

The Regular Meeting of the Board of Trustees of the Village of Albion was held Wednesday, July 11, 2012 at 6:00 PM, at the Village Hall, 35 East Bank Street, Albion, New York.

Present were Mayor Dean A Theodorakos, Trustees Eileen S Banker and Kevin P Sheehan.

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

EXECUTIVE SESSION

Moved by Trustee Sheehan and seconded by Trustee Banker to adjourn to executive session for contract matters at 6:01 PM.

CARRIED

3 Ayes

0 Nays

Trustee Sidari entered the meeting at 6:15 PM.

EXECUTIVE SESSION CLOSED

Moved by Trustee Banker and seconded by Trustee Sheehan to come out of executive session at 6:50 PM.

CARRIED

4 Ayes

0 Nays

PUBLIC HEARING

Mayor Theodorakos opened the Public Hearing at 7:00 PM to hear comments relating to changing the depth of a swimming pool from 32 inches to 24 inches in Chapter 280 Swimming Pools.

It was questioned whether existing pools would be grandfathered in. The answer was no. It was also noted that changing the Village Code would make it consistent with the State Law.

CLOSED PUBLIC HEARING

Moved by Trustee Banker and seconded by Trustee Sidari that in as much as everyone who wished to speak regarding changing the depth of a swimming pool from 32 inches to 24 inches in Chapter 280 Swimming Pools were heard, the Public Hearing is hereby closed at 7:02 PM.

CARRIED

4 Ayes

0 Nays

ADOPT LOCAL LAW #4

The following Local Law was proposed by Trustee Banker who moved its adoption and seconded by Trustee Sidari:

WHEREAS, a proposed Local Law No 4 of the year 2012 for the purpose of amending CHAPTER 280 – Swimming Pools was presented to the Village Board of Trustees, and

WHEREAS, the Board of Trustees at a Regular Workshop Meeting of said Board held on June 27, 2012 did adopt a motion that a Public Hearing be held on the aforesaid proposed Local Law at 7:00 PM on July 11, 2012, at 35 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 July 11, 2012, and

WHEREAS, a notice of such Public Hearing on said proposed Local Law was duly published in the Batavia Daily Newspaper on June 30, 2012, and

WHEREAS, a Public Hearing on said proposed Local Law was held by the Board of Trustees, at 35 East Bank Street, Albion, New York at 7:00 PM on July 11, 2012, at which time all were heard who wished to speak regarding said Local Law,

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

LOCAL LAW #4

Be it enacted by the Village Board of Trustees of the Village of Albion, New York as follows:

**CHAPTER 280
SWIMMING POOLS**

§ 280-3. Definitions.

SWIMMING POOL -- Any body of water or receptacle of water having a depth at any point greater than 24 inches, used or intended to be used for swimming or bathing, and constructed, installed or maintained either above, below or partly above and partly below ground level, except that a natural body of water such as a lake, quarry or creek will not be considered a "swimming pool" for the purposes of this chapter.

This Local law shall become effective upon the filing of the same with the State of New York Secretary of State as required by law.

CARRIED

4 Ayes 0 Nays

AMSA

Moved by Trustee Banker and seconded by Trustee Sidari approving AMSA's request to close West Bank Street, Beaver Alley and North Liberty Street for their "Theatre on Main and the Olde Orleans Erie Canal Festival" which will be held September 8, 2012. AMSA has submitted the Special Events Permit Application and had meetings with the Code Enforcement Officer Ron Vendetti, Superintendent of Public Works Dale Brooks and Police Chief Roland Nenni to review their request.

CARRIED

4 Ayes 0 Nays

Ms Katelin Olson, the Executive Director for AMSA informed the Board of Trustees that their Board has approved the contract change to one year instead of three. Ms Olson will be sending a signed copy to the Village Clerk.

CORRESPONDENCE

The Board of Trustees received a letter from Mr Dick Tucker regarding his displeasure with the RV Ordinance. He would like the law changed to allow for a grace period of 24 to 36 hours before the code is enforced. The Board of Trustees feel there is no need to change the law at this time

ACCEPT TREASURERS REPORT

Moved by Trustee Sheehan and seconded by Trustee Banker accepting the Treasurer's Report for June 2012.

CARRIED

4 Ayes 0 Nays

APPROVED MINUTES

Moved by Trustee Sheehan and seconded by Trustee Sidari that in as much as each member received copies of the minutes of June 27, 2012 and there being no error or omissions, minutes are hereby approved as written.

CARRIED

4 Ayes 0 Nays

APPROVED PAYMENT OF BILLS

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

General Fund	voucher #12854	\$145,835.72
Water Fund	to #13094	\$ 32,920.09
Sewer Fund		\$ 27,681.32

CARRIED

4 Ayes 0 Nays

APPROVED PAYMENT CHATFIELD BILLS

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

121 N Main Street Façade	08-888-14	\$ 675.00
Visitor's Center Roof and Chimney Repairs	11-1018-7	\$ 390.00
JMIPCF Capital Improvement Plan	09-924-22	\$18,469.65

CARRIED

4 Ayes 0 Nays

APPLICATIONS

Accepted the following applications to be placed on file for future reference:

DPW or anything – Ferdinand R Piano

TABLED REMOVAL OF TIME WARNER TAX BILLS

The Board of Trustees tabled removing the following Village tax bills for Time Warner from the books until the July 25, 2012 Workshop Meeting:

500.-4-4.1V	\$ 96.86
500.1-1-4.1	\$760.19

APPROVED PROJECT STATUS REPORT JMIPCF

Moved by Trustee Sheehan and seconded by Trustee Banker approving Mayor Theodorakos to sign the Office of Community Renewal Project Status Report for the Joint Municipal Industrial Pollution Control Project as submitted by Stuart I Brown Associates. The report is for the period of 1/1/2012 to 6/30/2012.

CARRIED

4 Ayes 0 Nays

SPECIAL MEETING SCHEDULED

Moved by Trustee Sheehan and seconded by Trustee Sidari to hold a Special Meeting on Wednesday, July 18, 2012 at 6:30 PM for contract negotiations with the Albion Police Benevolent Association.

CARRIED

4 Ayes 0 Nays

SPECIAL MEETING SCHEDULED

Moved by Trustee Sidari and seconded by Trustee Banker to hold a Special Meeting on Thursday, July 19, 2012 at 6:30 PM for contract negotiations with the DPW Employees Association.

CARRIED

4 Ayes 0 Nays

POLICE DEPARTMENT

Officer Scribner was present to discuss the grant application for the "Safe Routes to School Program" (SRTS). The deadline to submit the grant is October 5th. The Police Department will be asking for approximately \$20,000 which will be used to purchase crossing guard equipment, crossing signs and a ACT Electronic trailer. The Board of Trustees will do a resolution of support for the grant.

Chief Roland Nenni discussed cleaning out the impound vehicles which are at the Village garage. The Clerk-Treasurer will check with the auditor to see if the money can be put in a holding account to use towards next fiscal year's lease payment of the 2012 Tahoe. Before the vehicles are scrapped, the Police Department will try to contact the owners.

Police Chief Roland Nenni informed the Board that the Tonawanda North Point Community Church will be holding an "Albion Bash" on July 28, 2012, 4:00 PM to 10:00 PM at Bullard Park. The members have met with Police Chief Roland Nenni, Superintendent of Public Works Dale Brooks and Code Enforcement Officer Ron Vendetti regarding the event and have turned in a Special Event Use Permit Application. The event will have free food, live music, fireworks and games for all ages. Police Chief Roland Nenni will contact Akron (where they held a similar event July 3rd) to find out how theirs went.

There will be a Drug Task Force Meeting July 20, 2012 at 9:00AM. Trustee Banker will be attending the meeting with Chief Nenni.

APPROVE PAYMENT TO DIOGUARDI

Moved by Trustee Sheehan and seconded by Trustee Banker approving Mayor Theodorakos to sign and the payment of Pay Application #1 for the Visitor's Center Rear Façade Renovation Project to DioGuardi Construction in the amount of \$7,581.25. The project is 5% completed as of June 30, 2012.

CARRIED

4 Ayes

0 Nays

ADOPT BULLARD PARK RESOLUTION FOR SEQR

The following resolution was proposed by Trustee Sheehan who moved its adoption and seconded by Trustee Sidari:

WHEREAS the Village Board of the Village of Albion ("Village") has retained the services of Chatfield Engineers, P.C. ("the Engineer") to generate conceptual planning for improvements to Bullard Park in conjunction with the recommendations of "Bullard Park Visioning Committee", and

WHEREAS the Village is in agreement to those recommendations and preliminary concept plans, and

WHEREAS The Village intends to seek, and secure funds necessary to construct improvements at Bullard Park, and

WHEREAS the Village shall refer to these improvements as the "Village of Albion - Bullard Park Improvements Project", and

WHEREAS the Village desires to initiate preliminary engineering design for construction of these improvements, and

WHEREAS the Village will design and construct this facility and all said improvements in full compliance with all regulatory and environmental requirements, including New York State Environmental Quality Review (SEQR) procedures, and

WHEREAS the Village has retained the services of Chatfield Engineers, P.C. to perform a preliminary environmental assessment of this project in conjunction with all policies and procedures of the New York State Environmental Quality Review (SEQR) process, and

WHEREAS through preliminary engineering evaluation and environmental assessment, the Engineer has classified the project necessary to implement these said water improvements as a "Type I Action" under New York State Environmental Quality Review regulations, and

WHEREAS in accordance with the preliminary environmental evaluation performed by the Engineer for this project in association with the desire of the Village Board to serve as lead agent for this project, let it be

RESOLVED, that in accordance with the New York State Environmental Quality Review (SEQR) procedures, the Village Board of the Village of Albion hereby expresses its intent to serve as Lead Agency in compliance with the SEQR review process, and further let it be

RESOLVED, that the Village Board hereby accepts the preliminary Environmental Assessment and classification of this project, as prepared and determined by Chatfield Engineers, P. C. The Village Board further declares that, based on the preliminary Environmental Assessment as provided in Part I of the Environmental Assessment Form, it finds that the project will result in no significant adverse impacts to the environment and hereby authorizes Chatfield Engineers, P.C. to complete the coordinated review process on behalf of the Village of Albion in accordance with 6 NYCRR Part 617 SEQR Regulations.

CARRIED

4 Ayes

0 Nays

APPROVED SEQR BULLARD PARK

Moved by Trustee Sheehan and seconded by Trustee Sidari approving Mayor Theodorakos to sign the SEQR for the Bullard Park Improvement Project as submitted by Chatfield Engineers. It is a "Type 1 Action" with no significant adverse impacts to the environment.

CARRIED

4 Ayes

0 Nays

APPROVED TO SELL WATER TO MURRAY

Moved by Trustee Sheehan and seconded by Trustee Sidari approving Mayor Theodorakos to sign the agreement with Town of Murray to supply them with water, pending Attorney Gavenda's review.

CARRIED

4 Ayes

0 Nays

PATHSTONE REQUEST

Moved by Trustee Banker and seconded by Trustee Sheehan denying Pathstone Corporation's request to have the \$25.00 Bullard Park pavilion reservation fee waived. The Village Clerk's Office will inform Pathstone Corporation of the Board's decision.

CARRIED

4 Ayes

0 Nays

APPROVED SIGNING CLOSING DOCUMENTS

Moved by Trustee Sheehan and seconded by Trustee Banker approving the execution of the closing documents from New York State Environmental Facilities Corporation regarding the long-term financing for the Sanitary Sewer Project. The closing is set for July 19, 2012.

CARRIED

4 Ayes

0 Nays

TABLED CLARENDON STREET BRIDGE

Tabled approving Mayor Theodorakos and Attorney John C Gavenda to sign the Supplemental Agreement #3 to Master Federal Aid Project Agreement for the Clarendon Street Bridge Project along with the resolution, until the July 25, 2012 Workshop Meeting.

APPROVED AGREEMENT WITH ORLEANS COUNTY

Moved by Trustee Sheehan and seconded by Trustee Banker approving Mayor Theodorakos to sign agreement with Orleans County to do water samples for the Health Department with the changes submitted by Attorney John C Gavenda.

CARRIED

4 Ayes

0 Nays

TABLED EMERGENCY SQUAD REQUEST

The Board of Trustees tabled the request from the Albion Emergency Squad for Mayor Theodorakos to sign the letter provided by them to the NYS Dept of Health until the July 25, 2012 Workshop Meeting.

EXECUTIVE SESSION

Moved by Trustee Banker and seconded by Trustee Sheehan to adjourn to executive session for personnel matters at 8:19 PM.

CARRIED

4 Ayes

0 Nays

EXECUTIVE SESSION CLOSED

Moved by Trustee Sheehan and seconded by Trustee Sidari to come out of executive session at 9:50 PM.

CARRIED

4 Ayes

0 Nays

VILLAGE OFFICE COMPLEX

Trustee Banker will get in touch with the Superintendent of the Public Works Dale Brooks and the Code Enforcement Officer Ron Vendetti to discuss how to best utilize the space at the Village Office Complex.

MEETING ADJOURNED


Moved by Trustee Sidari and second by Trustee Sheehan that there being no further business, meeting is hereby adjourned at 9:54 PM.

CARRIED

4 Ayes

0 Nays

Respectfully submitted,



Linda K Babcock

Clerk-Treasurer