

The Regular Meeting of the Board of Trustees of the Village of Albion was held Wednesday, December 12, 2012 at 7:00 PM, at the Village Hall, 35 East Bank Street, Albion, New York.

Present were Mayor Dean A Theodorakos, Trustees Eileen S Banker, Fred Miller, Peter Sidari and Attorney John C Gavenda.

Trustee Kevin P Sheehan was absent.

Mayor Theodorakos opened the meeting with the pledge of allegiance at 7:00 PM.

#### **PUBLIC HEARING**

Mayor Theodorakos opened the Public Hearing to consider amending §263-47 of the code of the Village of Albion, New York entitled "Trucks Over Certain Weights Excluded" to limit trucks over 6 tons on Village Streets.

Discussed the following: exempting farm equipment; posting a truck route; local deliveries; what the Towns post their roads at; Police enforcing the limit.

#### **ADJOURNED PUBLIC HEARING**

Moved by Trustee Sidari and seconded by Trustee Miller that in as much as everyone who wished to speak to consider amending §263-47 of the code of the Village of Albion, New York entitled "Trucks Over Certain Weights Excluded" to limit trucks over 6 tons on Village Streets were heard, the Public Hearing is hereby adjourned at 7:24 PM until January 9, 2013 at 7:00PM.

CARRIED

4 Ayes

0 Nays

#### **DEPARTMENT HEADS**

Moved by Trustee Miller and seconded by Trustee Banker approving the request from the Superintendent of Public Works Dale Brooks to use the funds received from re-cycling steel to purchase a washing machine for use at the DPW.

CARRIED

4 Ayes

0 Nays

#### **STORAGE OF BIKES**

Per the Superintendent of Public Works Dale Brooks, the bikes that the Albion Police Department pickup will be stored in the basement of the Village Office.

#### **APPROVED CHANGE ORDER CONTRACT #1**

Moved by Trustee Miller and seconded by Trustee Banker approving Mayor Theodorakos to sign Change Order #1 to Contract #1-Surge Tank and Pump Station #1 Improvements for the JMPCF project as submitted by Chatfield Engineers. The Change Order includes several minor credits and additions with a net change of \$8,223.00.

CARRIED

4 Ayes

0 Nays

#### **ACCEPT TREASURERS REPORT**

Moved by Trustee Miller and seconded by Trustee Sidari accepting the Treasurer's Report for November 2012.

CARRIED

4 Ayes

0 Nays

**APPROVED MINUTES**

Moved by Trustee Sidari and seconded by Trustee Banker that in as much as each member received copies of the minutes of November 19, 2012, November 28, 2012 and December 5, 2012 and there being one error or omission, minutes are hereby approved as written with the following correction:

November 19, 2012 The spelling of the Mayor's last name under-Mayor Theodorakos took the minutes.

CARRIED

4 Ayes 0 Nays

**APPROVED PAYMENT OF BILLS**

Moved by Trustee Banker and seconded by Trustee Miller approving the payment of the following Village bills:

General Fund	voucher #14192-	\$26,292.27
Water Fund	to #14402	\$22,176.34
Sewer Fund		\$10,903.38

CARRIED

4 Ayes 0 Nays

**APPROVED PAYMENT CHATFIELD BILLS**

Moved by Trustee Banker and seconded by Trustee Sidari approving the following bills submitted by Chatfield Engineers to be paid:

JMPCF Capital Improvement Plan	09-924-27	\$3,140.00
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CARRIED

4 Ayes 0 Nays

**APPROVED PAYMENT CHATFIELD BILL**

Moved by Trustee Banker and seconded by Trustee Sidari approving the following bill submitted by Chatfield Engineers to be paid:

121 N Main Street Façade	08-888-19	\$ 225.00
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CARRIED

3 Ayes	1 Nay
Trustee Banker	Trustee Miller
Trustee Sidari	
Mayor Theodorakos	

**APPROVED PAYMENT STC CONSTRUCTION**

Moved by Trustee Miller and seconded by Trustee Banker approving payment to STC Construction for Contract #1, Pay Application #6 for the Joint Municipal Industrial Pollution Control Facility in the amount of \$10,924.04. This contract is 96% completed as of November 30, 2012.

CARRIED

4 Ayes 0 Nays

**APPROVED PAYMENT STC CONSTRUCTION**

Moved by Trustee Banker and seconded by Trustee Miller approving payment to STC Construction for Contract #3, Pay Application #1 for the Joint Municipal Industrial Pollution Control Facility in the amount of \$49,210.00. This contract is 13% completed as of November 30, 2012.

CARRIED

4 Ayes 0 Nays

**APPROVED PAYMENT BERGMANN ASSOC**

Moved by Trustee Banker and seconded by Trustee Sidari approving payment to Bergmann Associates for services rendered September 29, 2012 to November 23, 2012 in the amount of \$7,609.66 for the Clarendon Street Bridge Project.

CARRIED

4 Ayes

0 Nays

**APPLICATIONS**

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

Village Worker

Gary L Hillman

Water Treatment Plant

Rush, Adam B

**APPROVED CHANGE ORDER #1 VISITOR'S CENTER**

Moved by Trustee Banker and seconded by Trustee Sidari approving Mayor Theodorakos to sign Change Order #1 for the Visitor's Center Rear Façade Renovations project as submitted by Chatfield Engineers. The Change Order includes several credits and additions with a net change of \$978.00.

CARRIED

3 Ayes

1 Nay

Trustee Banker

Trustee Miller

Trustee Sidari

Mayor Theodorakos

**APPROVED CEMETERY DEEDS**

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

William C Brown Sr

S.G. 348/349 Deerfield Avenue

Peggy A Parker

S.G. 144 Deerfield Avenue

Roger L Rush

S.G. 527 Deerfield Avenue

CARRIED

4 Ayes

0 Nays

**APPROVED COMPREHENSIVE PLAN**

Moved by Trustee Banker and seconded by Trustee Sidari approving the "Village and Town of Albion Comprehensive Plan" to be sent to the Orleans County Planning Board for approval.

CARRIED

4 Ayes

0 Nays

**OFFICER RESIGNATION ACCEPTED**

Moved by Trustee Sidari and seconded by Trustee Banker accepting, with regret, Sergeant Luft's letter of resignation from the Albion Police Department effective January 26, 2013.

CARRIED

4 Ayes

0 Nays

**CORRESPONDENCE**

The Board of Trustees received a copy of a correspondence from Cemetery Supervisor Jason Zicari to Orleans Correction Facility thanking them for their continued support during the annual fall clean-up project at Mt Albion Cemetery.

**WORKSHOP CANCELLED**

Moved by Trustee Miller and seconded by Trustee Banker to cancel the December 26, 2012 Workshop Meeting.

CARRIED

4 Ayes

0 Nays

**AUDITOR**

The Board of Trustees would like the auditor, Amato, Fox and Company to attend the January 23, 2013 Workshop Meeting to review the financial statements for the fiscal year June 1, 2011 to May 31, 2012.

**CORRESPONDENCE TO GAINES**

Moved by Trustee Miller and seconded by Trustee Banker approving Mayor Theodorakos to sign the letter to the Town of Gaines as prepared by Attorney John Gavenda regarding the payment the Village received for Fire Protection

CARRIED

4 Ayes

0 Nays

**APD UPDATE**

Chief Nenni gave the Board of Trustees an update of the Police Department's overtime budget, the K9 Program and the storage for impounded vehicles.

**SPECIAL EVENTS APPLICATION**

Discussion on the Special Events Permit Application and looking into charging fees and what it costs the Village for the events to be held on Village property.

**EXECUTIVE SESSION**

Moved by Trustee Miller and seconded by Trustee Banker to adjourn to executive session to discuss litigations at 8:17 PM.

CARRIED

4 Ayes

0 Nays

**EXECUTIVE SESSION CLOSED**

Moved by Trustee Miler and seconded by Trustee Sidari to come out of executive session at 8:41 PM.

CARRIED

4 Ayes

0 Nays

**MEETING ADJOURNED**

Moved by Trustee Miller and seconded by Trustee Banker that there being no further business, meeting is hereby adjourned at 8:42 PM.

CARRIED

4 Ayes

0 Nays

Respectfully submitted,



Linda K Babcock  
Clerk-Treasurer