

The Workshop Meeting of the Board of Trustees of the Village of Albion was held Wednesday, January 11, 2023, at 6:00 PM, Village Hall, 35 East Bank Street, Albion New York.

Present were Mayor Angel Javier Jr., Deputy Mayor Joyce Riley, Trustee Chris Barry, Trustee Tim McMurray, and Trustee Burgess

Also in attendance was Attorney John C Gavenda, Police Chief David Mogle, Pollution Control Plant Chief Operator Aric Albright, Animal Control Officer Harry Papponetti, Fire Chief Rob Conner, Cemetery Superintendent Jason Zicari and Recreational Director John Grillo, along with approximately 10 residents.

Meeting audio was recorded and kept on file.

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

**APPROVE MEETING MINUTES**

Moved by Trustee Barry and seconded by Trustee McMurray to approving the December 20, 2022, meeting minutes.

**CARRIED**

Mayor Javier	
Trustee Riley	Aye
Trustee Barry	Aye
Trustee Burgess	Aye
Trustee McMurray	Aye

**DEPARTMENT HEAD REPORTS**

The Board of Trustees received monthly reports for October from Superintendent of Public Works James Pahura, Police Chief David Mogle, Fire Chief Rob Conner, Animal Control Officer Harry Papponetti, Water Treatment Plant Chief Operator Adam Rush and Pollution Control Plant Chief Operator Aric Albright, Cemetery Superintendent Jason Zicari, Code Enforcement Officers Anne Podolak and Jeff Gifaldi and Park & Recreation Director John Grillo.

**FIRE DEPARTMENT**

Mayor Javier request Clerk to reach out to Bernard Donegan’s office to investigate possible bond options for purchase of 2 new fire trucks.

**WATER TREATMENT PLANT**

Trustee Riley asked board status along with a response from board on letter Adam Rush would like sent to Assemblyman Hawley’s office. Trustee Barry will reach out to Adam 1/12/2023 to see if there are any changes.

Trustee Riley concerned on #6 of Adam’s report regarding impending shutdown from Keeler Construction. Attorney Gavenda will discuss with Adam.

**WATER LETTER**

Moved by Trustee McMurray and seconded by Trustee Burgess to approve Water Treatment Plant Chief Operator Adam Rush to send letter to Assemblyman Hawley concerning low lake levels, with appropriate changes as necessary.

**CARRIED**

Mayor Javier	
Trustee Riley	Nay
Trustee Barry	Aye
Trustee Burgess	Aye
Trustee McMurray	Aye

**RESIDENT**

Ronald Vendetti addressed various issues on Board and in Village

**CONGRATULATIONS**

Water Treatment Chief Plant Operator was selected to receive the Charles Walter Nichols Award for Environmental Excellence from the Genesee Valley Chapter of the American Public Works Association

**SCHEDULE PULBIC HEARING**

Moved by Trustee Riley and seconded by Trustee McMurray to schedule a public hearing on January 25, 2023, at 6PM for the Restore NY Grant.

**CARRIED**

Mayor Javier	
Trustee Riley	Aye
Trustee Barry	Aye
Trustee Burgess	Aye
Trustee McMurray	Aye

**LEASE AGREEMENT**

Moved by Trustee McMurray and seconded by Trustee Barry to approve a 3yr lease agreement with the following increases.

- March 1, 2023 - February 28, 2024, 2.00%
- March 1, 2024 - February 28, 2025, 2.25%
- March 1, 2025 - February 28, 2026, 2.50%

**CARRIED**

Mayor Javier	
Trustee Riley	Aye
Trustee Barry	Aye
Trustee Burgess	Aye
Trustee McMurray	Aye

**APPROVE MAYOR TO SIGN**

Moved by Trustee Burgess and seconded by Trustee Barry to allow Mayor to sign cemetery deeds for the following:

Linda Wooten                      S.G. 803 Deerfield Avenue

**CARRIED**

Mayor Javier	
Trustee Riley	Aye
Trustee Barry	Aye
Trustee Burgess	Aye
Trustee McMurray	Aye

**ACCEPT RESIGNATIONS**

Moved by Trustee Riley and seconded by Trustee Barry to approve the following resignations. Adam Fisher from the Historical Preservation Board and Matt Hand from the Planning Board effective immediately

**CARRIED**

Mayor Javier	
Trustee Riley	Aye
Trustee Barry	Aye
Trustee Burgess	Aye
Trustee McMurray	Aye

**APPROVE APPOINTMENT**

Moved by Trustee McMurray and seconded by Trustee Burgess for the Mayor to appoint Michael Massaro to fill the remaining term expiring 4/1/2027 on the Planning Board.

**CARRIED**

Mayor Javier	
Trustee Riley	Aye
Trustee Barry	Aye
Trustee Burgess	Aye
Trustee McMurray	Aye

**APPROVE APPOINTMENT**

Moved by Trustee McMurray and seconded by Trustee Burgess for the Mayor to appoint Bruce Dugan as an alternate on the Planning Board.

**CARRIED**

Mayor Javier	
Trustee Riley	Aye
Trustee Barry	Abstained
Trustee Burgess	Aye
Trustee McMurray	Aye

**PAY INVOICES**

Moved by Trustee McMurray and seconded by Trustee Burgess to approve payment of the following invoices.

Bernard P. Donegan, Inc.	WIIA 1&2 10/31-22-11/17/22	\$1950.00
Bernard P. Donegan, Inc.	FMS	\$146.25
Wendel	Professional Services	\$2180.00
Hodgson Russ LLP	Professional Services	\$5240.47

**CARRIED**

Mayor Javier	
Trustee Riley	Aye
Trustee Barry	Aye
Trustee Burgess	Aye
Trustee McMurray	Aye

**APPROVE INCREASE IN BUDGET LINES**

Moved by Trustee Barry and seconded by Trustee Riley to approve the following budget line increases:

Increase Expenditure line F0.8320.0419(telephone-telemetry), Revenue line F0.0000.2770(other) \$36.33.

Increase Expenditure line F0.8320.0409(electric&software maint), Revenue line F0.0000.2770(other) \$50.75.

Increase Expenditure line A0.3620.0406(engineering review), Revenue line A0.0000.2590(permits) \$500.00.

Increase Expenditure line A0.5110.0403(matching chips fund), Revenue line A0.0000.3501(highway-state aid) \$97,781.81.

Increase Expenditure line G0.8130.0403(building maintenance), Revenue line G0.0000.2680(Insurance Recoveries) \$52000.00

**CARRIED**

Mayor Javier	
Trustee Riley	Aye
Trustee Barry	Aye
Trustee Burgess	Aye
Trustee McMurray	Aye

**APPROVE EXTENSION OF REPAYMENT**

Moved by Trustee Burgess and seconded by Trustee McMurray to allow additional 6-months repayment for the \$65,000 loan from General Fund to the Sewer Fund to assist in the cash flow requirements for the operations of the Sewer Fund passed on April 27, 2022

**CARRIED**

Mayor Javier	
Trustee Riley	Aye
Trustee Barry	Aye
Trustee Burgess	Aye

Trustee McMurray	Aye
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### **APPROVE MEETING MINUTES**

Moved by Trustee Burgess and seconded by Trustee Barry to approving the January 6, 2023, meeting minutes.

### **CARRIED**

Mayor Javier	
Trustee Riley	Aye
Trustee Barry	Aye
Trustee Burgess	Aye
Trustee McMurray	Aye

### **APPROVE INCREASE IN BUDGET LINES**

Moved by Trustee McMurray and seconded by Trustee Barry to approve the following budget line increases:

Increase expenditure line G0.8130.0435(electric Northwood), revenue line G0.2690(other) \$312.12.

Increase expenditure line F0.8320.0408(electric & software maintenance), revenue line F0.2770(other) \$96.50.

### **CARRIED**

Mayor Javier	
Trustee Riley	Aye
Trustee Barry	Aye
Trustee Burgess	Aye
Trustee McMurray	Aye

### **USE OF ARPA FUNDS**

Moved by Trustee McMurray and seconded by Trustee Barry the use of ARPA funds, the amount not to exceed \$260 for Deeley to install the operating system and repair the Bullard Park security camera issue.

### **CARRIED**

Mayor Javier	
Trustee Riley	Aye
Trustee Barry	Aye
Trustee Burgess	Aye
Trustee McMurray	Aye

### **APPROVE AUDITOR TO RESEARCH**

Moved by Trustee Riley and seconded by Trustee McMurray to allow the Bonadio Group LLC to investigate a few questions they have and assist the Clerk. This is above the normal scope of work, the amount not to exceed \$3000.

### **CARRIED**

Mayor Javier	
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Trustee Riley	Aye
Trustee Barry	Aye
Trustee Burgess	Aye
Trustee McMurray	Aye

**NO CONFIDENCE**

Moved by Trustee McMurray and seconded by Trustee Barry of No Confidence of the Mayor

**CARRIED**

Mayor Javier	Nay
Trustee Riley	Nay
Trustee Barry	Aye
Trustee Burgess	Aye
Trustee McMurray	Aye

**ENTER EXECUTIVE**

Moved by Trustee Barry and seconded by Trustee Burgess to enter executive session at 6:45PM to discuss personnel matter.

**CARRIED**

Mayor Javier	
Trustee Riley	Aye
Trustee Barry	Aye
Trustee Burgess	Aye
Trustee McMurray	Aye

Trustee Riley exits meeting at 7:06PM

**EXIT EXECUTIVE**

Moved by Trustee Barry and seconded by Trustee Burgess to exit executive session at 7:10PM

**CARRIED**

Mayor Javier	
Trustee Riley	Aye
Trustee Barry	Aye
Trustee Burgess	Aye
Trustee McMurray	Aye

**RETAIN SERVICES**

Moved by Trustee Burgess and seconded by Trustee Barry to allow Mayor to sign letter to retain the service of Susan McClaren, from Law Firm Webster Szanyi, for the investigation of a complaint from a particular employee.

**CARRIED**

Mayor Javier	
Trustee Riley	Absent

Trustee Barry	Aye
Trustee Burgess	Aye
Trustee McMurray	Aye

**APPROVE FMLA**

Moved by Trustee Burgess and seconded by Trustee Riley to approve a particular employee the use of FMLA-Family Medical Leave Act

**CARRIED**

Mayor Javier	
Trustee Riley	Absent
Trustee Barry	Aye
Trustee Burgess	Aye
Trustee McMurray	Aye

**MAKE UP TIME**

Moved by Trustee Barry and seconded by Trustee Burgess to not allow a particular employee to make up their time when taking a full day off, when this employee has exhausted their vacation, sick and personal time. Employee will not be paid for missed work.

**CARRIED**

Mayor Javier	
Trustee Riley	Absent
Trustee Barry	Aye
Trustee Burgess	Aye
Trustee McMurray	Aye

**MEETING ADJOURNED**

Moved by Trustee McMurray and seconded by Trustee Barry that there being no further business, meeting is hereby adjourned at 7:14PM.

**CARRIED**

Mayor Javier	
Trustee Riley	Absent
Trustee Barry	Aye
Trustee Burgess	Aye
Trustee McMurray	Aye

Respectfully submitted,

Tracy A. VanSkiver  
Clerk-Treasurer