

The Regular Meeting of the Board of Trustees of the Village of Albion was held Wednesday, January 12, 2022 at 6:00 PM, at the Village Hall, 35 East Bank Street, Albion, New York.

Present were Deputy Mayor Gary Katsanis, Christopher Barry, Zachary Burgess, Stanley Farone, and Attorney John C Gavenda. Mayor Eileen Banker was absent. Also in attendance were Water Treatment Plant Chief Operator Adam Rush. There were 3 residents present.

Deputy Mayor Gary Katsanis opened the meeting with the pledge of allegiance at 6:00 PM.

WTP PHONE SYSTEM

The Water Treatment Plant Chief Operator Adam Rush informed the Board of Trustees that he is waiting on third bid for the new phone system at the plant.

WTP UNDERGROUND TANK

Underground fuel tank at Water Treatment Plant was dug out. Moved by Trustee Barry and seconded by Trustee Burgess to approve funding up to \$10,000 from water reserves for pourable fill and soil samples.

CARRIED
4 Ayes 0 Nays

APPROVED TREASURERS REPORT

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

CARRIED
4 Ayes 0 Nays

APPROVED MINUTES

Moved by Trustee Burgess and seconded by Trustee Farone that in as much as each member received copies of the minutes of December 8, 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 Burgess and seconded by Trustee Barry approving the monthly journal entries and the payment of the following Village bills:

General	\$57,214.22
Water	\$23,752.43
Sewer	\$15,728.37

Voucher numbers 39551-39611 and 90540-90735 for invoices paid December 9, 2021 to January 12, 2022

CARRIED
4 Ayes 0 Nays

APPROVED PAYMENT TO LABELLA ASSOCIATES

Moved by Trustee Barry and seconded by Trustee Burgess approving payment of \$29,137.87 to LaBella Associates for services rendered September 25, 2021 to October 29, 2021 for the Water Treatment Plant Fluoridation Building project and to be paid out of the water fund balance.

CARRIED
4 Ayes 0 Nays

APPROVED PAYMENT TO BERNARD P DONEGAN INC

Moved by Trustee Barry and seconded by Trustee Farone approving payment of \$497.75 to Bernard P Donegan Inc for the following services rendered November 2021:

Water Main	\$ 407.25
FMS	\$ 90.50

CARRIED
4 Ayes 0 Nays

APPROVED PAYMENT TO CROSBY-BROWNLIE INC

Moved by Trustee Farone and seconded by Trustee Barry approving payment of \$15,826.28 to Crosby-Brownlie Inc for Pay Application 4 for the Biomass Boiler project at the Water Treatment Plant for the Biomass Boiler Project and to be paid out of water fund balance.

CARRIED
4 Ayes 0 Nays

APPROVED PAYMENT TO AXON ENTERPRISES INC

Moved by Trustee Burgess and seconded by Trustee Barry approving payment of \$124,495.01 to Axon Enterprises Inc for the purchase of cameras and tasers to be purchased out of the American Rescue Plan Act funds.

CARRIED
4 Ayes 0 Nays

APPROVED PAYMENT TO IMPERIAL INDUSTRIES

Moved by Trustee Barry and seconded by Trustee Burgess approving payment of \$25,000 to Imperial Industries for the down payment of the sludge truck to be paid out of sewer reserves.

CARRIED
4 Ayes 0 Nays

APPROVED PAYMENT TO JETTNER INFORMATION SERVICES

Moved by Trustee Farone and seconded by Trustee Burgess approving payment of \$3,000 to Jettner Information Services for services rendered for the Codes Records Retention Grant.

CARRIED
4 Ayes 0 Nays

APPROVED CHANGE ORDER WTP PROJECT

Moved by Trustee Barry and seconded by Trustee Burgess approving Deputy Mayor Katsanis to sign the Change Order for the electrical Request for Proposals to remove the motor starter box and replacement, as submitted by LaBella Associates.

CARRIED
4 Ayes 0 Nays

APPROVED CEMETERY DEEDS

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

Cary R & Dianne E Eddy	S.G. 793 Deerfield Avenue
Donald N & Linda P Engle Sr	S.G. 915 Mapleview Avenue
Denise H Hare	118 Ashwood Way

CARRIED
4 Ayes 0 Nays

CORRESPONDENCE FROM EMPLOYEE RETIRING

The Board of Trustees received a correspondence from Gary VanWycke stating his retirement from the Police Department effective December 31, 2021.

APPROVED PROVISIONAL APPOINTMENT

Moved by Trustee Burgess and seconded by Trustee Barry appointing William Francis Jr as Provisional Sergeant effective December 26, 2021 per Acting Chief David Mogle’s recommendation.

CARRIED
4 Ayes 0 Nays

APPROVED PROVISIONAL APPOINTMENT

Moved by Trustee Farone and seconded by Trustee Barry appointing Robert Wagner IV as Provisional Sergeant effective December 26, 2021 per Acting Chief David Mogle’s recommendation.

CARRIED
4 Ayes 0 Nays

APPROVED PROVISIONAL APPOINTMENT

Moved by Trustee Barry and seconded by Trustee Burgess appointing Daniel Baase as Provisional Sergeant effective December 26, 2021 per Acting Chief David Mogle’s recommendation.

CARRIED
4 Ayes 0 Nays

ACCEPTED THE FOLLOWING APPLICATION

The following application was accepted and put on file for future reference:

Gary VanWycke Clerk

APPROVED INCREASE IN LINES

Moved by Trustee Barry and seconded by Trustee Burgess approving to increase F2374 (water services for other governments) and F8320.405 (computer supplies) \$1,672 for reimbursement from the Towns for the annual subscription to Diamond Maps.

CARRIED
4 Ayes 0 Nays

ADOPTED RESOLUTION 2022-1 RE: NOT HOLDING REGISTRATION DAY

The following Resolution 2022-1 was proposed by Trustee Farone who moved its adoption and seconded by Trustee Barry regarding not holding a registration day for the March 15, 2022 election:

NOW THEREFORE BE IT RESOLVED, the Village of Albion will NOT hold a registration day for the upcoming Village Election to be held on March 15, 2022.

CARRIED
4 Ayes 0 Nays

ADOPTED RESOLUTION 2022-2 RE: POLLS LOCATION AND TIME

The following Resolution 2022-2 was proposed by Trustee Barry who moved its adoption and seconded by Trustee Burgess stating the polls’ location and time:

NOW THEREFORE BE IT RESOLVED, that the General Election for the Village of Albion will be held on Tuesday, March 15, 2022 at the Village Board Room, 35-37 East Bank Street, Albion, New York with the polls opening at 12:00 noon and closing at 9:00 PM.

CARRIED
4 Ayes 0 Nays

APPOINTED CLERK

Moved by Trustee Barry and seconded by Trustee Burgess appointing Gary VanWycke from the Orleans County Certification of Eligible list for Clerk, per Acting Chief David Mogle’s recommendation. Mr. VanWycke will have a 52-week probationary period at \$16.35 per hour for Police Clerk.

CARRIED
4 Ayes 0 Nays

APPOINTED CHIEF OPERATOR OF WTP

Moved by Trustee Farone and seconded by Trustee Burgess appointing Adam Rush from the Orleans County Certification of Eligible list for Water Treatment Plant Chief Operator. Mr. Rush will have a 52-week probationary period.

CARRIED
4 Ayes 0 Nays

APPROVED RESIDENT REQUEST

Moved by Trustee Farone and seconded by Trustee Barry approving the request from resident Jackie Plueckhahn for a payment plan for her July 1, 2021 to September 30, 2021 water/sewer bill. The water billing clerk will work out the payment plan with Ms. Plueckhahn.

CARRIED
4 Ayes 0 Nays

DPW CONTRACT

The Board of Trustees received a correspondence from Village of Albion DPW Employees Association regarding their contract that will expire May 31, 2022.

APPROVED U OF R AGREEMENT

Moved by Trustee Farone and seconded by Trustee Barry approving Deputy Mayor Katsanis to sign the agreement with The University of Rochester Medical Faculty Group and the Albion Fire Department.

CARRIED
4 Ayes 0 Nays

APPROVED GOART! CONTRACT

Moved by Trustee Farone and seconded by Trustee Barry approving the Clerk-Treasurer to sign the contract with GoART! to receive \$2,410 towards the 2022 concerts.

CARRIED
4 Ayes 0 Nays

VACATION SCHEDULE

Tabled discussion of vacation schedule in managerial policy. Village Clerk to send vacation schedules from managerial policy to the Board for review.

SURPLUS PROPERTY

Moved by Trustee Farone and seconded by Trustee Barry declaring Village land as surplus property- 120 West Bank Street and 61 Brown Street. The Village Clerk will place an ad in the Pennysaver for 2 weeks stating the Village is accepting purchase offers. Attorney Gavenda will contact a realtor to have the property appraised.

CARRIED
4 Ayes 0 Nays

APPROVED TO HIRE POLICE OFFICER

Moved by Trustee Burgess and seconded by Trustee Farone approving to hire Alexandra Reigle from the Certification of Eligible List as a police officer pending her physiological and physical exams. Alexandra Reigle will have a 78-week probationary period. Starting salary will be \$47,448.30.

CARRIED
4 Ayes 0 Nays

CORRESPONDENCE FROM ORLEANS COUNTY LEGISLATURE

The Board of Trustees received correspondence from Orleans County Legislature regarding the Emergency Medical Service Responses Task Force. Trustee Barry will be the Village’s representative with Trustee Farone as the alternate.

APPROVED PAYMENT TO UPSTATE VALVE AND CONTROL

Moved by Trustee Burgess and seconded by Trustee Barry approving payment of \$26,400 to Upstate Valve and Control for four Rotork Electric Actuators and to paid out of water reserves.

CARRIED
4 Ayes 0 Nays

ADOPT RESOLUTION 2022-3 RE: AGREEMENT WITH TESLA

Trustee Farone moved the adoption of the following resolution; Trustee Burgess seconded the motion.

A RESOLUTION DATED JANUARY 12, 2022 OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF ALBION AUTHORIZING ENTERING INTO A LETTER AGREEMENT WITH TESLA REGARDING POWER PURCHASEMENT.

Be it hereby enacted by the Board of Trustees of the Village of Albion as follows:

WHEREAS, the Village of Albion entered into a power purchase agreement with Solar City on or about the 11th day of December, 2015; and

WHEREAS, as part of the power purchase agreement the Village of Albion was to realize a substantial cost saving in its electrical charge at the Pollution Control Plant located on Densmore Street from solar panels were placed online; and

WHEREAS, through the power purchase agreement, the Village of Albion would sell any excess electrical power produced by the solar power. Said sales would also go to reduce the cost of operation of the Pollution Control Plant; and

WHEREAS, after the solar panels were placed online the Village of Albion did not realize the savings that Solar City and Larsen Engineers had estimated would be saved; and

WHEREAS, the Village of Albion consulted with its engineers, Larsen Associates, and with Tesla, the successor to Solar City and requested a recasting of the existing power purchasing agreement along with a modification of the existing system installed at the Pollution Control Plant so that the Village would realize the savings that it had originally understood it would receive from Solar City now Tesla; and

WHEREAS, Tesla has agreed to make the necessary modifications to the system that was installed as well as amend the power purchase agreement to place the Village of Albion in the same position or close to that position it would have been placed had the terms of the agreement been satisfied.

NOW, THEREFORE, BE IT RESOLVED, that the Village of Albion Board of Trustees hereby authorizes the execution of the Letter Agreement tendered by Tesla with respect of Power Purchase Agreement a copy of which is attached hereto and made a part hereof; and it being further

RESOLVED, Mayor Banker shall be authorized to execute all necessary documents to resolve the issue pertaining to the power purchase agreement pertaining to Tesla; and be it further

RESOLVED, that the Village of Albion authorizes the payment of Eighty Thousand (\$80,000.00) Dollars to Tesla to satisfy any and all outstanding balances due to Tesla in respect of generation from the system since it began operation on or about May 5, 2019 up to the effective date of the attached Letter Agreement; and be it further

RESOLVED, Tesla is authorized to make the necessary modifications to the existing Solar array at the Village of Albion’s Pollution Control Plant so that the Village of Albion will realize the benefit of the bargain it originally was entitled under the agreement entered into with Solar City.

UPON being put to a vote, the following voted “AYE” in favor of the foregoing resolution.

CARRIED

3 Ayes
Trustee Farone
Trustee Burgess
Trustee Katsanis
1 Nay
Trustee Barry

APPROVED PAYMENT TO TESLA

Moved by Trustee Farone and seconded by Trustee Burgess approving to pay TESLA \$80,000 out of sewer reserves.

CARRIED

3 Ayes
Trustee Farone
Trustee Burgess
Trustee Katsanis
1 Nay
Trustee Barry

EXECUTIVE SESSION

Moved by Trustee Farone and seconded by Trustee Barry to go into executive session at 6:55 PM to discuss personnel matters and Attorney Client matters.

CARRIED

4 Ayes
0 Nays

END EXECUTIVE SESSION

Moved by Trustee Barry and seconded by Trustee Burgess to come out of executive session at 7:16 PM.

CARRIED

4 Ayes 0 Nays

APPROVED CHIEF WTP OPERATOR PAY

Moved by Trustee Barry and seconded by Trustee Burgess approving Water Treatment Plant Chief Operator Adam Rush a 2% retro pay back to June 1, 2021.

CARRIED

4 Ayes 0 Nays

WASHBOARD WILLY’S AND SQUIGEE’S CAR WASH LETTER

Moved by Trustee Barry and seconded by Trustee Burgess to deny request for settlement on the letter received from Washboard Willy’s and Squigee’s Car Wash.

CARRIED

3 Ayes 1 Nay
Trustee Barry Trustee Farone
Trustee Burgess
Trustee Katsanis

MEETING ADJOURNED

Moved by Trustee Barry and seconded by Trustee Burgess that there being no further business, meeting is hereby adjourned at 7:18 PM.

CARRIED

4 Ayes 0 Nays

Minutes also taken by Alison Boring.

Respectfully submitted,

Linda K Babcock
Clerk-Treasurer