

The Regular Meeting of the Board of Trustees of the Village of Albion was held Wednesday, January 13, 2010 at 7:00 PM at the Village Council Chambers, 35-37 East Bank Street, Albion, New York.

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

Mayor Theodorakos opened the meeting with the pledge of allegiance.

**PUBLIC
HEARING**

Mayor Theodorakos opened the Public Hearing at 7:00 PM to establish the maximum speed limit in, on or about the parking areas, private streets, roadways and driveways of the mobile home park or manufactured home park known as Oak Orchard Estates in the Village at not less than 15 miles per hour as authorized by Sections 1640-a and 1643 of New York's Vehicle and Traffic Law.

**PUBLIC
CLOSED**

Moved by Trustee Miller and second by Trustee Banker that in as much as everyone who wished to speak regarding changes to Sections 1640-a and 1643 of New York's Vehicle and Traffic Law were heard the Public Hearing is hereby closed at 7:02 PM.

Trustee Miller stated that he is not comfortable raising the speed limit from 10 to 15 miles per hour. His concerns are that there are no sidewalks for the pedestrians, the driveways are close together and how much over the speed limit will stick in court. Trustee Miller stated that the park should try to enforce the speed limit themselves until every avenue is exhausted. Maybe they should check into installing temporary speed bumps.

**PUBLIC
HEARING
RE-OPENED**

Moved by Trustee Miller and seconded by Trustee Banker to re-open the Public Hearing per Attorney Gavenda's recommendation at 7:11 PM.

CARRIED

3 Ayes

0 Nays

Mr Daniel McGillivray, a resident of Oak Orchard Estates was present and wants the Board of Trustees to consider enforcing the speed limit inside the park. The Board of Trustees will have Police Chief Dean London check with the Town of Gaines Court to see what tickets would stick in court.

**PUBLIC
HEARING
ADJOURNED**

Moved by Trustee Miller and seconded by Trustee Banker to adjourn the Public Hearing until February 10, 2010.

CARRIED

3 Ayes

0 Nays

**SURPLUS
PROPERTY
APPROVED**

Moved by Trustee Miller and seconded by Trustee Banker approving the following items be declared as surplus equipment, per the Superintendent of the Public Works, Dale Brooks's recommendation:

AL-3 2000 Expedition from Fire Department
Miscellaneous tires that don't fit village vehicles
Light bars
Cages
Gas Powered Sidewalk Vacuum

CARRIED

3 Ayes

0 Nays

**CHATFIELD
UPDATE**

Jason Foote from Chatfield Engineers was present to give the Board of Trustees a project status report on the following projects:

2007 Sanitary Sewer Improvements – contractor will continue to install sanitary sewer mains, no laterals, throughout the winter. Next Job Progress Meeting will be Thursday January 21, 2010 at 7:30 AM at the Village Hall.

2009 McKinstry Street Storm Sewer and Road Reconstruction – Plans and specs for the storm sewer portion have been sent to various agencies for review and comment. Currently doing the design process for the road reconstruction portion which the Village DPW will be completing. The Albion Central School District’s portion of the drainage project is complete.

Meadowbrook Drive Water Main Replacement – The bids for the Water Main materials for phase 2 will be opened on February 5, 2010 at the Village Hall. Phase 2 will be completed by the DPW in the Spring of 2010 and prior to road work to be done by Sergi.

Meadowbrook Drive Road Reconstruction and Storm Sewer – Currently completing the design for the remaining portion of the project. Road work will be completed by Sergi Construction once sanitary sewer work is finished and weather is favorable.

TABLE APPROVING MINUTES Tabled approving the minutes for the December 23, 2009 and January 6, 2010 meetings until the January 27, 2010 Workshop Meeting.

ACCEPT TREASURERS REPORT Moved by Trustee Miller and seconded by Trustee Banker accepting the Treasurer’s Report for the month of December.

CARRIED
3 Ayes 0 Nays

APPROVE PAYMENT OF BILLS Moved by Trustee Miller and seconded by Trustee Banker approving the payment of the following Village bills:

General Fund	voucher #4973	\$31,538.00
Water Fund	to #5188	\$19,548.00
Sewer Fund		\$ 5,751.94

CARRIED
3 Ayes 0 Nays

Trustee Miller had a question on the Police Department’s phone bill and he has talked to the Police Chief about it.

APPROVED PAYMENT OF CHATFIELD BILLS Moved by Trustee Miller and seconded by Trustee Banker approving the following bills submitted by Chatfield Engineers be paid:

General Engineering Services	94-193-153	\$ - 0 -
Water System Capital Improvement	09-943-5	\$ 2,495.00
2007 Sanitary Sewer Project	06-765-28	\$ 8,869.00

CARRIED
3 Ayes 0 Nays

Trustee Miller stated he wanted to tabled approving the bill submitted by Chatfield Engineers for Engineering services for 121 North Main Street for \$443.50 until the January 27, 2010 Workshop Meeting.

APPROVED PAYMENT SERGI Moved by Trustee Miller and seconded by Trustee Banker approving Mayor Theodorakos to sign and the payment of Pay Estimate #7 to Sergi Construction for \$136,758.01.

CARRIED
3 Ayes 0 Nays

APPROVE PURCHASE Moved by Trustee Miller and seconded by Trustee Banker approving Police Chief London's request to purchase the "Live Scan" for the Police Department. The department needs to pay for the equipment first and then submit paperwork for reimbursement through the Operation Impact Tools Grant. The approximate cost is \$30,000.00.

CARRIED

3 Ayes

0 Nays

ACCEPT APPLICATIONS The following application was received and accepted to be placed on file for future reference:

Thomas J Calabrese – Anything

ACCEPT AFD NEW MEMBER Moved by Trustee Miller and seconded by Trustee Banker approving Matthew J Francis's application to be an active member of the Albion Fire Department.

CARRIED

3 Ayes

0 Nays

RESOLUTION NO REG DAY The following resolution was proposed by Trustee Miller who moved its adoption and seconded by Trustee Banker:

NOW THEREFORE BE IT RESOLVED, the Village of Albion will NOT hold a registration day for the upcoming Village Election to be held on March 16, 2010.

CARRIED

3 Ayes

0 Nays

RESOLUTION FOR THE ELECTION The following resolution was proposed by Trustee Banker who moved its adoption and seconded by Trustee Miller:

NOW THEREFORE BE IT RESOLVED, that the General Election for the Village of Albion will be held on Tuesday, March 16, 2010 at the Village Board Room, 35-37 East Bank Street, Albion, New York with the polls opening at 12:00 noon and closing at 9:00 PM.

CARRIED

3 Ayes

0 Nays

2010 NYSCDBG Discussion on the 2010 NYS Community Development Block Grant (CDBG) Program. Trustee Miller questioned what Stuart Brown would charge the Village to re-write the application. The Village applied for the 2009 NYS CDBG and was denied. The Village will need to hold two Public Hearings and decide if they want to re-apply for the infrastructure work for the Pollution Control Plant or apply for the rehab of homes.

SET PUBLIC HEARING Moved by Trustee Miller and seconded by Trustee Banker approving a Public Hearing be held on Wednesday, February 10, 2010 at 7:00 PM to hear comments pertaining to the Village of Albion possibly submitting an application for the 2010 New York State Community Development Block Grant Program.

CARRIED

3 Ayes

0 Nays

SET PUBLIC HEARING Moved by Trustee Miller and seconded by Trustee Banker approving a second Public Hearing be held on Wednesday, February 24, 2010 at 7:00 PM to hear comments pertaining to the Village of Albion possibly submitting an application for the 2010 New York State Community Development Block Grant Program.

CARRIED

3 Ayes

0 Nays

CORRES Correspondence received from Albion Agencies regarding Notice of Claims coverage.

SET PUBLIC HEARING Moved by Trustee Miller and seconded by Trustee Banker approving a Public Hearing to be held on Wednesday, January 27, 2010 at 7:00 PM to hear comments regarding establishing a local law wherein the Village of Albion would be obligated to indemnify and hold harmless by providing any employee of the Village of Albion a legal defense in any judicial, quasijudicial or administrative proceeding under either federal or state law including but not limited to criminal and civil court proceedings and administrative proceedings.

CARRIED

3 Ayes

0 Nays.

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

SET STANDARD WORK DAY

BE IT RESOLVED, that the Village of Albion hereby establishes that seven (7) hours as the standard work day for elected and appointed officials (examples: Mayor, Trustees, PT Office Clerk and the Attorney) and will report the following days worked to the New York State and Local Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body.

CARRIED

3 Ayes

0 Nays

WTP REQUEST Superintendent of the Water Treatment Plant, Kevin Miller, informed the Board of Trustees that he has received three quotes for work that needs to be done in the pipe gallery room. The quotes were:

RS Automotive	\$ 9,860.00
Suburban Electric	\$ 9,850.00
Speer Equipment	\$10,741.80

He has money in his budget that he can use for the repairs.

RESIGNATION The Board of Trustees accepted Eric Bradshaw's letter of resignation as the PT Office Clerk for the Albion Fire Department effective immediately.

NYSEFC CHANGE ORDER #2 Correspondence received from New York State Environmental Facilities Corporation (NYSEFC) informing the Board of Trustees that they have found the Change Order #2 that was submitted to be acceptable and hereby approved.

TENANT REQUEST Moved by Trustee Miller and seconded by Trustee Banker approving the Ministry of Concern's request for permission to install a programmable alarm system in their office at 121 North Main Street. Ministry of Concern will pay Doyle Securities to install the system.

CARRIED

3 Ayes

0 Nays

EMPLOYEE REQUEST Tabled approving Officer O'Hearn's request for his dependent to be covered under the Village of Albion's cobra policy. If approved the dependant will be responsible for the total premium. Attorney Gavenda will check into the request and have details for the January 27, 2010 Workshop Meeting.

CORRES Correspondence received from Orleans County Chamber of Commerce regarding the Legislative Luncheon they will be hosting on January 29, 2010 at Tillman's Village Inn.

ANNUAL REPORT Moved by Trustee Miller and seconded by Trustee Banker approving Mayor Theodorakos sign the Office of Community Renewal's 2009 Annual Performance Report for the 2008 Small Cities Grant.

CARRIED

3 Ayes

0 Nays

MANAGEMENT AGREEMENT The Board of Trustees will discuss the proposed Management Agreement/Contract at the January 27, 2010 Workshop Meeting.

MEETING CLOSED Moved by Trustee Banker and seconded by Trustee Miller that there being no further business, meeting is hereby adjourned at 8:26 PM.

CARRIED

3 Ayes

0 Nays

Respectfully Submitted,



Linda K Babcock
Clerk-Treasurer