

The Regular Meeting of the Board of Trustees of the Village of Albion was held Wednesday, January 8, 2020 at 6:30 PM, at the Village Hall, 35 East Bank Street, Albion, New York.

Present were Mayor Eileen S Banker, Trustees Gary Katsanis, Stan Farone, Mattea Navarra, Peter Sidari and Attorney John C Gavenda. Also present were 11 residents/students.

Mayor Banker opened the meeting with the pledge of allegiance at 6:30 PM.

TOWN OF GAINES FIRE CONTRACT

Moved by Trustee Farone and seconded by Trustee Sidari approving Mayor Banker sign the Town of Gaines Fire Contract for the period January 1, 2020 to December 31, 2020.

CARRIED
5 Ayes 0 Nays

APPROVED TREASURERS REPORT

Moved by Trustee Katsanis and seconded by Trustee Navarra approving the Treasurer's Report for the month of December.

CARRIED
5 Ayes 0 Nays

APPROVED MINUTES

Moved by Trustee Katsanis and seconded by Trustee Farone that in as much as each member received copies of the minutes of December 11, 2019 and there being one error or omission, minutes are hereby approved as written with the following correction:

Page 5 (Heading) the spelling of PARKING

CARRIED
5 Ayes 0 Nays

APPROVED PAYMENT OF VILLAGE BILLS

Moved by Trustee Navarra and seconded by Trustee Farone approving the monthly journal entries and the payment of the following Village bills, pending Trustee Navarra's completion of auditing them:

General	voucher #34150	\$125,706.04
Water	to voucher #34314	\$42,5449.31
Sewer		\$ 11,542.67

CARRIED
5 Ayes 0 Nays

APPROVED PAYMENTS TO DONEGAN

Moved by Trustee Sidari and seconded by Trustee Katsanis approving payment of \$1,110 to Bernard P Donegan Inc for the following services rendered October 1, 2019 to October 31, 2019:

Water Main (S Clinton/Academy Street)	\$ 74.00
Disinfection Project	\$962.00
FMS	\$ 74.00

CARRIED
5 Ayes 0 Nays

APPROVED PAYMENT TO ZENNER

Moved by Trustee Navarra and seconded by Trustee Farone approving payment of \$2,814.41 to Zenner Performance for the purchase of meters.

CARRIED
5 Ayes 0 Nays

APPROVED PAYMENT TO STC

Moved by Trustee Katsanis and seconded by Trustee Navarra approving payment of \$87,970 to STC Construction for Pay Estimate #2-Disinfection Project at the Pollution Control Plant.

CARRIED
5 Ayes 0 Nays

APPROVED PAYMENT TO WENDEL

Moved by Trustee Katsanis and seconded by Trustee Farone approving payment of \$13,155.12 to Wendel for services rendered through November 30, 2019 regarding the UV Disinfection Project.

CARRIED
5 Ayes 0 Nays

APPROVED LOW BIDDER FOR WATER MAIN PROJECT

Moved by Trustee Katsanis and seconded by Trustee Farone approving LaBella's recommendation to accept the low bid from 716 Site Contracting for the South Clinton Street/West Academy Street water line project in the amount of \$739,931. The other bids received were:

Mark Cerrone Inc	\$ 967,700
Keeler Construction Co Inc	\$ 995,815
Villager Construction Inc	\$1,049,275

CARRIED
5 Ayes 0 Nays

APPROVED INCREASE IN LINE ITEMS

Moved by Trustee Navarra and seconded by Trustee Sidari approving to increase A 3389 (Other Public Safety) and A3120.103 (Police Overtime) \$4,994.31 for a Stop DWI Grant received.

CARRIED
5 Ayes 0 Nays

APPROVED INCREASE IN LINE ITEMS

Moved by Trustee Sidari and seconded by Trustee Farone approving to increase A 3389 (Other Public Safety) and A 3120.426 (Uniform Replacement) \$1,452 for a Bullet Proof Vest Grant received.

CARRIED
5 Ayes 0 Nays

APPROVED INCREASE IN LINE ITEMS

Moved by Trustee Sidari and seconded by Trustee Navarra approving to increase A 3820 (State Aid) and A 7310.200 (equipment) \$679 for the PE Equipment Circuit Pack being purchased from the additional funding received from the Youth Bureau.

CARRIED
5 Ayes 0 Nays

APPROVED FUNDS TO K9 ACCOUNT

Moved by Trustee Farone and seconded by Trustee Katsanis approving the \$1,000 received for the purchase of the K9 be deposited in the K9 account.

CARRIED
5 Ayes 0 Nays

APPROVED FUNDS TO EQUIPMENT RESERVES

Moved by Trustee Katsanis and seconded by Trustee Sidari approving the \$22,840 from National Grid for replacing the Village street lights to LED's, be placed in the equipment reserves account.

CARRIED
5 Ayes 0 Nays

APPROVED EDA EXTENDING THEIR LEASE

Moved by Trustee Farone and seconded by Trustee Katsanis approving the Orleans Economic Development Agency to exercise their option to extend the term of their lease for the period March 1, 2020 through February 28, 2021.

CARRIED
5 Ayes 0 Nays

APPOINTMENT OF WORKING SUPERVISOR

Moved by Trustee Katsanis and seconded by Trustee Farone appointing Todd Sargent to the Working Supervisor position at the Department of Public Works effective February 3, 2020.

CARRIED
5 Ayes 0 Nays

APPROVED TO ADVERTISE FOR MEO

Moved by Trustee Sidari and seconded by Trustee Katsanis approving to advertise in the Lake Country Pennysaver, the open position of Motor Equipment Operator at the Department of Public Works. The last day to submit an applications for this position will be January 17, 2020.

CARRIED
5 Ayes 0 Nays

APPROVED CEMETERY DEEDS

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

Nancy J Bertsch-Owens	S.G. 601 Deerfield Avenue
Stephen T & Lynore V Heard	S.G. 890 Deerfield Avenue
Lizzie L Smith	S.G. 723 Deerfield Avenue
Gabriele W Watson	S.G. 711 Deerfield Avenue

CARRIED
5 Ayes 0 Nays

ACCEPTED APPLICATIONS

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

Thomas Burton, James Dunn and Scott E Petry MEO

ACCEPTED NEW MEMBER OF THE AFD

Moved by Trustee Sidari and seconded by Trustee Navarra accepting Nicholas J Sacco as a new member of the Albion Fire Department.

CARRIED
5 Ayes 0 Nays

CORRESPONDENCE

Moved by Trustee Farone and seconded by Trustee Katsanis approving to send the American Legion \$150.00 for flags, the amount that is in the 2019-2020 budget.

CARRIED
5 Ayes 0 Nays

ADOPTED AMENDED BOND RESOLUTION 2020-1

The following Resolution 2020-1 was proposed by Trustee Katsanis who moved its adoption and seconded by Trustee Sidari:

SUPPLEMENTAL BOND RESOLUTION DATED JANUARY 8, 2020
OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF
ALBION, NEW YORK, AUTHORIZING GENERAL OBLIGATION
SERIAL BONDS TO FINANCE WATER 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, pursuant to a bond resolution dated May 9, 2019 (the “Original Bond Resolution”) the Board of Trustees of the Village of Albion, New York (hereinafter referred to as the "Village"); approved expenditures for, and the issuance and sale of, up to \$930,000 aggregate principal amount of general obligation bonds and bond anticipation notes relative to the construction of water system improvements; and

WHEREAS, actual project costs have proved to be approximately \$45,000 higher than the maximum estimated project costs and the Village desires to provide for the financing thereof by supplementing the Original Bond Resolution by the adoption of this Supplemental Bond Resolution;

WHEREAS, the Village, acting as lead agency under the State Environmental Quality Review Act and the applicable regulations promulgated thereunder (“SEQRA”), completed its environmental review and, on May 9, 2018, duly adopted a negative declaration with respect to the type I action and has determined that the implementation of the action as proposed will not result in any significant adverse environmental impacts; now therefor, be it

RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF ALBION, NEW YORK, 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 water system improvements, as set forth in the Original Bond Resolution (hereinafter referred to as “purpose”) in an additional amount not to exceed \$45,000, and general obligation serial bonds in an additional aggregate principal amount not to exceed \$45,000 and bond anticipation notes in anticipation thereof (and renewals thereof) of the Village are now hereby authorized to be issued to finance said purpose, and such additional amount is hereby appropriated therefor.

Section 2. The aggregate maximum cost of said purpose, including preliminary costs and costs incidental thereto and costs of the financing thereof, is now estimated to be \$975,000. The plan for financing of said purpose is to provide up to \$930,000 of such maximum cost by issuance of bonds or bond anticipation notes heretofore authorized to be issued pursuant to the Original Bond Resolution; and to provide up to \$45,000 of such maximum cost by the 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 1 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is forty (40) 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 Section §169.00 of the Local Finance Law, if applicable, the authority to determine whether to accept bids electronically to the extent allowed by the Local Finance Law, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, 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. Such bonds and notes shall be payable from a levy on real property in such district benefitted or user charges therefor in the manner provided by law, but if not paid from such source, all the taxable real property within said Village shall be subject to the levy of an *ad valorem* tax, without limitation as to rate or amount, sufficient to pay the principal of and interest on said bonds and notes. 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

5 Ayes 0 Nays

K9 PROGRAM

Moved by Trustee Katsanis and seconded by Trustee Sidari approving to continue the K9 Program, pending the union agrees to open the contract up and the funding for the dog is in place. Trustee Sidari will discuss with Chief Nenni.

CARRIED

5 Ayes 0 Nays

K9 KENNEL DECLARED SURPLUS PROPERTY

Moved by Trustee Katsanis and seconded by Trustee Navarra declaring the Canine Kennel as surplus property, per Chief Nenni's recommendation.

CARRIED

5 Ayes 0 Nays

APPROVED SALE OF KENNEL

Moved by Trustee Katsanis and seconded by Trustee Sidari approving the offer of \$300 for the purchase of the Canine Kennel from the Canine Officer who resigned from that position.

CARRIED

5 Ayes 0 Nays

APPROVED BIKES AS SURPLUS PROPERTY

Moved by Trustee Farone and seconded by Trustee Navarra declaring 101 bikes as surplus property, per Chief Nenni's recommendation.

CARRIED

5 Ayes 0 Nays

APPROVED AMMUNITION AS SURPLUS PROPERTY

Moved by Trustee Katsanis and seconded by Trustee Farone declaring 400 lbs of ammunition castings as surplus property, per Chief Nenni's recommendation.

CARRIED

5 Ayes 0 Nays

RESIDENCY REQUIREMENTS TO BE ON BOARDS

The Board of Trustees discussed the residency requirements to serve on the Village Planning, Zoning and Historic Boards. It was determined that Village residents will be considered first and outside Village residents can apply to be on those Boards.

EXECUTIVE SESSION

Moved by Trustee Sidari and seconded by Trustee Navarra to adjourn to executive session to discuss personnel matters at 7:40 PM.

CARRIED

5 Ayes 0 Nays

EXECUTIVE SESSION CLOSED

Moved by Trustee Navarra and seconded by Trustee Sidari to come out of executive session at 8:00 PM.

CARRIED

5 Ayes 0 Nays

MEETING ADJOURNED

Moved by Trustee Katsanis and seconded by Trustee Sidari that there being no further business, meeting is hereby adjourned at 8:01 PM.

CARRIED

5 Ayes 0 Nays

Respectfully submitted,

Linda K Babcock
Clerk-Treasurer