

The Regular Meeting of the Board of Trustees of the Village of Albion was held Wednesday, July 14, 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 Eileen S Banker, Fred Miller, Jeannette Riley, Kevin P Sheehan and Attorney John Gavenda.

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

RESIDENT

Resident Ms Tami-Rose Martin addressed the Board of Trustees about her house at 65 Caroline Street. She would like the Village to fix the lateral in the middle of the road stating that she feels the Village caused the damage. Trustee Riley and Trustee Miller will look into her problem and asked that she get the report from the person who recently televised the sanitary sewer to them.

RESIDENT

Moved by Trustee Riley and seconded by Trustee Miller approving Mr Joe Martillotta's request for an easement in the Village of Albion's 25' right-of-way at 469 East State Street.

CARRIED

5 Ayes

0 Nays

Moved by Trustee Riley and seconded by Trustee Banker approving Mr Joe Martillotta's request to grade his parking lot at 469 East State Street to the Village of Albion's existing drain, pending Superintendent of Public Works, Dale Brooks confirms that it is the Village's drain.

CARRIED

5 Ayes

0 Nays

Moved by Trustee Miller and seconded by Trustee Banker approving Mr Joe Martillotta's request for the Village of Albion to waive the 30 day waiting period when applying for his liquor license for his tavern located at 469 East State Street.

CARRIED

5 Ayes

0 Nays

RESIDENT

Resident, Mr Eric Hess addressed the Board of Trustees about the gopher problem at his home on East State Street. Also discussed were the neighbor's tree that is ruining his barn, painting the barn and the neighbor's high grass. Code Enforcement Officer, Ron Vendetti will check into the high grass complaint. The Board of Trustees will talk to Animal Control Officer, Harry Papponetti about the gopher problem. Mayor Theodorakos informed Mr Hess to put his complaints/questions in writing and Mr Vendetti will respond to them.

RESIDENT

Mr Scott Shaw asked the Board of Trustees to forgive the lawn mowing charges on the current Village tax bill on the property he purchased through the County auction. No action was taken.

RESIDENT

Mr Larry Montello and Mr Thad Nauden addressed the Board of Trustees about holding the 911 Ceremony at Bullard Park. The morning ceremony will be at the American Legion and then they would like to move the event to Bullard Park. Trustee Miller will contact Recreation Director, John Grillo to see if he has any conflicting issues with the American Legion using Bullard Park on September 11, 2010.

DEPT HEAD

Moved by Trustee Sheehan and seconded by Trustee Miller approving Superintendent of Public Works, Dale Brooks request to purchase 1" risers for catch basins on West Bank Street through the Sanitary Sewer Project, pending OK from EFC.

CARRIED

5 Ayes

0 Nays

DEPT HEAD

Moved by Trustee Miller and seconded by Trustee Riley to hold a Public Hearing on August 11, 2010 to hear comments on adding "General Office Complex's" under Special Use Permit, Section 290-33 Light Industrial District.

CARRIED

5 Ayes

0 Nays

APPROVE MINUTES

Moved by Trustee Sheehan and seconded by Trustee Miller that in as much as each member received copies of the June 23, 2010 minutes and there being no corrections or omissions minutes are hereby approved as written.

CARRIED

5 Ayes

0 Nays

ACCEPT TREASURERS REPORT

Moved by Trustee Miller and seconded by Trustee Riley accepting the Treasurer's Report for June 2010.

CARRIED

5 Ayes

0 Nays

APPROVE PAYMENT OF BILLS

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

General Fund	voucher #6544	\$253,495.64
Water Fund	to #6867	\$ 47,148.92
Sewer Fund		\$ 40,728.09

CARRIED

5 Ayes

0 Nays

APPROVED PAYMENT OF CHATFIELD BILLS

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

McKinstry Street Storm Sewer	09-944-10	\$ 1,048.00
Meadowbrook Drive Road Reconstruction	09-952-7	\$ 2,157.00
Meadowbrook Road Reconstruction	09-952P&S3	\$ 45.00
Green Project Initiative	10-976-4	\$ 331.00
2007 Sanitary Sewer Improvements	16-765-34	\$ 5,822.60

CARRIED

5 Ayes

0 Nays

APPROVE PAYMENT TO DAVID LIPPITT ATTORNEY

Moved by Trustee Banker and seconded by Trustee Sheehan approving payment to Attorney David W Lippitt for services rendered for the month of June 2010 in the amount of \$255.00.

CARRIED

5 Ayes

0 Nays

APPROVE PAYMENT TO SERGI

Moved by Trustee Sheehan and seconded by Trustee Riley approving Mayor Theodorakos to sign payrolls and the payment of Pay Estimate #13 for \$110,711.37 to Sergi Construction. The project is 69% completed as of July 2, 2010.

CARRIED

5 Ayes

0 Nays

EXECUTIVE SESSION

Moved by Trustee Riley and seconded by Trustee Sheehan to adjourn to executive session for possible legal action at 8:19 PM.

CARRIED

5 Ayes

0 Nays

EXECUTIVE SESSION CLOSED

Moved by Trustee Miller and seconded by Trustee Riley to come out of executive session at 9:06 PM.

CARRIED

5 Ayes

0 Nays

CODE OFFICER APPOINTMENT

Moved by Trustee Miller and seconded by Trustee Banker approving Mayor Theodorakos appointment of Ronald A Vendetti as Code Enforcement Officer.

CARRIED

5 Ayes

0 Nays

APPROVE CEMETERY DEEDS:

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

Deborah R Atkinson/Scott E Dragon S.G. 117, 118, 119, 120, 122 and 123
Deerfield Avenue
Clifford O Eddy Jr S.G. 374 Deerfield Avenue

CARRIED

5 Ayes

0 Nays

ACCEPT APPLICATIONS

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

Water/Waste Water Plant Operator – Douglas D Taylor
Cemetery/Anything – Andrew P Hendrickson
Russell Craft

APPROVE THYSSENKRUPP ELEVATOR

Move by Trustee Miller and seconded by Trustee Sheehan authorizing Mayor Theodorakos to sign the Elevator Maintenance Agreement with ThyssenKrupp Elevator for 121 North Main Street.

CARRIED

5 Ayes

0 Nays

NATIONAL GRID SETTLEMENT AGREEMENT

Correspondence received from National Grid regarding the Settlement Offer and conference call, which was held July 7, 2010. National Grid has offered to split the over payments with the Village of Albion. Clerk-Treasurer will check into what is in revenues and Attorney Gavenda will check with NYCOM to see what other municipalities agreed to split the cost with National Grid.

CLOSE OUT 2008 CDBG PROGRAM

Moved by Trustee Riley and seconded by Trustee Sheehan approving Mayor Theodorakos to sign the Close Out Documents for the 2008 Community Development Block Grant Program (CDBG) as submitted by Stuart I Brown Associates.

CARRIED

5 Ayes

0 Nays

REVOLVING LOAN FUND

Moved by Trustee Miller and seconded by Trustee Banker approving setting a project up entitled "Purchase of 19 North Main Street". The funds will be used out of the un-appropriated revolving loan fund to purchase the building. The approximate cost is \$14,555.43.

CARRIED

5 Ayes

0 Nays

Trustee Sheehan provided the Board of Trustees with the asbestos cost estimate for 19 North Main Street.

CORRESPONDENCE

Correspondence received from NYS Environmental Facilities Corporation regarding new provisions authorizing additional support to our eligible Clean Water State Revolving Fund (CWSRF) projects. The additional support will be in the form of principal forgiveness.

DOG SHOW

Village Clerk-Treasurer will contact the Tonawanda Kennel Club informing them to contact Recreation Director, John Grillo and Superintendent of Public Works, Dale Brooks about the upcoming Dog Show that will be held at Bullard Park.

PAYMENT TO STU BROWN

Moved by Trustee Riley and seconded by Trustee Sheehan approving payment of \$2,800.00 to Stuart I Brown Associates for professional services. The invoice is for the period of April 1, 2010 through June 25, 2010.

CARRIED

5 Ayes

0 Nays

CORRESPONDENCES

Received the following correspondences from Chatfield Engineers:

Job Progress Meeting held on July 12, 2010 for the 2009 McKinstry Street/Storm Sewer Project

Correspondence to Keeler Construction regarding the revised boring layout and water main relocation for the 2009 McKinstry Street Project

CONCERN

Trustee Banker will contact Superintendent of Public Works, Dale Brooks regarding the complaint she received regarding the deep man holes on Brown Street near Linwood Avenue.

HPC REQUEST

Moved by Trustee Sheehan and seconded by Trustee Banker approving to use a portion of the funds that are left in the Trustee's schooling line item. The funds will be in addition to the \$500.00 from the Mayor's schooling to help offset the cost of mailings to the proposed Historic District property owners.

CARRIED

3 Ayes

2 Nays

Trustee Sheehan

Trustee Riley

Trustee Banker

Trustee Miller

Mayor Theodorakos

There was a discussion on changing the law in how property owners can be notified from registered return receipt to certified return receipt.

3RD FLOOR

Discussion on the asbestos survey done for the third floor in the Village Office building. Clerk-Treasurer to check into whether the un-appropriated Capital Reserve funds can be used to clean up the asbestos. Asbestos was found in the floor tiles where the bikes are stored, the records room and the attic.

ALBION POLICE DEPT

Trustee Miller informed the Board of Trustees that the Albion Police Department has been awarded an \$8,500 grant to participate in the statewide "Child Passenger Safety" program from New York State. The funds will be used to purchase a trailer to be used for the program.

Officer Nenni has attended the 1033 Program regarding receiving surplus property from the New York State Department of Defense.

I/I PROJECT

Moved by Trustee Sheehan and seconded by Trustee Banker approving to help residents with 50% of the cost to repair infiltration and inflow problems when contractual work is required on private property. This is part of the mandated Consent Order and the Village of Albion will provide the funds from a grant they received. Chatfield Engineers will be sending notices out to the appropriate home owners and the funding will be available for a limited time.

CARRIED

5 Ayes

0 Nays

MEDIATION MEETING

Brief discussion on setting a meeting date with the mediator for the AFSCME Union Contract.

COMPREHENSIVE PLAN

Mayor Theodorakos stated that the sub committees are being formed for the Comprehensive Plan and he encourages the Board of Trustees to get involved. Next meeting will be July 27, 2010 at 6:00 PM.

SET PUBLIC HEARING DATE

Moved by Trustee Riley and seconded by Trustee Sheehan to hold a Public Hearing on August 11, 2010 to hear comments on changing the wording on how correspondences are mailed to property owners in a proposed Historic District.

CARRIED

5 Ayes

0 Nays

MEETING CLOSED

Moved by Trustee Sheehan and second by Trustee Banker that there being no further business, meeting is hereby adjourned at 10:33PM.

CARRIED

5 Ayes

0 Nays

Respectfully submitted,



Linda K Babcock
Clerk-Treasurer