

The Regular Meeting of the Board of Trustees of the Village of Albion was held Wednesday, September 12, 2018 at 6:00 PM, at the Village Hall, 35 East Bank Street, Albion, New York.

Present were Mayor Eileen S Banker, Trustees Stanley Farone, Gary Katsanis, Peter Sidari and Attorney John C Gavenda. Trustee Mattea Navarra entered the meeting at 7:20 PM. Also present were 13 residents/students.

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

PUBLIC HEARING VETERANS EXEMPTIONS

Mayor Banker opened the Public Hearing at 6:00 PM to hear comments regarding the consideration to adopt the Veteran's Alternative and Cold War Exemptions.

The following were discussed:

It was asked what would be cut from the budget to make up the difference

The assessed value increased this past year

Will take into account when the budget is worked on

The Village of Albion is the only Village/Town not giving the Veterans a break on their taxes

The Village tax rate is comparable to other Villages that are similar in size/function

CLOSED PUBLIC HEARING

Moved by Trustee Sidari and seconded by Trustee Farone that in as much as everyone who wished to speak relating to Local Law 2018-2 regarding Veteran's Alternative and Cold War Exemptions were heard, the Public Hearing closed at 6:11 PM.

CARRIED

4 Ayes

0 Nays

ADOPTED LOCAL LAW 2018-2 and 2018-3 COLD WAR/ALTERNATIVE EXEMPTIONS

The following resolution 2018-28, Local Law #2, 2018 and Local Law #3, 2018 was proposed by Trustee Katsanis who moved its adoption and seconded by Trustee Farone approving the Veteran's Cold War and Alternative Exemptions:

WHEREAS, a proposed Local Law #2, 2018 and Local Law #3, 2018 of the year 2018 for the purpose of providing Veterans Cold War and Alternative Exemptions was presented to the Village of Albion Board of Trustees, and

WHEREAS, the Board of Trustees at a Regular Board Meeting of said Board held on Wednesday, August 22, 2018 did adopt a motion that a Public Hearing be held on the aforesaid proposed Local Law at 6:00 PM on September 12, 2018, at 35-37 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 September 12, 2018, and

WHEREAS, a notice of such Public Hearing on said proposed Local Law was duly published in the Batavia Daily Newspaper on August 27, 2018, and

WHEREAS, a Public Hearing on said proposed Local law was held by the Board of Trustees, at 35-37 East Bank Street, Albion, New York at 6:00 PM on September 12, 2018, at which time all were heard who wished to speak regarding said Local Law,

NOW THEREFORE BE IT RESOLVED, that the following Local Law #2, 2018 and Local Law #3, 2018 be hereby made part of the code of the Village of Albion, New York:

LOCAL LAW #2, 2018

COLD WAR VETERANS EXEMPTIONS

SECTION 1. LEGISLATIVE INTENT

It is the intent of the within Local Law to adopt a Local Law to provide a qualified owner an exemption for qualifying residential real property from taxation to the extent of ten (10%) percent of the assessed value of such property which exemption shall not exceed six thousand (\$6,000.00) dollars, and in addition to provide a disability exemption to the multiple of fifty (50%) percent of the disability rating not to exceed twenty (\$20,000.00) dollars, all as set forth in Real Property Tax Law Section 458-b.

SECTION 2. COLD WAR VETERANS EXEMPTION

- (a) As is authorized by Real Property Tax Law Section 458-b, the Village of Albion does hereby provide that qualifying residential real property shall be exempt from taxation to the extent of ten (10%) percent of the assessed value of such property; provided however that such exemption shall not exceed six thousand (\$6,000.00) dollars or the product of six thousand (\$6,000.00)

dollars multiplied by the latest state equalization rate of the assessing unit, or, in the case of a special assessing unit, the latest class ratio, whichever is less.

- (b) In addition, as is authorized by Real Property Tax Law Section 458-b, to the exemption provided by paragraph (a) of this subdivision, where the Cold War veteran received a compensation rating from the United States Veterans Affairs or from the United States Department of Defense because of a service connected disability, qualifying residential real property shall be exempt from taxation to the extent of the product of the assessed value of such property, multiplied by fifty (50%) percent of the Cold War veteran disability rating, provided, however, that such exemption shall not exceed twenty (\$20,000.00) dollars multiplied by the latest state equalization rate for the assessing unit, or, in the case of a special assessing unit, the latest class ratio, whichever is less.

SECTION 3. TIME LIMITATION

There is no automatic termination period often referred to as a sunset provision to this Local Law and any automatic termination period provision pertaining to the Cold War tax exemption as set forth in Real Property Tax Law Section 458-b shall have no effect on this Local Law.

SECTION 4. EFFECTIVE DATE

The within Local Law shall be effective immediately upon passage subject to the Real Property Tax Law Section 458-b except for any automatic termination period provisions in the law and proper filing with the Office of the Secretary of State.

LOCAL LAW #3, 2018 ALTERNATIVE VETERANS EXEMPTIONS

SECTION 1. This Local Law is adopted pursuant to the provisions of the Municipal Home Rule Law and the Real Property Tax Law of the State of New York.

SECTION 2. Pursuant to the applicable provisions of Section 458-a of the Real Property Tax Law of the State of New York, the maximum veterans exemption from real property taxes for property located in the Village of Albion are the exemptions which are currently permitted pursuant to subparagraph 2 (a,b,c) of Section 458-a, being \$6,000.00, \$10,000.00 and \$20,000.00, respectively, more particularly established as follows:

- (a) Qualifying residential real property shall be exempt from taxation to the extent of fifteen (15%) percent of the assessed value of such property; provided however, that such exemption shall not exceed the lesser of six (\$6,000.00) dollars multiplied by the latest state equalization rate for the Village of Albion.
- (b) In addition to the exemption provided by paragraph (a) of the subdivision, where the veteran served in a combat theatre or combat zone operations, as documented by the award of the United States campaign ribbon or service medal, qualifying residential real property also shall be exempt from taxation to the extent of ten (10%) percent of the assessed value of such property; provided, however that such exemption shall not exceed the lesser of ten (\$10,000.00) dollars or the product of ten (\$10,000.00) dollars multiplied by the latest state equalization rate of the Village of Albion.
- (c) In addition to the exemptions provided by paragraphs (a) and (b) of this subdivision, where the veteran received a compensation rating from the United States Veterans Administration because of a service connected disability qualifying residential property shall be exempt from taxation to the extent of the product of the assessed value of such property multiplied by fifty (50%) percent of the veterans disability rating provided, however, that such exemption shall not exceed the lesser of twenty thousand (\$20,000.00) dollars or the product of twenty thousand (\$20,000.00) dollars multiplied by the latest state equalization rate for the Village of Albion.

SECTION 3. This Local Law shall take effect immediately upon adoption and its filing with the Secretary of State and shall apply to the assessment rolls prepared on the basis of the taxable status dates occurring on or after September 12, 2018.

CARRIED
4 Ayes 0 Nays

RESIDENT

The Board of Trustees tabled the request from Crimson Heights representative Jeff Levinson for a reduction on the water/sewer bills for buildings 4 and 5. Trustee Katsanis will meet with the Superintendent of Public Works Jay Pahura, Water Maintenance Worker Martin Zwifka and Water Billing Clerk Alie Boring to discuss and get details. Mayor Banker will get back to Mr Levinson with the results.

RESIDENT PRESENTED AWARD TO VILLAGE

Gary Derwick and Joe Gehl representing the Albion Betterment Committee, presented Mayor Banker with their "Landscape Award" for the Village's commitment to the betterment of Albion. For the last five years the Albion Betterment Committee has given out this award.

RESIDENT PRESENTED AWARD

Mayor Banker presented resident/business owner Lisa Stratton an award for her continual dedication and devotion to the Village of Albion. Lisa has contributed countless hours over the past several years towards many events in the Village. Lisa also endeavored to create and annually maintain the beautiful planters and hanging baskets enhancing the Historic Downtown Albion District.

RESIDENT

Adam Johnson addressed the Board of Trustees about writing a letter to New York State Department of Transportation regarding the width of the parking spaces in the downtown area. The state had narrowed the spaces when Route 98 was redone. Mr Johnson would like the Village to send a letter asking the State to consider widening the spaces the next time the downtown is striped. He will also write a letter that Mayor Banker will submit with the one she will be writing.

APPROVED TREASURER REPORT

Moved by Trustee Farone and seconded by Trustee Katsanis approving the Treasurer's Report for the month of August 2018.

CARRIED
4 Ayes 0 Nays

APPROVED MINUTES

Moved by Trustee Farone and seconded by Trustee Katsanis that in as much as each member received copies of the minutes of August 20, 2018 and August 22, 2018 and there being no errors or omission, minutes are hereby approved as written.

CARRIED
4 Ayes 0 Nays

APPROVED PAYMENT OF VILLAGE BILLS

Moved by Trustee Katsanis and seconded by Trustee Sidari approving payment of the following Village bills:

General	Voucher #30440	\$34,919.64
Water	to #30586	\$85,013.73
Sewer		\$20,699.87

CARRIED
4 Ayes 0 Nays

APPROVED PAYMENT TO OSBORN, REED & BURKE

Moved by Trustee Katsanis and seconded by Trustee Farone approving payment of \$1,848.00 to Osborn, Reed and Burke for personnel services rendered August 2018.

CARRIED
4 Ayes 0 Nays

APPROVED PAYMENT TO ZENNER PERFORMANCE

Moved by Trustee Sidari and seconded by Trustee Farone approving payment of \$51,589.50 to Zenner Performance for 400 meters.

CARRIED
4 Ayes 0 Nays

APPROVED PAYMENT TO WENDELL

Moved by Trustee Katsanis and seconded by Trustee Farone approving payment of \$1,437.36 to Wendel for services rendered through July 31, 2018 regarding the Energy Efficiency Study.

CARRIED

4 Ayes 0 Nays

APPROVED PAYMENT TO LABELLA

Moved by Trustee Farone and seconded by Trustee Sidari approving payment of \$5,822.69 to LaBella Associates for services rendered July 21, 2018 to August 24, 2018 regarding the Water Main Replacement Project.

CARRIED

4 Ayes 0 Nays

APPROVED MAYOR TO SIGN CEMETERY DEEDS

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

John Flugel	#114 Ashwood Way
Janet Knab	Lot 490 Elm Avenue E#3

CARRIED

4 Ayes 0 Nays

APPROVED SURPLUS PROPERTY

Moved by Trustee Sidari and seconded by Trustee Katsanis approving the Superintendent of Public Works Jay Pahura's request to declare the 1996 Vermeer Chipper as surplus property.

CARRIED

4 Ayes 0 Nays

APPROVED PURCHASE OF NEW MOWER

Moved by Trustee Sidari and seconded by Trustee Farone approving the Superintendent of Public Works Jay Pahura's request to purchase a new mower with the insurance money received and the balance due coming from Equipment Reserves.

CARRIED

4 Ayes 0 Nays

APPROVED TO INCREASE LINE ITEMS

Moved by Trustee Katsanis and seconded by Trustee Farone approving the Clerk-Treasurers request to increase A 2680 (Insurance Recoveries) and A 1640.202 (Equipment) \$10,116.33, money received for lawn mower that the insurance company had totaled.

CARRIED

4 Ayes 0 Nays

ACCEPTED APPLICATIONS

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

Shane T Hellems	Cemetery
Levi D Boyer	Water Treatment Plant Maintenance Mechanic
Jeremy D Graham	Water Treatment Plant Maintenance Mechanic
Vance VanSkiver	Water Treatment Plant Maintenance Mechanic

APPROVED TO HIRE CROSSING GUARD

Moved by Trustee Sidari and seconded by Trustee Katsanis to hire Christine Warren as the Crossing Guard at a salary of \$13.00 per hour per Chief Nenni's recommendation and pending the successful completion of the background check. She will be hired for 1 – 11 month term, with an 11 month probationary period.

CARRIED

4 Ayes 0 Nays

ACCEPTED NEW AFD MEMBER

Moved by Trustee Farone and seconded by Trustee Sidari accepting Kristen A Marciszewski as a new member into the Albion Fire Department.

CARRIED

4 Ayes 0 Nays

CORRESPONDENCE RE: TOWN OF BARRE BEING LEAD AGENCY - WATER DISTRICT

The Board of Trustees received a correspondence from LaBella regarding the Town of Barre being Lead Agency for the project to develop Water District #10 in their Town. The Board needs to respond within 30 days from August 31, 2018 with any objections.

APPROVED CROSSROAD'S LEASE AGREEMENT

Moved by Trustee Farone and seconded by Trustee Katsanis approving Mayor Banker to sign the lease agreement with Crossroad Abstract. The term will be from October 1, 2018 through September 30, 2019 at \$736.89 per month.

CARRIED

4 Ayes 0 Nays

APPROVED MINISTRY OF CONCERN'S LEASE AGREEMENT

Moved by Trustee Sidari and seconded by Trustee Farone approving Mayor Banker to sign the lease agreement with Ministry of Concern. The term will be from October 1, 2018 through September 30, 2019 at \$1,059.35 per month.

CARRIED

4 Ayes 0 Nays

APPROVED TO ATTEND SCHOOL

Moved by Trustee Katsanis and seconded by Trustee Sidari approving Water Treatment Plant Operator Trainee Matthew Smith to attend the Operator Certification Courses to be held October 1, 2018 through October 12, 2018 for \$875. Classes will be held at the Tonawanda Water Plant. If possible, Mr Smith is to use a Village vehicle to travel back and forth to classes.

CARRIED

4 Ayes 0 Nays

APPROVED RESIDENT REQUEST FOR BREAK ON WATER/SEWER BILL

Moved by Trustee Sidari and seconded by Trustee Katsanis approving the request from Gary Condoluci for a break on the sewer portion of his water/sewer bill due to a broken water line under his home. Since the water didn't go into the sewer system, \$132.17 will be removed from his bill.

CARRIED

4 Ayes 0 Nays

APPROVED RESIDENT REQUEST FOR BREAK ON WATER/SEWER BILL

Moved by Trustee Farone and seconded by Trustee Sidari approving the request from property owner Richard Colonna for a break on the sewer portion of his water/sewer bill due to an outside spigot being left on. Since the water didn't go into the sewer system, \$339.23 will be removed from his bill.

CARRIED

4 Ayes 0 Nays

APPROVED RESIDENT REQUEST FOR PAYMENT PLAN

Moved by Trustee Katsanis and seconded by Trustee Farone approving the request from Chris Pepe for a six month payment plan of his water/sewer bill.

CARRIED

4 Ayes 0 Nays

CORRESPONDENCE RE: LIQUOR LICENSE

The Board of Trustees received notification from Attorney John C Gavenda stating the intentions of the Orleans Veterans Club, Inc they will be applying to renew their liquor license.

CORRESPONDENCE

The Board of Trustees received a correspondence regarding the Emergency Management Training which will be held on September 29, 2018. The Board will let Mayor Banker know by Thursday, September 13, 2018 if they will be attending.

CORRESPONDENCE RE: MOWING INVOICE

Moved by Trustee Sidari and seconded by Trustee Katsanis to stand by the invoice of \$2,025 that was sent to LDC-Albion Associates for mowing and trimming the parking lot on West Avenue that they own. Attorney John Gavenda will send a letter to LDC-Albion Associates and include the pictures provided by the Superintendent of Public Works Jay Pahura.

CARRIED

4 Ayes 0 Nays

CORRESPONDENCE

The Board of Trustees received a thank you from the Orleans County Cornell Cooperative Extension for the Village's help in getting ready for the Orleans County Fair this year.

TRAINING FOR BOARD

Moved by Trustee Farone and seconded by Trustee Katsanis to start the September 26, 2018 Workshop Meeting at 5:30 PM for the Board to have training for the Workplace Violence/Harassment/Discrimination policies.

CARRIED

4 Ayes 0 Nays

WATER SYSTEM INTERIM IMPROVEMENT STUDY

The Board of Trustees tabled the discussion of the Water System Interim Improvement Study provided by Wendel until the September 26, 2018 Workshop Meeting.

WTP MAINTENANCE MECHANIC POSITION

Trustee Navarra, Trustee Katsanis and Adam Rush will conduct interviews to fill the Water Treatment Plant Maintenance Mechanic position.

FLUORIDE

The Board of Trustees tabled the discussion on fluoride in the water until further notice. Water Treatment Plant Operator Adam Rush will notify Mayor Banker when he has a presentation ready to present to the Board.

APPROVED PAYMENT TO WENDEL

Moved by Trustee Katsanis and seconded by Trustee Sidari approving payment of \$20,000 to Wendell for services rendered through August 28, 2018 regarding the Water concept/study.

CARRIED

4 Ayes 0 Nays

APPROVED INCREASE OF LINE ITEMS

Moved by Trustee Sidari and seconded by Trustee Farone approving the Superintendent of Public Works Jay Pahura's request to increase A 2650 (Sale of Scrap) and Equipment Reserves by \$1,970.10 from the sale of brass metal.

CARRIED

4 Ayes 0 Nays

APPROVED TRANSFER OF FUNDS

Moved by Trustee Katsanis and seconded by Trustee Sidari approving the Superintendent of Public Works Jay Pahura's request to transfer \$2,878.20 from A1910.401 (Insurance) to F 8340.414 (Hydrants) for the reimbursement of a damaged meter.

CARRIED

4 Ayes 0 Nays

ACCEPTED APPLICATIONS

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

Douglas W Ashbery	Water Treatment Plant Maintenance Mechanic
Devan B Freeman	Water Treatment Plant Maintenance Mechanic
Joseph T Spada	Water Treatment Plant Maintenance Mechanic

RESIDENT RE: DOWNTOWN PLANTER

Mary Anne Braunbach asked the Board of Trustees for permission to take over the planter in front of her building at 138 North Main Street. Mayor Banker will check with the Superintendent of Public Works Jay Pahura regarding pulling the trees out before fall and digging out the planter and removing the black fiber

Trustee Mattea Navarra entered meeting at 7:20 PM

APPROVED RESIDENT REQUEST FOR BREAK ON WATER/SEWER BILL

Moved by Trustee Farone and seconded by Trustee Katsanis approving the request from Mary Anne Braunbach for a break on the sewer portion of her water/sewer for 138 North Main Street due to a leak in the basement. Since the water didn't go into the sewer system, \$139.85 will be removed from her bill.

CARRIED

4 Ayes 0 Nays

EXECUTIVE SESSION

Moved by Trustee Sidari and seconded by Trustee Farone to adjourn to executive session to discuss personnel issues at 7:33 PM.

CARRIED

4 Ayes 0 Nays

EXECUTIVE SESSION CLOSED

Moved by Trustee Katsanis and seconded by Trustee Sidari to come out of executive session at 7:57 PM.

CARRIED

4 Ayes 0 Nays

CHANGED MEETING PLACE

Moved by Trustee Sidari and seconded by Trustee Katsanis changing the meeting place for the Special Meeting scheduled for Thursday, September 13, 2018 to 121 North Main Street, second floor conference room.

CARRIED

4 Ayes 0 Nays

MEETING ADJOURNED

Moved by Trustee Katsanis and second by Trustee Sidari that there being no further business, meeting is hereby adjourned at 8:02 PM.

CARRIED

4 Ayes 0 Nays

Respectfully submitted,

Linda K Babcock
Clerk-Treasurer