

The Workshop Meeting of the Board of Trustees of the Village of Albion was held Wednesday, March 27, 2013 at 7:00 PM, at 35 East Bank Street, Albion, New York.

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

Trustee Kevin P Sheehan was absent.

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

PUBLIC HEARING

Mayor Theodorakos opened the Public Hearing at 7:00 PM to consider amending the Code of the Village of Albion by adding one handicapped parking space pursuant to Section 263-29 and 263-60 of the Code of the Village of Albion on East State Street adjacent to the First Presbyterian Church in the Village of Albion. Said space would be made available for handicapped parking for vehicles on Sundays only.

Resident Ms Kim Remley stated that the church would like the handicapped parking space all the time and not just on Sundays as the Church sometimes has functions during the week.

CLOSED PUBLIC HEARING

Moved by Trustee Miller and seconded by Trustee Banker that in as much as everyone who wished to speak to consider amending the Code of the Village of Albion by adding one handicapped parking space pursuant to Section 263-29 and 263-60 of the Code of the Village of Albion on East State Street adjacent to the First Presbyterian Church in the Village of Albion was heard, the Public Hearing closed at 7:07 PM. Said space would be made available for handicapped parking for vehicles on Sundays only.

CARRIED

4 Ayes

0 Nays

Adopt Local Law #2, 2013

The following Local Law #2, 2013 was proposed by Trustee Banker who moved its adoption and seconded by Trustee Miller:

WHEREAS, a proposed Local Law #2 of the year 2013 for the purpose of amending CHAPTER 263 was presented to the Village Board of Trustees, and

WHEREAS, the Board of Trustees at a Regular Board Meeting of said Board held on Wednesday, February 13, 2013 did adopt a motion that a Public Hearing be held on the aforesaid proposed Local Law at 7:00 PM on March 27, 2013, at 35 East Bank Street, Albion, New York and that said notice thereof be published in the Batavia Daily Newspaper, the official newspaper of the Village of Albion at least seven days before March 27, 2013,

WHEREAS, a notice of such Public Hearing on said proposed Local law was duly published in the Batavia Daily Newspaper on March 15, 2013 and

WHEREAS, a Public Hearing on said proposed Local Law was held by the Board of Trustees, at 35 East Bank Street, Albion, New York at 7:00 PM on March 27, 2013, at which time all were heard who wished to speak regarding said Local Law,

NOW THEREFORE BE IT RESOLVED, that the following Local Law be hereby made part of the code of the Village of Albion, New York:

**LOCAL LAW #2
CHAPTER 263
VEHICLES AND TRAFFIC**

§263-60

East State Street

North

From a point 164 feet east of Main Street to a point 184 feet east of Main Street. This space will be designated for handicapped parking on Sundays only.

CARRIED

4 Ayes

0 Nays

GRANT WRITER

Grant consultant Ms Jean O'Connell provided the Board of Trustees with information regarding how her company would help seek out grants for the Village. She will provide a 2 year proposal for the Board of Trustees to review.

PUBLIC HEARING

Mayor Theodorakos opened the Public Hearing at 7:30 PM to consider adopting a Local Law authorizing a property tax levy in excess of the limit established in General Municipal Law §3-c.

Resident Mr Gary Deiboldt spoke about high taxes in Orleans County.

CLOSED PUBLIC HEARING

Moved by Trustee Banker and seconded by Trustee Sidari that in as much as everyone who wished to speak to consider adopting a Local Law authorizing a property tax levy in excess of the limit established in General Municipal Law §3-c was heard, the Public Hearing closed at 7:56 PM.

CARRIED

4 Ayes

0 Nays

Adopt Local Law #3, 2013

The following Local Law #3, 2013 was proposed by Trustee Banker who moved its adoption and seconded by Trustee Sidari:

WHEREAS, a proposed Local Law #3 of the year 2013 for the purpose of amending CHAPTER 263 was presented to the Village Board of Trustees, and

WHEREAS, the Board of Trustees at a Regular Board Meeting of said Board held on Wednesday, February 27, 2013 did adopt a motion that a Public Hearing be held on the aforesaid proposed Local Law at 7:30 PM on March 27, 2013, at 35 East Bank Street, Albion, New York and that said notice thereof be published in the Batavia Daily Newspaper, the official newspaper of the Village of Albion at least seven days before March 27, 2013,

WHEREAS, a notice of such Public Hearing on said proposed Local law was duly published in the Batavia Daily Newspaper on March 15, 2013 and

WHEREAS, a Public Hearing on said proposed Local Law was held by the Board of Trustees, at 35 East Bank Street, Albion, New York at 7:30 PM on March 27, 2013, at which time all were heard who wished to speak regarding said Local Law,

NOW THEREFORE BE IT RESOLVED, that this local law shall take effect immediately upon filing with the Secretary of State:

Section 1. Legislative Intent

It is the intent of this local law to allow the Village of Albion to adopt a budget for the fiscal year commencing June 1, 2013 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government's governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3. Tax Levy Limit Override

The Board of Trustees of the Village of Albion, County of Orleans, is hereby authorized to adopt a budget for the fiscal year commencing June 1, 2013 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date

This local law shall take effect immediately upon filing with the Secretary of State.

CARRIED

4 Ayes

0 Nays

DEPARTMENT HEAD REPORTS

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

The Village Clerk will ask the Superintendent of Pollution Control Facility Aric Albright to send the Board of Trustees clarification on a couple of items on his report.

APPROVED MINUTES

Moved by Trustee Miller and seconded by Trustee Banker that in as much as each member received copies of the minutes of March 13, 2013 and March 20, 2013 and there being no errors or omissions, minutes are hereby approved as written.

CARRIED

4 Ayes

0 Nays

CORRESPONDENCE

The Board of Trustees tabled the request from Chatfield Engineers to be reappointed Village Engineer. The Village Clerk will check with Paul Chatfield to see if this is something new or if he has documentation when he was appointed last.

CORRESPONDENCE

The Board of Trustees received a correspondence from Orleans County Job Development regarding the work program they offer.

NFAVO MEETING

Notification from Northwestern Frontier Association of Village Officials regarding the dinner meeting that will be held April 17, 2013 at 6:00 PM at the Ho-Jack's Bar and Grill.

POLICE SRYS GRANT

Moved by Trustee Miller and seconded by Trustee Banker approving Mayor Theodorakos to sign the Master Federal Aid Project Agreement for the Safe Routes to School grant that the Albion Police Department received for \$10,000.00. The Police Department will be purchasing an ACT Electronic Trailer Mounted Solution.

CARRIED

4 Ayes

0 Nays

TABLED ADAPTIVE REUSE OVERLAY

Tabled approving to send the "adaptive reuse overlay" to the Orleans County Planning Board for approval as submitted by the Code Enforcement Officer Ron Vendetti. Mr Vendetti would like feedback from the Board of Trustees and Attorney Gavenda.

CLARENDON STREET BRIDGE REIMBURSEMENT

Moved by Trustee Sidari and seconded by Trustee Banker approving Mayor Theodorakos to sign the reimbursement forms for the Clarendon Street Bridge project. This is for services performed September 29, 2012 to November 23, 2012 by Bergmann Associates.

CARRIED

4 Ayes

0 Nays

CORRESPONDENCE

The Board of Trustees received a correspondence from Assemblyman Steve Hawley regarding the 2013 Local Government Conference that will be held June 2, 2013 to June 4, 2013.

APPROVED COUNTY FUEL AGREEMENT

Moved by Trustee Miller and seconded by Trustee Banker approving Mayor Theodorakos to sign the "Motor Fuel Purchase Agreement" with the Orleans County Highway Department.

CARRIED

4 Ayes

0 Nays

APPLICATIONS ACCEPTED

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

DPW

Brian D Bentley

Marc J Grimm

Daniel D Spriegel

William P Weldon

CEMETERY

Philip A Brown

DPW/Cemetery

Matthew A Flugel

James H Jett

Robert C Lowe

WTP INTERVIEWS

The Board of Trustees will be conducting interviews for the Water Treatment Plant Operator Trainee position on Saturday, March 30, 2013 and one interview on Monday, April 1, 2013.

EXECUTIVE SESSION

Moved by Trustee Sidari and seconded by Trustee Miller to adjourn to executive session to discuss litigations at 9:31 PM.

CARRIED

4 Ayes

0 Nays

EXECUTIVE SESSION CLOSED

Moved by Trustee Sidari and seconded by Trustee Miller to come out of executive session at 9:46 PM.

CARRIED

4 Ayes

0 Nays

MEETING ADJOURNED

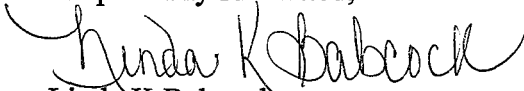
Moved by Trustee Banker and second by Trustee Sidari that there being no further business, meeting is hereby adjourned at 9:47 PM.

CARRIED

4 Ayes

0 Nays

Respectfully submitted,



Linda K Babcock

Clerk-Treasurer