

The Regular Meeting of the Board of Trustees of the Village of Albion was held Wednesday, September 12, 2012 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 on the proposed Village and Town of Albion Comprehensive Plan Update.

Ms Barb Johnston from Stuart I Brown Associates gave an overview of the changes to the land use, zoning, infrastructure, downtown development, economic development, government/community facilities. She also stated that having an updated Comprehensive Plan will help support grant applications. Trustee Miller questioned if there was a list of specific streets that would be affected by the zoning changes. Resident Kim Remley stated it was an excellent updated plan.

PUBLIC HEARING CLOSED

Moved by Trustee Sheehan and seconded by Trustee Banker that in as much as everyone who wished to speak regarding the proposed Village and Town of Albion Comprehensive Plan Update were heard, the Public Hearing is hereby closed at 7:23 PM.

CARRIED

5 Ayes

0 Nays

RESIDENT

Ms Shirlon Harris addressed the Board of Trustees about the following concerns she has:

Reorganize how credit cards payments are handled. The Board of Trustees agreed effective immediately; the Office staff will process credit card payments from the front computer only

Letters from the Code Enforcement Officer Ron Vendetti regarding her mother's unlicensed vehicle and the violation notice for 110 Beaver Street that her mother recently purchased. Mr Vendetti has responded to Mrs Pulley's letter dated September 4, 2012 stating he has given her 55 days to correct the violation at 110 Beaver Street.

RESIDENT

The Board of Trustees tabled Freeze-Dry's request to remove the penalties from their latest water/sewer bills. The Board of Trustees agreed that Mayor Theodorakos and the Superintendent of Public Works Dale Brooks should meet with Mr Steve Sandidge to discuss their late bills and the work the Village did for them last year on the storm sewer.

DEPARTMENT HEAD REQUESTS

Moved by Trustee Miller and seconded by Trustee Sidari approving the Superintendent of Public Works Dale Brooks request to attend NYCOM's Public Works Training School October 22, 2012 through October 24, 2012.

CARRIED

5 Ayes

0 Nays

Moved by Trustee Sheehan and seconded by Trustee Miller approving the Superintendent of the Pollution Control Plant Aric Albright's request to transfer \$1,041.94 from G 8130.405 to G 8130.209.

CARRIED

5 Ayes

0 Nays

ACCEPT TREASURERS REPORT

Moved by Trustee Sheehan and seconded by Trustee Miller accepting the Treasurer's Report for August 2012.

CARRIED

5 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 August 22, 2012 and September 5, 2012 and there being no error or omissions, minutes are hereby approved as written.

CARRIED

5 Ayes 0 Nays

APPROVED PAYMENT OF BILLS

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

| | | |
|--------------|----------------|-------------|
| General Fund | voucher #13404 | \$85,226.43 |
| Water Fund | to #13615 | \$76,572.47 |
| Sewer Fund | | \$20,864.14 |

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:

| | | |
|---------------------------------|-----------|------------|
| 121 N Main Roof/Chimney Repairs | 11/1018-8 | \$ 130.00 |
| JMPCF Capital Improvement Plan | 09-924-24 | \$7,820.36 |

CARRIED

5 Ayes 0 Nays

APPROVED PAYMENT CHATFIELD BILL

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

| | | |
|--------------------------|-----------|-----------|
| 121 N Main Street Façade | 08-888-16 | \$ 450.00 |
|--------------------------|-----------|-----------|

CARRIED

4 Ayes 1 Nay
 Trustee Sheehan Trustee Miller
 Trustee Banker
 Trustee Sidari
 Mayor Theodorakos

APPROVED PAYMENT TO DONEGAN

Moved by Trustee Miller and seconded by Trustee Sheehan approving payment to Bernard P Donegan Inc for services rendered in July:

| | |
|---------------------------------|------------|
| JMPCF Project | \$ 234.00 |
| Clarendon Street Bridge Project | \$1,341.85 |

CARRIED

5 Ayes 0 Nays

APPROVED PAYMENT TO DioGUARDI CONSTRUCTION

Moved by Trustee Sheehan and seconded by Trustee Banker approving payment to DioGuardi Construction, as submitted by Chatfield Engineers in the amount of \$62,519.50, for work performed on the 121 North Main Street Rear Façade Project. This contract is 73% completed as of August 31, 2012.

CARRIED

| | |
|-------------------|----------------|
| 4 Ayes | 1 Nay |
| Trustee Sheehan | Trustee Miller |
| Trustee Banker | |
| Trustee Sidari | |
| Mayor Theodorakos | |

APPROVED PAYMENT STC CONSTRUCTION

Moved by Trustee Sheehan and seconded by Trustee Sidari approving payment to STC Construction in the amount of \$134,164.22 as submitted by Chatfield Engineers, for services rendered for the JMIPCF Project. This contract is 40% completed as of September 5, 2012.

CARRIED

| | |
|--------|--------|
| 5 Ayes | 0 Nays |
|--------|--------|

APPROVED PAYMENT SUBURBAN ELECTRIC

Moved by Trustee Miller and seconded by Trustee Sidari approving payment to Suburban Electric in the amount of \$9,031.62 as submitted by Chatfield Engineers, for services rendered for the JMIPCF Project. This contract is 10% completed as of August 31, 2012.

CARRIED

| | |
|--------|--------|
| 5 Ayes | 0 Nays |
|--------|--------|

CEMETERY ROOF REPLACEMENT

Moved by Trustee Sheehan and seconded by Trustee Miller approving to award the Mt Albion Roof Replacement Project to Young Enterprise in the amount of \$23,250.00, pending the asbestos to be tested first, per Cemetery Supervisor Jason Zicari recommendation.

CARRIED

| | |
|--------|--------|
| 5 Ayes | 0 Nays |
|--------|--------|

JMIPCF HEADWORKS PROJECT

Moved by Trustee Sheehan and seconded by Trustee Banker approving to award the Joint Municipal Industrial Pollution Control Facility Headworks Project (Contract #3) to STC Construction per Chatfield Engineers recommendation. Cost of the project will be \$394,700.

CARRIED

| | |
|--------|--------|
| 5 Ayes | 0 Nays |
|--------|--------|

APPROVED CEMETERY DEEDS

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

| | |
|----------------------|--|
| Julie Kappos | Lot 1010 Marigold Path NW #3 and SW #4 |
| Virginia M Schoelles | S.G. 372 Deerfield Avenue |
| Susan E Schroeder | Lot 1822 Fairview Avenue SE #5 |

CARRIED

| | |
|--------|--------|
| 5 Ayes | 0 Nays |
|--------|--------|

RESOLUTION CANCER AWARENESS MONTH

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

WHEREAS, every year, thousands of children across America are diagnosed with cancer which oftentimes becomes a life threatening illness, and

WHEREAS, cancer is currently the leading cause of death by disease for children under the age of 15, and

WHEREAS, survivors of pediatric cancers are oftentimes left with a myriad of health problems and struggles that affect them for the rest of their lives, and

WHEREAS, the causes of pediatric cancer are still largely unknown, and even with the advancements made through research and treatment, much more work is needed, and

WHEREAS, only 3% of cancer research funding goes to pediatric cancer, and

WHEREAS, pediatric cancer has affected and changed the lives of many in our area, and throughout the nation, and

NOW THEREFORE BE IT RESOLVED, the Mayor and Board of Trustees of the Village of Albion recognize the importance of pediatric cancer awareness and also support those who work toward this awareness and an eventual cure of this devastating disease and join in with those around the nation to recognize September as Pediatric Cancer Awareness Month.

CARRIED

5 Ayes

0 Nays

CORRESPONDENCE

The Board of Trustees received a correspondence from the Orleans County Legislature regarding the resolution they adopted supporting the critical need for the Brown Street Bridge to be repaired. The County has sent the resolution of support to the NYS Department of Transportation.

OLD WATER/SEWER BILL

Moved by Trustee Miller and seconded by Trustee Banker approving to remove the \$5,839.96 water/sewer bill from the property at 134 West Bank Street. The Village will seek payment from the person whose name was on the bill.

CARRIED

5 Ayes

0 nays

TIME WARNER FRANCHISE

The Board of Trustees took no action on renewing the Time Warner Franchise Agreement. Attorney John C Gavenda will check to see what other communities have done regarding Time Warner's request to have the agreement for fifteen years.

WEB SITE PROPOSAL

The Board of Trustees will check with Cemetery Supervisor Jason Zicari to see what his thoughts are on the web-site proposal from Mr Stephen Drew for Mt Albion Cemetery.

APPROVED REQUEST FOR CDBG FUNDS

Move by Trustee Sheehan and seconded by Trustee Banker approving Mayor Theodorakos to sign the letter to NYS Office of Community Renewal requesting \$143,195.87 in CDBG Grant Funds. This will be for Pay Application #3 for CDBG Grant Funds.

CARRIED

5 Ayes

0 Nays

APPROVED PAYMENT STUVER

Moved by Trustee Sheehan and seconded by Trustee Sidari approving the payment of \$42.00 to Patricia N Stuver for services rendered July 20, 2012.

CARRIED

5 Ayes

0 Nays

121 FAÇADE PROJECT

Chatfield Engineers provided the Board of Trustees with a table summarizing the extra work and credits this far for the 121 Rear Façade Project making the net amount owned to DioGuardi Construction \$511.00.

EXECUTIVE SESSION

Moved by Trustee Sheehan and seconded by Trustee Miller to adjourn to executive session for litigation matters at 8:12 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 8:57 PM.

CARRIED

5 Ayes

0 Nays

SPECIAL MEETING SCHEDULED

Moved by Trustee Sheehan and seconded by Trustee Sidari to hold a Special Meeting on Monday, September 17, 2012 at 6:00 PM to discuss ongoing litigations.

CARRIED

5 Ayes

0 Nays

PLATT ST PARKING LOT

Discuss the truck's parking at the Platt Street parking lot. Allowing the trucks to park there is making it difficult for the employees to find parking spaces. Mayor Theodorakos will talk to James Whipple from the Orleans County Economic Development Agency regarding the parking lot. The Board of Trustees may have to look at changing the Code Book regarding Village parking lots.

MEETING ADJOURNED

Moved by Trustee Miller and second by Trustee Sheehan that there being no further business, meeting is hereby adjourned at 8:59 PM.

CARRIED

5 Ayes

0 Nays

Respectfully submitted,



Linda K Babcock

Clerk-Treasurer