

The Regular Meeting of the Board of Trustees of the Village of Albion was held Wednesday, April 14, 2021 at 5:30 PM, at the Village Hall, 35 East Bank Street, Albion, New York.

Present were Deputy Mayor Gary Katsanis, Trustees Christopher Barry, Zach Burgess, Stanley Farone and Attorney John C Gavenda. Mayor Eileen S Banker was absent. There were 11 residents/students present.

Deputy Mayor Katsanis opened the meeting with the pledge of allegiance at 5:30 PM.

EXECUTIVE SESSION

Moved by Trustee Farone and seconded by Trustee Burgess to adjourn to executive session for attorney/client discussion at 5:30 PM.

CARRIED
4 Ayes 0 Nays

EXECUTIVE SESSION CLOSED

Moved by Trustee Farone and seconded by Trustee Burgess to come out of executive session at 5:58 PM.

CARRIED
4 Ayes 0 Nays

PUBLIC HEARING FOR TENTATIVE BUDGET

Deputy Mayor Katsanis opened the Public Hearing at 6:00 PM to hear comments relating to the tentative budget as proposed by the Board of Trustees for the fiscal year beginning June 1, 2021:

Appropriations	Estimated Revenues	Fund Balance	Tax Levy
\$3,973,583.04	\$1,045,336.87		\$2,928,246.17

WATER FUND

Appropriations	Estimated Revenues	Fund Balance
\$1,715,124.34	\$1,715,124.34	\$ -0-

SEWER FUND

Appropriations	Estimated Revenues	Fund Balance
\$1,293,114.17	\$1,272,911.48	\$20,202.69

Assessed valuation for this year is 154,707,229 which is an increase from last year.

No residents present wished to speak.

CLOSED PUBLIC HEARING

Moved by Trustee Farone and seconded by Trustee Barry that in as much as nobody present wished to speak, the Public Hearing closed at 6:04 PM.

CARRIED
4 Ayes 0 Nays

RESIDENT

Annette Finch and members of the Recreation Committee asked the Board of Trustees if there will be a Recreation Program this year for the kids. The Board stated the following needs to be looked into: State guidelines for running a parks program, sanitation stations need to be in place, how many attendees are they allowed to have, how many Park Supervisors do they need to have, how often the bathrooms will need to be cleaned and by whom. The Committee would also like to see all the Village parks open with staffed park supervisors.

APPLICATIONS FOR APARTMENT

The Board of Trustees tabled renting out the apartment at Mt Albion Cemetery. They will revisit it in May.

TABLED AGREEMENT WITH BERGEN

The Board of Trustees tabled discussion on the Memorandum of Understanding with the Town of Bergen. The Pollution Control Plant Chief Operator Aric Albright is working on it.

RESIDENT

Wende London addressed the Board of Trustees about replacing a headstone in Mt Albion Cemetery that was removed. Ms London will contact the Cemetery Supervisor Jason Zicari to see what documents he would like so she can proceed with the purchase of the headstone.

TABLED APPOINTMENT TO LIBRARY BOARD

The Board of Trustees tabled the appointment to the Library Board until Mayor Banker is present.

TABLED APPOINTMENT TO HPC

The Board of Trustees tabled the appointment to the Historic Preservation Commission until Mayor Banker is present.

APPROVED TREASURERS REPORT

Moved by Trustee Farone and seconded by Trustee Barry approving the Treasurer's Report for the month of March 2021.

CARRIED
4 Ayes 0 Nays

APPROVED MINUTES

Moved by Trustee Farone and seconded by Trustee Burgess that in as much as each member received copies of the minutes of March 24, 2021 and April 5, 2021 and there being no errors or omissions, minutes are hereby approved as written.

CARRIED
4 Ayes 0 Nays

APPROVED PAYMENT OF VILLAGE BILLS

Moved by Trustee Farone and seconded by Trustee Barry approving the monthly journal entries and the payment of the following Village bills:

General	\$46,573.60
Water	\$13,905.61
Sewer	\$35,374.15

Voucher numbers 37525 to 37777 for invoices paid March 11, 2021 to, April 14, 2021

CARRIED
4 Ayes 0 Nays

APPROVED PAYMENT TO OSBORN, REED & BURKE

Moved by Trustee Barry and seconded by Trustee Farone approving payment of \$2,128.50 to Osborn, Reed & Burke for services rendered February 28, 2021 to March 31, 2021.

CARRIED
4 Ayes 0 Nays

APPROVED PAYMENT TO DONEGAN

Moved by Trustee Farone and seconded by Trustee Barry approving payment of \$5,473.97 to Bernard Donegan for services rendered regarding the \$295,000 Bond for the Disinfection Project at the Joint Municipal Industrial Pollution Control Facility.

CARRIED
4 Ayes 0 Nays

APPROVED PAYMENT TO MRB GROUP

Moved by Trustee Barry and seconded by Trustee Farone approving payment of \$5,070.60 to MRB Group for services rendered February 14, 2021 to March 13, 2021 for the Air Header Improvement Project at the Joint Municipal Industrial Pollution Control Facility.

CARRIED
4 Ayes 0 Nays

APPROVED PAYMENT TO WENDEL

Moved by Trustee Farone and seconded by Trustee Barry approving payment of \$27,280.33 to Wendel for services rendered through February 28, 2021 for the WIIA Grant.

CARRIED

4 Ayes

0 Nays

APPROVED CEMETERY DEEDS

Moved by Trustee Burgess and seconded by Trustee Barry approving Deputy Mayor Katsanis sign the following Cemetery Deeds:

E Christine Capurso	Lot 1657 Clover Avenue SW#2 & SW#3
Benny Mae Owens-Lynch	S.G. 1815 East Greenbank Avenue
David Ryder	S.G. 255 Single Veterans
Jennifer T Rider	S.G. 843 Mapleview Avenue
Letha A Sackett	S.G. 863 Deerfield Avenue
Denise Spiegel	S.G. 213 Single Veterans

CARRIED

4 Ayes

0 Nays

ACCEPTED APPLICATION

The following application was accepted and will be placed on file for future reference:

John Grillo Recreation Director

CARRIED

4 Ayes

0 Nays

GRANT CONTRACT

The Board of Trustees discussed the proposed contract submitted by Jean O'Connell regarding offering grant services for May 1, 2021 through April 30, 2023 and decided to not renew the contract.

RESIDENT REQUEST

The Board of Trustees approved the request from the Albion Storm Softball Coach Ryan Woolston requesting to use a Bullard Park diamond every Tuesday, Thursday and Saturday starting April 19, 2021 through June 19, 2021. The Board is not aware of anyone else using them on those days. The Board is requesting they follow the COVID state guidelines and provide the approximate times they will be using the field. Trustee Farone will put a schedule together that will be placed at Bullard Park showing who is using the fields and when.

APPROVED HEALTH AGREEMENT

Moved by Trustee Farone and seconded by Trustee Barry approving Deputy Mayor Katsanis sign the Occupational Health Agreement with Orleans Community Health to provide physicals and random drug/alcohol testing.

CARRIED

4 Ayes

0 Nays

APPROVED ADMIN FOR MAIN STREET GRANT

Moved by Trustee Farone and seconded by Trustee Burgess to hire J O'Connell to provide the administration for the Main Street Grant for \$17,000.00. There were two other proposals received: Heritage Resources - \$25,000 and LaBella Associates - \$28,500.

CARRIED

4 Ayes

0 Nays

APPROVED MOA WITH ORLEANS COUNTY

Moved by Trustee Farone and seconded by Trustee Barry approving Mayor Banker sign the Memorandum of Agreement with the Orleans County Sheriff's Office for a period of one year that incorporates the 2020 STOP DWI certification plan and dates.

CARRIED

4 Ayes

0 Nays

APPROVED TO HIRE OUTSIDE ATTORNEY

Moved by Trustee Farone and seconded by Trustee Barry to hire Osborn, Reed and Burke to review the Albion Benevolent Association's contract and their request of changes starting June 1, 2021.

CARRIED

4 Ayes

0 Nays

ADOPTED BOND RESOLUTION FOR AIR HEADER PROJECT

The following Resolution 2021-11 was proposed by Trustee Farone who moved its adoption and seconded by Trustee Barry:

BOND RESOLUTION DATED APRIL 14, 2021 OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF ALBION, NEW YORK, AUTHORIZING GENERAL OBLIGATION SERIAL BONDS TO FINANCE SEWER SYSTEM CAPITAL 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 purpose hereinafter described consists of sewer system capital improvements to include the Joint Municipal Industrial Pollution Control Facility (JMIPCF) Improvement Project, authorized to be undertaken by the Village Board of Trustees pursuant to the Village Law;

WHEREAS, the Village hereby determines and finds that the proposed action 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 in that the purpose consists of the purchase of equipment, 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 sewer system improvements, to include the replacement of portions of the deteriorated 30-inch and 8-inch diameter steel air header at the Village of Albion Joint Municipal Industrial Pollution Control Facility (JMIPCF), and the acquisition of original furnishings, equipment, machinery or apparatus, or the replacement of such equipment, machinery or apparatus, and other 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 \$490,000 and bond anticipation notes in anticipation thereof (and renewals thereof) of the Village are hereby authorized to be issued to finance said purpose, and said amount is hereby appropriated therefor.

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 \$490,000. 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 Subdivision 4 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is thirty (30) years, (b) the proposed maximum maturity of said bonds authorized by this resolution will 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 power to contract and issue indebtedness pursuant to §169.00 of the Local Finance Law, if applicable, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, whether to authorize the receipt of bids in an electronic format, 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. After compliance with Section 9 hereof, this resolution 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 is subject to a permissive referendum of the qualified electors of the Village of Albion, pursuant to Section 36.00 of the Local Finance Law.

CARRIED
4 Ayes 0 Nays

MEETING ADJOURNED

Moved by Trustee Farone and seconded by Trustee Barry that there being no further business, meeting is hereby adjourned at 7:47 PM.

CARRIED
4 Ayes 0 Nays

Respectfully submitted,

Linda K Babcock
Clerk-Treasurer