

Dan opened the meeting at 6:58 pm. The Pledge of Allegiance followed

APPROVAL OF MINUTES:

A motion was made by John , seconded by Cliff to approve the minutes of the March 20, 2013 meeting as written.

Motion passed unanimously

ORGANIZATION:

A motion was made by John, seconded by Steve Watkins to keep Dan as Planning Board Chair and Cliff as the Vice Chair for the upcoming year.

Motion passed unanimously

NEXT MEETING:

Wednesday May 15, 2013 at 7pm

ADJOURN

A motion was made by Cliff, seconded by Steve Watkins to adjourn the meeting at 7:12 pm.

Motion passed unanimously

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April 18, 2013: Historic Preservation Commission

Body:

HISTORIC PRESERVATION COMMISSION April 18, 2013 Meeting Minutes

PRESENT:

Richard Nenni, Chris Haines, Aric Albright, Mary Anne Braunbach and Linda Smith

ALSO IN ATTENDANCE:

CEO Vendetti

CALL TO ORDER:

The meeting was called to order at 7:10 pm by Mary Anne. The Pledge of Allegiance followed

APPROVE MINUTES:

A motion was made by Aric, seconded by Linda to approve the minutes of the March 21, 2013 meeting and the special meeting held on March 25, 2013 as written.

Motion passed unanimously

ADJUSTMENTS TO AGENDA :

- Discussion on procedures for Certificate of Appropriateness applications will be postponed until later in the meeting

STRAW POLL VOTES:

Members of the HPC discussed "straw poll votes" for Certificates of Appropriateness applications - if an emergency situation arose.

Sandy Church arrived at 7:13 pm.

HPC continued their discussion. It was determined that a "straw poll vote" is not a legal. The HPC will not allow straw poll votes under any circumstance. If there is an emergency situation a special meeting can be called.

STREETSCAPE:

CEO Vendetti discussed a proposal from Tom Rivers for grant money to be used for downtown streetscape improvements. His suggestions included sandstone hitching posts and signage. The HPC would like further information on the hitching posts. Ron will let Tom know that he will need to complete a Certificate of Appropriateness application and include more detail for both the signage and the hitching posts before the HPC will make their decision.

OLD BUSINESS:

District Members discussed Linda Smith's property located at 21 Platt Street (73.6-3-71). This parcel was included in the filed district and should not have been. A motion was made by Sandy, seconded by Aric to file a correction with the Orleans County Clerk's office to remove 21 Platt Street from the district as it was included due to an "administrative error".

Motion carried

5 - Ayes 1 - Abstain (Linda Smith)

DESIGN STANDARDS :

SIGNS: Linda and Mary Anne reviewed the Village of Albion's sign ordinance and discussed other communities' historic district sign regulations. Topics discussed included types of signs, sign illumination, sign mounting, telephone number inclusion, neon and temporary signage.

Jordan arrived at 7:42pm

Linda and Mary Anne will organize their findings , along with the input they received from the rest of the members tonight. They will email a draft copy to members and vote on the adoption of the sign standards at next month's meeting.

NEXT MONTH'S DESIGN STANDARD TOPIC: Signs - adoption

GREEN IMPROVEMENTS :

Jordan discussed "green improvements" such as solar panels for district buildings. He stated that SHPO will be approving green improvements being done with grant money. The opinion of the HPC is that if the panels are visible from the street a Certificate of Appropriateness application is required.

ELECTIONS:

A motion was made by Sandy, seconded by Aric to hold an annual election for Chair and Vice Chair at the regular meeting held in April of each year.

Motion passed unanimously

A motion was made by Jordan, seconded by Mary Anne to nominate Sandy for HPC Chair for a term of one (1) year.

A motion was made by Aric, seconded by Linda to nominate Mary Anne for Vice Chair of the HPC for a term of one (1) year.

Both motions passed unanimously

ADJOURN:

A motion was made by Chris, seconded by Sandy to adjourn the meeting at 8:13 pm.

Motion passed unanimously

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3 Ayes

0 Nays

ADAPTIVE REUSE

The Adaptive Reuse Policy submitted by the Code Enforcement Officer Ron Vendetti, will be discussed at the May 15, 2013 Planning Board Meeting.

APPOINTMENT TO ZONING BOARD

Moved by Trustee Sidari and seconded by Trustee Miller approving Mayor Theodorakos appointment of Mr Chris Kinter to the Zoning Board for a five year term.

CARRIED

3 Ayes

0 Nays

CELL PHONE STIPEND

Mayor Theodorakos stated that the cell phone stipend for qualified employees will be discussed at the next Department Head Meeting.

GRANT WRITER PROPOSAL

The proposal from J O'Connell & Associates Inc to rewrite and submit the Bullard Park grant application will be discussed at the May 22, 2013 Workshop Meeting.

APPROVED INCOME SURVEY PROPOSAL

Moved by Trustee Miller and seconded by Trustee Sidari approving the proposal from LaBella Associates to do an income survey for the proposed areas for the 2013 CFA Grant in the amount of \$500 plus reimbursement for postage.

CARRIED

3 Ayes

0 Nays

ACCEPT TREASURERS REPORT

Moved by Trustee Miller and seconded by Trustee Sidari accepting the Treasurer's Report for April 2013.

CARRIED

3 Ayes

0 Nays

APPROVED MINUTES

Moved by Trustee Sidari and seconded by Trustee Miller that in as much as each member received copies of the minutes of April 23, 2013 and April 24, 2013 and there being one error or omission, minutes are hereby approved as written with the following addition:

April 23, 2013 under Men's Baseball League add to first sentence "on Sunday's only"

CARRIED

3 Ayes

0 Nays

APPROVED PAYMENT OF BILLS

Moved by Trustee Miller and seconded by Trustee Sidari approving the payment of the following Village bills:

General Fund	voucher #15445	\$36,040.49
Water Fund	to #15674	\$ 9,569.41
Sewer Fund		\$ 8,787.43

CARRIED

3 Ayes

0 Nays

APPROVED PAYMENT CHATFIELD BILLS

Moved by Trustee Miller and seconded by Trustee Sidari approving the following bill submitted by Chatfield Engineers to be paid:

JMIPCF Capital Improvement Plan 09-924-32
\$16,213.60

CARRIED

3 Ayes

0 Nays

APPROVED PAYMENT USING BUILDING RESERVES

Moved by Trustee Miller and seconded by Trustee Sidari approving payment of the following invoices to be paid out of the Capital Building Reserves account:

Blue Tarp Financial	\$ 931.53
Cummings Northeast LLC	\$1,106.40
Stockham Lumber	\$ 81.47

CARRIED

3 Ayes 0 Nays

APPROVED PAYMENT USING WTP RESERVES

Moved by Trustee Miller and seconded by Trustee Sidari approving payment of the following invoices to be paid out of the Water Treatment Plant Capital Reserve Account:

Arnold's Auto Parts	\$ 40.28
Austin Industries Inc	\$ 189.50
ID Booth Inc	\$ 181.28
Lawson Products	\$ 1,272.30

CARRIED

3 Ayes 0 Nays

DISPOSAL OF COURT/POLICE RECORDS

Moved by Trustee Miller and seconded by Trustee Sidari approving Police Chief Rolland Nenni's request to dispose of the old police/court records on the third floor for a cost of approximately \$200.00. The records have been sorted through by using the retention schedule supplied by New York State. The Town Court Clerk has been notified as to what records will be disposed of and has until May 10, 2013 to contact the Police Chief with any issues she might have.

CARRIED

3 Ayes 0 Nays

PARK RESTROOMS

The Board of Trustees agreed that the restrooms at Lafayette and Veteran's Parks will only be open during the daytime when the parks program is held.

APPROVED PAYMENT FROM WTP CAPITAL RESERVES

Moved by Trustee Miller and seconded by Trustee Sidari approving the Clerk-Treasurer to pay a portion of the consolidated bond payment for the Water Treatment Plant/Tank due May 15, 2013 from the WTP Capital Reserves in the amount of \$22,343.64.

CARRIED

3 Ayes 0 Nays

TABLED APPROVING NYS ASSEMBLY LEASE

Moved by Trustee Miller and seconded by Trustee Sidari authorizing the Village Clerk to inform New York State that the Board of Trustees is requesting a 2% increase in rent per each year of the new 2 year lease agreement. The current lease expires on May 31, 2013 for the Assembly office at 121 North Main Street.

CARRIED

3 Ayes 0 Nays

TABLED APPROVING CLARENDON BRIDGE DOCUMENTS

Tabled approving Mayor Theodorakos to sign the documents provided by NYS Department of Transportation regarding the "Rehabilitation of Prestressed Concrete Bridge located on Clarendon Street" until the May 22, 2013 Workshop Meeting.

APPROVED PARKING LOT PROPOSAL

Moved by Trustee Sidari and seconded by Trustee Miller approving the proposal from Chatfield Engineers for the "Village of Albion Main Street Parking Lot" in the amount of \$3,630.00.

CARRIED

3 Ayes 0 Nays

APPROVED CEMETERY DEED

Moved by Trustee Sidari and seconded by Trustee Miller approving Mayor Theodorakos to sign the following Cemetery Deed:

Charles & Michele D Sheelar S.G. 363 and 364 Deerfield Avenue
CARRIED

3 Ayes 0 Nays

ACCEPT APPLICATIONS

The Board of Trustees accepted the following applications to be placed on file for future reference:

DPW Cemetery
Michael S Sargent Gregory J Blank
Robert C Snell

ACCEPT NEW AFD MEMBERS

Moved by Trustee Sidari and seconded by Trustee Miller accepting the following as a new member into the Albion Fire Department:

Andrew Cheverie
CARRIED

3 Ayes 0 Nays

LIQUOR LICENSE RENEWAL

The Board of Trustees received notification from Roumanos Village House Restaurant Inc with their intentions of renewing their liquor license for 16 East Avenue.

WTP OPERATOR TRAINEE POSITION

The Village Clerk-Treasurer wanted it noted that she would like the Board of Trustees to inform Mr Adam Rush that she has nothing to do with the process (of hiring a WTP Operator Trainee) or does she have to report her time off to him. Mayor Theodorakos stated that it was duly noted.

SCHEDULED YEAR END MEETING DATE

Moved by Trustee Miller and seconded by Trustee Sidari to conduct the year end business for the fiscal year of June 1, 2012 to May 31, 2013 on Wednesday, May 29, 2013 at 7:00PM at the Village of Albion Complex, 35 East Bank Street, Albion New York.

CARRIED

3 Ayes 0 Nays

APPROVED McDONALD'S REQUEST

Moved by Trustee Miller and seconded by Trustee Sidari approving the Superintendent of Public Works Dale Brooks recommendation to approve McDonald's request for a break on the sewer portion of their water/sewer bill for the period 01/1/2013 to 4/1/2013 in the amount of \$1,023.19. It was determined that their leak was under the floor in the sub-grade of the building.

CARRIED

3 Ayes 0 Nays

APPROVED TO INCREASE FUNDS FROM INTEREST

Moved by Trustee Miller and seconded by Trustee Sidari approving to use an additional \$8,250.00 from the Cemetery interest money for the Cemetery roof replacement project.

CARRIED

3 Ayes 0

Nays

APPROVED PAYMENT YOUNG ENTERPRISES

Moved by Trustee Miller and seconded by Trustee Sidari approving payment to Young Enterprise for \$23,250.00 for the Cemetery roof replacement project. Young Enterprises was awarded the bid September 12, 2012.

CARRIED

3 Ayes 0 Nays

APPROVED PAYMENT STC CONSTRUCTION

Moved by Trustee Miller and seconded by Trustee Sidari approving payment to STC Construction Inc for Contract #3 Pay Application #4 in the amount of \$35,577.50 for work completed at the Joint Municipal Industrial Pollution Control Facility. This contract is 99% completed as of May 3, 2013.

CARRIED

3 Ayes 0 Nays

APPROVED PAYMENT FROM PCF RESERVES

Moved by Trustee Miller and seconded by Trustee Sidari approving the Clerk-Treasurer to pay the Bond Payment that is due May 15, 2013 for the Village's portion of the Sanitary Sewer Project in the amount of \$20,000, out of the Sewer Capital Reserves account.

CARRIED

3 Ayes 0 Nays

ATTORNEY APOLOGIZED

Attorney Gavenda stated that he would like to apologize to the Board of Trustees and the Code Enforcement Officer Ron Vendetti for his inappropriate comments at the April 24, 2013 Workshop Meeting. The Board of Trustees stated they accepted his apology.

EXECUTIVE SESSION

Moved by Trustee Sidari and seconded by Trustee Miller to adjourn to executive session to discuss litigations at 8:20 PM.

CARRIED

3 Ayes 0 Nays

EXECUTIVE SESSION CLOSED

Moved by Trustee Sidari and seconded by Trustee Miller to come out of executive session at 9:10 PM.

CARRIED

3 Ayes 0 Nays

TERMS AND CONDITIONS ACCEPTED

Moved by Trustee Sidari and seconded by Trustee Miller accepting the terms and conditions as explained by Attorney Paul Noons for the current litigation.

CARRIED

3 Ayes 0 Nays

EXECUTIVE SESSION

Moved by Trustee Sidari and seconded by Trustee Miller to adjourn to executive session to discuss litigations at 9:11 PM.

CARRIED

3 Ayes 0 Nays

EXECUTIVE SESSION CLOSED

Moved by Trustee Sidari and seconded by Trustee Miller to come out of executive session at 9:25 PM.

CARRIED

3 Ayes 0 Nays

SPECIAL MEETING SCHEDULED

Moved by Trustee Sidari and seconded by Trustee Miller to hold a Special Meeting, Tuesday May 14, 2013 at 6:00 PM to conduct 2 interviews for the Water Treatment Plant Operator Trainee position.

CARRIED

3 Ayes 0 Nays

MEETING ADJOURNED

Moved by Trustee Sidari and seconded by Trustee Miller that there being no

further business, meeting is hereby adjourned at 9:25 PM.

CARRIED

3 Ayes

0 Nays

Respectfully submitted,
Linda K Babcock
Clerk-Treasurer

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May 14, 2013: Special Meeting

Body:

A Special Meeting of the Board of Trustees of the Village of Albion was held Tuesday, May 14, 2013 at 6:00 PM, at 35 East Bank Street, Albion, New York. Present were Mayor Dean A Theodorakos, Trustees Fred Miller and Peter Sidari. Also present was the Superintendent of the Water Treatment Plant Kevin Miller. Absent were Trustee Eileen S Banker and Kevin P Sheehan. Mayor Theodorakos opened the meeting with the pledge of allegiance at 6:00 PM.

EXECUTIVE SESSION

Moved by Trustee Sidari and seconded by Trustee Miller to adjourn to executive session to conduct interviews at 6:01 PM.

CARRIED

3 Ayes 0 Nays

EXECUTIVE SESSION CLOSED

Moved by Trustee Sidari and seconded by Trustee Miller to come out of executive session at 7:00 PM.

CARRIED

3 Ayes 0 Nays

WTP EMPLOYEE HIRED

Moved by Trustee Sidari and seconded by Trustee Miller approving to hire Mr Todd Shervin from the Orleans County Civil Service List for Water Treatment Plant Operator Trainee with a 52 week probationary period and one year to obtain the NYS Water License Type IIA. Mr Shervin's hourly rate will be \$16.92 as stated in the Collective Bargaining Agreement.

CARRIED

3 Ayes 0 Nays

APPROVED PAYMENT

Moved by Trustee Miller and seconded by Trustee Sidari approving payment to Roy Teitsworth Inc for a 2007 Chevy in the amount of \$10,300.00 out of the Superintendent of Public Works Dale Brooks Capital Equipment Reserves account.

CARRIED

3 Ayes 0 Nays

MEETING ADJOURNED

Moved by Trustee Miller and second by Trustee Sidari that there being no further business, meeting is hereby adjourned at 7:20 PM.

CARRIED

3 Ayes 0 Nays

Respectfully submitted,
Linda K Babcock,
Clerk-Treasurer

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May 22, 2013: Workshop Meeting

Body:

The Workshop Meeting of the Board of Trustees of the Village of Albion was held Wednesday, May 22, 2013 at 7:00 PM, at 35 East Bank Street, Albion, New York.

Present were Deputy Mayor Kevin P Sheehan, Trustees Eileen S Banker, Fred Miller and Peter Sidari.

Mayor Dean A Theodorakos was absent.

Deputy Mayor Sheehan opened the meeting with the pledge of allegiance at 7:00 PM.

DEPARTMENT HEAD REPORTS

The Board of Trustees received monthly reports from the Animal Control Officer Harry Papponetti, Department of Public Works Dale Brooks, Police Chief Roland Nenni, Code Enforcement Officer Ron Vendetti, Cemetery Supervisor Jason Zicari, Village Clerk Linda Babcock and Water Treatment Plant Superintendent Kevin Miller.

The Superintendent of the Pollution Control Plant Aric Albright didn't submit a monthly report.

NO ACTION TAKEN ON POLICE OFFICER LIST

Moved by Trustee Sidari and seconded by Trustee Miller authorizing Deputy Mayor Sheehan to request an extension on the Orleans County Civil Service list for Police Officer.

CARRIED

4 Ayes

0 Nays

APPROVED SURPLUS EQUIPMENT

Moved by Trustee Miller and seconded by Trustee Banker approving the request from the Superintendent of Public Works Dale Brooks to declare the following as surplus equipment:

1990 F 250 - old flower truck

Kerosene Tank - 70 gallon

Plastic Tank - 100 gallon

Stainless Steel compartment - from Truck 50

CARRIED

4 Ayes

0 Nays

APPROVED PROPOSAL FROM LABELLA FOR BULLARD PARK

Moved by Trustee Banker and seconded by Deputy Mayor Sheehan approving the proposal from LaBella Associates to resubmit the Bullard Park Application for the 2013 Environmental Protection Fund (EPF) Parks Program for in the amount of \$1,250.00.

CARRIED

4 Ayes

0 Nays

APPROVED PROPOSAL FROM LABELLA FOR 2013 CDBG

Moved by Trustee Miller and seconded by Trustee Sidari approving the proposal from LaBella Associates to submit an application for the 2013 Community Development Block Grant. The Board of Trustees would like to submit an

application to replace sanitary sewers on Crimson Drive, Caroline Street (Main Street to Ingersoll Street) and East State Street (manhole 407 to 416).

CARRIED

4 Ayes

0 Nays

DENIED PROPOSAL O'CONNELL

The Board of Trustees denied the quote from Jean O'Connell to write the Bullard Park Grant.

APPROVED CLARENDON BRIDGE AGREEMENT RE: ROW

The following resolution was proposed by Trustee Sidari who moved its adoption and seconded by Trustee Banker regarding the "Rehabilitation of Prestressed Concrete Bridge located on Clarendon Street":

WHEREAS, Deputy Mayor Kevin P Sheehan is authorized to execute the agreement with New York State Department of Transportation and the Village Clerk-Treasurer Linda K Babcock is authorized to submit reimbursement requests and certifications on behalf of the Village of Albion; and

WHEREAS, the Village of Albion understands and accepts the stipulations of the Agreement including its associated schedule, appendices, exhibits and attachments, and

WHEREAS, the Village of Albion has appropriated the funding necessary to deliver the project as described in Schedule A of the Agreement,

NOW THEREFORE BE IT RESOLVED that the Board of Trustees does hereby authorize the Deputy Mayor to execute the Master Federal Aid Project Agreement for the State Administered Right of Way regarding the Clarendon Street Bridge over Falls Road Railroad in the amount of \$55,000.00.

CARRIED

3 Ayes

1 Nay

Trustee Sidari

Trustee

Miller

Trustee Banker

Deputy Mayor Sheehan

APPROVED MINUTES

Moved by Trustee Miller and seconded by Trustee Sidari that in as much as each member received copies of the minutes of May 8, 2013 and May 14, 2013 and there being no errors or omissions, minutes are hereby approved as written.

CARRIED

4 Ayes

0 Nays

APPROVED PAYMENT TO DIOGUARDI CONSTRUCTION

Moved by Trustee Miller and seconded by Trustee Sidari approving payment to DioGuardi Construction for repairing the common wall on the Corso building in the amount of \$4,220.00. Invoice to be paid out of the Capital Reserves for buildings. Mr Corso has been sent an invoice for his portion in the amount of \$2,110.00.

CARRIED

4 Ayes

0 Nays

APPROVED CEMETERY DEED

Moved by Trustee Sidari and seconded by Trustee Miller approving Deputy Mayor Sheehan to sign the following Cemetery Deed:

Larry Brown

S.G. 564 and 565 Deerfield Avenue

CARRIED

4 Ayes

0 Nays

ACCEPTED APPLICATIONS

The Board of Trustees accepted the following applications to be placed on file for future reference:

Park Supervisor

McKayla Allen Ashworth	Kylie Armstrong	Arielle Ashton	Andrew J
Cory D Brien Curtiss	Brandon Brown	Chloe M Christofaro	Tristian
Dylan DeSmit	Melissa Dibley	Travis Downs	Elliott Foos
Brittany Francis Haines	Caitlin Francis	Brooke Graham	Henry
Justin Haines	Hannah Hapeman	Alexis Hinkley	Halle Jurs
Joyce LaLonda	Cierra Lang	Nate Lester	Jacoby Miller
Edward Narburgh Quider	Jackson Narburgh	Sabastian Piedmont	Elizabeth
Josue' Serafin	Hailey Stamp	Irene Youngman	

APPROVED SURPLUS EQUIPMENT

Moved by Trustee Sidari and seconded by Trustee Miller approving the Chief Water Treatment Plant Operator Kevin Miller's request to declare the Water Treatment Plant mower as surplus equipment and donate it to the Pollution Control Plant. All maintenance on the mower will come out of the Pollution Control Plant's budget.

CARRIED

4 Ayes

0 Nays

ACCEPT RESIGNATION

Moved by Trustee Miller and seconded by Trustee Banker accepting, with regret, Mr Steve Watkins resignation from the Planning Board.

CARRIED

4 Ayes

0 Nays

APPROVED PAYMENT TO CAN AM

Moved by Trustee Miller and seconded by Trustee Sidari approving payment to CanAm Environmental Safety Inc for the asbestos inspection and report for 132-136 Liberty Street in the amount of \$5,925.00. The Village has been reimbursed by Orleans Land Restoration Corporation for the asbestos inspection and report.

CARRIED

4 Ayes

0 Nays

EXECUTIVE SESSION

Moved by Trustee Banker and seconded by Trustee Sidari to adjourn to executive session for personnel issues at 7:23 PM.

CARRIED

4 Ayes

0 Nays

EXECUTIVE SESSION CLOSED

Moved by Trustee Sidari and seconded by Trustee Miller to come out of executive session at 7:46 PM.

CARRIED

4 Ayes

0 Nays

DISCUSSION ON DOWNTOWN FLAGS

The Superintendent of Public Works Dale Brooks informed the Board of Trustees that AMSA had picked up the flags for the downtown area and has informed him that there is no funding to replace the tattered ones. There was a discussion on if there are enough flags to just do the Memorial Day parade route and if there is any money in the budget to replace the flags that are tattered.

APPROVED COVA REQUEST

Moved by Trustee Banker and seconded by Trustee Sidari approving COVA's

request to have 10 picnic tables delivered to their station for the open house they are having on May 31, 2013

CARRIED

3 Ayes	0 Nays
Trustee Banker	
Trustee Sidari	1 Abstained
Trustee Miller	Deputy

Mayor Sheehan

TOWN OF ALBION RE: SPEAKERS

The Village Board of Trustees was very grateful to here that the Town of Albion would like to purchase speakers for the downtown area. The Board of Trustees discussed where the music would be supplied through, is it wireless and if DOT needs to be notified. Trustee Sidari will find out the details.

MEETING ADJOURNED

Moved by Trustee Miller and second by Trustee Sidari that there being no further business, meeting is hereby adjourned at 8:06 PM.

CARRIED

4 Ayes	0 Nays
--------	--------

Respectfully submitted,
Linda K Babcock
Clerk-Treasurer

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F.8340.0101	Water Personnel	F.1430.0101	Office Staff
\$ 297.49			
F.8340.0101	Water Personnel	F.5010.0101	Sup Public
Works \$ 269.07			
F.1440.0401	Engineer	F.8320.0412	Generator
Maint \$ 5,000.00			
F.1910.0401	Unallocated Ins	F.8320.0412	Generator
Maint \$ 5,236.34			
F.1950.0401	Municipal Taxes	F.8330.0407	
Coagulant \$ 4,958.69			
F.9050.0801	Unemployment	F.8330.0418	Sodium
Chlorite \$17,576.73			
F.9050.0801	Unemployment	F.8330.0403	Chlorination
Maint \$ 2,252.69			
A.1640.0101	Janitor	A.1430.0101	Office Staff
\$ 287.51			
A.1320.0401	Auditor	A.1440.0401	Engineer
\$ 1,000.00			
A.1620.0405	Electricity	A.1440.0401	
Engineer \$ 4,000.00			
A.1420.0401	Attorneys	A.1440.0401	Engineer
\$ 7,000.00			
A.1325.0403	Computer Programs	A.1440.0401	
Engineer \$ 1,000.00			
A.1325.0402	Bond Charges	A.1440.0401	Engineer
\$ 1, 506.06			
A.1355.0402	Printing Tax Rolls	A.1440.0401	
Engineer \$ 200.00			
A.9060.0801	Hospital Ins	A.1910.0401	Unallocated
Insurance \$13,166.73			
A.9015.0801	Police Retirement	A.3120.0103	Police
Overtime \$32,000.11			
A.3410.0416	Gasoline	A.3310.0403	Signs
\$ 1,500.00			
A.5182.0401	Street Lighting	A.3310.0405	Street Marking
Paint \$ 1,100.00			
A.5182.0401	Street Lighting	A.3310.0404	Sign Posts
\$ 783.94			
A.3620.0103	PT Fire Marshall	A.5010.0102	Sup Public
Works \$ 556.72			
A.5410.0401	Sidewalks	A.5110.0409	Street
Maintenance \$ 5,500.00			
A.5182.0401	Street Lighting	A.5110.0409	Street Maintenance
\$ 2,829.00			
A.5182.0401	Street Lighting	A.5110.0411	Tools
\$ 971.00			
A.3620.0421	Zoning/Plan Boards	A.5110.0411	Tools
\$ 192.68			
A.1640.0402	Bldg Maint	A.5142.0401	Plow & Sander
Parts \$ 607.13			
A.8540.0405	Pipe	A.7110.0404	Parks
Program \$ 2,800.00			
A.9060.0802	Dental	A.7110.0404	Parks
Program \$ 1,456.16			

A.9060.0801
FICA
A.9060.0801
\$ 2,416.37

Hospital Ins
\$ 2,607.76
Hospital Ins

A.9030.0801

A.9050.0801 Unemployment Ins

CARRIED

3 Ayes

0 Nays

ADOPT BOND RESOLUTION FOR \$100,000 Rescinded June 12, 2013, then readopted

The following resolution was proposed by Trustee Banker who moved its adoption and seconded by Trustee Sidari:

BOND RESOLUTION DATED MAY 29, 2013 OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF ALBION, NEW YORK, AUTHORIZING GENERAL OBLIGATION SERIAL BONDS TO FINANCE ROAD IMPROVEMENTS WITHIN THE VILLAGE, AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES IN CONTEMPLATION THEREOF, THE EXPENDITURE OF SUMS FOR SUCH PURPOSE, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the Village Board of Trustees hereby determines and finds that the purpose hereinafter described constitutes a "type II" action under the State Environmental Quality Review Act of the State of New York and the applicable regulations thereunder ("SEQRA") which will not result in any significant adverse environmental impacts and such purpose is not subject to any further environmental review under SEQRA; now therefor, be it

RESOLVED BY THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF ALBION, NEW YORK (hereinafter referred to as the "Village"), by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

Section 1. The Village of Albion shall undertake the construction of drainage and road improvements, to include milling and paving over the drainage project at Washington, State School and West State Streets, materials and incidental improvements that may be required in connection therewith for such construction and Village use (hereinafter referred to as "purpose"), and general obligation serial bonds in an aggregate principal amount not to exceed \$100,000 and bond anticipation notes in anticipation thereof (and renewals thereof) of the Village are hereby authorized to be issued to finance said purpose.

Section 2. The estimated aggregate maximum cost of said purpose, including preliminary costs and costs incidental thereto and costs of the financing thereof, is estimated to be \$100,000 and said amount is hereby appropriated therefor. The plan for financing of said purpose is to provide all of such maximum cost by issuance of bonds or bond anticipation notes as herein authorized.

Section 3. It is hereby determined and declared that (a) said purpose is one of the class of objects or purposes described in Subdivisions 3 and 20 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is hereby restricted to five (5) years, (b) the proposed maximum maturity of said bonds authorized by this resolution will not be in excess of five years, (c) current funds required to be provided prior to the issuance of the bonds or notes herein authorized, pursuant to Section 107.00 of the Local Finance Law, to the extent applicable, if any, will be provided, (d) the notes herein authorized are issued in anticipation of bonds for an assessable improvement, and (e) there are presently no outstanding bond anticipation notes

issued in anticipation of the sale of said bonds.

Section 4. The bonds and notes authorized by this resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general obligations of the Village and all the taxable real property in the Village is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount, subject to statutory limitations, if any.

Section 5. It is hereby determined and declared that the Village reasonably expects to reimburse the general fund, or such other fund as may be utilized, not to exceed the maximum amount authorized herein, from the proceeds of the obligations authorized hereby for expenditures, if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations. This is a declaration of official intent under Treasury Regulation §1.150-2.

Section 6. The power to further authorize the sale, issuance and delivery of said bonds and notes and to prescribe the terms, form and contents of said bonds and notes, including, without limitation, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, all contracts for, and determinations with respect to, credit or liquidity enhancements, if any, and to sell and deliver said bonds and notes, subject to the provisions of this resolution and the provisions of the Local Finance Law, is hereby delegated to the Village Treasurer, the Village's chief fiscal officer. The Village Treasurer and the Village Clerk or Deputy Clerk are hereby authorized to sign by manual or facsimile signature and attest any bonds and notes issued pursuant to this resolution, and are hereby authorized to affix to such bonds and notes the corporate seal of the Village of Albion.

Section 7. The faith and credit of the Village of Albion, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 8. This resolution, or a summary hereof, shall be published in full by the Village Clerk of the Village of Albion together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Village, in the manner prescribed by law. The validity of said bonds and bond anticipation notes issued in anticipation of the sale of said serial bonds, may be contested only if such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or the provisions of law which should be complied with, at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall take effect immediately upon its adoption.

CARRIED

3 Ayes

0 Nays

HEALTH INSURANCE

The Board of Trustees discussed the problems with how the current insurance coverage for eye glasses is reimbursed. Trustee Sidari will schedule a meeting for the Board to discuss the problems with the Village's insurance broker so it can be straightened out.

EXECUTIVE SESSION

Moved by Trustee Banker and seconded by Trustee Sidari to adjourn to executive session to discuss litigations at 7:49 PM.

CARRIED

3 Ayes

0 Nays

EXECUTIVE SESSION CLOSED

Moved by Trustee Sidari and seconded by Trustee Banker to come out of executive session at 8:05 PM.

CARRIED

3 Ayes

0 Nays

MEETING ADJOURNED

Moved by Trustee Banker and second by Trustee Sidari that there being no further business, meeting is hereby adjourned at 8:06 PM.

CARRIED

3 Ayes

0 Nays

Respectfully submitted,
Linda K Babcock,
Clerk-Treasurer

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June 12, 2013: Regular Meeting

Body:

The Regular Meeting of the Board of Trustees of the Village of Albion was held Wednesday, June 12, 2013 at 7:00 PM, at the Village Hall, 35 East Bank Street, Albion, New York.

Present were Mayor Dean A Theodorakos, Trustees Eileen S Banker, Fred Miller, Kevin P Sheehan, Peter Sidari and Attorney John C Gavenda.

Mayor Theodorakos opened the meeting with the pledge of allegiance at 7:00 PM.

APPROVED HIRING POLICE OFFICER

Moved by Trustee Banker and seconded by Trustee Miller approving Police Chief Roland Nenni's recommendation to hire Mr Robert J Wagner IV from the Orleans County Civil Service Police Officer list, with a 52 week probationary period and a starting date of June 23, 2013. Per the Albion Police Benevolent Association Contract, Mr Wagner's yearly salary will be \$44,464.67.

CARRIED

5 Ayes 0 Nays

CODE CHANGES

Moved by Trustee Miller and seconded by Trustee Banker approving Code Enforcement Officer Ron Vendetti's recommendation to send Chapter 290 Zoning, -64-Drive-in Business, Section B, to Orleans County for approval to remove from the Village code.

CARRIED

5 Ayes 0 Nays

PUBLIC HEARING SCHEDULED

Moved by Trustee Miller and seconded by Trustee Banker to hold a Public Hearing on July 10, 2013 at 7:00 PM to consider the following changes in the Village Code Book:

290-64 Zoning, Section B - remove

161-6 B - correct "thief" to "chief"

135-7 and 135-9 remove 'practical builder"

CARRIED

5 Ayes 0 Nays

ADAPTIVE REUSE OVERLAY

The Board of Trustees tabled recommending sending the "adaptive reuse overlay" to the Orleans County Planning Board. Attorney Gavenda will rewrite into law form the additions requested by the Village Planning Board.

PLANNING BOARD MEMBER AD

The Village Clerk will place an ad in the Lake Country Pennysaver looking for residents to serve on the Planning Board. In addition, the Mayor would like it to also be place on the Orleans HUB.

CELL PHONE STIPEND

The cell phone stipend for qualified employees will be discussed at the June 20, 2013 Department Head Meeting.

SOLICITOR PERMIT

Discussed the solicitor's permit and if they will be allowed to sell merchandise during the Strawberry Festival and other Village events. Items discussed: putting on the permit that it's not valid during a Village Special Event without permission Attorney Attorney Gavenda will check with NYMIR (Village's insurance carrier) about allowing alcohol at Village Special events

ACCEPT TREASURERS REPORT

Moved by Trustee Sheehan and seconded by Trustee Banker accepting the Treasurer's Report for May 2013.

CARRIED

5 Ayes 0 Nays

APPROVED MINUTES

Moved by Trustee Sheehan and seconded by Trustee Sidari that in as much as each member received copies of the minutes of May 22, 2013 and there being no errors or omissions, minutes are hereby approved as written.

CARRIED

5 Ayes 0 Nays

APPROVED PAYMENT OF BILLS

Moved by Trustee Sheehan and seconded by Trustee Banker approving the payment of the following Village bills:

General Fund	voucher #15908	\$177,869.42
Water Fund	to #16018	\$ 39,688.91
Sewer Fund		\$ 43,165.54
General Fund	voucher #16021	\$ 78.36
Water Fund	to #16026	\$ 11,294.33
Sewer Fund		\$ 9,167.31

CARRIED

5 Ayes 0 Nays

APPROVED PAYMENT CHATFIELD BILLS

Moved by Trustee Sheehan and seconded by Trustee Banker approving the following bills submitted by Chatfield Engineers to be paid:

General Engineering Services	94-193-177	\$
69.75		
JMIPCF Capital Improvement Plan	09-924-33	
\$798.90		

CARRIED

5 Ayes 0 Nays

APPROVED PAYMENT USING BUILDING RESERVES

Moved by Trustee Sheehan and seconded by Trustee Miller approving payment of the following invoice to be paid out of the Capital Building Reserves account:

Stockham Lumber	\$344.80
-----------------	----------

CARRIED

5 Ayes 0 Nays

APPROVED PAYMENT FROM FEDERAL SEIZURE

Moved by Trustee Miller and seconded by Trustee Sidari approving to use the balance in the Federal Seizure account, \$53.57 towards the Police Office copier lease payment. The Clerk-Treasurer will close this account after payment has been cleared.

CARRIED

5 Ayes

0 Nays

APPROVED PAYMENT USING WTP RESERVES

Moved by Trustee Sheehan and seconded by Trustee Sidari approving payment of the following invoice to be paid out of the Water Treatment Plant Capital Reserve Account:

Lawson Products \$464.07

CARRIED

5 Ayes

0 Nays

APPROVED PAYMENT TO DONEGAN

Moved by Trustee Sheehan and seconded by Trustee Sidari approving payment to Bernard P Donegan Inc for the following professional services for the period of March 4, 2013 to April 30, 2013:

JMPCF \$714.96

Clarendon Bridge \$234.50

CDU \$101.40

CARRIED

5 Ayes

0 Nays

ADOPTED BOND RESOLUTION RE: \$100,000

The following resolution was proposed by Trustee Sheehan who moved its adoption and seconded by Trustee Sidari and that the Bond Resolution adopted May 29, 2013 is rescinded, as there were not enough Board Members present: BOND RESOLUTION DATED JUNE 12, 2013 OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF ALBION, NEW YORK, AUTHORIZING GENERAL OBLIGATION SERIAL BONDS TO FINANCE ROAD IMPROVEMENTS WITHIN THE VILLAGE, AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES IN CONTEMPLATION THEREOF, THE EXPENDITURE OF SUMS FOR SUCH PURPOSE, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the Village Board of Trustees hereby determines and finds that the purpose hereinafter described constitutes a "type II" action under the State Environmental Quality Review Act of the State of New York and the applicable regulations thereunder ("SEQRA") which will not result in any significant adverse environmental impacts and such purpose is not subject to any further environmental review under SEQRA; now therefor, be it

RESOLVED BY THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF ALBION, NEW YORK (hereinafter referred to as the "Village"), by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

Section 1. The Village of Albion shall undertake the construction of drainage and road improvements, to include drainage pipe and milling and paving over the drainage project at Washington, State School and West State Streets, materials and incidental improvements that may be required in connection therewith for such construction and Village use (hereinafter referred to as "purpose"), and general obligation serial bonds in an aggregate principal amount not to exceed \$100,000 and bond anticipation notes in anticipation thereof (and renewals thereof) of the Village are hereby authorized to be issued to finance said purpose.

Section 2. The estimated aggregate maximum cost of said purpose, including preliminary costs and costs incidental thereto and costs of the financing thereof, is estimated to be \$100,000 and said amount is hereby appropriated therefor. The plan for financing of said purpose is to provide all of such maximum cost by issuance of bonds or bond anticipation notes as herein authorized.

Section 3. It is hereby determined and declared that (a) said purpose

is one of the class of objects or purposes described in Subdivisions 3 and 20 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is hereby restricted to five (5) years, (b) the proposed maximum maturity of said bonds authorized by this resolution will not be in excess of five years, (c) current funds required to be provided prior to the issuance of the bonds or notes herein authorized, pursuant to Section 107.00 of the Local Finance Law, to the extent applicable, if any, will be provided, (d) the notes herein authorized are issued in anticipation of bonds for an assessable improvement, and (e) there are presently no outstanding bond anticipation notes issued in anticipation of the sale of said bonds.

Section 4. The bonds and notes authorized by this resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general obligations of the Village and all the taxable real property in the Village is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount, subject to statutory limitations, if any.

Section 5. It is hereby determined and declared that the Village reasonably expects to reimburse the general fund, or such other fund as may be utilized, not to exceed the maximum amount authorized herein, from the proceeds of the obligations authorized hereby for expenditures, if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations. This is a declaration of official intent under Treasury Regulation §1.150-2.

Section 6. The power to further authorize the sale, issuance and delivery of said bonds and notes and to prescribe the terms, form and contents of said bonds and notes, including, without limitation, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, all contracts for, and determinations with respect to, credit or liquidity enhancements, if any, and to sell and deliver said bonds and notes, subject to the provisions of this resolution and the provisions of the Local Finance Law, is hereby delegated to the Village Treasurer, the Village's chief fiscal officer. The Village Treasurer and the Village Clerk or Deputy Clerk are hereby authorized to sign by manual or facsimile signature and attest any bonds and notes issued pursuant to this resolution, and are hereby authorized to affix to such bonds and notes the corporate seal of the Village of Albion.

Section 7. The faith and credit of the Village of Albion, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 8. This resolution, or a summary hereof, shall be published in full by the Village Clerk of the Village of Albion together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Village, in the manner prescribed by law. The validity of said bonds and bond anticipation notes issued in anticipation of the sale of said serial bonds, may be contested only if such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or the provisions of law which should be complied with, at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall take effect immediately upon its adoption.

CARRIED

4 Ayes
Trustee Sheehan

1 Nay
Trustee

Miller

Trustee Sidari
Trustee Banker
Mayor Theodorakos

APPROVED CEMETERY DEEDS

Moved by Trustee Sidari and seconded by Trustee Sheehan approving Mayor Theodorakos to sign the following Cemetery Deeds:

Mr Earl K Brooks	S.G. 484 Zephyr Avenue
Ms Vera J Harrison	S.G. 267 and 268 Deerfield Avenue
Ms Dolores Patterson	S.G. 287 Zephyr Avenue
Mr Alfonso Zicari	#16 Evergreen Columbarium

CARRIED

5 Ayes
0 Nays

ACCEPTED NEW AFD MEMBERS

Moved by Trustee Sheehan and seconded by Trustee Sidari accepting the following as new members into the Albion Fire Department:

Jeremy J Babcock	Amber M Boyer	Janet K Cheverie
Robert G Emerson	Paula H Fuller	Laurie Gleason
Cindy J Hunt	James H Peruzzini Jr	Renee L Rowley
Spencer M Misiak	Barb Szklany	Kelly J Szklany
Tibbits		Carol A

CARRIED

5 Ayes
0 Nays

APPROVED HIRING PARK SUPERVISORS

Moved by Trustee Sheehan and seconded by Trustee Miller approving the Recreation Director John Grillo's recommendation to hire the following as the 2013 Park Supervisors:

Makayla Allen	Melissa Dibley	Travis Downs	
Elliott Foos			
Caitlin Francis	Halle Jurs	Joyce LaLonde	Nate
Lester			
Ed Narburgh	Jackson Narburgh	Sabastian Piedmont	Josue'
Serafin			
Kylie Armstrong - Arts and Crafts Director			
Subs:	Henry Haines	Hannah Hapeman	Alexis
Hinkley			

CARRIED

5 Ayes
0 Nays

HEALTH INSURANCE

Mr Don Bardeen was present to discuss some of the issues with the Health Insurance reimbursements. He will look into how to address the employees who have not yet met their deductible so they can get the reimbursement they are entitled to for eye glass coverage. He will prepare a precise communication for the Village employees that will better explain the use of the EBS/MVP cards and provide a list of what the EBS card can be used for.

DOWNTOWN SPEAKERS

The Superintendent of Public Works Dale Brooks updated the Board of Trustees about the downtown speakers that the Town of Albion has stated they would donate to the Village. Mr Brooks has been in contact with Councilperson Jake Olles to inform him that the speakers need to be wireless. The Superintendent of the Pollution Control Facility and Mr Brooks are working on getting quotes for the wireless speakers. There was also a discussion on needing to pay for "copy rights" to be able to play certain music.

APPROVED PAVER PURCHASE

Moved by Trustee Sheehan and seconded by Trustee Sidari approving the Superintendent of Public Works Dale Brooks request to purchase a small paver for \$5,000.00. The payment will come equally out of Equipment Reserves and Cemetery Reserves.

CARRIED

5 Ayes

0 Nays

APPROVED REPAIRS TO AIR CONDITIONS

Moved by Trustee Banker and seconded by Trustee Sheehan approving the Superintendent of Public Works Dale Brooks recommendation to use \$1,331 from the Building Reserves account for the 121 North Main Street, third floor air conditioning repairs.

CARRIED

5 Ayes

0 Nays

APPROVED PAYMENT TO OSBORN, REED & BURKE

Moved by Trustee Sheehan and seconded by Trustee Sidari approving payment to Osborn, Reed and Burke for professional services through May 31, 2013 for \$99.00.

CARRIED

5 Ayes

0 Nays

APPROVED PAYMENT TO BERGMANN

Moved by Trustee Sidari and seconded by Trustee Sheehan approving payment to Bergmann Associates for services rendered for the Replacement of the Clarendon Street Bridge project for the period of 3/29/13 to 4/26/13 in the amount of \$11,415.76.

CARRIED

4 Ayes

1 Nay

Trustee Sidari

Trustee

Miller

Trustee Sheehan

Trustee Banker

Mayor Theodorakos

CORRESPONDENCE

The Board of Trustees received a correspondence from Albion Strawberry Festival thanking them for this year's support of their Theatre on Main Street event. They would also like to thank the Superintendent of Public Works Dale Brooks, the Superintendent of the Pollution Control Facility Aric Albright and the Department of Public Works employees for their commitment to this event.

CORRESPONDENCE

Mayor Theodorakos received a correspondence June 7, 2013 which was dated June 6, 2013, from JP Morgan Chase & Company notifying the Village of Albion that Mortgage Bank, a division of JP Morgan Chase is permanently closing its Default Operations located at 231 East Avenue around September 4, 2013.

ARC

Mayor Theodorakos shared an email from Ms Kelly Spychalski, ARC of Orleans County Executive Director informing the Village about the "Our Ability's

Journey Along the Erie Canal" project. Mr John Robinson, a New Yorker with disabilities will be using an adaptive bicycle to ride along the canal, making a stop in Albion on June 24th.

SEWER RATES

Mayor Theodorakos stated that he would like to start discussing the sewer rates at the June 26, 2013 Workshop Meeting.

MEETING ADJOURNED

Moved by Trustee Miller and seconded by Trustee Sidari that there being no further business, meeting is hereby adjourned at 8:39 PM.

CARRIED

5 Ayes

0 Nays

Respectfully submitted,
Linda K Babcock
Clerk-Treasurer

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June 26, 2013: Workshop Meeting

Body:

The Workshop Meeting of the Board of Trustees of the Village of Albion was held Wednesday, June 26, 2013 at 7:00 PM, at 35 East Bank Street, Albion, New York.

Present were Mayor Dean A Theodorakos, Trustees Eileen S Banker, Peter Sidari and Attorney John C Gavenda.

Trustee Kevin P Sheehan entered meeting at 7:05 PM.

Trustee Fred Miller was absent.

Mayor Theodorakos opened the meeting with the pledge of allegiance at 7:00 PM.

RESIDENTS

Resident Mr Mark Parker addressed the Board of Trustees about the FOIL he submitted and has not had a response on.

Resident Ms Rhonda Parker addressed the Board of Trustees about the violation she received regarding the barn on their property.

DEPARTMENT HEAD REPORTS

The Board of Trustees received monthly reports from the Animal Control Officer Harry Papponetti, Department of Public Works Dale Brooks, Police Chief Roland Nenni, Code Enforcement Officer Ron Vendetti, Cemetery Supervisor Jason Zicari, Village Clerk Linda Babcock, Water Treatment Plant Superintendent Kevin Miller and Superintendent of the Pollution Control Plant Aric Albright.

REMOVAL OF TREES

Approved the Superintendent of Public Works Dale Brooks recommendation to have/take the following trees down:

210 South Clinton Street (north side of driveway)

344 South Clinton Street (south side of driveway)

221 West State Street (hanging over house)

119 Platt Street (2 shabby maples)

121 Reynolds Street (2 trees pushing sidewalk up)

APPROVED FIRST NIAGARA LEASE AGREEMENT

Moved by Trustee Banker and seconded by Trustee Sheehan approving Mayor Theodorakos to sign the lease agreement with First Niagara Bank for the purchase of the 2013 Chevrolet Tahoe for the Albion Police Department. The lease agreement is for three years.

CARRIED

4 Ayes

0 Nays

APPROVED CELL PHONE STIPEND INCREASE

Moved by Trustee Sheehan and seconded by Trustee Banker approving the request from Department Heads to increase the cell phone stipend for qualified employees from \$25 per month to \$50 per month, as long as we can find the money in the budget to cover the increase. The Village Clerk-Treasurer will look at the budget to see where the additional \$300 for each Department Head

could come from.

CARRIED

4 Ayes

0 Nays

TABLED SENDING ADAPTIVE REUSE OVERLAY TO COUNTY

Per Attorney John C Gavenda's recommendation, tabled Code Enforcement's recommendation to send the "adaptive reuse overlay" to the Orleans County Planning Board until the July 10, 2013 meeting.

PLANNING BOARD MEMBER

It was noted that there hasn't been any replies to the ad looking for interested persons to serve on the Planning Board.

SOLICITOR'S PERMIT

The Village Clerk found on May 13, 1992 the Board of Trustees did adopted a resolution stating that all Hawking and Peddling licenses issued by the Board of Trustees of the Village of Albion shall not be valid and shall be of no affect during special festival or celebration days as may be determined by the Village of Albion Board of Trustees.

APPROVED MINUTES

Moved by Trustee Sidari and seconded by Trustee Banker that in as much as each member received copies of the minutes of May 29, 2013 and June 12, 2013 and there being no errors or omissions, minutes are hereby approved as written.

CARRIED

4 Ayes

0 Nays

ACCEPTED APPLICATIONS

The Board of Trustees accepted the following application to be place on file for future reference:

Cemetery - Sam R.E. Remley

APPROVED YOUTH BUREAU AGREEMENT

Moved by Trustee Sheehan and seconded by Trustee Sidari approving Mayor Theodorakos to sign the Agreement with the Orleans County Youth Bureau to receive the Village's award of \$632 towards Juvenile Aid.

CARRIED

4 Ayes

0 Nays

SMITH STREET EASEMENT

The Board of Trustees received a correspondence from Church and Church requesting an easement for his clients who have a building on their property that encroaches on the Village's "paper street" named Smith Street. Attorney Gavenda represents the buyer.

Moved by Trustee Sheehan and seconded by Trustee Banker approving to hire Attorney Sandstone to draw up the easement for the structure that encroaches on Village property. It was noted that in the future, if anything happened to the building, the building would be removed from the Village's right of way.

CARRIED

4 Ayes

0 Nays

TABLED EBS-RMSCO RENEWAL

Tabled approving Mayor Theodorakos to sign the renewal with EBS-RMSCO until after the meeting that will clarify the issues some of the employees are experiencing with the insurance.

EMPLOYEE REQUEST

Tabled Office Annable's request to sell 27 hours of his unused vacation time from the 2012-2013 fiscal year to the 2013-2014 fiscal year until the July 10, 2013 meeting. Attorney Gavenda would like time to review his request.

APPROVE PAYMENT FOR PIPE

Moved by Trustee Sidari and seconded by Trustee Banker approving payment to Lock City Supply in the amount of \$12,631.00 to be paid out of the Capital Fund. The Capital Fund will be reimbursed when the Village receives the \$100,000 funds for the drainage project.

CARRIED

4 Ayes

0 Nays

APPROVED MAYOR TO SIGN MAIN STREET LAND DOCUMENTS

Moved by Trustee Banker and seconded by Trustee Sidari approving Mayor Theodorakos to sign the warranty deed documents from the Village to the Village, as prepared by Attorney Gavenda for the piece of land adjacent to the North Main Street parking lot. Attorney Gavenda stated that nobody has ever claimed the land.

CARRIED

4 Ayes

0 Nays

CORRESPONDENCE FROM NYS COMPTROLLER

The Board of Trustees received a correspondence from NYS Office of the State Comptroller stating they determined that the Village's tax levy for 2014 was materially within the allowable limit.

CORRESPONDENCE FROM NYS COMPTROLLER

The Board of Trustees received the Village of Albion Water and Sewer Rents report of examination from the Office of the State Comptroller for the period January 1, 2010 to March 15, 2013. There were 7 recommendations, 4 were corrected in February 2013 when they were pointed out, 2 corrected in June 2013 after the meeting with the New York State Comptroller and the last one is being handled by the Superintendent of the Water Treatment Plant Kevin Miller.

NOTICES OF CLAIMS

General Municipal Law §53 was added and requires each city and village to file with the New York State Department of State, a certificate that designates the New York State Secretary of State as the local government's agent for service of notices of claim. Also the Board of Trustees will need to provide the name and address of a person to which the Secretary of State will forward any notices of claims and provide a time limit of 90 days to file such a claim on the Village.

Moved by Trustee Banker and seconded by Trustee Sheehan approving the designation and appointment of Clerk-Treasurer Linda K Babcock as the person to whom the Secretary of State must mail notices of claims to.

CARRIED

4 Ayes

0 Nays

CORRESPONDENCE

The Board of Trustees received a correspondence from Chatfield Engineers showing the Joint Municipal Industrial Pollution Control Facility flows and electrical usage for the past several years. Mr Chatfield stated that he attributes a portion of the reduction to the extensive sanitary sewer improvements recently completed.

CORRESPONDENCE

The Board of Trustees received a correspondence from the Orleans County District Attorney noting the Orleans County Major Crime Task Force's next meeting will be held on June 28, 2013 at 9:00 AM.

CORRESPONDENCE

The Board of Trustees received a correspondence from LaBella Associates announcing that the 2013 NYS Consolidated Funding Applications are now available online.

CORRESPONDENCE

The Board of Trustees received a correspondence from The Albion Free Methodist Church's Discipleship Pastor Mr Kevin Eccles regarding a community

clean-up event he would like to do on July 14, 2013. The Board of Trustees appreciates this wonderful event and will have the Superintendent of Public Works Department pick up the bags of trash the following morning.

RESIDENT

Resident Mr Maurice Taylor asked the Board of Trustees about having a tree trimmed in front of his house. Because the limbs are near the electric line the Superintendent of Public Works Dale Brooks will contact National Grid to handle. Mr Taylor also inquired as to the time frame for written complaints to be handled and time frame to acquire a building permit.

EAGLE SCOUT PROJECT

The Superintendent of Public Works Dale Brooks will pick up Eagle Scout Alan Sanford's project that he has completed for the Village. The Board of Trustees will discuss how to best utilize and maintain the stage he has built. The Board of Trustees would like to thank Mr Sanford for his donation.

SAFE ROUTES TO SCHOOL GRANT

The following revised resolution was proposed by Trustee Sidari who moved its adoption and seconded by Trustee Sheehan. New York State Department of Transportation stated that the resolution adopted March 27, 2013 for the "Safe Routes to School Project needed more details.

WHEREAS, the Village of Albion desires to advance the Safe Routes to Schools Project, PIN 475581, by making a commitment of 100% of the non-federal share of the costs,

NOW THEREFORE, the Village of Albion Board, duly convened does hereby,

RESOLVE, that the Village of Albion Board hereby approves the above-subject project, and it is hereby further,

RESOLVED, that the Village of Albion Board hereby authorizes the Village Clerk-Treasurer to pay in the first instance 100% of the federal and non-federal share of the cost of ACT Electronic Trailer Mounted Solution for the Project or portions thereof, and it is further

RESOLVED, that the sum of ten thousand dollars (\$10,000) is hereby appropriated and made available to cover the cost of participation in the above Project, and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Village of Albion shall convene as soon as possible to appropriate said excess amount immediately, and it is further

RESOLVED, that the Mayor of the Board of Trustees of the Village of Albion is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid on behalf of the Village of Albion with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipalities first instance funding of project costs and permanent funding of the local share of federal aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, this Resolution shall take effect immediately

CARRIED

Ayes 4

0 Nays

EXECUTIVE SESSION

Moved by Trustee Sidari and seconded by Trustee Banker to adjourn to executive session for litigation issues at 8:03 PM.

CARRIED

4 Ayes 0 Nays

EXECUTIVE SESSION CLOSED

Moved by Trustee Sidari and seconded by Trustee Sheehan to come out of executive session at 8:38 PM.

CARRIED

4 Ayes 0 Nays

RESIDENT

Moved by Trustee Sheehan and seconded by Trustee Banker approving Attorney Gavenda to invite the property owner of 125 North Liberty Street, Mr Dan Dunn to the July 10, 2013 meeting for a hearing to determine if an engineer survey should be ordered for his property.

CARRIED

4 Ayes 0 Nays

To keep the project moving the following motion was made:

Moved by Trustee Sidari and seconded by Trustee Sheehan approving an engineer survey be done on the 125 North Liberty Street property.

CARRIED

4 Ayes 0 Nays

WATER/SEWER RATES

Moved by Trustee Sheehan and seconded by Trustee Banker approving to raise the water/sewer rates beginning July 1, 2013 as follow:

Water inside Village 5% Water outside (Towns, Correctional Facility) 2 ½%

(Pending their contract's allow Village to increase rate-Attorney will look at contracts)

Sewer inside Village 5% Sewer outside 5%

The Board of Trustees stated that due to the much needed upgrades at the Pollution Control Facility and the Water Treatment Plants, the purchasing of new equipment and the increasing costs to run the plants were all factors in the increases.

CARRIED

4 Ayes 0 Nays

MEETING ADJOURNED

Moved by Trustee Sidari and second by Trustee Sheehan that there being no further business, meeting is hereby adjourned at 9:02 PM.

CARRIED

4 Ayes 0 Nays

Respectfully submitted,
Linda K Babcock
Clerk-Treasurer

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May 15, 2013: Planning Board Meeting

Body:

VILLAGE OF ALBION PLANNING BOARD MEETING May 15, 2013

PRESENT:

Dan Gleason, Cliff Thom, John Andrews and Chris Buongiorno

ALSO IN ATTENDANCE:

CEO Vendetti

CALLED TO ORDER:

Dan opened the meeting at 7:00 pm. The Pledge of Allegiance followed

APPROVAL OF MINUTES:

A motion was made by John , seconded by Cliff to approve the minutes of the April 17, 2013 meeting as written.

Motion passed unanimously

ADAPTIVE RE-USE OVERLAY/ 448 WEST STATE STREET

Members of the public were invited to attend the Planning Board meeting to discuss any concerns they might have about the proposed zoning change for 448 West State Street. Letters were sent to property owners within 500 feet of 448 West State Street. Residents were given the opportunity to speak at the meeting. John Williams, Rena Stirk, Barb Passarell, Matt Passarell and John Passarell all voiced their concerns about the proposed change. These concerns included the current taxable status of the property, screening of the potential tenants, the length of the lease and overall displeasure for the project.

The board heard everyone that was present and wished to speak.

NEXT MEETING: Wednesday June 19, 2013 at 7pm

ADJOURN

A motion was made by Chris, seconded by John to adjourn the meeting at 8:30 pm.

Motion passed unanimously



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May 16, 2013: Historic Preservation Commission

Body:

HISTORIC PRESERVATION COMMISSION May 16, 2013

Meeting Minutes

PRESENT: Richard Nenni, Chris Haines, Sandy Church and Linda Smith

ALSO IN ATTENDANCE:

CEO Vendetti , Al Capurso (Historic Marker -Courthouse)

CALL TO ORDER:

The meeting was called to order at 7:15 pm by Sandy.

NEW BUSINESS:

COA - Orleans County Courthouse

A Certificate of Appropriateness application was submitted by Al Capurso to place a historic marker on the Courthouse lawn (South Main Street side) in front of the County Clerk's office. Members reviewed the application.

A motion was made by Chris, seconded by Sandy to approve the Certificate of Appropriateness for the historic marker.

Motion passed unanimously

MINUTES APPROVED

A motion was made by Chris, seconded by Sandy to approve the minutes from the April 17, 2013 regular meeting as written.

OLD BUSINESS:

Design Standards:

Signs: Members discussed getting books for examples . This will help people know what is acceptable.

Members would also like the rules and regulations on the Village website.

A motion was made by Chris, seconded by Richard to approve the "Sign" section of the Design Standards as presented.

Motion carried

NEXT MONTH'S TOPIC: Compilation of a website - members stressed the importance of being consistent

ADJOURN:

A motion was made by Chris, seconded by Richard to adjourn the meeting at 7:40 pm.

Motion passed unanimously

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June 20, 2013: Historic Preservation Commission

Body:

HISTORIC PRESERVATION COMMISSION June 20, 2013 Meeting Minutes

PRESENT:

Chris Haines, Aric Albright, Mary Anne Braunbach, Jordan Bonafede and Linda Smith

Absent: Sandy Church & Richard Nenni

ALSO IN ATTENDANCE:

CEO Vendetti - arrived at 7:25pm

CALL TO ORDER:

The meeting was called to order at 7:00 pm by Mary Anne. The Pledge of Allegiance followed

CoA - Streetscape (Mural)

Tom Rivers submitted a Certificate of Appropriateness application for a mural to be placed downtown in Waterman Park . The intended location will be on the south wall of 115 North Main Street. If the mural is to be lit an additional CoA will be submitted. A motion was made by Chris, seconded by Jordan to approve the CoA for the mural at Waterman Park

Motion carried: 4 Ayes 1 Abstained (A. Albright)

APPROVE MINUTES:

A motion was made by Chris, seconded by Linda to approve the minutes of the May 16, 2013 meeting

Motion passed unanimously

NEW BUSINESS:

AMSA Correspondence: Mary Anne read correspondence sent by Katelin concerning the Certificate of Appropriateness applications being presented at tonight's meeting.

Katelin explained which applications already had SHPO approval and which ones still needed approval and/or revision.

CoA : 4 North Main Street:

A Certificate of Appropriateness application was submitted for 4 North Main Street. The application is for window replacement, asbestos removal and interior work.

A motion was made by Jordan, seconded by Chris to approve the CoA for 4 North Main Street.

Motion passed unanimously

CoAs: 132 North Main St, 10 North Main St., 59 North Main St. & 102 North Main St.:

Certificates of Appropriateness were submitted for the above mentioned properties. All of these applications were already approved by SHPO through the grant application process . The scope of work included window replacement, mortar repairs, painting and metal work.

A motion was made by Jordan, seconded by Linda to approve the Certificate of Appropriateness applications for :

132 North Main St, 10 North Main St, 59 North Main St & 102 North Main St - already approved by SHPO.

Motion passed unanimously

CoA : 114/118 North Main Street:

A CoA application was submitted by Michael Bonafede for work to be done at 114/118 North Main Street.

The applicant is doing interior and exterior work which included metal work, shutters, windows and paint. The scope of work has already been approved by SHPO. A motion was made by Chris, seconded by Linda to approve the CoA for 114/118 North Main Street - already approved by SHPO.

Motion carried 4 Ayes 1 Abstained (J. Bonafede)

CoA : 138 North Main Street

A CoA application was submitted by Braunbach-DeCarlo Inc. for roof replacement at 138 North Main Street.

The old flat rubber roof will be replaced with a new flat rubber roof - maintaining historic features. This project already has SHPO approval.

A motion was made by Jordan, seconded by Linda to approve the CoA for 138 North Main Street - already approved by SHPO.

Motion carried 4 Ayes 1 Abstained (M.A. Braunbach)

CoA : 18 North Main Street:

A CoA application was submitted by Vincent Navarra for siding, carpeting, heating and air conditioning work. This project has been approved by SHPO with stipulations .

The only interest for the HPC would be the exterior siding. SHPOs opinion is that if the siding is tore off the building could be re-sided with a darker color. If it is not completely torn off, the siding should be replaced with siding matching the existing color.

A motion was made by Jordan, seconded by Linda to approve the CoA following the stipulations made by SHPO.

Motion passed unanimously

CoA : 51 North Main Street:

A CoA application was submitted by Lyman & Lyman for work to be done at 51 North Main Street.

The work included window replacement, roof replacement, façade repairs and interior painting.

A motion was made by Jordan, seconded by Aric to approve the CoA application for 51 North Main Street - as approved by SHPO.

Motion passed unanimously

CoA : 28 East Bank Street

A grant application was filed with AMSA by Mr. Corso for work to be done at 28 East Bank Street. Mr. Corso recently corresponded with Katelin (AMSA) stating that he wished to rescind his application because he did not have the funds he thought he would have to do the work. Mr. Corso had hoped to sell part of the structure to the VFW but this did not work out. The VFW had inquired about tearing down attached structures on the rear of 28 East Bank Street several months ago. Mr. Parker of the VFW attended a couple of HPC meetings on an informational basis only. The HPC informed Mr. Parker that no determination on this project could be made without submission of a Certificate of Appropriateness application. The HPC never received a Certificate of Appropriateness application from the VFW .

Members of the HPC reviewed the CoA application originally submitted by Mr. Corso and voted on this application in the event Mr. Corso can obtain the funding in the future.

A motion was made by Jordan, seconded by Chris to approve the CoA for 28 East Bank Street subject to SHPO approval .

Motion passed unanimously

The commission would like to invite Mr. Corso & Mr. Parker to a future meeting to clear up any confusion there might be concerning what would need to be done to proceed with the demolition of the rear attachments at 28 East Bank Street .

OLD BUSINESS:

District Members are confident that no other changes to the district need to be made - the only change would be the removal of 21 Platt Street.

DESIGN STANDARDS :

The HPC has completed their design standard review. CEO Vendetti will compile the standards

already
approved and email them to the commission members.

ADJOURN:

A motion was made by Jordan, seconded by Chris to adjourn
the meeting at 7:46 pm.

Motion passed unanimously

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July 10, 2013: Regular Meeting

Body:

The Regular Meeting of the Board of Trustees of the Village of Albion was held Wednesday, July 10, 2013 at 7:00 PM, at the Village Hall, 35 East Bank Street, Albion, New York.

Present were Mayor Dean A Theodorakos, Trustees Eileen S Banker, Fred Miller, Peter Sidari and Attorney John C Gavenda.
Trustee Kevin P Sheehan was absent.

Mayor Theodorakos opened the meeting with the pledge of allegiance at 7:00 PM.

PUBLIC HEARING

Mayor Theodorakos opened the Public Hearing at 7:00PM to consider amending the Code of the Village of Albion by removing Section B of the 290-64 Zoning code; correct "thief" to "chief" in 161-6 B and remove the term "practical builder" from 135-7 and 135-9.

Resident Mr Mark Parker asked if any businesses are currently in violation and if it's being dropped for a possible new business. Attorney Gavenda stated that it is correcting the code.

CLOSED PUBLIC HEARING

Moved by Trustee Miller and seconded by Trustee Sidari that is as much as everyone who wished to speak to consider amending the Code of the Village of Albion by removing Section B of the 290-64 Zoning code; correct "thief" to "chief" in 161-6 B and remove the term "practical builder" from 135-7 and 135-9 were heard, the Public Hearing closed at 7:07 PM.

CARRIED

4 Ayes

0 Nays

ADOPT LOCAL LAW # 4, 2013

The following Local Law #4 was proposed by Trustee Miller who moved its adoption and seconded by Trustee Banker:

WHEREAS, a proposed Local Law #4 of the year 2013 for the purpose of amending CHAPTER 135, CHAPTER 161 and CHAPTER 290 was presented to the Village of Albion Board of Trustees, and

WHEREAS, the Board of Trustees at a Regular Board Meeting of said Board held on Wednesday, June 12, 2013 did adopt a motion that a Public Hearing be held on the aforesaid proposed Local Law at 7:00 PM on July 10, 2013, at 35-37 East Bank Street, Albion New York and that said notice thereof be published in the Batavia Daily Newspaper, the official newspaper of the Village of Albion at least seven days before July 10, 2013, and

WHEREAS, a notice of such Public Hearing on said proposed Local Law was duly published in the Batavia Daily Newspaper on June 28, 2013, and

WHEREAS, a Public Hearing on said proposed Local law was held by the Board of Trustees, at 35-37 East Bank Street, Albion, New York at 7:00 PM on July 10, 2013, at which time all were heard who wished to speak regarding said Local Law,

NOW THEREFORE BE IT RESOLVED, that the following Local Law

be hereby made part of the code of the Village of Albion, New York:

LOCAL LAW #4

CHAPTER 135

BUILDINGS, UNSAFE

§ 135-7 Failure to comply with notice; survey of premises

- A. Upon the refusal or neglect of the person or persons served with the notice and order provided for by § **135-6** of this chapter to comply with any or all of the requirements of such notice and order within the time prescribed by such notice and order, then, upon order of the Village Board of Trustees, a notice of survey shall be served upon such person or persons in the manner prescribed by § **135-6** of this chapter, notifying such person or persons that a survey of the premises described in such notice of survey will be made at the time and place specified in such notice of survey, which time shall not be less than 24 hours from the time of the service of such notice of survey, and which notice of survey shall further notify such person or persons that such survey will be made at such time and place as are specified therein by the Code Enforcement Official of the Village of Albion, New York, and a engineer or architect named by the Board of Trustees of the Village of Albion, New York, and designated in such notice and by a engineer or architect appointed by the person or persons notified as herein provided. Such notice shall further notify such person or persons that, in the event of the refusal or neglect of such person or persons so notified to appoint such third surveyor and to cause his attendance at the time and place of the survey as set forth in the notice of survey, then and in such event the Code Enforcement Official of Albion, New York, and the engineer or architect named by the Board of Trustees and designated in such notice of survey shall make the survey and report. Such notice of survey shall state that, in the event that the building or structure or any part thereof shall be reported unsafe or dangerous under such survey, then an application will be made at a special term of the Supreme Court in the Eighth Judicial District not less than five nor more than 10 calendar days thereafter for an order determining the building or structure or any part thereof to be a public nuisance and directing that it shall be repaired and secured or taken down and removed.

§ 135-9 Compensation of surveyors

The engineer or the architect named by the Board of Trustees as hereinbefore provided who may act on any survey called in accordance with this chapter and the engineer or architect appointed as hereinbefore provided by the person or persons notified as hereinbefore provided shall each be entitled to and receive a fee to be fixed by the Village Board to be paid by the Village Treasurer. A cause of action is hereby created for the benefit of the village against the owner of said building or structure and against the owner of the lot or parcel of land on which the same is situated for the amount so paid with interest. The amount so collected shall be paid to the Village Treasurer in reimbursement of the amount paid by him or her as aforesaid.

CHAPTER 161

FIRE PREVENTION AND BUILDING CONSTRUCTION

§161-6 Duties and powers of Fire Marshall

- A. The Bureau of Code Enforcement and Fire Prevention shall oversee and direct the activities of the Fire Marshall. As the Bureau chief, the Code Enforcement Officer shall prepare and maintain standard operating procedures of Fire Marshall.

CHAPTER 290

ZONING

§290-64 Drive-in business

Remove section B

B. All drive-in businesses shall be a minimum of 200 feet from other such businesses, which distances shall be computed as follows:

- (1) For such businesses on the same side of the street, 200 feet measured diagonally between the two closest property lines.
- (2) For such businesses on opposite sides of the street, 200 feet measured diagonally between the two closest property corners.
- (3) For four-corner intersections, one such business may be located on a diagonally opposite corner exclusive of the two-hundred-foot distance requirement

CARRIED

4 Ayes 0

Nays

PUBLIC HEARING FOR RESIDENT

A court stenographer was present for the hearing with Mr Dan Dunn regarding the property he owns at 125 North Liberty Street.

CLOSED PUBLIC HEARING

Moved by Trustee Banker and seconded by Trustee Sidari to close the Public Hearing at 7:20 PM.

CARRIED

4 Ayes 0 Nays

APPROVED 30 DAY EXTENSION

Moved by Trustee Banker and seconded by Trustee Miller granting Mr Dunn's request for a 30 day extension, to give him enough time to file an Article 78 with the Department of Labor. Because Mr Dunn stipulated that the building must come down, the Board of Trustees agreed to bypass the engineer survey of the property.

CARRIED

4 Ayes 0 Nays

RESIDENTS

Mrs Rhonda Parker presented proposals for the Board of Trustees to act on. Mr Mark Parker addressed the Board of Trustees regarding the complaints he filed.

APPROVED PLANNING/ZONING BOARD PAY

Moved by Trustee Miller and seconded by Trustee Banker to change the pay for the Planning and Zoning Board members as follow:

Zoning Board \$30/meeting for members and \$50/meeting for Chairperson

Planning Board - wants to change from paid once a year to every meeting.

\$30/meeting for members and \$50/meeting for

Chairperson

CARRIED

4 Ayes 0 Nays

APPROVED LEASE AGREEMENT

Moved by Trustee Miller and seconded by Trustee Sidari approving Mayor Theodorakos to sign the lease agreement with the State of New York for Assemblyman Hawley's office at 121 North Main Street. The agreement will be for 2 years with a 2% increase per year.

CARRIED

3 Ayes 0 Nays

Trustee Miller
Trustee Sidari 1 Abstained
Mayor Theodorakos Trustee

Banker

TABLED REQUEST

Tabled the request from Office Annable's to sell 27 hours of his unused vacation time from the 2012-2013 fiscal year due to his over sight. Attorney Gavenda apologized to the Board of Trustees and said he would like to address this at the July 24, 2013 meeting.

TABLED EBS CONTRACT

Tabled authorizing the Mayor to sign the renewal with EBS-RMSCO. There will be a meeting scheduled with BeneCare, two Trustees and two employees to hear more about their plan and to say here are our issues, how would you handle them.

ACCEPT TREASURERS REPORT

Moved by Trustee Miller and seconded by Trustee Sidari accepting the Treasurer's Report for June 2013.

CARRIED

4 Ayes 0 Nays

APPROVED MINUTES

Moved by Trustee Banker and seconded by Trustee Sidari that in as much as each member received copies of the minutes of June 26, 2013 and there being no errors or omissions, minutes are hereby approved as written.

CARRIED

4 Ayes 0 Nays

APPROVED PAYMENT OF BILLS

Moved by Trustee Banker and seconded by Trustee Sidari approving the payment of the following Village bills:

General Fund	voucher #16034	\$74,737.05
Water Fund	to #16292	\$15,638.64
Sewer Fund		\$ 7,106.74

CARRIED

4 Ayes 0 Nays

APPROVED PAYMENT CHATFIELD BILLS

Moved by Trustee Miller and seconded by Trustee Banker approving the following bill submitted by Chatfield Engineers to be paid:

JMIPCF Capital Improvement Plan	09-924-34
\$14,261.20	

CARRIED

4 Ayes 0 Nays

TABLED PAYMENT TO CHATFIELD

The Board of Trustees tabled approving the following invoice submitted by Chatfield Engineers until the July 24, 2013 Workshop Meeting:

Washington Street Drainage Project	11-1024-2	\$
4,750.00		

APPROVED PAYMENT USING BUILDING RESERVES

Moved by Trustee Sidari and seconded by Trustee Banker approving a portion of the M&T Heating & A/C Services invoice out of Building Reserves for the repair of the 3rd floor air conditioner at 121 North Main Street. Amount to be

paid is \$1,331.26 of the \$3,800.00 invoice.

CARRIED

4 Ayes

0 Nays

APPROVED REMOVAL OF TAX BILLS

Moved by Trustee Miller and seconded by Trustee Banker approving to remove the following 2013-2014 Village tax bills:

Time Warner Cable	500.1-4-4.1	\$860.58
Time Warner Cable	500.-4-4./V	\$ 92.46

Time Warner has a Franchise Agreement with the Village of Albion.

CARRIED

4 Ayes

0 Nays

APPROVED SEWER BREAK

Moved by Trustee Banker and seconded by Trustee Sidari approving the Superintendent of Public Works Dale Brooks recommendation to remove a portion of the sewer bill for 118/120 East State Street. Amount to be removed due to frozen pipes leaking in his basement which didn't go into the Village's sanitary sewer is \$326.77.

CARRIED

4 Ayes

0 Nays

APPROVED GHI INSURANCE

Moved by Trustee Sidari and seconded by Trustee Banker approving Mayor Theodorakos to sign the agreement with GHI (dental insurance) for the period of September 1, 2013 to August 31, 2014. There will be a 0% increase in the rate.

CARRIED

4 Ayes

0 Nays

PUBLIC HEARING SCHEDULED

Moved by Trustee Miller and seconded by Trustee Banker to hold a Public Hearing on July 24, 2013 at 7:00 PM to hear comments on the Community Development Block Grant Program (CDBG). Residents are invited to attend the hearing, to assist the Village in defining community development priorities and to assist the Board in identifying possible projects, in addition to those identified by the Village, for inclusion in an application for CDBG funding. The Village will provide information at the hearing to comply with the legislative and program requirements which govern the CDBG Program. At this time, the Village is considering submission a CDBG grant application for sanitary system improvements in response to the Notice of Funding Availability issued by the Regional Economic Development Councils through the New York State Consolidated Funding Application process.

CARRIED

4 Ayes

0 Nays

CORRESPONDENCE FROM LABELLA

The Board of Trustees received a correspondence from LaBella Associates regarding the income surveys needed for the grant. Surveys are coming in very slow and we are two weeks past the deadline. The Board of Trustees discussed going door-to-door to help get the surveys that are needed. As of June 26, 2013 LaBella Associates has received:

Caroline Street	5 out of the required 22
Crimson Drive	8 out of the 83
East State Street	8 out of 53

APPROVED TO SUBMIT APPLICATION (rescinded July 24, 2013 and readopted)

The following resolution 3-2103, was proposed by Trustee Banker who moved its adoption and seconded by Trustee Miller:

RESOLVED, that the Mayor of the Village of Albion, Orleans County, New York, is hereby authorized as the official representative of the Village of Albion to execute and submit a Community Development Block Grant application to the administrative agency for the Fiscal Year 2013 program, all understandings and assurances contained therein, and is hereby directed and authorized to act in connection with the submission of the application and to provide such additional information as may be required.

CARRIED

4 Ayes

0 Nays

TABLED ADOPTION OF LOCAL SHARE RESOLUTION

The Board of Trustees tabled adoption of the resolution to commit to provide local share of the cost to construct sanitary sewer improvements until the July 24, 2013 Workshop Meeting. The Board of Trustees didn't have the costs in front of them to see how much the total project would be.

RESOLUTION FOR BULLARD PARK APPLICATION

The following resolution 5-2013 was proposed by Trustee Banker who moved its adoption and seconded by Trustee Sidari:

WHEREAS, the Village of Albion is applying to the New York State Office Parks, Recreation and Historic Preservation (OPRHP) for a grant under the Environmental Protection Fund for a park project to be located on the corner of East Avenue and Clarendon Street known as Bullard Park. A site located within the territorial jurisdiction of this Board;

NOW, THEREFORE, be it resolved by the Board of Trustees that Linda K Babcock, as Village Clerk-Treasurer of the Village of Albion, is hereby authorized and directed to file an application for funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993, in an amount not to exceed \$500,000, and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to the Village of Albion for rehabilitating Bullard Park and, if appropriate, a conservation easement/preservation covenant to the deed of the assisted property.

BE IT FURTHER RESOLVED that the Village of Albion does hereby approve and endorse the application for a grant under the Environmental Protection Fund for a park project known as Bullard Park Phase I.

BE IT FURTHER RESOLVED that said property shall be forever maintained by the Village of Albion as a municipal park in this community consistent with the rules promulgated by OPRHP.

CARRIED

4 Ayes

0 Nays

COMMUNITY SUPPORT BULLARD PARK

The following resolution 4-2013, was proposed by Trustee Sidari who moved its adoption and seconded by Trustee Banker:

WHEREAS, the Village of Albion is seeking Environmental Protection Fund (EPF) grant funds to pay for a portion of the cost to rehabilitate Bullard Park; and

WHEREAS, the New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP) requires a municipality without an adopted Comprehensive Plan to pass a resolution affirming that there is public and community support for a proposed project; and

WHEREAS, the Village adopted an updated Comprehensive Plan in January 2013; and

WHEREAS, a Bullard Park Plan was included as part of the updated Comprehensive Plan; and

WHEREAS, a Bullard Park Community Workshop was held on December 12, 2011 to obtain community input on the elements to be included in the rehabilitation of the park; and

WHEREAS, a Comprehensive Plan public hearing was held on April 26, 2012 which included discussion on Bullard Park; and

WHEREAS, public support for Bullard Park was overwhelming at the Workshop and Public Hearing;

NOW THEREFORE BE IT RESOLVED that the Board of Trustees does affirm with the adoption of this resolution that there is widespread public and community support for the proposed Bullard Park rehabilitation project.

CARRIED

4 Ayes

0 Nays

APPROVED PAYMENT TO STC

Moved by Trustee Banker and seconded by Trustee Miller approving the final payment to STC Construction for Contract #3, pay application #5 for the project at the Joint Municipal Industrial Pollution Control Facility in the amount of \$21,920.00. The Board of Trustees also received the following documents from Chatfield Engineers for Contract #3:

- 1. Contractor's final payment acknowledgements
- 2. Contractor's affidavit that all liens and claims have been paid
- 3. AIA Document G706 - Contractor's affidavit of payment of debts and claims
- 4. AIA Document G 706A - Contractor's affidavit of release of liens
- 5. AIA Document G707 - Consent of surety to final payment
- 6. Certificate of Substantial Completion

CARRIED

4 Ayes

0 Nays

APPROVED CEMETERY DEEDS

Moved by Trustee Sidari and seconded by Trustee Banker approving Mayor Theodorakos to sign the following Cemetery Deeds:

Dean W & Dolores R Brooks

S.G. 485 Zephyr Avenue

Gerald C & Beverly T Monagan

#13 & #14 Evergreen

Columbarium

CARRIED

4 Ayes

0 Nays

CORRESPONDENCE

The Board of Trustees received documents from Bernard Donegan's office regarding the \$100,000.00 BAN. The Village received a 1.58% rate from Five Star Bank.

THANK YOU

The Board of Trustees discussed sending a thank you to the Tonawanda Indian Baptist Church for the fireworks they provided on Saturday, July 6, 2013 at Bullard Park. Also discussed putting a thank you in the Lake Country Pennysaver to the Strawberry Festival Committee, Theater on Main Street, the Church concert series and the Merchants Association for all they do for the Village of Albion

NY SAFE ACT

Trustee Banker will provide the resolution calling for repeal of the "New York Safe Act" for the Board of Trustees to look at adopting at the July 24, 2013 meeting.

RULES/PROCEDURES

The Board of Trustees will review the "Rules of Procedures at Regular Meetings" and "Rules of Procedures at Workshop Meetings" as provided by Attorney Gavenda. The Board of Trustees will look at adopting them at the July 24, 2013

Workshop Meeting.

EXECUTIVE SESSION

Moved by Trustee Sidari and seconded by Trustee Miller to adjourn to executive session for personnel issues at 8:47 PM.

CARRIED

4 Ayes 0 Nays

EXECUTIVE SESSION CLOSED

Moved by Trustee Sidari and seconded by Trustee Banker to come out of executive session at 10:00 PM.

CARRIED

4 Ayes 0 Nays

DEPT HEAD VEHICLE

Moved by Trustee Miller and seconded by Trustee Sidari allowing Police Chief Nenni to take home a Village vehicle. Trustee Miller stated that when the Chief needs to respond to an emergency situation from his home, having the Village vehicle which is equipped with his special gear will save time. The vehicle will be used for Police business only.

CARRIED

4 Ayes 0 Nays

APPROVED TO HIRE COUNSEL

Moved by Trustee Miller and seconded by Trustee Banker approving to hire Hodgson Russ Attorneys as special counsel.

CARRIED

4 Ayes 0 Nays

MEETING ADJOURNED

Moved by Trustee Miller and seconded by Trustee Sidari that there being no further business, meeting is hereby adjourned at 10:02 PM.

CARRIED

4 Ayes 0 Nays

Respectfully submitted,
Linda K Babcock
Clerk-Treasurer

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July 24, 2013: Regular Board Meeting

Body:

The Workshop Meeting of the Board of Trustees of the Village of Albion was held Wednesday, July 24, 2013 at 7:00 PM, at 35 East Bank Street, Albion, New York.

Present were Mayor Dean A Theodorakos, Trustees Eileen S Banker, Fred Miller, Kevin P Sheehan and Attorney John C Gavenda.

Trustee Peter Sidari was absent.

Mayor Theodorakos opened the meeting with the pledge of allegiance at 7:00 PM.

PUBLIC HEARING 7:00 PM

Mayor Theodorakos opened the Public Hearing at 7:00 PM for the public to assist the Board of Trustees in identifying possible projects, in addition to those identified by the Village, for inclusion in an application for CDBG funding. At this time, the Village is considering submission a CDBG grant application for sanitary system improvements in response to the Notice of Funding Availability issued by the Regional Economic Development Councils through the New York State Consolidated Funding Application process.

The Board of Trustees discussed getting the required income surveys. Trustee Banker and Trustee Sidari went door to door on East State Street to inform the residents how important it is for them to fill out the surveys and that they are totally confidential. Also, Trustee Banker will go to Crimson Heights Friday, July 26, 2013 to talk to those residents regarding the same.

CLOSED PUBLIC HEARING

Moved by Trustee Banker and seconded by Trustee Miller that in as much as everyone who wished to speak to assist the Board of Trustees in identifying possible projects, in addition to those identified by the Village, for inclusion in an application for CDBG funding were heard, the Public Hearing closed at 7:14 PM.

CARRIED

4 Ayes

0 Nays

RESCIND RESOLUTION #2013-3

Moved by Trustee Banker and seconded by Trustee Miller to rescind the resolution done on July 10, 2013 authorizing the Mayor to execute and submit a 2013 Community Development Grant application on behalf of the Village of Albion (this needed to be done after the Public Hearing, not before).

CARRIED

4Ayes

0 Nays

ADOPTED RESOLUTION #2013-6

The following resolution was proposed by Trustee Banker who moved its adoption and seconded by Trustee Sheehan:

RESOLVED, that the Mayor of the Village of Albion, Orleans County, New York, is hereby authorized as the official representative of the Village of Albion to execute and submit a Community Development Block Grant application to the administrative agency for the Fiscal Year 2013 program, all understandings and assurances contained therein, and is hereby directed and authorized to act in connection with the submission of the application and to provide such additional information as may be required.

CARRIED

4Ayes

0 Nays

MURAL

Moved by Trustee Sheehan and seconded by Trustee Banker approving to take ownership of the mural being donated by the Rotary Club, contingent on receiving the letter from them asking the Village to do so. Also discussed getting the owners approval to place the mural on their building.

CARRIED

4Ayes

0 Nays

DEPARTMENT HEAD REPORTS

The Board of Trustees received monthly reports from the Animal Control Officer Harry Papponetti, Department of Public Works Dale Brooks, Police Chief Roland Nenni, Code Enforcement Officer Ron Vendetti, Cemetery Supervisor Jason Zicari, Village Clerk Linda Babcock and the Water Treatment Plant Superintendent Kevin Miller

The Board of Trustees didn't receive a monthly report from the Superintendent of the Pollution Control Plant Aric Albright.

There was a discussion on whether Mrs Monnier received a copy of Chatfield Engineer's report regarding her drainage issue. The Clerk-Treasurer will check to see if the report was sent to her.

Mayor Theodorakos will invite Mr Alan Sanford to the next Board Meeting to

hear his ideas on how the Village can best utilize the bandstand he built as his Eagle Project. Mr Sanford donated the bandstand to the Village.

APPROVED REVISED PLANNING/ZONING BOARD PAY

Moved by Trustee Miller and seconded by Trustee Banker to revise the pay approved at the July 10, 2013 Board Meeting for the Planning and Zoning Board members as follow:

Zoning Board \$40/meeting for members and \$50/meeting for Chairperson
Planning Board - \$40/meeting for members and \$50/meeting for Chairperson

CARRIED

4 Ayes 0 Nays

APPROVED RULES/PROCEDURES

Moved by Trustee Sheehan and seconded by Trustee Banker approving the adoption of the "Rules of Procedures at Regular Board Meetings" and "Rules and Procedures at Workshop Board Meetings" subject to the Attorney's final approval and the correction of a couple of typos.

CARRIED

4 Ayes 0 Nays

APPROVED MINUTES

Moved by Trustee Banker and seconded by Trustee Sheehan that in as much as each member received copies of the minutes of July 10, 2013 and there being no errors or omissions, minutes are hereby approved as written.

CARRIED

4 Ayes 0 Nays

RESOLUTION 2013-7 ADOPTED SAFE ACT

The following resolution 2013-7 was proposed by Trustee Banker who moved its adoption and seconded by Trustee Miller:

RESOLUTION OF THE VILLAGE OF ALBION OPPOSING THE PROCESS OF ENACTMENT AND REQUESTING REPEALING OF THE NEW YORK SECURE AMMUNITION AND FIREARMS ENFORCEMENT (SAFE) ACT

WHEREAS, the right of the people to keep and bear arms is guaranteed as an individual right under the Second Amendment to the United States Constitution; and,

WHEREAS, the right of the people to keep and bear arms for defense of life, liberty, and property is regarded as an inalienable right by the people of Village of Albion; and,

WHEREAS, the lawful ownership of firearms is, and has been, a valued tradition in Albion, and the rights protected by the Second Amendment to the United States Constitution are exercised by many of our residents; and,

WHEREAS, the people of the Village of Albion and the State of New York derive economic and environmental benefits from all safe forms of recreation involving firearms, including, but not limited to, hunting and target shooting while utilizing all types of firearms available under the Constitution of the United States; and,
WHEREAS, the enactment of the NY SAFE Act (Chapter 1 of Laws of 2013) has prompted significant debate over both the process by which it was enacted and certain provisions contained within it; and,
WHEREAS, having reviewed the legislation and severely restrictive time constraints under which it was passed, it is our conclusion that there is no possible way any individual could read the entire bill and understand its full implications prior to voting on it; and,
WHEREAS, our state legislators most certainly did not have the time to request, and receive, the input of their constituents regarding this matter; and,
WHEREAS, there will be a significant financial impact due to the permits that will have to be renewed requiring additional manpower and computer systems their associated expense; and,
WHEREAS, Governor Cuomo has proposed spending \$36 million dollars in his 2013-2014 Executive Budget for the implementation of the NY SAFE Act at a time when New York State residents are crying out for tax relief; and,
WHEREAS, this legislation severely impacts the possession and use of firearms now employed for defense of life, liberty, and property; and,
WHEREAS, this legislation severely impacts the possession and use of firearms now employed for forms of recreation including, but not limited to, hunting and target shooting; and,
WHEREAS, we find the legislation does little more than negatively impact lawful gun ownership.
NOW, BE IT RESOLVED, that, the Village of Albion does hereby oppose, and request the repeal of any legislation, including the sections within the NY SAFE Act (Chapter 1 of the Laws of 2013), which infringe upon the right of the people to keep and bear arms;
BE IT FURTHER RESOLVED, that the Village of Albion requests the members of New York State Senate and Assembly who represent all, or part of, Orleans County to reply, in writing, with their views on, and actions taken, in support of, or opposition to, the NY SAFE Act;
BE IT FURTHER RESOLVED, that a copy of this resolution be sent to President Barack Obama, Vice President Joseph Biden, Governor Andrew Cuomo, Senator Charles Schumer, Senator Kirsten Gillibrand, Congressman Chris Collins, New York State Senator George Mazarz, Assembly Speaker Sheldon Silver, New York State Assembly member Steve Hawley, and all other individuals and/or entities deemed necessary and proper.

CARRIED

4 Ayes

0 Nays

APPROVED LICENSE AGREEMENT 535 MOORE STREET

Moved by Trustee Sheehan and seconded by Trustee Miller approving Mayor Theodorakos

to sign the License Agreement regarding a structure that encroaches on Village property at 535 Moore Street. It was noted that in the future, if anything happened to the building, the building would be removed from the Village's right of way.

CARRIED

4 Ayes

0 Nays

CORRES

The Board of Trustees received a correspondence from Rite Aid regarding their Workplace Flu Shot Program.

ADAPTIVE REUSE OVERLAY TO COUNTY

The "adaptive reuse overlay" will go to the next Village Planning Board Meeting for their approval.

APPROVED EMPLOYEE REQUEST

Moved by Trustee Sheehan and seconded by Trustee Miller approving Office Annable's

request to sell 27 hours of his unused vacation time from the 2012-2013 fiscal year in the 2013-2014 fiscal year.

Trustee Sheehan stated that this would be for one time only due to the circumstance.

CARRIED

4 Ayes

0 Nays

EBS

Moved by Mayor Theodorakos and seconded by Trustee Miller approving the Mayor to sign

the BeneCare proposal, pending the cost to the Village will be the same or less than the current cost the Village pays to EBS-RMSCO.

CARRIED

3 Ayes

1 Nay

Mayor Theodorakos

Trustee

Sheehan

Trustee Miller

Trustee Banker

APPROVED PAYMENT TO CHATFIELD

Moved by Trustee Miller and seconded by Trustee Banker approving the following

invoice from Chatfield Engineers to be paid:

11-1024-2
Study \$4,750.00

Washington Street Drainage

CARRIED

4 Ayes

0 Nays

RESOLUTION 2013-8 ADOPTED LOCAL SHARE

The following resolution was proposed by Trustee Banker who moved its adoption and

seconded by Trustee Miller:

WHEREAS, the Village Board has authorized the Mayor to file a \$600,000 Community Development Block Grant

(CDBG) application on behalf of the Village of Albion for assistance to fund a portion of the cost to construct sanitary sewer improvements; and

WHEREAS, Chatfield Engineers, the engineering firm engaged by the Village of Albion to prepare construction cost estimates has determined the cost to construct sanitary sewer improvements will exceed \$600,000;

NOW THEREFORE BE IT RESOLVED, that the Albion Village Board hereby commits that it will provide local funds for project costs in excess of the funds provided through the CDBG grant and for any overruns that may be incurred to construct the improvements recommended in the preliminary engineering report prepared by Chatfield Engineers.

CARRIED

4 Ayes

0 Nays

APPROVED AUDIT FOR DEFERRED PLAN

Moved by Trustee Sheehan and seconded by Trustee Banker approving Freed Maxick to prepare the audit for the employees Deferred Compensation Plan per state requirement at a cost of \$1,900. Nationwide Retirement Solutions will reimburse the Village \$500 towards the audit.

CARRIED

4 Ayes

0 Nays

LETTER TO TOWNS/CORRECTIONAL FACILITY

The Village Office will send letters to the Town's informing them that the water rates will increase 2½% starting November 1, 2013.

Per water agreements the Village must give the Towns three months notice.

Also, will send a letter to the Correctional Facility stating the water and sewer rates will increase 2½% starting November 1, 2013.

At the June 26, 2013 meeting the Board of

Trustees approved to increase the water and sewer rates to the Towns and Correctional Facility.

EXECUTIVE SESSION

Moved by Trustee Miller and seconded by Trustee Banker to adjourn to executive session for personnel and litigation issues at 8:38 PM.

CARRIED

4 Ayes

0 Nays

Village Clerk Linda Babcock was excused from the meeting. Mayor Theodorakos took minutes from this point.

EXECUTIVE SESSION CLOSED

Moved by Trustee Sheehan and seconded by Trustee Miller to come out of executive session at 9:25 PM.

CARRIED

4 Ayes

0

Nays

APPROVED TO HIRE SPECIAL COUNSEL

Moved by Trustee Sheehan and seconded by Trustee Miller approving to hire Attorney David Lippitt as special counsel.

CARRIED

4 Ayes

0 Nays

MEETING ADJOURNED

Moved by Trustee Miller and second by Trustee Sheehan that there being no further business, meeting is hereby adjourned at 9:27 PM.

CARRIED
4 Ayes 0 Nays

Respectfully submitted,

Linda K Babcock
Clerk-Treasurer

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June 19, 2013: Planning Board Meeting

Body:

VILLAGE OF ALBION PLANNING BOARD MEETING June 19, 2013

PRESENT:

Dan Gleason, Cliff Thom, John Andrews and Chris Buongiorno

ALSO IN ATTENDANCE:

CEO Vendetti

CALLED TO ORDER:

Dan opened the meeting at 7:00 pm. The Pledge of Allegiance followed

APPROVAL OF MINUTES:

A motion was made by Cliff , seconded by John to approve the minutes of the May 15, 2013 meeting as written.

Motion passed unanimously

ADAPTIVE RE-USE OVERLAY

Members discussed the proposed adaptive re-use. The Village attorney is going to review this with the Village Board.

CHANGE IN CODE SECTION 290-64(B)

A motion was made by Chris, seconded by Cliff to send the proposed change in the Village Code to the County Planning Board for approval.

Remove -Section 290-64(B) :

B. All drive-in businesses shall be a minimum of 200 feet from other such businesses, which distances shall be computed as follows:

- (1) For such businesses on the same side of the street, 200 feet measured diagonally between the two closest property lines.
- (2) For such businesses on opposite sides of the street, 200 feet measured diagonally between the two closest property corners.
- (3) For four-corner intersections, one such business may be located on a diagonally opposite corner exclusive of the two-hundred-foot distance requirement.

Motion passed unanimously

SPECIAL USE PERMIT:

Members discussed a previously issued Special Use permit. If a potential problem exists with a permit the board recommends the Code Officer send a violation letter, further action needs to be taken if a second offense occurs.

NEXT MEETING:

Wednesday July 17, 2013 at 7pm

ADJOURN

A motion was made by John, seconded by Chris to adjourn the meeting at 7:37 pm.

Motion passed unanimously



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July 15, 2013: Zoning Board Meeting

Body:

VILLAGE OF ALBION ZONING BOARD MEETING July 15, 2013

PRESENT:

E. Jean Smith, Jeannette Riley, Anthony Wynn, Bruce Good and Chris Kinter

ALSO IN ATTENDANCE:

CEO Vendetti , Dr. Karl Heuer

CALLED TO ORDER:

Jean opened the meeting at 4:00 pm.
The Pledge of Allegiance followed

PUBLIC HEARING FOR AN AREA VARIANCE AT 313 SOUTH MAIN STREET

Jean opened the public hearing at 4:01 pm.

Dr. Heuer is requesting an area variance for a sign (larger than allowed) to be placed on the front lawn of his property located

at: 313 South Main Street, (73.14-1-12) in the RC District. Dr. Heuer's proposed sign is 57in. wide by 55 in.tall.

Dr. Heuer believes he needs a sign that large in order to be competitive. He referenced the sign located at 362 South Main Street which is much larger. The Board discussed changes in regulations depending on the zoning of the property.

No one from the public was present to speak for/againstthe variance.

There was some discussion on scaling down the size of the sign . Dr. Heuer does not want to reduce the size.

A motion was made by Jean , seconded by Jeannette to close the public hearing at 4:29pm.

Chair Jean Smith read the criteria required for the Zoning Board to grant a variance.

After review of the criteria a motion was made by Tony, seconded by Chris to approve a sign not to exceed 48 in. high by 48 in wide.

Motion passed unanimously

PUBLIC HEARING FOR AN AREA VARIANCE AND NUMBER OF ALLOWED SIGNS AT 175 SOUTH MAIN ST

Jean opened the public hearing at 4:32 pm.

Advance Auto Parts is requesting an area variance for more sign square footage than is allowed and also for the number of signs allowed .

Patrick Huyge, of Advance Auto addressed the board concerning their request(s).

There was discussion on the proposed pole sign. This sign has been removed from the request and replaced with a monument sign. The board would like to see a monument sign similar to the one at Rite

Aid located across the street at the same intersection. The board recommended that the signage attached to the building also be revised - removing much of the red background. This will reduce the square

footage of the total signs.

No one from the public was present to speak for or against the Advance Auto request.

A motion was made by Jeannette, seconded by Bruce to close the public hearing at 4:50 pm.

A motion was made by Jeannette, seconded by Chris to send the variance request to the County Planning Board with the following

change: The pole sign will be changed to a monument sign similar to that of the Rite Aid store located across the street at the same intersection.

Motion passed unanimously

NEXT MEETING: Wednesday July 21, 2013 at 4pm

ADJOURN

A motion was made by Jeannette , seconded by Bruce to adjourn the meeting at 4:54 pm.

Motion passed unanimously

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August 21, 2013: Zoning Board Meeting

Body:

VILLAGE OF ALBION ZONING BOARD MEETING August 21, 2013

PRESENT:

E. Jean Smith, Jeannette Riley, Anthony Wynn, Bruce Good and Chris Kinter

ALSO IN ATTENDANCE:

CEO Vendetti

CALLED TO ORDER:

Jean opened the meeting at 4:00 pm.
The Pledge of Allegiance followed

AREA VARIANCE AND NUMBER OF ALLOWED SIGNS AT 175 SOUTH MAIN ST

Advance Auto Parts requested an area variance for more sign square footage than is allowed and also for the number of signs allowed. A public hearing was held on July 15, 2013.

The Zoning Board sent the variance request to the County Planning Board with the following change: The pole sign will be changed to a monument sign similar to that of the Rite Aid store located across the street at the same intersection.

Ron stated that the County determined that there was no need for them to review this variance and would go along with the decision made by the Village Zoning Board.

A motion was made by Jeannette, seconded by Tony to issue the variance for the number of signs and allowable square footage to Advanced Auto - 175 South Main Street.

Motion passed unanimously

NEXT MEETING: As needed

ADJOURN

A motion was made by Tony, seconded by Bruce to adjourn the meeting at 4:05 pm.

Motion passed unanimously

August 21, 2013: Planning Board Meeting

Body:

VILLAGE OF ALBION PLANNING BOARD MEETING August 21, 2013

PRESENT:

Dan Gleason, Cliff Thom, John Andrews, Chris Buongiorne and Steve Corrigan

ALSO IN ATTENDANCE:

CEO Vendetti,
Brian Buchar (Dunkin Donuts)

CALLED TO ORDER:

Cliff opened the meeting at 7:02 pm. The Pledge of Allegiance followed

APPROVAL OF MINUTES:

A motion was made by Chris , seconded by John to approve the minutes of the July 17, 2013 meeting as written.

Motion passed unanimously

PUBLIC HEARING

FOR A MINOR SUBDIVISION AT: 39 NORTH MAIN STREET (73.6-3-61)

A motion was made by Chris, seconded by Steve to open the public hearing for the minor subdivision at 7:04pm

Motion passed unanimously

There was no one present from the public to speak regarding the minor subdivision.

A motion was made by Chris, seconded by Steve to close the public hearing at 7:05pm

Motion passed unanimously

PUBLIC HEARING FOR A MINOR SUBDIVISION AT: 114 NORTH MAIN STREET (73.23-1-35.1)

A motion was made by Cliff, seconded by Steve to open the public hearing for the minor subdivision at 7:05 pm.

Motion passed unanimously

There was no one present from the public to speak regarding the minor subdivision.

A motion was made by Steve, seconded by Chris to close the public hearing at 7:06 pm

Motion passed unanimously

PUBLIC HEARING FOR A MINOR SUBDIVISION AT : 230 SOUTH MAIN STREET (73.10-1-28.1)

A motion was made by Chris, seconded by Steve to open the public hearing for the minor subdivision at 7:06 pm.

Motion passed unanimously

There was no one present from the public to speak regarding the minor subdivision.

A motion was made by Steve, seconded by Chris to close the public hearing at 7:07 pm

Motion passed unanimously

APPROVE MINOR SUBDIVISION AT: 39 NORTH MAIN STREET (73.6-3-61)

A motion was made by Chris, seconded by Cliff to approve the minor subdivision at 39 North Main Street.

Motion passed unanimously

APPROVE MINOR SUBDIVISION AT: 114 NORTH MAIN STREET (73.23-1-35.1)

A motion was made by Steve, seconded by Cliff to approve the minor subdivision of 114 North Main Street.

Motion passed unanimously

MINOR SUBDIVISION AT : 230 SOUTH MAIN STREET (73.10-1-28.1)

A motion was made by Chris, seconded by Steve to approve the minor subdivision of 230 South Main Street.

Motion passed unanimously

153 SOUTH MAIN STREET / DUNKIN DONUTS

Brian Buchard (CHA Consulting) addressed the board concerning the proposed Dunkin Donuts to be located at 153 South Main Street. He attended last month's meeting and discussed the preliminary plans for the site. Mr. Buchard returned this month with plans for the site.

He reviewed grading, a retaining wall (requested by the Planning Board), demolition plans for the current structure, landscaping, lighting, erosion control, signage and the building façade.

The Planning Board requested a directional sign be added on the Platt Street entrance.

A motion was made by Steve, seconded by Chris to allow the plans for Dunkin Donuts to be sent to the Orleans County Planning Board for review at their September meeting.

Motion passed unanimously

NEXT MEETING: Wednesday September 18, 2013 at 7pm

ADJOURN A motion was made by Cliff, seconded by John to adjourn the meeting at 7:39 pm.

Motion passed unanimously

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August 14, 2013: Regular Meeting

Body:

The Regular Meeting of the Board of Trustees of the Village of Albion was held Wednesday, August 14, 2013 at 7:00 PM, at the Village Hall, 35 East Bank Street, Albion, New York.

Present were Mayor Dean A Theodorakos, Trustees Fred Miller, Kevin P Sheehan, Peter Sidari and Attorney John C Gavenda.

Trustee Eileen S Banker was absent.

Mayor Theodorakos opened the meeting with the pledge of allegiance at 7:00 PM.

RESIDENTS

Mr Ray Cook addressed the Board of Trustees regarding the property he recently purchased at 129 Clarendon Street. He questioned why he needs an engineer or architect to inspect his home, when he had Jim Salmon already do a home inspection. He would like permission to start remodeling his home. Mayor Theodorakos stated that we will get a response to you regarding your concerns.

Ms Debbie Monnier addressed the Board regarding the letter from Chatfield Engineers regarding her drainage issues at her home on Moore Street. Mayor Theodorakos stated he will discuss with the Superintendent of Public Works Dale Brooks.

DEPARTMENT HEAD

The Superintendent of Public Works Dale Brooks would like to know who is responsible for the maintenance of the Welcome signs that the Rotary installed years ago. They are in need of repairs. Mr Tom Rivers will have Ms Cindy Perry from the Rotary, contact Trustee Sheehan to discuss who is responsible for the maintenance of the signs.

ACCEPT TREASURERS REPORT

Moved by Trustee Sheehan and seconded by Trustee Miller accepting the Treasurer's Report for July 2013.

CARRIED

4 Ayes

0 Nays

APPROVED MINUTES

Moved by Trustee Sheehan and seconded by Trustee Miller that in as much as each member received copies of the minutes of July 24, 2013 and there being no errors or omissions, minutes are hereby approved as written.

CARRIED
4 Ayes 0 Nays

APPROVED PAYMENT CHATFIELD BILLS

Moved by Trustee Sheehan and seconded by Trustee Sidari approving the following bill submitted by Chatfield Engineers to be paid:

Washington Street Drainage	11-1024P&S1
\$ 24.00	
JMIPCF Capital Improvement Plan	09-924-35
\$3,621.10	

CARRIED
4 Ayes 0 Nays

APPROVED PAYMENT OSBORN, REED AND BURKE

Moved by Trustee Sheehan and seconded by Trustee Sidari approving payment to Osborn, Reed and Burke for services rendered June 2013 for \$66.00 and July 2013 for \$396.00.

CARRIED
4 Ayes 0 Nays

APPROVED PAYMENT TO DONEGAN

Moved by Trustee Sheehan and seconded by Trustee Sidari approving payment to Bernard P Donegan Inc for the following services rendered May 2013:

JMIPCF	\$417.29
\$100,000 BAN	\$603.00

CARRIED
4 Ayes 0 Nays

APPROVED PAYMENT TO DONEGAN

Moved by Trustee Sheehan and seconded by Trustee Sidari approving payment to Bernard P Donegan Inc for the following services rendered May 2013:

Clarendon Street Bridge	\$795.74
-------------------------	----------

CARRIED
3 Ayes 1 Nay
Trustee Sheehan Trustee

Miller

Trustee Sidari
Mayor Theodorakos

APPROVED PAYMENT TO BERGMANN

Moved by Trustee Sheehan and seconded by Trustee Sidari approving payment to Bergmann Associates for services rendered April 27, 2013 to July 19, 2013 in the amount of \$1,006.24 for the Clarendon Street Bridge Replacement Project.

CARRIED
3 Ayes 1 Nay
Trustee Sheehan Trustee

Miller

Trustee Sidari
Mayor Theodorakos

APPROVED GASB 45 AUDIT

Moved by Trustee Sheehan and seconded by Trustee Miller approving Mayor Theodorakos to sign the agreement with The Burke Group to perform a GASB 45 audit for the fiscal year ending May 31, 2013, the cost will be \$2,400.00.

CARRIED

4 Ayes 0 Nays

CEMETERY DEEDS APPROVED

Moved by Trustee Sheehan and seconded by Trustee Sidari approving Mayor Theodorakos to sign the following

Cemetery Deeds:

Robert Cary Jr	S.G. 581 Deerfield Avenue
Gene Christopher	S.G. 476 & 477 Deerfield Avenue
Janice L Cramer	#43 Evergreen Columbarium
Shannon Devos	#103 Ashwood Way
Mr & Mrs Charles Hucknall	Lot 1693 Woodlawn Avenue E#2
Gloria Lynch	S.G. 450 Deerfield Avenue
Mark Mathes	Lot 1261 Cliff Avenue SE#2
Jacqueline Rhoades	#17 & #18 Evergreen Columbarium
Michael Seaver	S.G. 554 & 555 Deerfield Avenue
Albert T Scalzo	S.G. 514, 515 & 516 Deerfield
Avenue	
Aubrey J Riviere	S.G. 438 Zephyr Avenue

CARRIED

4 Ayes 0 Nays

APPROVED FINAL DESIGN REPORT

Moved by Trustee Sheehan and seconded by Trustee Sidari approving Mayor Theodorakos to sign the "Final Design Report" for the Clarendon Street Bridge Project.

CARRIED

3 Ayes 1 Nay
Trustee Sheehan Trustee

Miller

Trustee Sidari
Mayor Theodorakos

APPROVED PRINCIPAL PAYMENT

Moved by Trustee Sheehan and seconded by Trustee Miller approving the first principal payment to EFC against the \$3,148,768 Short-term Financing for \$7,000.00. The payment will come out of the 2013-2014 sewer budget.

CARRIED

4 Ayes 0 Nays

RENEWAL OF LIQUOR LICENSE

The Board of Trustees received notification from the Albion Lodge 1006 BPO Elks, 428 West State Street, with their

intention of renewing their liquor license.

CORRESPONDENCE

The Board of Trustees received a correspondence from NYMIR Insurance regarding a free seminar they will be holding on August 26, 2013 in Amherst addressing Playground Equipment Inspection and Maintenance. The Board of Trustees would like to know if the Superintendent of Public Works Dale Brooks will be attending or sending someone from his department.

CORRESPONDENCE

The Board of Trustees received a correspondence from Ms Linda Salvatore requesting a Children at Play sign be place on East State Street between Goodrich Street and the end of East State Street or a reminder to respect the speed limit. The information will be given to Police Chief Roland Nenni for his recommendation.

APPROVED LETTER OF SUPPORT

Moved by Trustee Miller and seconded by Trustee Sheehan approving Mayor Theodorakos to send a letter of support to The First United Methodist Church for a grant application they will be submitting to help with renovations and repairs at their church.

CARRIED

4 Ayes

0 Nays

CORRESPONDENCE

The Board of Trustees received a correspondence from the Albion Youth Sports Athletic Program with the following days they are requesting to use Bullard Park:
August 24, 2013, September 14, 2013, September 21, 2013, October 5, 2013 and October 19, 2013

The Village Clerk will forward the dates to Recreation Director John Grillo.

APPROVED SALE OF TRUCK

Moved by Trustee Sheehan and seconded by Trustee Sidari approving high bid from Mr Jeff VanNostrand to purchase the Village's 1990 Ford F250 that was declared surplus property for \$551.51.

CARRIED

4 Ayes

0 Nays

APPROVED EMPLOYEES REQUEST

Moved by Trustee Sheehan and seconded by Trustee Sidari approving request from Officer Robert Wagner to receive the opt out pay for health insurance. Per Officer Wagner's request he was removed from the Village's insurance July 31, 2013. He qualifies to receive a pro-rated payment for 10 months.

CARRIED

4 Ayes

0 Nays

SELF INSURANCE

Moved by Trustee Sheehan and seconded by Trustee Sidari approving the Ladies Auxiliary, now referred to as

the Support Staff be added to the Village Self Insurance Plan.

CARRIED
4 Ayes 0 Nays

MILLING SCHEDULE

The Board or Trustees received notification from the Superintendent of Public Works Dale Brooks about the following street milling project that his department will be doing:

West State Street and Erie Street - August 21 and August 22, 2013

CORRESPONDENCE

The Board of Trustees received a correspondence from the Town of Barre questioning the water rate increase which was going to be effective October 1, 2013.

Moved by Trustee Sheehan and seconded by Trustee Miller approving that because of the timing, the rate increase will take effect January 1, 2014 for all the Towns. The Village Clerk will send letters to them with the new effective date.

CARRIED
4 Ayes 0 Nays

DOUBLE Q AGILITY DONATION

The Board of Trustees received a donation of \$500 from Double Q Agility Club of Western New York for the use of Bullard Park July 2013. They also included the dates for next year's agility trial, which will be held July 18, 2013 through July 20, 2013.

APPROVED LETTER OF INTENT

Moved by Trustee Sidari and seconded by Trustee Sheehan approving Mayor Theodorakos to send a letter of intent to purchase the Fire Chief's vehicle through the State bid.

CARRIED
4 Ayes 0 Nays

CDBG

The Village will not be applying for a CDBG grant which would have been used to replace the sanitary sewers on Crimson Drive, part of East State Street and the first block of Caroline Street. There were not enough income surveys turned in to help support the grant. Mayor Theodorakos thanked Trustee Banker and Trustee Sidari for going door-to-door to inform the residents about how important it was to turn the surveys in.

BULLARD PARK APPL

Mr Ed Flynn from LaBella Associates notified the Board of Trustees that the grant application for Improvements to Bullard Park has been submitted.

APPROVED PAYMENT OF BILLS

Moved by Trustee Miller and seconded by Trustee Sheehan approving the payment of the following Village bills:

general Fund voucher #16396 \$62,258.45

Water Fund to #16584 \$18,120.61
Sewer Fund \$16,345.16

CARRIED

4 Ayes 0 Nays

MURAL

The Board of Trustees discussed the mural that will be placed in Waterman Park. It will be placed on poles instead of on the wall of one of the buildings. The Board discussed the mural that will be placed in Waterman Park. It will be placed on poles instead of on the wall of one of the buildings. Tom Rivers stated he can get the funding for the poles. The DPW will install the poles

DOWNTOWN SPEAKERS

There was a discussion on the speakers for downtown. Code Enforcement Officer Ron Vendetti will schedule a meeting to include two Town Board members, someone from Medina who is involved with their downtown music, Mayor Theodorakos and himself to iron out the details.

DOWNTOWN MERCHANTS

Discussed having a volunteer to assist the downtown merchants group. Code Enforcement Officer Ron Vendetti will provide more details at the Workshop Meeting August 28, 2013.

REQUEST FROM MENS LEAGUE

Moved by Trustee Sidari and seconded by Trustee Sheehan approving the Men's League to play more than the one game per field at Bullard Park for their playoff games on Sunday, August 18, 2013. This is a good faith gesture and if there are any problems they may be in jeopardy of not playing any games at Bullard next year.

CARRIED

4 Ayes 0 Nays

EXECUTIVE SESSION

Moved by Trustee Sheehan and seconded by Trustee Sidari to adjourn to executive session for litigations at 8:26 PM.

CARRIED

4 Ayes 0 Nays

EXECUTIVE SESSION CLOSED

Moved by Trustee Sidari and seconded by Trustee Miller to come out of executive session at 8:53 PM.

CARRIED

4 Ayes 0 Nays

APPROVED PERMANENT TRANSFERS

Moved by Trustee Sheehan and seconded by Trustee Sidari approving the following as permanent transfers:

DUE FROM		DUE TO	
General	\$36,676	Water	\$100,278

Sewer \$16,758
Trust and Agency \$19,487
Capital \$27,357

CARRIED
4 Ayes 0 Nays

MEETING ADJOURNED

Moved by Trustee Miller and seconded by Trustee Sheehan that there being no further business, meeting is hereby adjourned at 9:01 PM.

CARRIED
4 Ayes 0 Nays

Respectfully submitted,

Linda K Babcock
Clerk-Treasurer

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August 23, 2013: Special Meeting

Body:

A Special Meeting of the Board of Trustees of the Village of Albion was held Friday, August 23, 2013 at 5:00 PM, at 35 East Bank Street, Albion, New York.

Present were Mayor Dean A Theodorakos, Trustees Fred Miller and Eileen S Banker.

Absent were Trustee Peter Sidari and Kevin P Sheehan.

Also present were the Code Enforcement Officer Ron Vendetti and 5 residents.

Mayor Theodorakos opened the meeting with the pledge of allegiance at 5:03 PM.

FARMERS MARKET

The Board of Trustees discussed the Downtown Farmers Market. Items discussed:

- Moving the market to the Main Street Parking Lot instead of not having it at all
- Concerns about the safety and wellbeing of Village residents
 - Concerns on how someone would react when having a camera shoved in their face
 - How a certain few residents claim they want to fix Albion and how it seems all they want to do is destroy it
 - How the downtown merchants were happy with having the market downtown Sunday mornings the merchants had expressed an interest in having it on Thursday nights

Moved by Trustee Banker and seconded by Mayor Theodorakos to discontinue the Downtown Farmers Market until next year. Mayor Theodorakos thanked the Code Enforcement Officer Ron Vendetti for volunteering his services to help bring business downtown.

CARRIED

3 Ayes 0 Nays

MEETING ADJOURNED

Moved by Trustee Banker and second by Trustee Miller that there being no further business, meeting is hereby adjourned at 5:12 PM.

CARRIED

3 Ayes 0 Nays

Respectfully submitted,

Linda K Babcock,
Clerk-Treasurer

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August 28, 2013: Workshop Meeting

Body:

The Workshop Meeting of the Board of Trustees of the Village of Albion was held Wednesday, August 28, 2013 at 7:00 PM, at 35 East Bank Street, Albion, New York.

Present were Mayor Dean A Theodorakos, Trustees Eileen S Banker, Fred Miller, Kevin P Sheehan, Peter Sidari and Attorney John C Gavenda.

There were no residents in attendance.

Mayor Theodorakos opened the meeting with the pledge of allegiance at 7:00 PM.

DEPT HEAD

The Superintendent of Public Works Dale Brooks will provide the Board of Trustees with firm numbers at the September 11, 2013 Regular Board Meeting for the request he made to purchase a truck and/or loader.

Trustee Miller asked the Superintendent of Public Works Dale Brooks if there was any way that he could patch the bad spots in the first block of Caroline Street.

Trustee Miller stated he realizes that the Village needs to replace the storm sewers in that area, but because the response from the residents was poor, the Village couldn't apply for the funds to cover the cost. The work will have to be done when the Village can afford it.

PROJECT COORDINATOR

Moved by Trustee Banker and seconded by Trustee Sheehan approving the Service Agreement for the Project Coordinator pending Attorney Gavenda's corrections. Ms Sidney Beaty will be the Project Coordinator for two months to act as a planner/manager for advancement, promotion of the Historic resources, the canal and the community of Albion for no pay. The Village agrees to provide office space and logistical support for her work on behalf of the Village.

CARRIED

5 Ayes

0 Nays

BEGGAR'S NIGHT

Moved by Trustee Sidari and seconded by Trustee Sheehan approving to have the Beggar's Night event covered under the Village's insurance policy.

CARRIED

5 Ayes

0 Nays

DEPARTMENT HEAD REPORTS

The Board of Trustees received monthly reports from the Animal Control Officer Harry Papponetti, Department of Public Works Dale Brooks, Police Chief Roland

Nenni, Code Enforcement Officer Ron Vendetti, Cemetery Supervisor Jason Zicari, Village Clerk Linda Babcock and the Water Treatment Plant Superintendent Kevin Miller.

The Board of Trustees didn't receive a monthly report from the Superintendent of the Pollution Control Plant Aric Albright.

The Board of Trustees discussed the weeds in the garden in front of Krantz's Furniture. Trustee Banker volunteered to plant mums in the garden with the Village Clerk Linda Babcock helping.

CERTIFICATE OF APPRECIATION

Mayor Theodorakos presented Mr Allen Sanford a Certificate of Appreciation for his design, construction and donation of the mobile performing arts stage. This Eagle Scout Service Project exemplifies an outstanding commitment to the Scouting Program and the entire community. Mr Sanford stated that he envisioned it to be used at concerts on the Court House lawn or at Bullard Park and community events. The Board of Trustees thanked Mr Sanford for his hard work on the project.

INSPECTION REPORT

The Code Enforcement Officer Ron Vendetti will send the Board Trustees a copy of what he has posted on the houses that go up for County Auction stating an architect or engineer is required to do an evaluation of the structure. Also, that a building permit will need to be obtained to gain a certification of occupancy.

DRAINAGE ON CLINTON TO LIBERTY STREET

Attorney Gavenda will order a Title Search (abstract) to see if the Village has an easement on the Pilon property at 150 Liberty Street.

DRAINAGE ISSUE ON MOORE STREET

Clerk-Treasurer Linda Babcock will draft a letter to Mrs Monnier regarding her drainage issue at her house on Moore Street. The Village stands by Chatfield Engineers findings.

TREE ISSUE

The Superintendent of Public Works will check a Village tree at 204 East Bank Street which the owner states is hanging over her house.

WTP CIVIL SERVICE LIST

The Board of Trustees will start the process of hiring a new employee for the Water Treatment Plant at the October 23, 2013 Workshop Meeting.

SERGEANT CIVIL SERVICE LIST

Moved by Trustee Sheehan and seconded by Trustee Miller approving Mayor

Theodorakos to request the Police Sergeant Civil Service List, per Chief Nenni's recommendation.

CARRIED

5 Ayes

0 Nays

APPROVED MINUTES

Moved by Trustee Miller and seconded by Trustee Sheehan that in as much as each member received copies of the minutes of August 14, 2013 and August 23, 2013 and there being one error or omission on the August 14, 2013 minutes, minutes are hereby approved with the following correction:

Page 1 Resident - the spelling of Jim Salmon's last name

CARRIED

5 Ayes

0 Nays

APPROVED PAYMENT TO MCGILL

Moved by Trustee Sidari and seconded by Trustee Banker approving payment to Timothy R McGill for services rendered in connection with the issuance of the \$100,000 Bond Anticipation Note for \$720.00.

CARRIED

5 Ayes

0 Nays

APPROVED PAYMENT TO FORBES

Moved by Trustee Sheehan and seconded by Trustee Sidari approving payment to Edith E Forbes for services rendered on July 10, 2013 in the amount of \$315.00.

CARRIED

5 Ayes

0 Nays

PAYMENT TO SANSONE

Attorney Gavenda informed the Board of Trustees he will take care of the bill from John S Sansone, Attorney at Law for services rendered in July for \$114.00.

APPROVED LEASE AGREEMENT FOR BALDWIN

Moved by Trustee Sidari and seconded by Trustee Sheehan approving to renew Bernard Baldwin's lease agreement for his office space at 121 North Main Street. There will be a 2% increase. The Board of Trustees also approved Mr Baldwin's request to have a 6 month opt out added to the lease. Attorney Gavenda will redo the lease agreement with the changes.

CARRIED

5 Ayes

0 Nays

NYS MAIN STREET STREETSCAPE

Moved by Trustee Banker and seconded by Trustee Sidari approving the Alternative Proposal for NYS Main Street Grant Streetscape Projects as submitted by Ms Katelin Olson, Interim Executive Director of the Albion Main Street Alliance.

CARRIED

5 Ayes

0 Nays

APPROVED ACTION AGAINST

Moved by Trustee Banker and seconded by Mayor Theodorakos authorizing Attorney Gavenda to institute action against Mr Dan Dunn for the demolition and the removal of his building at 125 Liberty Street.

CARRIED

5 Ayes

0 Nays

FIRST UNITED METHODIST CHURCH

The Board of Trustees discussed the First United Methodist Church's structural issues and would like to know if the Code Enforcement Officer Ron Vendetti has or needs to address their problem.

BOARD BROKEN WINDOWS

The Board of Trustees asked the Superintendent of Public Works to board up the broken windows at 134 West Bank Street.

EXECUTIVE SESSION

Moved by Trustee Sheehan and seconded by Trustee Miller to adjourn to executive session for litigation issues at 8:45 PM.

CARRIED

5 Ayes

0 Nays

EXECUTIVE SESSION CLOSED

Moved by Trustee Sidari and seconded by Trustee Sheehan to come out of executive session at 9:02 PM.

CARRIED

5 Ayes

0 Nays

MEETING ADJOURNED

Moved by Trustee Miller and seconded by Trustee Sidari that there being no further business, meeting is hereby adjourned at 9:03 PM.

CARRIED

5 Ayes

0 Nays

Respectfully submitted,

Linda K Babcock
Clerk-Treasurer

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September 11, 2013: Regular Meeting

Body:

The Regular Meeting of the Board of Trustees of the Village of Albion was held Wednesday, September 11, 2013 at 7:00 PM, at the Village Hall, 35 East Bank Street, Albion, New York.

Present were Mayor Dean A Theodorakos, Trustees Fred Miller, Peter Sidari and Attorney John C Gavenda.

Trustee Kevin P Sheehan was absent and Trustee Eileen S Banker entered meeting late.

Also in attendance was Department of Public Works Superintendent Dale Brooks and Code Enforcement Officer Ron Vendetti. There were 18 residents and students present.

Mayor Theodorakos opened the meeting with the pledge of allegiance at 7:00 PM.

RESIDENTS

The Board of Trustees denied Ms Beverly Salisbury request to remove the \$100 charge for a frozen meter.

The Board of Trustees denied Ms Barbara Dyserd request to remove the \$75 turn on fee.

DEPARTMENT HEAD

The Board of Trustees discussed the following regarding the purchasing of a new truck and/or loader:

Mayor Theodorakos will discuss with Chuck Bastian (Bond Counsel) to see what ideas he has regarding the financing of them

Leasing and paying per hour for use of a loader

Taking the current loader to auction October 5th

Financing for 7 years is a 2.42% and 10 years is 2.75%

The Board of Trustees will continue discussing at the September 25, 2013 Workshop Meeting.

APPROVED SCRAP METAL PROCEEDS TO PARTS & REPAIRS

Moved by Trustee Miller and seconded by Trustee Sidari approving the Superintendent of Public Works Dale Brooks request to put the funds from the scrap metal (\$1,023.05) back to A1640.426 - parts & repairs.

CARRIED

3 Ayes

0 Nays

Moved by Trustee Miller and seconded by Trustee Sidari approving to scrap the 1990 Ford if the person who was high bidder at the August 14, 2013 sealed bid opening doesn't pay for the vehicle by September 12, 2013.

CARRIED

3 Ayes

0 Nays

ORLEANS COUNTY IDA REQUEST

The Superintendent of Public Works Dale Brooks received a request from the Orleans County IDA regarding having a personal alarm for their office at 121 North Main Street set up with the Village's alarm system. Mr Brooks is looking into whether it can be done and will bring information to the Workshop Meeting September 25, 2013.

APPROVED APPLICATION

Moved by Trustee Sidari and seconded by Trustee Miller approving Code Enforcement Officer Ron Vendetti and Ms Sidney Beauty's request to submit and match the \$1,000 grant in next year's budget for the application to GO ART. The grant application is due October 1, 2013 and will be used for a free concert series to be held next year.

CARRIED

3 Ayes

0 Nays

ACCEPT TREASURERS REPORT

Moved by Trustee Miller and seconded by Trustee Sidari accepting the Treasurer's Report for August 2013.

CARRIED

3 Ayes

0 Nays

APPROVED MINUTES

Moved by Trustee Sidari and seconded by Trustee Miller that in as much as each member received copies of the minutes of August 28, 2013 and there being no errors or omissions, minutes are hereby approved as written.

CARRIED

3 Ayes

0 Nays

APPROVED PAYMENT FROM BAN FUNDS

Moved by Trustee Sidari and seconded by Trustee Miller approving the following to be

paid out of the \$100,000 BAN:

Barre Stone Products	\$8,265.85
Killian Construction	\$8,240.40

CARRIED

3 Ayes

0 Nays

APPROVED PAYMENT CHATFIELD BILLS

Moved by Trustee Miller and seconded by Trustee Sidari approving the following bills submitted by Chatfield Engineers to be paid:

JMIPCF Capital Improvement Plan	09-924-36	
\$20,745.60		
Washington Street Drainage	11-1024-3	\$
250.00		
	CARRIED	
	3 Ayes	0 Nays

APPROVED PAYMENT TO LABELLA

Moved by Trustee Miller and seconded by Trustee Sidari approving the payment of \$1,250.00 to LaBella Associates for submitting the 2013 CFA Environmental Protection Fund (EPF) Parks Application.

CARRIED
3 Ayes 0 Nays

APPROVED TO SIGN CANCELLATION OF CONTRACT

Moved by Trustee Miller and seconded by Trustee Sidari approving Mayor Theodorakos to sign the "Cancellation and Release of Purchase and Sale Contract" with Mr Gary Derwick for the property at 61 Brown Street.

CARRIED
3 Ayes 0 Nays

APPROVED PAYMENT TO ELMER DAVIS

Moved by Trustee Miller and seconded by Trustee Sidari approving payment to Elmer W Davis Company for Pay Application's #3 and #4 in the amount of \$13,440.00 for work performed for the Visitor's Center Roof Replacement project as recommended by Chatfield Engineers.

The Board of Trustees approved to pay for the Pay Application's out of the unappropriated Capital Reserves fund. Chatfield Engineers also sent the following documents for the Village files:

- Consent of Surety to Final Payment
- Contractor's Affidavit of Payment of Debts and Claims
- Contractor's Affidavit of Release of Liens
- Certified Payroll Statement of Compliance dated 10/1/12

through 11/4/12

CARRIED
3 Ayes 0 Nays

BULLARD PARK EQUIPMENT

The Board of Trustees discussed the Recreation Committee's recommendation to purchase a swing set for Pee Wee Park in the amount of \$1,700.00. The Superintendent of Public Works Dale Brooks will provide the Board of Trustees with the cost of the boarder and ground cover to place under the swing set at the September 25, 2013 Workshop Meeting.

BEGGAR'S NIGHT

Moved by Trustee Sidari and seconded by Trustee Miller approving the request from the Albion Merchant's group to donate \$250 for Beggars Night. The funds will come from the Publicity Account. The merchants will also be asked to donate a nominal fee towards the candy which will be bought locally.

CARRIED
3 Ayes 0 Nays

APPROVED TRANSFER OF FUNDS

Moved by Trustee Sidari and seconded by Trustee Miller approving to transfer \$120.00 from A 1355.402 to A 6410.402 to cover the cost of the candy for Beggar's Night.

CARRIED
3 Ayes 0 Nays

CORRESPONDENCE

The Board of Trustees received notice that the next Northwestern Frontier Association of Village Officials will be held in Barker on Wednesday, October 16, 2013.

EXECUTIVE SESSION

Moved by Trustee Sidari and seconded by Trustee Miller to adjourn to executive session for litigation and personnel matters at 8:03 PM.

CARRIED
3 Ayes 0 Nays

Trustee Eileen S Banker entered meeting at 8:05 PM.

EXECUTIVE SESSION CLOSED

Moved by Trustee Sidari and seconded by Trustee Banker to come out of executive session at 9:50 PM.

CARRIED
4 Ayes 0 Nays

APPROVED PAYMENT OF BILLS

Moved by Trustee Sidari and seconded by Trustee Miller approving the payment of the following Village bills:

General Fund	voucher #16608	
\$84,324.27		
Water Fund	to #16854	
\$80,598.66		
Sewer Fund		\$15,028.54

CARRIED
4 Ayes 0 Nays

MEETING ADJOURNED

Moved by Trustee Miller and seconded by Trustee Sidari that there being no further business, meeting is hereby adjourned at 9:51 PM.

CARRIED

4 Ayes

0 Nays

Respectfully submitted,

Linda K Babcock
Clerk-Treasurer

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August 21, 2013: Planning Board Meeting

Body:

**VILLAGE OF ALBION
PLANNING BOARD MEETING
August 21, 2013**

PRESENT:

Dan Gleason, Cliff Thom, John Andrews, Chris Buongiorno and Steve Corrigan

ALSO IN ATTENDANCE:

CEO Vendetti, Brian Buchard (Dunkin Donuts)

CALLED TO ORDER:

Cliff opened the meeting at 7:02 pm. The Pledge of Allegiance followed

APPROVAL OF MINUTES:

A motion was made by Chris , seconded by John to approve the minutes of the July 17, 2013 meeting as written.

Motion passed unanimously

PUBLIC HEARING FOR A MINOR SUBDIVISION AT: 39 NORTH MAIN STREET (73.6-3-61)

A motion was made by Chris, seconded by Steve to open the public hearing for the minor subdivision at 7:04pm

Motion passed unanimously

There was no one present from the public to speak, regarding the minor subdivision.

A motion was made by Chris, seconded by Steve to close the public hearing at 7:05pm

Motion passed unanimously

PUBLIC HEARING FOR A MINOR SUBDIVISION AT: 114 NORTH MAIN STREET (73.23-1-35.1)

A motion was made by Cliff, seconded by Steve to open the public hearing for the minor subdivision at 7:05 pm.

Motion passed unanimously

There was no one present from the public to speak regarding the minor subdivision.

A motion was made by Steve, seconded by Chris to close the public hearing at 7:06 pm

Motion passed unanimously

PUBLIC HEARING FOR A MINOR SUBDIVISION AT : 230 SOUTH MAIN STREET (73.10-1-28.1)

A motion was made by Chris, seconded by Steve to open the public hearing for the minor subdivision at 7:06 pm.

Motion passed unanimously

There was no one present from the public to speak regarding the minor subdivision.

A motion was made by Steve, seconded by Chris to close the public hearing at 7:07 pm

Motion passed unanimously

APPROVE MINOR SUBDIVISION AT: 39 NORTH MAIN STREET (73.6-3-61)

A motion was made by Chris, seconded by Cliff to approve the minor subdivision at 39 North Main Street.

Motion passed unanimously

APPROVE MINOR SUBDIVISION AT: 114 NORTH MAIN STREET (73.23-1-35.11)

A motion was made by Steve, seconded by Cliff to approve the minor subdivision of 114 North Main Street.

Motion passed unanimously

-

MINOR SUBDIVISION AT : 230 SOUTH MAIN STREET (73.10-1-28.1)

A motion was made by Chris, seconded by Steve to approve the minor subdivision of 230 South Main Street.

Motion passed unanimously

-

153 SOUTH MAIN STREET / DUNKIN DONUTS

Brian Buchard (CHA Consulting) addressed the board concerning the proposed Dunkin Donuts to be located at 153 South Main Street. He attended last month's meeting and discussed the preliminary plans for the site. Mr. Buchard returned this month with plans for the site. He reviewed grading, a retaining wall (requested by the Planning Board), demolition plans for the current structure, landscaping, lighting, erosion control, signage and the building facade.

The Planning Board requested a directional sign be added on the Platt Street entrance.

A motion was made by Steve, seconded by Chris to allow the plans for Dunkin Donuts to be sent to the

Orleans County Planning Board for review at their September meeting.

Motion passed unanimously

NEXTMEETING:

Wednesday September 18, 2013 at 7pm

ADJOURN.

A motion was made by Cliff, seconded by John to adjourn the meeting at 7:39 pm.

Motion passed unanimously

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doubt, please call the town offices for clarification.

October 02, 2013: Planning Board Meeting

Body:

VILLAGE OF ALBION PLANNING BOARD MEETING October 2, 2013

PRESENT:

Dan Gleason, Cliff Thom, Chris Buongiorno and Steve Corrigan

ABSENT: John Andrews

ALSO IN ATTENDANCE:

Brian Buchard (Dunkin Donuts)

CALLED TO ORDER:

Cliff opened the meeting at 7:00 pm. The Pledge of Allegiance followed

APPROVAL OF MINUTES:

A motion was made by Cliff, seconded by Chris to approve the minutes of the August 21, 2013 meeting as written.

Motion passed unanimously

FINAL SITE PLAN REVIEW : 153 SOUTH MAIN STREET / DUNKIN DONUTS

Brian Buchard (CHA Consulting) was present on behalf of the proposed Dunkin Donuts to be located at

153 South Main Street. Mr. Buchard returned this month for final site plan approval. The Orleans County Planning Board reviewed

the plan at their last meeting and recommended a "drive thru" turning lane be added to allow additional stacking for customers entering from Platt

Street. Mr. Buchard's new plan reflects this change. The Village Planning Board has asked that the turning radius be modified so it is not at such a "sharp angle". Mr.

Buchard indicated that Dunkin Donuts was willing to address any issues that may arise during the first year of operation with Code Enforcement Officer Ronald

Vendett and determine the best way to correct them.

NEGATIVE DECLARATION : 153 South Main Street

A motion was made by Cliff, seconded by Steve to grant a

Negative Declaration (SEQR) for the Dunkin Donuts project to be located at : 153 South Main Street.

Motion passed unanimously

FINAL SITE PLAN APPROVAL: 153 South Main Street

A motion was made by Steve, seconded by Cliff to approve the final site plan for Dunkin Donuts to be located at 153 South Main Street.

Motion passed unanimously

ADAPTIVE RE-USE OVERLAY

The board reviewed the Adaptive Re-Use Overlay District with the changes made by the Village attorney.

A motion was made by Cliff, seconded by Chris to recommend the Village Board adopt the Adaptive Re-Use Overlay District as written.

Motion passed unanimously

NEXT MEETING: Wednesday November 20, 2013 at 7pm

ADJOURN

A motion was made by Chris, seconded by Cliff to adjourn the meeting at 7:18 pm.

Motion passed unanimously

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September 25, 2013: Workshop Meeting

Body:

The Workshop Meeting of the Board of Trustees of the Village of Albion was held Wednesday, September 25, 2013 at 7:00 PM, at 35 East Bank Street, Albion, New York.

Present were Mayor Dean A Theodorakos, Trustees Eileen S Banker, Fred Miller, Kevin P Sheehan, Peter Sidari and Attorney John C Gavenda.

Also in attendance was Superintendent of Public Works Dale Brooks, Code Enforcement Officer Ron Vendetti and Police Chief Roland Nenni. There was 1 resident in attendance.

Mayor Theodorakos opened the meeting with the pledge of allegiance at 7:00 PM.

DEPARTMENT HEAD REPORTS

The Board of Trustees received monthly reports from the Animal Control Officer Harry Papponetti, Department of Public Works Dale Brooks, Police Chief Roland Nenni, Code Enforcement Officer Ron Vendetti, Cemetery Supervisor Jason Zicari, Village Clerk Linda Babcock, the Water Treatment Plant Superintendent Kevin Miller and the Superintendent of the Pollution Control Plant Aric Albright.

DEPT HEAD

Moved by Trustee Banker and seconded by Trustee Miller approving to appoint Officer William Scribner as Police Sergeant from the Orleans County Civil Service List effective September 29, 2013. Sergeant Scribner's probationary period will be for 26 weeks.

CARRIED

5 Ayes 0 Nays

Sergeant Scribner will be officially sworn in at the October 9, 2013 Regular Board Meeting.

DOWNTOWN MUSIC

The Board of Trustees discussed the music for downtown. Ms Sidney Beaty provided the results of a poll she did with the merchants to see if they thought it would be a good use of funds:

14 approved 5 disapproved

The Board would like Ms Beaty to attend the next workshop meeting to give a report on how things are going over all.

DPW ITEMS DISCUSSED

The Superintendent of Public Works Dale Brooks informed the Board of Trustees

that the frame work is ready for the mural and it just needs to be placed in the ground.

The Rotary is going to donate the signs entering into the Village to the Village of Albion at their next meeting. The DPW will repair the worst one coming into the Village which is located on East Avenue.

The Board of Trustees thanked Mr Brooks for the new LED lights his department has installed downtown and stated they are very happy with them and the light they give off.

Mayor Theodorakos and Trustee Miller will be meeting with Mr Brooks Friday, September 27 at 6:30AM to discuss his request to purchase a new loader and/or truck for his department.

The Board of Trustees tabled the purchase of a swing set for Pee Wee Park until they hear whether the Village will be awarded the 2013 Consolidated Funding Application Grant for improvements to Bullard Park.

PLANNING BOARD PAY

The Board of Trustees determined to leave the new pay rate for the Planning Board as is.

TOWN OF BARRE WATER CONTRACT

Mayor Theodorakos, Superintendent of Public Works Dale Brooks and the Superintendent of the Water Treatment Plant Kevin Miller will be meeting with the Town of Barre Supervisor Mark Chamberlain about the Water Agreement that will expire in December 2013. The meeting is scheduled for Thursday October 3, 2013 at 6:00 PM.

APPROVED MINUTES

Moved by Trustee Miller and seconded by Trustee Sheehan that in as much as each member received copies of the minutes of September 11, 2013 and there being no error or omissions, minutes are hereby approved.

CARRIED

5 Ayes 0 Nays

APPROVED PAYMENT TO OSBORN, REED & BURKE

Moved by Trustee Miller and seconded by Trustee Banker approving payment to Osborn, Reed & Burke LLP for services rendered the month of August 2013 in the amount of \$478.50.

CARRIED

5 Ayes 0 Nays

TABLED PAYMENT TO LABELLA

The Board of Trustees tabled approving payment to LaBella Associates in the amount of \$500 for the household income surveys for the 2013 CDBG Grant.

APPROVED CEMETERY DEEDS

Moved by Trustee Sheehan and seconded by Trustee Miller approving Mayor Theodorakos to sign the following Cemetery Deeds:

Noreen A Dixon	S.G. 553 Deerfield Avenue
Roy Daniels	S.G. 448 and 449 Deerfield Avenue
Christine Mufford	S.G. 25 Deerfield Avenue
Mary J Mullins	S.G. 548-552 Deerfield Avenue

CARRIED
5 Ayes 0 Nays

APPROVED STREET CLOSING

Moved by Trustee Sheehan and seconded by Trustee Sidari approving Ms Rebekah Karls request to close East State Street between Platt Street and Ingersoll Street to hold a Car Show to benefit HOSPICE on September 29, 2013 from 11:00 AM - 5:00 PM. Code Enforcement Officer Ron Vendetti, Police Chief Rolland Nenni and the Superintendent of Public Works Dale Brooks will meet with her to go over what her plans are.

CARRIED
5 Ayes 0 Nays

TABLED PENALTIES REMOVED

The Board of Trustees tabled approving Ms Deborah Cook's request to forgive the penalties from her Village tax bill that she is responsible for. The Village Clerk will check with the Orleans County Assessor to see when/if her address was changed with them.

CORRESPONDENCE

The Board of Trustees received a correspondence from LaBella Associates regarding applications being accepted for the 2013 Water Quality Improvement Projects Program.

YARD SALES

The Code Enforcement Officer will be working on a Local Law regarding yard sales.

PAYMENT OF LIFE INSURANCE BILL

Moved by Trustee Sheehan and seconded by Trustee Sidari approving the payment to VESO Life Term Insurance for volunteers for the Albion Fire Department pending Trustee Sheehan talking with Mr Chris Haines to see if there is money left over in the insurance line item. If there will be no money left over, the Board of Trustees will need to discuss where to pay from.

CARRIED
5 Ayes 0 Nays

EXECUTIVE SESSION

Moved by Trustee Sidari and seconded by Trustee Banker to adjourn to executive session for contract negotiations and litigation issues at 8:22 PM.

CARRIED
5 Ayes 0 Nays

EXECUTIVE SESSION CLOSED

Moved by Trustee Sidari and seconded by Trustee Miller to come out of executive session at 8:41 PM.

CARRIED
5 Ayes 0 Nays

MEETING ADJOURNED

Moved by Trustee Sheehan and seconded by Trustee Sidari that there being no further business, meeting is hereby adjourned at 8:42 PM.

CARRIED

5 Ayes

0 Nays

Respectfully submitted,

Linda K Babcock

Clerk-Treasurer

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October 09, 2013: Regular Board Meeting

Body:

The Regular Meeting of the Board of Trustees of the Village of Albion was held Wednesday, October 9, 2013 at 7:00 PM, at the Village Hall, 35 East Bank Street, Albion, New York.

Present were Mayor Dean A Theodorakos, Trustees Eileen S Banker, Fred Miller, Kevin P Sheehan and Attorney John C Gavenda.

Trustee Peter Sidari was absent.

Also in attendance was Department of Public Works Superintendent Dale Brooks. There were 26 residents and students present.

Mayor Theodorakos opened the meeting with the pledge of allegiance at 7:00 PM.

SERGEANT SCRIBNER SWORN INTO OFFICE

Sergeant William Scribner was sworn into office as the newest Police Sergeant of the Albion Police Department. Mrs Dena Scribner held the bible for her husband as Village Clerk swore Sergeant Scribner into his new role in the Police Department who has been with the department. Sergeant Scribner has been with the department since March 2005.

UPDATE ON VILLAGE PROJECTS

Village Program Coordinator Ms Sidney Beaty was present to provide the Board of Trustees with an update on the following projects she has been working on the last two months:

- Downtown Speakers
- Go Arts Grant & Summer 2014 Concert Series
- Albion Shopping Tour set for October 19
- Beggar's Night set for October 25

Future Projects and Events include:

- Hometown Holidays
- Downtown Brochure
- Country Byways Bus Tours
- Walking Tour Map

Ms Beaty has been volunteering her time for two months to show the Board of Trustees how beneficial it would be to have a Program Coordinator. There were two business owners present that spoke in favor of creating a position for Ms Beaty. They stated that she has been very helpful, has long term ideas, is extremely approachable and has reached out beyond the downtown businesses.

DEPT HEAD

Moved by Trustee Sheehan and seconded by Trustee Miller approving Police Chief Roland Nenni's request to declare the following as surplus equipment:

APPROVED PAYMENT TO BARRE STONE

Moved by Trustee Sheehan and seconded by Trustee Banker approving payment out of the \$100,000 Bond money for the following invoices:

Barre Stone Products	Invoice # 2031	\$
460.03		
Barre Stone Products	Invoice	
#2041	\$70,402.72	

CARRIED

4 Ayes 0 Nays

The \$100,000 Bond money has now been completely expended.

APPROVED PAYMENT FROM WTP RESERVES

Moved by Trustee Sheehan and seconded by Trustee Miller approving payment from the Water Treatment Plant Capital Reserves for the following:

USA Blue Book	Invoice #160861	\$1,545.77
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CARRIED

4 Ayes 0 Nays

APPROVED LEASE AGREEMENT

Moved by Trustee Sheehan and seconded by Trustee Miller approving to renew Crossroads Abstract Corporation's lease which expires on November 30, 2013. The terms will be a 2% increase for one year.

CARRIED

4 Ayes 0 Nays

APPROVED TRUCK PURCHASE

Moved by Trustee Sheehan and seconded by Trustee Banker approving to replace vehicle 803, which was used to salt in the winter months. The new vehicle will be utilized all seasons by equipping the vehicle with a hook lift to exchange the apparatus. The balance of the CHIPS money will be used towards the truck, \$9,556 will be used from the Capital Equipment Reserves account and the balance will be financed for 10 years.

CARRIED

4 Ayes 0 Nays

TREE REMOVAL/REPLACEMENT

Moved by Trustee Miller and seconded by Trustee Sheehan approving the Superintendent of Public Works Dale Brooks recommendation to remove and replace the trees at the Canal Park east of gazebo and one in front of 11 Ingersoll Street that has grown over the water curb stop.

CARRIED

4 Ayes 0 Nays

Moved by Trustee Miller and seconded by Trustee Sheehan that in the future the Superintendent of Public Works Dale Brooks can discuss his recommendations regarding future tree removal and/or replacement with his two Trustees instead having to get Board approval.

CARRIED

4 Ayes 0 Nays

CRIMSON DRIVE SANITARY SEWER

In order to eliminate any construction interruptions and comply with the Clarendon Street Bridge Project, the village will need to replace or rehabilitate a sanitary main located on Crimson Drive from the corner of Clarendon Street and Crimson Drive to the 1st manhole west of Clarendon Street, manhole 321 to 320. The Superintendent of Public Works Dale Brooks told the Board of Trustees that it was proposed by Clarke Patterson Lee Engineering to use a process called "Cured-in-Place Pipe" or (CIPP). The process will provide a liner inside the existing sewer pipe, in lieu of replacing the existing sewer by open cut method. This method of rehabilitation would be considerably less invasive to residents, can be completed in a matter of a few hours and with a costs savings. The manhole on Crimson is structurally sound and could be sprayed with a liner to protect it in the future.

RESIDENT REQUEST

Moved by Trustee Banker and seconded by Trustee Miller approving the request from Ms Moira Flannery for a break on the sewer portion of her water/sewer bill in the amount of \$119.96 per the recommendation of the Superintendent of Public Works Dale Brooks. Her rental apartment had a toilet overflow causing her to replace the floors.

CARRIED

4 Ayes 0 Nays

RESIDENT REQUEST

Moved by Trustee Banker and seconded by Trustee Miller approving the request from Ms Christina Lesczinski for a break on the sewer portion of her water/sewer bill in the amount of \$333.49 per the recommendation of the Superintendent of Public Works Dale Brooks. She had a leak under her mobile home.

CARRIED

4 Ayes 0 Nays

ADAPTIVE REUSE OVERLAY DISTRICT

Moved by Trustee Miller to adopt the "Adaptive Reuse Overlay District", there was no second. Motion died. After a brief discussion, the Board of Trustees took no action on adopting the "Adaptive Reuse Overlay District". There was one resident present who spoke against adopting it.

TABLED PRESBYTERIAN CHURCH REQUEST

The Board of Trustees tabled approving the request from the Presbyterian Church to place a "may peace prevail on earth" sign in the green space that the Village owns, next to their church. The Board of Trustees would like the Superintendent of Public Works Dale Brooks to bring the plans for the parking lot to the Workshop Meeting on October 23, 2013. They also asked Attorney Gavenda to bring the survey of the Village's property.

CORRESPONDENCE

The Board of Trustees received notification from LaBella Associates that the DEC is accepting applications for Urban Forestry Projects. The Board of Trustees would like to discuss more, seems to be a good program. Trustee Banker offered to help out if needed.

APPROVED PAYMENT TO LABELLA

Moved by Trustee Miller and seconded by Trustee Banker approving payment to LaBella Associates in the amount of \$500 for the household income surveys they did for the 2013 CDBG Grant.

CARRIED

4 Ayes 0 Nays

RESIDENT REQUEST

The Board of Trustees took no action on the request from Ms Deborah Cook to remove the penalties from the Village tax bill that she is responsible for. The Orleans County Assessor stated that her address was changed with them on September 11, 2013. The Clerk's Office will send a letter to Ms Cook informing her she owes for the penalty.

APPROVED PAYMENT TO OSBORN, REED & BURKE

Moved by Trustee Sheehan and seconded by Trustee Miller approving payment to Osborn, Reed & Burke LLP for services rendered September 2013 in the amount of \$565.29.

CARRIED

4 Ayes 0 Nays

APPROVE PAYMENT TO DONEGAN

Moved by Trustee Banker and seconded by Trustee Sheehan approving payment to Bernard P Donegan Inc for services rendered for the \$100,000 Bond Anticipation Note through September 30, 2013 in the amount of \$832.89.

CARRIED

4 Ayes 0 Nays

APPROVE PAYMENT TO DONEGAN

Moved by Trustee Sheehan and seconded by Trustee Banker approving payment to Bernard P Donegan Inc for services rendered June 6, 2013 to August 19, 2013 for the following:

JMIPCF	\$1,783.63
Clarendon Street Bridge	\$ 33.50
FMS/CDU	\$ 240.06

CARRIED

3 Ayes 1 Nay

Trustee Sheehan Trustee Miller
Trustee Banker
Mayor Theodorakos

SCHEDULE PUBLIC HEARING

Moved by Trustee Sheehan and seconded by Trustee Miller to hold a Public Hearing on Wednesday, October 23, 2013 at 7:00 PM to hear public comments regarding the submission of an application to the New York State Office of Community Renewal for Community Development Block Grant funding to support an economic development project in the Village of Albion.

CARRIED

4 Ayes 0 Nays

Orleans County Economic Development Agency will help the Village Clerk-Treasurer with the administration of the ORC Grant.

MEMORIAL FOR KATHY LALONDE

The Board of Trustees agreed that a memorial at Bullard Park for Mrs Kathy LaLonde is a wonderful idea. She had volunteered on the Village of Albion Recreation

Committee for years. The Recreation Committee will work on what should be placed in Mrs LaLonde's memory and a resolution will be adopted at a future Board Meeting.

MEETING ADJOURNED

Moved by Trustee Miller and seconded by Trustee Sheehan that there being no further business, meeting is hereby adjourned at 8:12 PM.

CARRIED

4 Ayes 0 Nays

Respectfully submitted,

Linda K Babcock
Clerk-Treasurer

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October 18, 2013: Special Meeting

Body:

A Special Emergency Meeting of the Board of Trustees of the Village of Albion was held Friday, October 18, 2013 at 9:00 AM, at 35 East Bank Street, Albion, New York regarding the fire at 227 West Avenue.

Present were Mayor Dean A Theodorakos, Trustees Eileen S Banker and Kevin P Sheehan.

Absent were Trustee Fred Miller and Peter Sidari.

Also present were the Code Enforcement Officer Ron Vendetti, Fire Chief Rocky Sidari, Deputy Fire Chief Harry Papponetti, Police Chief Rolland Nenni, Chief Executive Officer of the Orleans County Economic Development James Whipple and owner of 227 West Avenue Mr Shawn Malark.

Mayor Theodorakos opened the meeting with the pledge of allegiance at 9:00 PM.

Code Enforcement Officer Ron Vendetti reported to the Board of Trustees that the Village of Albion will need to take charge of the emergency demolition of the unsafe building at 227 West Avenue, there is a variance for emergency demolition from the requirements of Code Rule 56. The building at that location caught on fire Thursday, October 17, 2013 at 4:00 PM. The Board of Trustees has declared the burned out structure a danger to the health, safety and welfare of the Village community. The Village Board of Trustees has directed Code Enforcement Officer Ron Vendetti to take all steps necessary to mitigate the damage. Mr Malark and Fire Chief Rocky Sidari both agreed that the building needs to come down, which will be Mr Malark's responsibility. The estimate for the demolition excluding the removal of debris material is approximately \$40,000 which Mr Malark assumes full responsibility. Mr Malark will pay the Village of Albion \$10,000 on Friday, October 18, 2013 and \$30,000 on Monday, October 21, 2013. In return the Village of Albion will pay ECG Environmental Services, who is a local company that the Village has done business with in the past, to perform the work. The Village will act as the pass through between owner Mr Shawn Malark and ECG Environmental Services.

Moved by Trustee Banker and seconded by Trustee Sheehan declaring this emergency and authorizing the demolition of the burned structure at 227 West Avenue, Albion NY 14411 and approved Mayor Theodorakos to sign the "Demolition Agreement" between the Village of Albion and owner Mr Shawn Malark.

CARRIED

3 Ayes

0 Nays

MEETING ADJOURNED

Moved by Trustee Banker and second by Trustee Sheehan that there being no further business, meeting is hereby adjourned at 9:50 AM.

CARRIED

3 Ayes

0 Nays

Respectfully submitted,

Linda K Babcock,
Clerk-Treasurer

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October 23, 2013: Workshop Meeting

Body:

The Workshop Meeting of the Board of Trustees of the Village of Albion was held Wednesday, October 23, 2013 at 7:00 PM, at 35 East Bank Street, Albion, New York.

Present were Mayor Dean A Theodorakos, Trustees Eileen S Banker, Kevin P Sheehan, Peter Sidari and Attorney John C Gavenda.

Code Enforcement Officer Ron Vendetti and the Superintendent of the Water Treatment Plant Kevin Miller were present. There were 3 residents in attendance.

Mayor Theodorakos opened the meeting with the pledge of allegiance at 7:00 PM.

PUBLIC HEARING 7:00 PM

Mayor Theodorakos opened the Public Hearing at 7:00 PM regarding the submission of an application to the New York State Office of Community Renewal for Community Development Block Grant funding to support an economic development project in the Village of Albion.

PUBLIC HEARING CLOSED

Moved by Trustee Banker and seconded by Trustee Sheehan that in as much as everyone who wished to speak to consider submission of an application to the New York State Office of Community Renewal for Community Development Block Grant funding to support an economic development project in the Village of Albion were heard, the Public Hearing closed at 7:04 PM.

CARRIED

4 Ayes

0 Nays

DEPARTMENT HEAD REPORTS

The Board of Trustees received monthly reports from the Animal Control Officer Harry Papponetti, Police Chief Roland Nenni, Code Enforcement Officer Ron Vendetti, Cemetery Supervisor Jason Zicari, Village Clerk Linda Babcock and the Water Treatment Plant Superintendent Kevin Miller.

The Board of Trustees didn't receive a monthly report from the Superintendent of the Pollution Control Plant Aric Albright and the Superintendent of Public Works Dale Brooks.

APPROVED PAYMENT TO RS AUTOMATION FROM WTP CAPITAL RESERVES

Moved by Trustee Sheehan and seconded by Trustee Sidari approving payment to RS Automation, LLC for the following invoices to be paid out of the Water

Treatment Plant Capital

Reserves:

March 7, 2013	Invoice 1232C-20675	\$3,463.05
April 19, 2013	Invoice 1232E-20784	\$ 680.00

CARRIED

4 Ayes 0 Nays

Trustee Fred Miller entered meeting at 7:15 PM.

APPROVED PAYMENT FROM WTP CAPITAL RESERVES

Moved by Trustee Sidari and seconded by Trustee Sheehan approving to pay for the "Noreva Valves" out of the Water Treatment Plant Capital Reserves pending the

Attorney's review to check if the procurement policy was followed. The Superintendent of the Water Treatment Plant Kevin Miller recommended going with GP Jager & Associates for \$17,583.78.

CARRIED

5 Ayes 0 Nays

The other quotes received were:

Gartner Equipment Company Inc	\$21,560.00
Lock City Supply Inc	\$31,265.30
Vellano Corporation	\$20,988.00

TABLED APPROVING INVERTER QUOTE

Tabled approving to pay for the "inverter" for Booster Station 1 out of the Water Treatment Plant Capital Reserves. The Board of Trustees would like more information from the Superintendent of the Water Treatment Plant Kevin Miller on the charges.

APPROVED TO REQUEST THE WTP TRAINEE CIVIL SERVICE LIST

Moved by Trustee Sheehan and seconded by Trustee Sidari approving Mayor Theodorakos to request the Orleans County Civil Service List for the Water Treatment Plant Operator Trainee.

CARRIED

5 Ayes 0 Nays

DPW NEW TRUCK

Moved by Trustee Sheehan and seconded by Trustee Sidari approving to change the years to lease the new truck through First Niagara Bank for the DPW from 10 to 5 years. The new vehicle will be equipped with a hook lift to exchange apparatus (examples salter, dump, flatbed, dumpsters, water tank, storage boxes and chipping box).

CARRIED

5 Ayes 0 Nays

APPROVED MINUTES

Moved by Trustee Sheehan and seconded by Trustee Banker that in as much as each member received copies of the minutes of October 9, 2013 and October 18, 2013 and

there being one error or omission, minutes are hereby approved with the following correction:

October 18, 2013 add "unsafe" to the first sentence

CARRIED

5 Ayes

0 Nays

APPROVED PAYMENT TY LIN INTERNATIONAL

Moved by Trustee Sheehan and seconded by Trustee Miller approving payment to TY LIN International for services rendered August 26, 2013 to September 27, 2013 in the amount of \$2,930.87.

CARRIED

5 Ayes

0 Nays

TABLED PAYMENT TO COUNTY

Tabled approving payment to the Orleans County Sheriff's Office for \$1,000 for services rendered until after the Orleans County Tax Sale.

APPROVED LEASE AGREEMENT FOR MINISTRY OF CONCERN

Moved by Trustee Sheehan and seconded by Trustee Sidari approving Mayor Theodorakos to sign the renewal lease with Genesee Orleans Ministry of Concern, 121 North Main Street, for the period of January 1, 2014 through December 31, 2014. There will be a 2% increase in rent making the monthly payment \$998.25.

CARRIED

5 Ayes

0 Nays

APPROVE MAYOR TO SIGN LEASE FOR FIRE DEPT VEHICLE

Moved by Trustee Banker and seconded by Trustee Sheehan approving Mayor Theodorakos to sign the lease agreement with First Niagara Bank for the 2014 Tahoe vehicle to be used by the Albion Fire Department. The payment will be \$7,045.74 for five years.

CARRIED

5 Ayes

0 Nays

TABLED ADOPTIONG RESOLUTION

The Board of Trustees tabled adopting a resolution in memory of Ms Kathy LaLonde until the Regular Board Meeting on November 13, 2013.

FIRE DEPARTMENT MEMBERS

Members of the Albion Fire Department were present to thank the Board of Trustees for their continued support. They stated that they could not do what they do without the support from the Village. The Board of Trustees in return thanked the Fire Department members for the excellent job they did with the recent fire at Orleans Pallet. Trustee Banker stated she would get a list of the Fire Departments who provided mutual aid and so a "thank you" could be sent to them.

CORRESPONDENCE

The Board of Trustees received a correspondence from State of New York Financial Restructuring Board for Local Governments regarding the recently established Board.

The Village Clerk will check their web-site to get more information.

CORRESPONDENCE

The Board of Trustees received a correspondence from the Major Felony Crime Task Force regarding the next meeting to be held Friday, November 8, 2013 at 9:00AM.

Trustee Banker will be attending the meeting.

PROJECT COORDINATOR

Moved by Trustee Sheehan and seconded by Trustee Banker approving to contract with Ms Sidney Beaty to act as Project Coordinator for \$833.33 a month until May 31, 2013. She will start November 1, 2013 and it was noted that there is money in the current budget to cover her. Mayor Theodorakos stated that he has received very positive feedback from the area merchants. The Board of Trustees will discuss a new contract for the Project Coordinator at budget time.

CARRIED

5 Ayes

0 Nays

CORRESPONDENCE

The Board of Trustees received a correspondence from the NYSDOT Region Four Office asking to confirm the Village's data which they have in their system. They would like to move closer to email communication when feasible. The Police Chief Roland Nenni, the Superintendent of Public Works Dale Brooks and the Village Clerk Linda Babcock will be added to receive the communications.

HITCHING POSTS APPROVED

Moved by Trustee Sheehan and seconded by Trustee Banker approving Mr Tom Rivers request to place two (2) hitching posts, a carriage step and a panel explaining what they were used for in a portion of green space in the Main Street Parking Lot. Mr Rivers will work with the Superintendent of Public Works Dale Brooks on the placement of the items, so they won't have to be disturbed when the parking lot is reconfigured.

CARRIED

5 Ayes

0 Nays

ORLEANS COUNTY HEALTH DEPARTMENT

Trustee Banker stated that Ms Nancy Kelly from the Orleans County Health Department would like to come to the November 13, 2013 Regular Board Meeting to discuss bed bugs in the Village.

MEETING ADJOURNED

Moved by Trustee Miller and seconded by Trustee Sidari that there being no further business, meeting is hereby adjourned at 8:47 PM.

CARRIED

5 Ayes

0 Nays

Respectfully submitted,

Linda K Babcock
Clerk-Treasurer

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November 01, 2013: Special Board Meeting

Body:

A Special Meeting of the Board of Trustees of the Village of Albion was held Friday, November 1, 2013 at 6:30 AM, at 35 East Bank Street, Albion, New York.

Present were Mayor Dean A Theodorakos, Trustees Eileen S Banker, Fred Miller, Kevin P Sheehan and Attorney John C Gavenda.

Trustee Peter Sidari was absent.

Also present were Tom Rivers from Orleans Hub and Jim Krencik from the Batavia Daily Newspaper. There were no residents present.

Mayor Theodorakos opened the meeting with the pledge of allegiance at 6:30 AM.

DECORATIONS

There was a discussion concerning the Christmas decorations.

Trustee Sheehan left the meeting at 6:50 AM.

MEETING ADJOURNED

Moved by Trustee Miller and second by Trustee Banker that there being no further business, meeting is hereby adjourned at 6:55 AM.

CARRIED

3 Ayes

0 Nays

Minutes were taken by Mayor Dean A Theodorakos.

Respectfully submitted,

Linda K Babcock,
Clerk-Treasurer



November 13, 2013: Regular Board Meeting

Body:

The Regular Meeting of the Board of Trustees of the Village of Albion was held Wednesday, November 13, 2013 at 7:00 PM, at the Village Hall, 35 East Bank Street, Albion, New York.

Present were Mayor Dean A Theodorakos, Trustees Fred Miller, Kevin P Sheehan, Peter Sidari and Attorney John C Gavenda.

Trustee Eileen S Banker was absent.

Also in attendance was Department of Public Works Superintendent Dale Brooks, Code Enforcement Officer Ron Vendetti, Police Chief Roland Nenni, Superintendent of the Water Treatment Plant Kevin Miller and the Superintendent of the Pollution Control Plant Aric Albright. There were 49 residents and students present.

Mayor Theodorakos opened the meeting with the pledge of allegiance at 7:00 PM.

ADOPTED RESOLUTION 2013-9 FOR LALONDE MEMORIAL

The following resolution was proposed by Trustee Sheehan who moved its adoption and seconded by Trustee Sidari:

WHEREAS, Kathy LaLonde was a lifetime resident of the Village of Albion who passed away on October 6, 2013; and

WHEREAS, Kathy was deeply involved in many community programs and activities, particularly those that benefited youth, including the Village Recreation Committee.; and

WHEREAS, Bullard Park was very important to Kathy as was shown by her leadership in a recent project to develop a master plan for improvements to the park and her participation in a volunteer initiative to install new children's play apparatus in the Pee Wee park area at Bullard; and

WHEREAS, the community has lost a dedicated resident and servant and wishes to memorialize her for her contributions; and

NOW THEREFORE BE IT RESOLVED, on this day of November 13, 2013, that the Village of Albion Mayor and Board of Trustees intend to dedicate a swing set to be installed in the Pee Wee Park in memory of Kathy LaLonde.

CARRIED

4 Ayes

0 Nays

LETTER SUPPORTING BANNING LANDFILLS

Moved by Trustee Sheehan and seconded by Trustee Miller approving Mayor Theodorakos to send a letter in support of the Town of Albion's current ban on further landfills per recommendation of S.P.O.C.

CARRIED

ORLEANS COUNTY HEALTH DEPARTMENT

Ms Nancy Kelly and Ms Shannon Sanger from the Orleans County Health Department informed the Board of Trustees that there is a growing concern regarding bed bugs in Orleans County. There was a suggestion that something be put in the next Village newsletter reminding residents not to pick up items along the roadside. Also talked about having another landlord meeting to remind them of the problem.

REGARDING SIGN

Kevin Allen Esquire addressed the Board or Trustees regarding a new sign Karl and Kyle Heuer DDS would like to install. The Zoning Board did give a variance for a 16 square foot sign, however they are requesting an approximate 22 square foot sign. The Board of Trustees discussed looking at changing the Village code to include a sign ordinance for RC districts. Mayor Theodorakos asked them to be patience while the Village looks into it.

DEPOT STREET

Moved by Trustee Sheehan and seconded by Trustee Miller approving to add Depot Street to the Village of Albion inventory of Streets, per the Superintendent of Public Works Dale Brooks request.

CARRIED

4 Ayes

0 Nays

WELCOME SIGNS

The Board of Trustees approved the Superintendent of Public Works Dale Brooks proposal for the Welcome to Albion Signs. He has checked the structure of the one on the South end of the Village and will replace the ones on the East end and North end with the same design.

APPROVED HISTORIC SIGN FOR RESIDENCE

Moved by Trustee Sheehan and seconded by Trustee Sidari approving the request from Mr Gar Truselle to place a Historic sign in front of his home at 223 South Clinton Street in the Village's right of way. This will be no cost to the Village.

CARRIED

4 Ayes

0 Nays

CHRISTMAS DECORATIONS

Attorney Gavenda is working on a new release form for the building owners to sign if their hooks need replacing before hanging the Christmas garland.

ACCEPT TREASURERS REPORT

Moved by Trustee Sheehan and seconded by Trustee Miller accepting the Treasurer's Report for October 2013.

CARRIED

4 Ayes

0 Nays

APPROVED MINUTES

Moved by Trustee Sheehan and seconded by Trustee Miller that in as much as each member received copies of the minutes of October 23, 2013 and November 1, 2013 meetings and there being one error on the October 24, 2013 minutes, minutes are hereby approved with the following correction:

October 24, 2013, Page 1 After vote on approving payment to RS Automation, Trustee Fred Miller entered meeting at 7:15 PM.

CARRIED

4 Ayes

0 Nays

APPROVED PAYMENT OF VILLAGE BILLS

Moved by Trustee Sheehan and seconded by Trustee Sidari approving payment of the following Village bills:

General	Voucher #17088	\$68,623.57
Water	to #17366	\$23,107.35
Sewer		\$29,844.27

CARRIED

4 Ayes

0 Nays

APPROVED PAYMENT CHATFIELD BILLS

Moved by Trustee Sheehan and seconded by Trustee Sidari approving the following bill submitted by Chatfield Engineers to be paid:

	JMPCF Capital Improvement Plan	09-924-
38	\$5,186.40	

CARRIED

4 Ayes

0 Nays

APPROVED USE OF BOARD ROOM

Moved by Trustee Sheehan and seconded by Trustee Sidari approving the Albion Merchants Association request to use the Board Room on December 14, 2013, 9:30 AM to 5:30 PM. They will be using the room as their hospitality area for the volunteers during their 2nd Annual Hometown Holiday event.

CARRIED

4 Ayes

0 Nays

PROJECT COORDINATOR UPDATE

Ms Sidney Beaty gave the Board of Trustees an update on what she has been working on:

Small Business Saturday, November 30, 2013

2nd Annual Hometown Holiday Saturday, December 14, 2013

The Go Art grant was approved

Erie Canal Tour

A Wine Tour

APPROVED USE OF APPROPRIATION

Moved by Trustee Sheehan and seconded by Trustee Miller approving to set aside \$500 in appropriation

A6989.0401 for the remainder of the fiscal year to be used for things like advertisement and postage for events.

The Albion Merchant Association is working on becoming self-sufficient.

CARRIED

4 Ayes

0 Nays

APPROVED PAYMENT TO HODGSON RUSS

Moved by Trustee Sheehan and seconded by Trustee Sidari approving payment to Hodgson Russ Attorneys in the amount of \$806.40 for services rendered September 9, 2013 to September 23, 2013.

CARRIED

4 Ayes

0 Nays

APPROVED MEMBER OF AFD

Moved by Trustee Sidari and seconded by Trustee Sheehan accepting the following as a new member into the Albion Fire Department:
Antonio Tranello

CARRIED

4 Ayes

0 Nays

APPROVED MAYORS NOMINATION TO COUNTY PLANNING BOARD

Moved by Trustee Sheehan and seconded by Trustee Miller approving Mayor Theodorakos nomination of Daniel Gleason as a full representative and Clifford Thom as the alternate to serve on the Orleans County Planning Board for three year term's each.

CARRIED

4 Ayes

0 Nays

ADOPTED RESOLUTION 2013-10 FOR DEFERRED COMPENSATION PLAN

The following resolution was proposed by Trustee Sheehan who moved its adoption and seconded by Trustee Miller:

WHEREAS, the New York State Deferred Compensation Board (the "Board"), pursuant to Section 5 of the New York State Finance Law ("Section 5") and the Regulations of the New York State Deferred Compensation Board (the "Regulations"), has promulgated the Plan Document of the Deferred Compensation Plan for Employees of Village of Albion (the "Model Plan") and offers the Model Plan for adoption by local employers;

WHEREAS, Village of Albion, pursuant to Section 5 and the Regulations, has adopted and currently administers the Model Plan known as the Deferred Compensation Plan for Employees of Village of Albion;

WHEREAS, effective February 15, 2013 the Board amended the Model Plan to adopt provisions

- Reorganizing and updating sections to improve the overall readability and eliminate unnecessary numerical references (annual limits) from the Model Plan document.
- Including employer elections within the plan document including: suspension of deferrals following an unforeseeable emergency withdrawal, automatic distributions from small and inactive accounts, loan

design parameters and Roth deferrals and in-plan conversions are permissive. The Model Plan document includes a Schedule A where the employer may indicate the election of one or more of these provisions.

- Clarifying the first date a participant may make deferrals in compliance with Code Section 457(b) and timing requirements for any subsequent changes to deferral rates or allocations between pre-tax and after-tax deferrals.
- Clarifying compensation available for deferral for purposes of calculating contributions and recognizes that employers use various methods in determining the order of deductions taken before a deferral percentage is applied.
- Including provisions related to HEART Act of 2008 regarding treatment of differential pay and qualifying distributions for active military service in compliance with the HEART Act, including suspension of deferrals for six months following distribution.
- Making technical recognition of the waiver of RMDs for 2009.
- Clarifying that a beneficiary form must be received in good order to be considered valid.
- Clarifying that the Model Plan will only accept rollovers from Eligible Retirement Plans comprised of pre-tax amounts and amounts may be rolled in by participants, beneficiaries (other than inherited accounts) and alternate payees. Model Plans may roll account balances out to Eligible Retirement Plans that include post-tax amounts if the receiving plan separately accounts for them.
- Clarifying that a beneficiary of a deceased participant may roll a distribution directly to a Roth IRA, in addition to plan participants.
- Including language allowing for future delivery of participant communications through electronic means, where appropriate.
- Codifying that periodic and lump sum payments must be a minimum of \$100 per payment, unless the Committee selects a different minimum, and sets a maximum annual number of partial distributions.
- Clarifying that the \$50,000 loan limit includes the highest loan value in the last twelve months from the Model Plan and other employer plans. Regarding participants who have defaulted on a Plan loan, subsequent loans would not be allowed until defaulted loan is repaid. Removes requirement that a participant must wait until the term of the original loan expires before applying for a new loan, assuming the defaulted loan is repaid.
- Providing guidance on the handling of the receipt of special proceeds such as SEC settlements payable to former participants.
- Allowing a surviving spouse beneficiary to name a beneficiary on their

account.

- Including the 5 year option for non-spousal beneficiaries to receive distributions and makes distribution rules consistent for pre- and post-age 70½ deaths.
- Allowing earlier distributions due to severance of employment as long as a balance of \$500 remains in the account for 45 days after a severance from employment.
- Providing that outstanding loans from another New York state 457(b) plan may be allowed to be transferred or rolled in with a full account transfer.
- Removing the Power of Attorney Language since the acceptance of a power of attorney is governed by State law and not required in the Model Plan document.
- Clarifying the requirement that Committee actions must be taken at a public meeting in accordance with Article 7 of the Public Officers Law.
- Limiting indemnification to Committee Members only.

WHEREAS, the Board has offered for adoption the amended and restated Model Plan to each Model Plan sponsored by a local employer in accordance with the Regulations; and

WHEREAS, upon due deliberation, Village of Albion has concluded that it is prudent and appropriate to amend the Deferred Compensation Plan for Employees of Village of Albion by adopting the amended Model Plan.

NOW, THEREFORE, BE IT RESOLVED, that the Village of Albion hereby amends the Deferred Compensation Plan for Employees of the Village of Albion by adopting the amended Model Plan effective February 15, 2013, including the optional provisions in Schedule A, in the form attached hereto as Exhibit A.

CARRIED

4 Ayes 0

Nays

APPROVED TO ADVERTISE FOR BIDS - JMIPCF

Moved by Trustee Sheehan and seconded by Trustee Sidari approving to advertise for bids for the next phase, Contract 4-Clarifier and Sludge Handling Improvements and Contract-Electrical and SCADA Improvements, at the Joint Municipal Industrial Pollution Control Facility per Chatfield Engineers recommendation. The bid opening will be held on December 3, 2013 at 11:00 AM at the Village Hall.

CARRIED

4 Ayes 0 Nays

APPROVED TO REMOVE TAX BILL

Moved by Trustee Miller and seconded by Trustee Sheehan approving the taxes for parcel 62.18-2-54 be removed from the

Village unpaid tax list for the fiscal year June 1, 2013 to May 31, 2014 in the amount of \$165.23. The State of New York acquired this parcel on March 26, 2013 and a tax bill was generated in error.

CARRIED

4 Ayes

0 Nays

APPROVED TO SEND LIST OF UNPAID TAXES TO COUNTY

Moved by Trustee Sheehan and seconded by Trustee Sidari approving the following of unpaid taxes with penalties included for the fiscal year June 1, 2013 to May 31, 2014 be sent to Orleans County:

<u>TAX MAP #</u>	<u>LOCATION</u>	<u>OWNER</u>
62.18-2-8	221 North Main St	Slick,
Angle	\$1,302.95	
62.18-2-23	228 Ingersoll St	Scurry,
John	1,222.10	
62.18-2-29	209 North Main St	Button,
Jamie	1,555.35	
62.18-2-42	88 Caroline St	Starkweather, Ricky Charles
	959.30	
62.18-2-47.1	68 Caroline St	Lake, Douglas M
	1,075.08	
62.18-2-58	178 North Main St	Mitchell,
Karen	1,764.23	
62.18-2-60.1	Orchard St	Mitchell,
Karen	229.72	
62.18-2-61.1	50 Orchard St	Lake,
Kevin	284.85	
62.18-3-24	111 McClelland St	McCarthy,
James	459.44	
62.18-3-32	McClelland St	Miller,
Timothy	316.09	
62.18-3-34	201 Caroline St	Henderson, Barbara
J	972.16	
62.18-3-51	223 Ingersoll St	Swain,
Larry	957.47	
62.18-3-55	149 Caroline St	Judd, Bruce
	1,240.47	
62.18-3-57	145 Caroline St	Avino,
Eugene	1,155.93	
62.19-2-4	225 Caroline St	Basic Assets
Corp	367.55	
62.19-2-5	229 Caroline St	Allen,
Alvin	735.10	
62.19-2-6	233 Caroline St	Hadstead,
David	1,073.24	
62.19-2-17	333 Caroline St	Henderson, Barbara
J	808.61	
62.19-2-23	68 Brown St	Ballard,
Robert	1,124.69	
62.19-2-49.1	206 Caroline St	Sanborn, Davette

M	1,584.13		
62.19-3-3		101 Brown St	Capwell,
Thomas		599.11	
62.19-3-21.11		Moore St	Monnier, James
R	264.63		
62.20-2-5		Knapp St	Pawlaczyk,
Lucy		519.01	
62.20-2-8		119 Knapp St	Burnette,
Ronald		1,196.37	
62.20-2-11.2		617 Moore St	Knight, Cheryll
M	1,231.29		
62.20-2-26		Joseph St	VanSkiver, Vance
L	22.05		
62.20-2-27		Joseph St	VanSkiver, Vance
L	22.05		
62.20-2-28		Joseph St	VanSkiver, Vance
L	22.05		
62.20-2-29		Joseph St	VanSkiver, Vance
L	22.05		
62.20-2-35		Joseph St	Lamarre,
Vladimir		22.05	
62.20-2-47		127 North Joseph St	Dugan, Dewain S
Jr	1,032.81		
62.20-2-58		611 Moore St	Clark, Tommie
	1,120.36		
73.5-1-7		409 West State St	Family Halstead
	1,503.27		
73.5-2-9		328 West Bank St	Ostrowski, Paul
D	996.05		
73.5-2-10		324 West Bank St	Palacios,
Jose		1,394.84	
73.5-2-21		214 West Bank St	Smith,
Mamie		1,608.02	
73.5-2-42		15 West Academy St	Dixon, Ralph
Jr	1,273.56		
73.5-2-57		343 West State St	Colonna,
Richard		1,030.98	
73.5-2-58		347 West State St	Youngs, Rowena
G	1,728.79		
73.5-3-44		118 Day St	Stephens,
William		183.77	
73.5-4-20		330 West State St	Pike,
David		1,277.23	
73.5-4-24.1		318 West State St	Lape,
Craig		2,083.59	
73.5-4-24.2		West State St	McNeil, Latonya
C	3.67		
73.5-4-27		308 West State St	Kingdollar, David
	1,302.95		
73.6-1-4		225 West Bank St	Frasier, Donald Norman
Jr	983.19		
73.6-1-10		205 West Bank St	Appleman, Daniel
	1,369.12		
73.6-2-1		134 West Bank St	Shaw,

Jack	1,147.46	
73.6-2-3	120 West Bank St	Gritsay,
Bogden	541.19	
73.6-2-32	21 West Park St	Furness, Joseph
1,245.99		
73.6-2-38	20 West State St	Martino,
Nicholas	367.55	
73.6-2-52	105 West State St	Bourke, Christopher
M	1,216.58	
73.6-2-54.1	109 West State St	Verhagen, Donna
760.82		
73.6-2-54.2	111 West State St	Duncan,
Lydia	551.32	
73.6-2-55	117 West State St	Fisher, Donna
L	1,372.79	
73.6-3-9	139 East Bank St	Hamza, Jerold
J	275.66	
73.6-3-11	213 East Bank St	Tower,
William	292.20	
73.6-3-12	217 East Bank St	Tower,
William	836.17	
73.6-3-17	241 East Bank St	Mack,
Michael	468.62	
73.6-3-18	247 East Bank St	Mack,
Frank	102.92	
73.6-3-19	251 East Bank St	Mack, Frank
292.20		
73.6-3-20	255 East Bank St	Fitzak, John
M	698.34	
73.6-3-25	311 East State St	Schleede,
Dale	84.54	
73.6-3-61	39 North Main St	Norma E
Chambers	1,286.42	
73.6-3-63	59 North Main St	Black,
Corey	1,255.18	
73.6-3-74	102 East Bank St	Turk,
Dan	962.86	
73.6-3-86	230 East Bank St	Breuilly,
Brandon	679.96	
73.6-4-7	124 East State St	Martillotta, Joe
1,233.13		
73.6-4-26.1	258 East State St	Grandy, Richard
1,426.09		
73.6-4-34	257 East Park St	Bowles, Marcia
1,008.91		
73.6-4-40	239 East Park St	Kingsbury, Lisa
1,119.18		
73.6-5-3	224 East Park St	Northrup,
Charles	1,180.67	
73.6-5-24	128 McKinstry St	Home Buyer Funding LLC
1,075.08		
73.6-5-25	132 McKinstry St	Kinsey, Deborah
S	777.37	
73.6-5-28	252 Chamberlain St	Patronski,

Brian	841.69	
73.6-5-31	234 Chamberlain St	Love,
Donald	911.52	
73.6-5-32	226 Chamberlain St	Lusk,
Tia	567.86	
73.6-5-34	214 Chamberlain St	Whittier,
Rene	593.59	
73.6-5-36	204 Chamberlain St	Hamilton,
Patricia	588.08	
73.6-5-38	127 Temperance St	Rotoli,
Jamie	479.65	
73.6-5-55	105 Reynolds St	Greer, Andrea
845.36		
73.6-5-56	Reynolds St	Babcock,
Clara	106.59	
73.6-5-59	117 Reynolds St	Dubois, Susan
1,028.19		
73.6-5-61	261 Chamberlain St	Schafer, Joseph
1,065.89		
73.6-5-68	235 Chamberlain St	Bennett, Pamela
667.10		
73.6-5-75	116 Herrick St	Bradshaw,
Scott	937.25	
73.6-6-27./TXBL	131 South Main St	Sheret Post
898.65		
73.6-6-29	123 South Main St	Martillotta, Joe
924.39		
73.6-6-31	119 South Main St	Martillotta, Joe
768.18		
73.6-6-35	112 Platt St	Martillotta, Joe
825.14		
73.6-7-8	218 West State St	Knickerbocker, Darla
1,392.68		
73.6-7-12	34 South Clinton St	Theodorakos, James
1,402.20		
73.6-7-13	106 South Clinton St	McCarthy, James
220.53		
73.6-7-20	118 Liberty St	Osborn,
Sherry	1,176.15	
73.6-7-21	104 Beaver St	Hunt, Charles H Sr
1,782.02		
73.6-7-23	12 Beaver St	Hildreth, Eva
969.38		
73.6-7-25	126 South Main St	Trapiss,
Donald	1,345.22	
73.6-7-33	141 South Clinton St	Russo, Nicholas
M	661.59	
73.6-7-36	136 South Clinton St	Albion Enterprises
LLC	928.06	
73.6-7-39	105 Washington St	Ryan, Richard
L	799.42	
73.6-7-40	111 Washington St	Irwin, Timothy
J	1,076.92	
73.6-7-51	117 West Academy St	Deputy,

Deana	924.39	
73.6-7-67	228 West Park St	Gaines, Lucas
R	1,042.00	
73.6-7-77	106 Beaver St	Hunt, Charles H
Jr	1,787.53	
73.6-7-80	134 Liberty St	Vandegenachte,
Daniel	147.02	
73.6-7-81	136 Liberty St	Vandegenachte,
Daniel	128.64	
73.7-1-36	330 East Park St	Dehuller,
Robert	1,078.75	
73.7-2-11	443 East State St	Roach, Rose
Marie	797.57	
73.7-2-13	455 East State St	Brannan, Mark
	1,436.61	
73.7-2-14	East State St	Brannan,
Mark	73.51	
73.7-2-16	465 East State St	Martillotta,
Joe	626.67	
73.7-2-17	467 East State St	Martillotta,
Joe	874.77	
73.7-2-27	525 East State St	Salvatore, Helen
	1,019.95	
73.7-2-61	1 Clarendon St	Lamb Associates of
WNY	826.98	
73.7-2-62.2	East State St	Walls,
Jerry	90.04	
73.8-1-5	621 East State St	Coville, Jonathan
J	920.71	
73.8-1-16	665 East State St	Ugorek,
Jeanette	1,053.03	
73.8-1-22.412	640 East State St	Jones, Toja
R	1,470.19	
73.9-1-15	240 Washington St	Blackmon, George
	1,010.76	
73.9-1-26	321 West Avenue	Bourke, Christopher
M	783.22	
73.9-1-28	206 Hamilton St	Colonna,
Richard	3,291.40	
73.9-2-10	124 Washington St	Vanderlann,
Richard	953.78	
73.9-2-11	120 Washington St	Vanderlann,
Richard	55.13	
73.9-2-12	West Academy St	Savage, David
A	215.01	
73.10-1-26	218 South Main St	Sierzant, Thomas
D	3,195.83	
73.10-1-50	205 South Clinton St	Karnyski, Marcin
G	674.45	
73.10-1-63	167 South Clinton St	Chapman, Betty
May	1,233.13	
73.10-2-17	232 East Avenue	Ames, Steven
	1,369.94	
73.10-2-33	41 Meadowbrook Drive	Ord,

Robert	1,778.93	
73.11-1-13	405 East Avenue	Wisner, Maureen
1,043.84		
73.11-1-32	203 Clarendon St	Foos,
John	1,946.16	
73.11-1-41	426 East Avenue	Parker, Lyle
1,275.39		
73.11-1-50.1	327 East Avenue	Vanderlann,
Richard	1,420.58	
73.11-1-51	317 East Avenue	Albright,
Aric	986.86	
73.11-1-52	315 East Avenue	Mosher, Virginia
L	2,454.87	
73.13-1-1.11	Allen Road	Herring,
James	729.58	
73.13-1-2.12	Allen Road	Page, John
216.86		
73.13-1-8.1	305 Allen Road	Tiny Shoes Child Care
Cen	2,429.49	
73.13-2-4.21	309 West Academy St	Albanese, Theresa A
536.62		
73.13-2-21	346 South Clinton St	Walton, Mary
1,771.58		
73.13-2-27	349 West Academy St	Allen, Britney
M	918.87	
73.13-2-31	321 West Academy St	Albanese, Theresa
A	2,465.33	
73.13-2-37	322 West Academy St	Covis,
Josephine	900.49	
73.14-1-29	350 South Main St	Crosby, Edwin H III
1,857.96		
73.23-1-2	125 Liberty St	Dunn, Danny G
209.50		
73.23-1-15.12	29 East Bank St	Printup, Kenneth
558.67		
73.23-1-19	17 East Bank St	Gates, David
J	951.95	
73.23-1-40	117 West Bank St	McCarthy,
James	935.41	
62.14-1-11.1	Main St	Navarra, Joseph
E	351.01	
62.15-1-7	3 Lydun Drive	Lipscomb, Rodney
D	1,255.18	
62.15-1-14	35 Brown St	McDonald,
Roberta	1,446.30	
62.15-1-21	40 Lydun Drive	Washington, Rosa
L	1,371.97	
62.15-1-23	42 Lydun Drive	Scott,
Robert	1,378.31	
62.15-1-47	21 22 Lydun Drive	Hill,
Bertha	196.64	
62.18-1-31	Linwood Avenue	Chappius, Douglas
102.92		
62.18-1-32	Linwood Avenue	Chappius,

Douglas	244.42	
62.19-1-23	127 Brown St	Jones, Benjamin
C	1,133.88	
62.19-1-24	125 Brown St	Dingman, Charles M
III	955.62	
62.19-1-34	Linwood Avenue	Celmer, John
M	117.61	
62.19-1-35	322 Linwood Avenue	Celmer, John M
	1,216.58	
62.19-1-46	218 Linwood Avenue	McCarthy, James
M	<u>2,335.77</u>	

\$152,820.08

CARRIED

4 Ayes 0 Nays

APPROVED TO CANCEL WORKSHOP MEETING

Moved by Trustee Miller and seconded by Trustee Sheehan approving to cancel the Workshop Meeting for November 27, 2013.

CARRIED

4 Ayes 0 Nays

CORRESPONDENCE

The Board of Trustees received a correspondence from LaBella Associates PC notifying them that the 2013 CDBG Housing Funding is available. Deadline to submit applications is December 20, 2013.

CORRESPONDENCE

The Board of Trustees received a correspondence from NYS Environmental Conservation, Division of Water, stating they will be holding a Discovery Stakeholder Meeting Tuesday, November 19, 2013 at 2:00 PM at the Cornell Cooperative Extension office.

GREASE TRAPS

The Superintendent of the Pollution Control Plant Aric Albright informed the Board of Trustees that he will be delivering packets to businesses to educate them on grease traps and how it's their responsibility to clean them. He stated that he is having a problem with grease coming into his plant.

APPROVED PAYMENT FROM WTP CAPITAL RESERVES

Moved by Trustee Sheehan and seconded by Trustee Miller approving the request from the Superintendent of the Water Treatment Plant Kevin Miller to pay H & S Fence Company in the amount of \$11,800 from the WTP Capital Reserves.

CARRIED

4 Ayes 0 Nays

INTERVIEWING DATE SET

The Board of Trustees will conduct interviews on December 14, 2013 starting at 1:00 PM for the position of Water Treatment Plant Operator Trainee.

APPROVED ASKING FOR AN EXTENTION OF LIST

Moved by Trustee Sheehan and seconded by Trustee Sidari approving Mayor

Theodorakos to request an extension for acting on the current Certification of Eligible list for Water Treatment Plant Operator Trainee. The list is due back to Orleans County by December 4, 2013 and the Board of Trustees will not have another meeting until December 11, 2013.

CARRIED

4 Ayes

0 Nays

EXECUTIVE SESSION

Moved by Trustee Miller and seconded by Trustee Sidari to adjourn to executive session to discuss litigations and personnel issues at 8:40 PM.

CARRIED

4 Ayes

0 Nays

EXECUTIVE SESSION CLOSED

Moved by Trustee Sidari and seconded by Trustee Miller to come out of executive session at 9:01 PM.

CARRIED

4 Ayes

0 Nays

MEETING ADJOURNED

Moved by Trustee Miller and seconded by Trustee Sidari that there being no further business, meeting is hereby adjourned at 9:02 PM.

CARRIED

4 Ayes

0 Nays

Respectfully submitted,

Linda K Babcock
Clerk-Treasurer

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November 18, 2013: Special Meeting

Body:

A Special Meeting of the Board of Trustees of the Village of Albion was held Monday, November 18, 2013 at 6:00 PM, at 35 East Bank Street, Albion, New York regarding adopting a resolution to submit an application to New York State Office of Community Renewal funds for Claims Recovery Financial Services LLC (CRFS).

Present were Mayor Dean A Theodorakos, Trustees Fred Miller, Kevin P Sheehan and Attorney John C Gavenda.

Trustee Eileen S Banker was absent.

Mayor Theodorakos opened the meeting with the pledge of allegiance at 6:00 PM.

Trustee Peter Sidari entered meeting at 6:01 PM.

ADOPTED RESOLUTION 2013-11 CDBG FUNDS

The following resolution was proposed by Trustee Sheehan who moved its adoption and seconded by Trustee Miller:

WHEREAS, Claims Recovery Financial Services, LLC ("CRFS") plans to expand its operations and establish an operating location at 231 East Avenue, Albion, New York, and

WHEREAS, CRFS and the Orleans Economic Development Agency have requested that the Village apply for funding on its behalf from the New York State Office of Community Renewal (the "OCR") to finance a portion of the cost of equipment, software, and/or working capital required to establish operations, and

WHEREAS, CRFS evaluated alternative sites for the project in the States of Georgia, Texas, and Florida, and

WHEREAS, the Empire State Development Corporation is coordinating financial incentive offers to CRFS, including OCR funding, to induce the company to locate its project in the Village of Albion, and

WHEREAS, the Orleans Land Restoration Corporation (the "OLRC") is assisting in the facilitation of the project and has requested that the Village provide the OCR funding to the OLRC as a grant for the purpose of making term and deferred loans to CRFS, and

WHEREAS, the CRFS project will result in substantial benefit to the Village of Albion and Orleans County in the form of an estimated 140 new employment positions in the first two years of operations, and

WHEREAS, the Village has held a public hearing to obtain citizens' views regarding the CDBG program as administered by OCR and the CRFS project;

Now, therefore, be it RESOLVED, that the Mayor is hereby authorized to

submit a grant application in the approximate amount of \$750,000 to the OCR to support the expansion of CRFS in the Village of Albion, and be it further

RESOLVED, that the Mayor is hereby designated as the Environmental Certifying Officer for the purposes of complying with the applicable federal environmental review requirements for the OCR grant, and be it further

RESOLVED, that the Mayor is hereby authorized to execute the grant agreement and all related documents associated with the OCR grant, including entering into a grant agreement with the OLRC for the implementation of the project and administration of the OCR grant, all such documents to be subject to review and approval by the Village Attorney.

CARRIED

4 Ayes

0 Nays

MEETING ADJOURNED

Moved by Trustee Sheehan and second by Trustee Miller that there being no further business, meeting is hereby adjourned at 6:06 PM.

CARRIED

4 Ayes

0 Nays

Respectfully submitted,

Linda K Babcock,
Clerk-Treasurer

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was proposed by Trustee Sidari who moved its adoption and seconded by Trustee Banker:

WHEREAS, undesirable aspects of landfilling include heavy garbage truck traffic which causes congestion and litter and is unsightly, noisy, dangerous to pedestrians and damaging to roadways, buildings, and the environment;

WHEREAS, the landfill's close proximity to the historic Erie Canal threatens the Canal and the tourism economic benefit it provides;

WHEREAS; landfills are unsightly and pose threats to water tables, creeks, streams and property values;

WHEREAS, the Town of Albion has a law prohibiting additional landfilling in the Town;

WHEREAS, the Village and Town of Albion joint Comprehensive Plan supports prohibition of additional landfilling;

NOW THEREFORE LET IT BE RESOLVED that the Village of Albion Board of Trustees hereby fully supports the Town of Albion's prohibition of further landfilling.

CARRIED

5 Ayes

0 Nays

APPROVED MINUTES

Moved by Trustee Sheehan and seconded by Trustee Sidari that in as much as each member received copies of the minutes of November 13, 2013 and November 18, 2013 and there being one error or omission on the November 13, 2013 minutes, minutes are hereby approved with the following correction:

Page 1 under Letter Supporting Banning Landfills, should read:
Moved by Trustee Sheehan and seconded by Trustee Miller approving Mayor Theodorakos to send a letter in support of the Town of Albion's current ban on further landfills per recommendation of S.P.O.C.

CARRIED

5 Ayes

0 Nays

APPROVED PAYMENT OF VILLAGE BILLS

Moved by Trustee Miller and seconded by Trustee Sheehan approving payment of the following Village bills:

General	Voucher #17384	\$82,379.75
Water	to #17584	
\$15,611.72		
Sewer		\$10,006.36

CARRIED

Ayes 5

Nays 0

APPROVED PAYMENT CHATFIELD BILLS

Moved by Trustee Sheehan and seconded by Trustee Miller approving the following bills submitted by Chatfield Engineers to be paid:

Main Street Parking Lot	13-1071-1	\$
-------------------------	-----------	----

907.50

JMIPCF Capital Improvement Plan
\$2,802.80

09-924-39

CARRIED

5 Ayes

0 Nays

APPROVED PAYMENT TO HODGSON RUSS

Moved by Trustee Sheehan and seconded by Trustee Miller approving payment to Hodgson Russ Attorneys in the amount of \$2,890.10 for services rendered May 24, 2013 to September 30, 2013, per Attorney Gavenda's recommendation.

CARRIED

5 Ayes

0 Nays

APPROVED PAYMENT TO OSBORN, REED & BURKE

Moved by Trustee Miller and seconded by Trustee Sheehan approving payment to Osborn, Reed and Burke LLP in the amount of \$264.00 for services rendered November 1, 2013 to November 30, 2013.

CARRIED

5 Ayes

0 Nays

APPROVED PAYMENT TO TY-LIN INTERNATIONAL

Moved by Trustee Sheehan and seconded by Trustee Sidari approving payment to TY-LIN International for services rendered November 5, 2013 to November 15, 2013 in the amount of \$420.00.

CARRIED

5 Ayes

0 Nays

APPROVED PAYMENT TO DONEGAN

Moved by Trustee Sheehan and seconded by Trustee Banker approving payment to Bernard P Donegan Inc for the following services rendered September 9, 2013 to October 31, 2013:

JMIPCF	\$1,654.51
Clarendon St Bridge	\$ 136.00
CDU	\$ 103.82

CARRIED

4 Ayes

1 Nay

Trustee Sheehan

Trustee

Miller

Trustee Banker

Trustee Sidari

Mayor Theodorakos

APPROVED PAYMENT TO BATAVIA NEWSPAPER

Moved by Trustee Sheehan and seconded by Trustee Sidari approving payment to the Batavia Daily Newspapers Corporation for the following invoice to be paid out of the funds for the Joint Municipal Industrial Pollution Control Facility project:

Invoice 201029	\$117.20	advertisement for bids Contract #4 and #5
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CARRIED

5 Ayes

0 Nays

APPROVED MAYOR TO SIGN CEMETERY DEEDS

Moved by Trustee Sheehan and seconded by Trustee Sidari approving Mayor Theodorakos to sign the following Cemetery Deeds:

Mrs Sandra L Clark #104 and #105 Ashwood Way
Ms Jeannette Riley #19 Evergreen Columbarium
CARRIED
5 Ayes 0 Nays

APPROVED ARRE WATER CONTRACT

Moved by Trustee Sheehan and econded by Trustee Banker approving Mayor Theodorakos sign the water agreement ith the Town of Barre for a term of 5 years.

CARRIED
5 yes 0 Nays

APPROVED SEWER BREAK

Moved by Trustee Sheehan and econded by Trustee Sidari approving resident Ms Christina Lesczinski's request or a break on the sewer portion of her water/sewer bill that didn't go into he Village's sewer system in the amount of \$126.51, per Superintendent of ublic Works Dale Brooks recommendation.

CARRIED
5 yes 0 Nays

NO ACTION ON REQUEST FOR PENALTY REMOVED

The Board of Trustees took no action on resident Mr Richard Hanlon's request to remove the penalty from his late water/sewer bill. Trustee Sheehan paid the \$9.03 penalty amount.

APPROVED STC'S CERTIFIED PAYROLLS

Moved by Trustee Sheehan and seconded by Trustee Miller approving Mayor Theodorakos to sign the Certified Payrolls from STC Construction for work performed at the Joint Municipal Industrial Pollution Control Facility for the week ending August 18, 2013.

CARRIED
5 Ayes 0 Nays

APPLYING FOR LIQUOR LICENSE

The Board of Trustees received notification from Helen K Enterprises LLC with their intention of applying for a liquor license for 469 East State Street.

APPROVED TO CANCEL WORKSHOP MEETING

Moved by Trustee Miller and seconded by Trustee Sheehan approving to cancel the Workshop Meeting scheduled for December 25, 2013.

CARRIED
5 Ayes 0 Nays

COVA REQUEST

The Board of Trustees received a correspondence from COVA asking for letters of support for their expansion process.

Moved by Trustee Sidari and seconded by Trustee Banker approving Mayor Theodorakos to send a letter stating the Village of Albion Board of Trustees

supports COVA's certificate of need for the Village of Albion residents.

CARRIED

4 Ayes	0 Nays
Trustee Sidari	
Trustee Banker	
Trustee Miller	1 Abstained
Mayor Theodorakos	Trustee

Sheehan

APPROVED PAYMENT TO SUBURBAN

Moved by Trustee Miller and seconded by Trustee Banker approving payment to Suburban Electric for Contract 2-Electrical Improvements for the Joint Municipal Industrial Pollution Control Facility in the amount of \$22,147.13. This is the final payment for that contract. The Board of Trustees also received the Close-Out Package with the following documents:

Contractor's final payment acknowledgements

Contractor's affidavit that all lien's and claims have been paid

AIA document G706 - Contractor's affidavit of payment of debts and claims

AIA document G706A - Contractor's affidavit of release of liens

AIA document G707 - Consent of Surety Company to final payment

Certificate of substantial completion

CARRIED

5 Ayes	0 Nays
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EMPLOYEE RETIRING

The Board of Trustees received notification from Mr Paul Fadale with his intention of retiring February 21, 2014 from his position as Water Treatment Plant Operator.

COUNTY IN-REM

The Board of Trustees received the Petition and Notice of Foreclosure from Orleans County relating to the 2010 Town and County Taxes.

MEDINA SANDSTONE HOUSES

Resident Mr Joe Martillotta offered to attend the event in Medina regarding Sandstone Houses.

MEETING ADJOURNED

Moved by Trustee Banker and seconded by Trustee Sidari that there being no further business, meeting is hereby adjourned at 8:24 PM.

CARRIED

5 Ayes	0 Nays
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Respectfully submitted,

Linda K Babcock
Clerk-Treasurer

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December 14, 2013: Special Meeting

Body:

A Special Meeting of the Board of Trustees of the Village of Albion was held Saturday, December 14, 2013 at 1:00 PM, at 35 East Bank Street, Albion, New York.

Present were Mayor Dean A Theodorakos, Trustees Eileen S Banker, Kevin P Sheehan and Peter Sidari.

Absent was Trustee Fred Miller.

Mayor Theodorakos opened the meeting with the pledge of allegiance at 1:00 PM.

WTP OPERATOR TRAINEE INTERVIEWS

The Board of Trustees interviewed candidates for the Water Treatment Plant Operator Trainee position.

Mayor Theodorakos left the meeting at 2:00 PM.

MEETING ADJOURNED

Moved by Trustee Sidari and second by Trustee Banker that there being no further business, meeting is hereby adjourned at 2:55 PM.

CARRIED

3 Ayes

0 Nays

Respectfully submitted,

Linda K Babcock,
Clerk-Treasurer

Present were Mayor Dean A Theodorakos, Trustees Eileen S Banker, Kevin P Sheehan and Peter Sidari.

Absent was Trustee Fred Miller.

Mayor Theodorakos opened the meeting with the pledge of allegiance at 1:00 PM.

**WTP OPERATOR
TRAINEE INTERVIEWS**

The Board of Trustees interviewed candidates for the Water Treatment Plant Operator Trainee position.

Mayor Theodorakos left the meeting at 2:00 PM.

**MEETING
ADJOURNED**

Moved by Trustee Sidari and second by Trustee Banker that there being no further business, meeting is hereby adjourned at 2:55 PM.

CARRIED

3 Ayes

0 Nays

Respectfully submitted,

Linda K Babcock,

Clerk-Treasurer

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