

The Workshop Meeting of the Board of Trustees of the Village of Albion was held Wednesday, July 25, 2012 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.

Also present were Police Officers Joshua Narburgh and David Mogle representing the Albion Police Benevolent Association.

Trustee Peter Sidari was absent.

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

Minutes taken by Mayor Theodorakos.

#### **EXECUTIVE SESSION**

Moved by Trustee Banker and seconded by Trustee Sheehan to adjourn to executive session for negotiations at 6:01 PM.

**CARRIED**

4 Ayes                      0 Nays

#### **EXECUTIVE SESSION CLOSED**

Moved by Trustee Sheehan and seconded by Trustee Banker to come out of executive session at 6:53 PM.

**CARRIED**

4 Ayes                      0 Nays

#### **APPROVED APBA AGREEMENT**

Moved by Trustee Sheehan and seconded by Trustee Banker approving Mayor Theodorakos to sign the proposed changes to the Albion Police Benevolent Association labor agreement.

**CARRIED**

3 Ayes                      1 Nay  
Trustee Sheehan        Trustee Miller  
Trustee Banker  
Mayor Theodorakos

Attorney John C Gavenda and Village Clerk Linda K Babcock entered the meeting at 7:00 PM.

#### **DEPARTMENT HEAD REPORTS**

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

The Board of Trustees requested that the Superintendent of the Water Treatment Plant Kevin Miller add to his monthly report, a comparison of gallons pumped to gallons billed.

#### **RESOLUTION ADOPTED FOR CLARENDON BRIDGE**

The Board of Trustees discussed the funding for the Clarendon Street Bridge Project. Mayor Theodorakos and Village Clerk met with Mr Chuck Bastian from Bernard Donegan Inc to discuss looking into bonding the Village's portion.

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

WHEREAS, the Village Board has applied for funding to rehabilitate the Clarendon Street Bridge; and

WHEREAS, Mayor Dean A Theodorakos and/or the Village Clerk Treasurer Linda K Babcock are hereby authorized to execute all agreements, certifications and reimbursement requests on behalf of the Village of Albion; and

WHEREAS, The Village Board of Trustees understands and accepts the stipulations of the agreement including its associated schedule, appendices, exhibits and attachments; and

WHEREAS, the Village Board has appropriated \$18,000.00 to deliver the project as described in Schedule A of the agreement;

NOW THEREFORE BE IT RESOLVED, that the Village Board of Trustees hereby directs Mayor Theodorakos and Village Clerk Treasurer Linda K Babcock to execute all documents for the rehabilitation of the Clarendon Street Bridge Project.

**CARRIED**

4 Ayes

0 Nays

**TREE ADVISORY BOARD**

The Board of Trustees discussed the Tree Advisory Board. For now, the Medina guidelines will be used. Mayor Theodorakos will appoint the committee members at the August 8, 2012 meeting.

**AFD LETTER**

Moved by Trustee Banker and seconded by Trustee Sheehan approving Mayor Theodorakos to sign the letter for the Albion Emergency Squad to the New York State Department of Health. The letter is in regards to them providing emergency medical care, as defined by Article 30 of New York State Public Health Law, to the Albion Fire District.

**CARRIED**

4 Ayes

0 Nays

**REMOVAL OF TAX BILLS**

Moved by Trustee Sheehan and seconded by Trustee Banker authorizing the removal of the following tax bills for Time Warner Cable for the fiscal year June 1, 2012 to May 31, 2013:

500.-4.-4./V	\$ 96.86
500.1-1-4.1	\$ 760.19

The Village of Albion receives franchise funds yearly from Time Warner Cable.

**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 July 11, 2012, July 18, 2012 and July 19, 2012 and there being no errors or omissions, minutes are hereby approved as written.

**CARRIED**

4 Ayes

0 Nays

**APPROVED PAYMENT TO DONEGAN**

Moved by Trustee Sheehan and seconded by Trustee Miller approving payment to Bernard P Donegan Inc for services rendered in May for the JMPCF Project in the amount of \$1,036.30.

**CARRIED**

4 Ayes

0 Nays

**APPROVED CEMETERY DEEDS**

Moved by Trustee Sheehan and seconded by Trustee Miller approving Mayor Theodorakos to sign the following Cemetery Deeds submitted by Cemetery Supervisor Jason Zicari:

Adrien Johnson	S.G. 422 Zephyr Avenue
Steven K Kast	S.G. 116 Deerfield Avenue
Pauline A Lanning	S.G. 292 Deerfield Avenue
Gary L and Ann M Lyon	1180 Holley Path E#1/E#2
John Riviere	S.G. 439 Zephyr Avenue
Pamela Simboli	#102 Ashwood Way
Lyle J and Donna J Trotter	S.G. 115 Deerfield Avenue

**CARRIED**

4 Ayes

0 Nays

**TABLED FRANCHISE AGREEMENT**

The Board of Trustees tabled approving Mayor Theodorakos to sign the Time Warner Cable Franchise Agreement until the August 8, 2012 Regular Meeting. Attorney Gavenda would like more time to review.

**ADOPTED RESOLUTION STANDARD WORK DAY**

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

WHEREAS, the New York State and Local Employees' Retirement System established Section 315.4, a new regulation on retirement reporting for elected and appointed officials which became effective August 12, 2009; and

WHEREAS, the new regulation adds additional requirements for both employers and elected and appointed officials, including an expanded record of work activities, a more detailed resolution and specific time frames within which requirements must be completed;

NOW THEREFORE BE IT RESOLVED, that the Village of Albion hereby establishes the following as standard work days for certain elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body;

Fred Miller	6 hours for Standard Work Day
Peter Sidari	6 hours for Standard Work Day
John C Gavenda	6 hours for Standard Work Day

AND BE IT FURTHER RESOLVED, the above list reflects only those elected and appointed officials with terms of office commencing after August 12, 2009, as stipulated in the new regulation and who do not participate in our time reporting system.

**CARRIED**

4 Ayes

0 Nays

**MEETING TIME CHANGED**

Moved by Trustee Miller and seconded by Trustee Sheehan to change the starting time for the Regular Meeting, August 8, 2012 to 6:00PM to review the Draft Comprehensive Plan.

**CARRIED**

4 Ayes

0 Nays

**MANAGERIAL/CLERKS**

The Board of Trustees discussed the correspondence from the Managers/Clerical employees. These employees would like to be recognized as a bargaining unit. The Board of Trustees determined they should go to PERB to have it decided on whether they are or not.

**DONATION**

The Tonawanda North Point Community Church will be holding an "Albion Bash" on July 28, 2012, 4:00 PM to 10:00 PM at Bullard Park. They will be making a donation which will cover the extra Police Officers overtime.

**RESOLUTION BROWN STREET BRIDGE**

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

WHEREAS, the Brown Street Bridge over the Erie Canal in the Village of Albion was closed by NY State Department of Transportation (NYSDOT) on July 19, 2012 due to safety concerns identified during annual bridge inspection, and

WHEREAS, NYSDOT will now begin an evaluation to determine scope of structural deficiencies and cost to repair, and

WHEREAS, the bridge is a major artery for Village residents, and for patrons of businesses which have recently contributed significantly to economic development and revitalization of the neighborhood and the community, and

WHEREAS, the bridge is one of only three bridges over the Canal in the Village, and is the only one that is not a lift bridge, and

WHEREAS, the lift bridges are sometimes closed for repairs and unavailable for vehicle traffic, including emergency vehicles, and

NOW THEREFORE BE IT RESOLVED, the Mayor and Board of Trustees of the Village recognize the critical needs served by the bridge and therefore desire to have it repaired and reopened as quickly as possible.

**CARRIED**

4 Ayes

0 Nays

**APPROVED AMSA AGREEMENT**

Moved by Trustee Sheehan and seconded by Trustee Banker approving Mayor Theodorakos to sign the agreement with AMSA for the period of January 1, 2012 to December 31, 2012. The agreement states the Village's contribution will be \$5,000.00 in the form of in kind services and \$10,000.00 in cash for a total of \$15,000.00.

**CARRIED**

4 Ayes

0 Nays

**APPROVED AUXILIARY REQUEST**

Moved by Trustee Sheehan and seconded by Trustee Banker approving the request from the Albion Fire Department Ladies Auxiliary to use the Fire Hall September 29, 2012, 8:00 AM to 5:00 PM to hold a fund raiser.

**CARRIED**

4 Ayes

0 Nays

**2012 TASK FORCE AGREEMENT**

The Village Clerk-Treasurer will check to see if the Board of Trustees has already approved Mayor Theodorakos to sign the 2012 Major Felony Crime Task Force Agreement.

**EXECUTIVE SESSION**

Moved by Trustee Banker and seconded by Trustee Sheehan to adjourn to executive session for litigations at 8:22 PM.

**CARRIED**

4 Ayes

0 Nays

**EXECUTIVE SESSION CLOSED**

Moved by Trustee Sheehan and seconded by Trustee Banker to come out of executive session at 9:00 PM.

**CARRIED**

4 Ayes

0 Nays

**MEETING ADJOURNED**

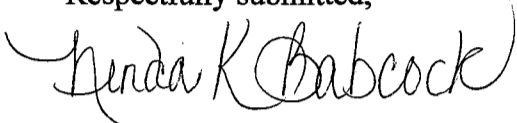
Moved by Trustee Sheehan and second by Trustee Banker that there being no further business, meeting is hereby adjourned at 9:01 PM.

**CARRIED**

4 Ayes

0 Nays

Respectfully submitted,



Linda K Babcock  
Clerk-Treasurer