

The Regular Meeting of the Board of Trustees of the Village of Albion was held Wednesday, August 11, 2021 at 6:00 PM, at the Village Hall, 35 East Bank Street, Albion, New York.

Present were Mayor Eileen S Banker, Trustees Zachary Burgess, Stan Farone, Gary Katsanis and Attorney John C Gavenda. Trustee Christopher Barry was absent. Also in attendance was Superintendent of Public Works James Pahura, Officer in Charge Dave Mogle, Pollution Control Plant Chief Operator Aric Albright and Water Treatment Plant Chief Operator Adam Rush. Albion Fire Department Chief Rob Conner, Cemetery Supervisor Jason Zicari, Animal Control Officer Harry Papponetti and Code Enforcement Officer Kevin Sheehan were absent. There were forty-four residents present.

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

PUBLIC HEARING

Mayor Banker opened the Public Hearing to hear comments regarding vacant building code.

Ann Brown, Conrad Cropsey, Gregory Dugan, John Fitzak and Lyman and Lyman all submitted letters voicing their concerns about the law. The following spoke: Conrad Cropsey, Ron Vendetti, Corey Black, Karen Conn (Planning Board Member), Amber Mogle, Angel Javier Jr, Chad Fabray, John Sample, Jim Nowaczewski, Athena Revelas-Nichols, Natasha Wasuck, Lora Laine, Michael Bonafede, Mary Anne Braunbach, Dorothy Daniels, Lucy Miller, Brad Shelp and Gus Revelas. The following was spoken about:

The law is a litigation trap which will cost the Village money-use that money on grants not litigation; the majority understand what the Village is trying to do-law needs tweaking/cleaning up; the Village current property maintenance codes address a lot of the issues-enforce them; the Village already has a comprehensive plan and a Strategic Plan for the Downtown Albion Business District; what is the definition of a vacant building especially if there are multiple store fronts and one is empty; the law is unconstitutional and may have the opposite effect making the building too costly to own; punishing the building owner; came at wrong time-right after a year of COVID and some owners don't have the time/money to put into their buildings especially if they have to hire someone; building is used for storage for their business-are they considered a vacant commercial building; suggested owners attend the next Planning Board meeting on September 9th to give input; building for sale and can't find a buyer for it; law would create hardship for the owners; law was researched from other communities who do something similar; what would the funds from the fines go to; the law was worked on by the Planning Board for over a year and wasn't meant to make it more difficult for owners.

CLOSED PUBLIC HEARING

Moved by Trustee Katsanis and seconded by Trustee Burgess that in as much as everyone present who wished to speak were heard regarding the vacant commercial building code, the Public Hearing closed at 7:20 PM.

CARRIED

4 Ayes

0 Nays

DECLINED VACANT COMMERCIAL BUILDING CODE

Moved by Trustee Katsanis and seconded by Trustee Farone declining the proposed vacant commercial building code as written. The code will be sent back to the Planning Board to work on the contents. Mayor Banker encouraged the building owners to attend the next Planning Board Meeting which will be held on September 9, 2021, where they can provide their input.

CARRIED

4 Ayes

0 Nays

DEPARTMENT HEAD REPORTS

The Board of Trustees received monthly reports for July from Superintendent of Public Works James Pahura, APD Officer in Charge David Mogle, Albion Fire Department Chief Rob Conner, Animal Control Officer Harry Papponetti, Code Enforcement Officer Kevin Sheehan, Cemetery Supervisor Jason Zicari, Village Clerk Linda Babcock, Water Treatment Plant Chief Operator Adam Rush and Pollution Control Plant Chief Operator Aric Albright.

APPROVED SURPLUS EQUIPMENT

Moved by Trustee Farone and seconded by Trustee Katsanis approving the request from Superintendent of Public Works Jay Pahura to declare the following as surplus property:

1992 Cat D7 Army bulldozer with winch
 Esaab Welder
 Ford Tractor model f-1700 with a 770 front end loader 1982
 (4) push mowers (various makes)
 (3) weed wackers (Echo)
 Old boom setup for the vactor truck

CARRIED

4 Ayes 0 Nays

APPROVED TO REQUEST LIST

Moved by Trustee Farone and seconded by Trustee Katsanis approving the request from Officer in Charge Dave Mogle for Mayor Banker to request the Certificate of Eligible list for Police Officer.

CARRIED

4 Ayes Nays

APPROVED TO HIRE POLICE OFFICER

Moved by Trustee Farone and seconded by Trustee Katsanis to hire Justyn Haines from the Orleans County Civil Service list for Police Officers. Mr Haines will have a seventy-eight (78) week probationary period and his starting salary will be at the new employee rate.

CARRIED

4 Ayes 0 Nays

APPROVED SURPLUS EQUIPMENT

Moved by Trustee Farone and seconded by Trustee Burgess approving the request from Officer in Charge Dave Mogle to declare the 1994 Chevrolet 3500-old SWAT utility truck as surplus property.

CARRIED

4 Ayes 0 Nays

APPROVED PURCHASE OF 2 VEHICLES

Moved by Trustee Katsanis and seconded by Trustee Farone approving to purchase two (2) Dodge Durangos from the state bid. The first payments will be paid out of the general fund balance.

CARRIED

4 Ayes 0 Nays

PERSONNEL COMPLAINT FORMS

The Board of Trustees discussed with Officer in Charge Dave Mogle to have an independent party review personnel complaints. Mayor Banker stated she will have a Trustee do that.

WTP FLUORIDE SHED

The Village Clerk-Treasurer will look into whether funds from the coronavirus local recovery funds can be used for the Fluoride Shed at the Water Treatment Plant.

APPROVED LABELLA PROPOSAL

Moved by Trustee Katsanis and seconded by Trustee Burgess approving LaBella's proposal of \$95,900 to provide additional services regarding the fluoride shed needed at the Water Treatment Plant and to be paid out of water fund balance.

CARRIED

4 Ayes 0 Nays

APPROVED INCREASE IN LINES

Moved by Trustee Katsanis and seconded by Trustee Burgess approving the request from Officer in Charge Dave Mogle to increase A3120.103 (overtime) and A3389 (Other Public Safety) \$987.75 for funds received from the Police Traffic Services program.

CARRIED
4 Ayes 0 Nays

USE OF GRANDSTAND

Moved by Trustee Farone and seconded by Trustee Burgess approving the request from resident Tim McMurray to use the Village's grandstand on September 11, 2021 at Bullard Park .

CARRIED
4 Ayes 0 Nays

MORATORIUM ON SOLAR ENERGY

Attorney Gavenda will work on the moratorium on solar energy and bring it to the Board of Trustees at a future meeting for review.

APPROVED TREASURERS REPORT

Moved by Trustee Katsanis and seconded by Trustee Burgess approving the Treasurer's Report for the month of July 2021.

CARRIED
4 Ayes 0 Nays

APPROVED MINUTES

Moved by Trustee Katsanis and seconded by Trustee Burgess that in as much as each member received copies of the minutes of July 14, 2021 and there being no errors/corrections, minutes are hereby approved as written.

CARRIED
4 Ayes 0 Nays

APPROVED PAYMENT OF VILLAGE BILLS

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

General	\$36,867.82
Water	\$24,333.83
Sewer	\$22,774.28

Voucher numbers 38509 to 38670 for invoices paid July 15, 2021 to August 11, 2021

CARRIED
4 Ayes 0 Nays

APPROVED PAYMENT TO WENDEL

Moved by Trustee Farone and seconded by Trustee Burgess approving payment of \$54,637.50 to Wendel for services rendered through May 31, 2021 for the WIA Grant.

CARRIED
4 Ayes 0 Nays

APPROVED PAYMENT TO MRB

Moved by Trustee Katsanis and seconded by Trustee Farone approving payment of \$825.60 to MRB Group for services rendered Jun 6, 2021 to July 31, 2021 for the Air Header Improvement Project.

CARRIED
4 Ayes 0 Nays

APPROVED PAYMENT TO MCGILL

Moved by Trustee Katsanis and seconded by Trustee Burgess approving payment of \$2,708.67 to Timothy R McGill for services rendered for the \$1,299,600 Short Term Financing.

CARRIED

4 Ayes 0 Nays

APPROVED PAYMENT TO DONEGAN

Moved by Trustee Katsanis and seconded by Trustee Farone approving payment of \$6,587 to Bernard P Donegan Inc for services rendered for the \$1,299.600 Short Term Financing.

CARRIED

4 Ayes 0 Nays

APPROVED PAYMENT TO DONEGAN

Moved by Trustee Katsanis and seconded by Trustee Burgess approving payment of \$1,859.75 to Bernard P Donegan Inc for the following services rendered from May 12, 2021 to June 23, 2021:

Emergency Air Header Project	\$735.25
Water Improvement Project	\$908.25
CDU/FMS	\$216.25

CARRIED

4 Ayes 0 Nays

APPROVED PAYMENT TO OSBORN, REED & BURKE

Moved by Trustee Katsanis and seconded by Trustee Farone approving payment of \$66.00 to Osborn, Reed & Burke for services rendered July 27, 2021.

CARRIED

4 Ayes 0 Nays

APPROVED CEMETERY DEEDS

Moved by Trustee Burgess and seconded by Trustee Farone approving Mayor Banker sign the following Cemetery Deeds:

Alan Bosko	S.G. 887 Deerfield Avenue
Donald A Fleth/Faye M Sugar	S.G. 1809 East Greenbank Avenue
Teresa J Gaylard	S.G. 658 Deerfield Avenue
Kevin Hillman	S.G. 809 Deerfield Avenue

CARRIED

4 Ayes 0 Nays

ACCEPTED APPLICATIONS

The Board of Trustees accepted the following applications and will be placed on file for future reference:

Ethan Graves-Laborer and Robert C Snell-DPW

NOTIFICATION OF LICENSE RENEWAL

The Board of Trustees received notification from the Albion Lodge #1006 BPO Elks with their intention of renewing their liquor license.

APPROVED LOW BIDDER

Moved by Trustee Katsanis and seconded by Trustee Burgess approving the proposal of \$3,700 from LCS Inc to perform eleven (11) environmental testings on the properties identified for the Main Street Grant in accordance with their bid, authorizing payment out of A1910.0410 and then be submitted for repayment by the property owner in equal shares for each inspection report. The other bids received were: BE3 Corp-\$4,500 and Expert Environmental & Construction Group-anywhere between \$35,000 to \$71,390.

CARRIED

4 Ayes 0 Nays

APPROVED BREAK ON SEWER

Moved by Trustee Katsanis and seconded by Trustee Farone approving the request from resident Linda Mastin for a break on the sewer portion of her water/sewer bill for the period of April 1, 2021 to June 30, 2021. The amount of \$232.30 will be forgiven because the leak was under the mobile home and the water didn't enter the sanitary sewer.

CARRIED

4 Ayes 0 Nays

APPROVED PAYMENT PLAN REQUEST

Moved by Trustee Farone and seconded by Trustee Katsanis approving the request from resident Loretta Lewandowski for a payment plan for her April 1, 2021 to June 30, 2021 water/sewer bill. The payment plan will be worked out with the water clerk and the resident.

CARRIED

4 Ayes 0 Nays

DENIED BREAK IN WATER/SEWER BILL

The Board of Trustees reviewed the second letter from resident Jason Monska requesting a reduction in his water/sewer bill for the period April 1, 2021 to June 30, 2021. Attorney Gavenda will write a letter to Mr Mouska stating the Board's decision.

LAND AT 120 WEST BANK ST

Moved by Trustee Farone and seconded by Trustee Katsanis approving Mayor Banker sign the transfer by quit claim deed of 120 West Bank Street from Niagara Orleans Regional Land Improvement Corporation to the Village of Albion.

CARRIED

4 Ayes 0 Nays

APPROVED PANDEMIC EMERGENCY OPERATION PLAN

Moved by Trustee Farone and seconded by Trustee Katsanis approving Mayor Banker sign the Pandemic Emergency Operation Plan as submitted.

CARRIED

4 Ayes 0 Nays

APPROVED USE OF BOARD ROOM

Mayor Banker informed the Board of Trustees that Assemblyman Stephen Hawley will be holding a Town Hall meeting in the Village Board Room on Saturday, August 14, 2021 at 11:00 AM.

MARIJUANA REGULATION

Moved by Trustee Katsanis and seconded by Trustee Burgess to schedule a Public Hearing for Wednesday, October 13, 2021 at 6:00 PM to discuss allowing marijuana dispensaries in the Village of Albion.

CARRIED

4 Ayes 0 Nays

BULLARD PARK CAMERAS

The Board of Trustees received two bids for the Security/Cameras at Bullard Park. Security One - \$36,119.73 and Linstar - \$34,998.43. Trustee Katsanis would like more time to look into what Village resources will be needed to do this project.

THANK YOU

The Board of Trustees received a correspondence from Mary O'Sullivan thanking Kyle Picirilli and Kevin Kelley for scraping, repairing and painting tables and benches at the canal. The Board would like to thank Mary for taking charge of getting them redone.

NOTIFICATION OF LICENSE RENEWAL

The Board of Trustees received notification from Albion Exempts Inc with their intention of renewing their liquor license.

APPROVED INCREASE IN LINES

Moved by Trustee Katsanis and seconded by Trustee Burgess approving the request from Officer in Charge Dave Mogle to increase A3120.405 (Community Programs) and A3389 (Other Public Safety) \$1,726.19 for funds received from the Child Passenger Safety Program.

CARRIED
4 Ayes 0 Nays

APPROVED BREAK ON SEWER

Moved by Trustee Katsanis and seconded by Trustee Burgess approving the request from resident William Wittman for a break on the sewer portion of his water/sewer bill for the period October 20, 2020 to January 4, 2021. The amount of \$458.82 will be forgiven as his hot water tank was leaking and the water didn't enter the sanitary sewer.

CARRIED
4 Ayes 0 Nays

APPROVED PAYMENT PLAN

Moved by Trustee Katsanis and seconded by Trustee Burgess approving the request from resident Lee Albertson for a payment plan for his April 1, 2021 to July 2, 2021 water/sewer bill. The payment plan will be worked out with the water clerk and the resident.

CARRIED
4 Ayes 0 Nays

APPROVED AGREEMENT

Moved by Trustee Katsanis and seconded by Trustee Farone approving Mayor Banker sign the agreement with Crosby-Brownlie Inc regarding the Phase II Biomass Boiler System.

CARRIED
4 Ayes 0 Nays

EXECUTIVE SESSION

Moved by Trustee Katsanis and seconded by Trustee Burgess to adjourn to executive session for personnel matters at 8:40 PM.

CARRIED
4 Ayes 0 Nays

EXECUTIVE SESSION CLOSED

Moved by Trustee Katsanis and seconded by Trustee Farone to come out of executive session at 8:48 PM.

CARRIED
4 Ayes 0 Nays

APPROVED PAYMENT MEDICAL

Moved by Trustee Farone and seconded by Trustee Katsanis approving to pay a certain employee's medical invoices due to miscommunication with the member and other parties.

CARRIED
4 Ayes 0 Nays

MEETING ADJOURNED

Moved by Trustee Katsanis and seconded by Trustee Farone that there being no further business, meeting is hereby adjourned at 8:49 PM.

CARRIED
4 Ayes 0 Nays

Respectfully submitted,

Linda K Babcock, Clerk-Treasurer