

The Regular Meeting of the Board of Trustees of the Village of Albion was held Wednesday, July 12, 2017 at 6:00 PM, at the Village Hall, 35 East Bank Street, Albion, New York.

Present were Mayor Dean A London, Trustees Eileen S Banker, Mattea Navarra and Attorney John C Gavenda. Trustee Stanley Farone was absent. Also present were Code Enforcement Officer Ron Vendetti and Water Treatment Plant Chief Operator Kevin Miller. There were 2 residents/students present.

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

PUBLIC HEARING 6:00 PM

Mayor London opened the Public Hearing to hear comments regarding changes to Article XI Sign Regulations, 290-95 General Regulations to include the LED changeable copy signs.

Adam Johnson asked if this will change the code for signs downtown. Code Enforcement Officer Ron Vendetti stated no that is in a different section of the code.

CLOSED PUBLIC HEARING

Moved by Trustee Banker and seconded by Trustee Navarra that in as much as everybody present who wished to speak relating to changes to Article XI Sign Regulations, 290-95 General Regulations to include the LED changeable copy signs, were given the opportunity to speak and one person present wished to speak, the Public Hearing closed at 6:05 PM.

CARRIED

3 Ayes

0 Nays

ADOPTED LOCAL LAW #2-2017

The following resolution 2017-14, Local Law #2, 2017 was proposed by Trustee Banker who moved its adoption and seconded by Navarra:

WHEREAS, a proposed Local Law #2 of the year 2017 for the purpose of changing Article XI Sign Regulations, 290-95 General Regulations to include the LED changeable copy signs 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, June 28, 2017 did adopt a motion that a Public Hearing be held on the aforesaid proposed Local Law at 6:00 PM on July 12, 2017, 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 July 12, 2017, and

WHEREAS, a notice of such Public Hearing on said proposed Local Law was duly published in the Batavia Daily Newspaper on July 5, 2017, 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 July 12, 2017, 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, 2017 be hereby made part of the code of the Village of Albion, New York:

LOCAL LAW #2, 2017

A LOCAL LAW TO CHANGE 290-95

§290-95

General Regulations

- A. No illuminated signs or outdoor illumination shall direct light in a way which would create a traffic hazard or nuisance or be unreasonably detrimental to adjoining or neighboring properties.
- B. No sign shall be erected in such a manner as to confuse or obstruct the view of any traffic sign, signal or device.
- C. No sign or part thereof shall contain or consist of banners, posters, pennants, ribbons, streamers, spinners or similar fluttering devices.
- D. No sign shall consist of animated or moving parts.
- E. No sign shall be attached to fences, utility poles or trees.
- F. No sign or sign support shall be erected or maintained above the peak of the roof of any building or structure. [Amended 4-11-2012 by L.L. No. 2-2012]
- G. No sign which obscures visibility at elevations between three and seven feet above street level shall be placed or maintained within 25 feet of the intersection of the street or highway lines.

- H. No motor vehicle, mobile home or trailer on which is placed or painted any sign shall be parked or stationed in a manner primarily intended to display the sign.
- I. No sound amplifiers, public address systems or other sound devices shall be used as a means of advertising or to attract attention to a sign.
- J. No off-premises advertising signs shall be permitted other than as permitted under the exempt sign provisions of § 290-98 and directional signs as provided for in § 290-101A.
- K. No advertising message shall be extended over more than one sign placed along a street or highway.
- L. Electronic changeable message signs are prohibited within the Historic District but are otherwise permitted subject to the following limitations:
 - A. The maximum brightness of the sign shall be: 0.3 foot candles above ambient light as measured using a foot candle (Lux) meter. All electronic changeable message signs shall come equipped with automatic dimming technology which automatically adjusts the sign's brightness in direct correlation with natural ambient light conditions at all times. No electronic changeable message signs shall exceed a brightness level of 0.3 foot candles above ambient light as measured using a foot candle (Lux) meter at a present distance depending on sign area. Prior to the issuance of any permit, the owner shall provide the Village with a certification from the sign manufacturer stating that the sign is capable of complying with the above brightness provisions.
 - B. Electronic changeable message signs must be designed and equipped to freeze the device in one position if a malfunction occurs. The displays must also be equipped with a measure to immediately discontinue the display if it malfunctions.
 - C. The images and messages displayed must be static, and the transition from one static display to another must be instantaneous with no special effects or the transition may provide a black screen for at least one second.
 - D. Each line of copy and graphics in an electronic changeable message sign must be at least six inches in height.
 - E. Electronic changeable message signs shall not include animation, full motion video, flashing, scrolling, strobing, racing, blinking, changes in color, fade in or fade out in any manor imitating movement, or any other means not providing constant illumination.
 - F. Each message shall be illuminated for at least 10 seconds before transitioning to a new message, except for electronic changeable message signs within 250 feet of an interchange, an at-grade intersection not controlled by a stop sign or stop light, a signed curve, or a pedestrian walkway, then each message shall be illuminated for at least 30 seconds before transitioning to a new message.
 - G. The images and messages displayed must be complete in themselves, without continuation in content to the next image or message or to any other sign.
 - H. Electronic changeable message signs must be constructed perpendicular with the road in all residential^ zoned districts, whether single-family, multi-family, townhouse, or mixed use where residential housing is permitted except for corner lots where the Electronic Changeable Message sign shall not be located within twenty-five (25) feet of the point of intersection of the curb or edge of two intersection streets and the placement of said sign can be arranged so that the sign can be read from the intersection. The electronic message in all residential zoned districts shall not be displayed between the hours of 10:00 p.m. and 6:00 a.m.

Effective date:

This local law shall take effect immediately upon filing with the Secretary of State.

CARRIED

3 Ayes

0 Nays

LABELLA ASSOCIATES

Trustee Navarra will schedule a meeting with Mr John Papponetti from LaBella Associates regarding the water pressure problem in the Allen Road area.

WATER BILLING

The Board of Trustees tabled the discussion on the water service billing, consumption vs minimums, until the August 9, 2017 Meeting. The Office will provide a list of commercial properties that would be effected by the change.

LAND TO DUMP LEAVES, BRUSH, LEAVES

The Board of Trustees is waiting for a response from New York State Department of Conservation (NYSDEC) as to whether the Village would be able to dump leaves, brush and snow at a piece of property they are interested in purchasing. Attorney Gavenda will write a purchase offer with that stipulation included in it.

COUNTY REGARDING LIBERTY STREET TAXES

Attorney Gavenda is waiting for a response from Orleans County to the letter he sent in reply to the letter dated May 17, 2017 from Orleans County Treasurer Susan Heard regarding the taxes for 73.6-7-80 and 73.6.7-81.

COUNTY TO CHARGE BACK LAWN MOWING/TAXES

Attorney Gavenda is waiting for a response from Orleans County regarding the letter he sent about the correspondence received from Orleans County Treasurer Susan Heard stating the following to be charged back to the Village for lawn mowing and taxes:

73.6-7-21	Charles H Hunt Jr	2010-2013 mowing	\$ 3,351.75
73.6-7-23	Eva & Arthur Hildreth	2013	\$ 81.75
73.6-2-1	Jack Shaw	2011, 2013-2015	\$ 3,050.00
73.23-1-41	James McCarthy	2015	\$ 150.00
73.11-1-52	Virginia Mosher/Bruce Ribble	2003, 2004, 2008-2015	\$12,529.21

RESIDENT REGARDING DEAD TREE

Attorney Gavenda is waiting for information regarding Mike Clemons request to have a tree in his side yard be removed by the Village.

SURPLUS PROPERTY TABLED

The Board of Trustees tabled the request for the following to be declared surplus property. Trustee Farone will discuss with the Department of Public Works.

Viking Plow and Wing
12" Box Plow Protech
Stone Roller

AGREEMENT WITH VILLAGE OF ELBA TO FIX WATER LINES

Attorney Gavenda is working on an agreement with the Village of Elba to fix their water lines.

TOWN OF ELBA REQUEST

The Board of Trustees received a correspondence from the engineer for the Town of Elba asking if the Village would be interested in fixing the Town's water lines.

Moved by Trustee Banker and seconded by Trustee Navarra approving Attorney Gavenda send a letter to the Town of Elba stating the Village of Albion is interested in fixing their water lines.

CARRIED

3 Ayes

0 Nays

SR WATER TREATMENT PLANT OPERATOR

The Board of Trustees tabled the discussion on Water Treatment Plant Chief Operator Kevin Miller's request to appoint a Senior Water Treatment Plant Operator. The Board would like to review the job description for Water Treatment Plant Operator and the Sr Water Treatment Plant Operator.

544 EAST STATE STREET

Mayor London provided an update on 544 East State Street. The gas company will be disconnecting the gas the week of July 17th. The Department of Public Works will contact Orleans County as to their availability to help with the demolition of the house. There will need to be a pre-demolition meeting before the house can be demolished.

APPROVED TREASURER REPORT

Moved by Trustee Banker and seconded by Trustee Navarra approving the Treasurer's Report for the month of June 2017.

CARRIED

3 Ayes

0 Nays

APPROVED PAYMENT OF VILLAGE BILLS

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

General	Voucher #27343-	\$53,616.06
Water	to #27490	\$32,588.16
Sewer		\$10,410.73

CARRIED

3 Ayes 0 Nays

The Board of Trustees would like a policy written regarding Department Heads signing the vouchers in for payment. The Board will review the current purchasing policy and revise it. Trustee Banker would like a memo sent right away to the Department Heads regarding signing the vouchers in for payment in a timely manner

CARRIED

3 Ayes 0 Nays

APPROVED PAYMENT TO ROYAL EMPLOYER SERVICES

Moved by Trustee Banker and seconded by Trustee Navarra approving Mayor London sign and payment of \$1,080 for the agreement with Royal Employer Services for the period of July 1, 2017 to June 30, 2018.

CARRIED

3 Ayes 0 Nays

APPROVED CEMETERY DEEDS

Moved by Trustee Banker and seconded by Trustee Navarra approving Mayor London to sign the following Cemetery Deeds:

Donald G & Margaret J Hill	#8 Evergreen Columbarium
Ronald C Mathes	S.G. Deerfield Avenue
John D Jr and Nancy J Miles	#48 Evergreen Columbarium

CARRIED

3 Ayes 0 Nays

APPROVE INCREASE OF LINES

Moved by Trustee Banker and seconded by Trustee Navarra approving the request from Clerk-Treasurer to increase A 2705 (Gifts and Donations) and A 6989 (Economic Development-Concerts) by \$500 for a donation received from Claims Recovery Financial Services (CRFS) for the Concerts by the Canal.

CARRIED

3 Ayes 0 Nays

RESOLUTION 2017-15 CAR SHOW

The following Resolution 2017-15 was proposed by Trustee Banker who moved its adoption and seconded by Trustee Navarra regarding the July 22, 2017 Canal Side Cruise Night:

WHEREAS, The Albion Canal Side Cruise Night Organizers are requesting permission for a street closing of Route 98 to hold "The Big Event" Summer Cruise;

NOW, THEREFORE, BE IT RESOLVED, that the Village of Albion Board of Trustees hereby authorizes closing Route 98 from Caroline Street to East State Street for the Organizers of the Canal Side Cruise Night to hold a car show on July 22, 2017 from approximately 4:00 PM to 9:00 PM, provided the organizer(s) of the event agree to and comply with standard conditions as specified in the Special Events Permit Application, as well as comply with any site-specific safety-related conditions imposed by the Albion Fire Chief or the Chief of Police.

CARRIED

3 Ayes 0 Nays

RESOLUTION 2017-16 METRO 10

The following Resolution 2017-16 was proposed by Trustee Banker who moved its adoption and seconded by Trustee Navarra regarding the Metro 10 event to be held August 19, 2017:

WHEREAS, the Metro 10 organizers are requesting permission for a street closing of Route 98 and Route 31 to hold its "Metro 10 Race;

NOW, THEREFORE, BE IT RESOLVED, that the Village of Albion Board of Trustees hereby authorizes closing Route 98 and Route 31 for the Metro 10 organizers to hold its Annual Metro 10 Race on August 19, 2017 from approximately 8:00 AM to 12:00 PM, provided the organizer(s) of the event agree to and comply with standard conditions as specified in the Special Events Permit Application, as well as comply with any site-specific safety-related conditions imposed by the Albion Fire Chief or the Chief of Police.

CARRIED

3 Ayes 0 Nays

Trustee Pete Sidari entered the meeting at 6:29 PM

CORRESPONDENCE

The Board of Trustees received a correspondence from the Department of Public Service noting they will be holding public statement hearing regarding Niagara Mohawk Power Corporation's request for a proposed increase in electric and gas delivery.

CORRESPONDENCE

The Board of Trustees received a correspondence from J O'Connell Associates with a summary report of grant activity they have worked on through July 5, 2017.

CORRESPONDENCE

The Board of Trustees received a "Thank You" from the National Night Out Committee thanking the Village for the use of Bullard Park for their event.

CORRESPONDENCE

The Board of Trustees received a correspondence from J O'Connell & Associates with a summary report of grant activity they have worked on for the Village through July 5, 2017.

APPROVED MINUTES

Moved by Trustee Navarra and seconded by Trustee Banker that in as much as each member received copies of the minutes of June 28, 2017 and there being no errors or omissions, minutes are hereby approved as written.

CARRIED

3 Ayes 0 Nays
Trustee Navarra
Trustee Banker 1 Abstained
Trustee Sidari Mayor London

APPROVED CEMETERY DEED

Moved by Trustee Banker and seconded by Trustee Navarra approving Mayor London to sign the following Cemetery Deed:

Donald G & Patricia A Ferris S.G. 196 Deerfield Avenue

CARRIED

4 Ayes 0 Nays

CROWN CASTLE CONTRACT

The Board of Trustees is willing to continue to lease the property at 301 Washington Street with Crown Castle for their tower site. The Clerk-Treasurer will forward the current agreement to Attorney Gavenda.

APPROVED UNIVERA CONTRACT

Moved by Trustees Banker and seconded by Trustee Navarra approving Mayor London sign the renewal with Univera for Health Insurance for the period of September 1, 2017 through August 31, 2018 with the following rates:

	OLD	NEW
Single	\$ 371.37	\$322.24
Subscriber & Spouse	\$ 742.74	\$644.48
Subscriber & Child(ren)	\$ 631.33	\$547.81
Family	\$1,058.40	\$918.38

CARRIED

4 Ayes

0 Nays

EDA LEASE

The Board of Trustees authorized Attorney Gavenda to work with the Orleans County EDA to renew their lease which will expire March 31, 2018. The Board is requesting a 2% increase per year with a five (5) year extension.

APPROVED AD FOR SUPINTENDENT

The Board of Trustees approved the wording of the ad to be placed in the Pennysaver for the Superintendent of Public Works position.

APPROVED TO REQUEST LIST

Moved by Trustee Banker and seconded by Trustee Navarra approving Mayor London to request Orleans County Civil Service schedule the test for Superintendent of Public Works.

CARRIED

4 Ayes

0 Nays

ELBA AGREEMENT FOR SEWER PLANT

The Clerk-Treasurer will forward the current agreement with the Village of Elba to oversee their Pollution Control Plant to Attorney Gavenda. The Village auditor thought it had expired.

METERS

Code Enforcement Officer Ron Vendetti will work on getting vendors for new water meters. The current meters are malfunctioning and are not reading correctly.

EXECUTIVE SESSION

Moved by Trustee Sidari and seconded by Trustee Banker to adjourn to executive session to discuss personnel matters at 6:57 PM.

CARRIED

4 Ayes

0 Nays

EXECUTIVE SESSION CLOSED

Moved by Trustee Sidari and seconded by Trustee Banker to come out of executive session at 7:26 PM.

CARRIED

4 Ayes

0 Nays

MEETING ADJOURNED

Moved by Trustee Sidari and second by Trustee Navarra that there being no further business, meeting is hereby adjourned at 7:27 PM.

CARRIED

4 Ayes

0 Nays

Respectfully submitted,

Linda K Babcock

Linda K Babcock
Clerk-Treasurer