

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
JMPCF 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
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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
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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

^{#1-2013}
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	1 Nay
Trustee Sheehan	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
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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
Carol A Tibbits			

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
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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.

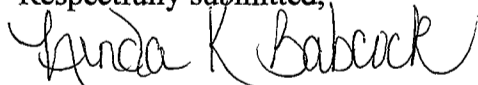
MEETING ADJOURNED

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
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Respectfully submitted,



Linda K Babcock
Clerk-Treasurer