

The Regular Meeting of the Board of Trustees of the Village of Albion was held Wednesday, March 11, 2015 at 7:00 PM, at the Village Hall, 35 East Bank Street, Albion, New York.

Present were Mayor Dean A London, Trustees Eileen S Banker, Stan Farone, Gary Katsanis and Peter Sidari.

Attorney John C Gavenda was absent.

Also in attendance was the Chief Pollution Control Plant Operator Aric Albright and Superintendent of the Public Works Dale Brooks. There were 7 residents and students present.

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

**DEPARTMENT HEADS**

Moved by Trustee Sidari and seconded by Trustee Banker approving Code Enforcement Officer Ron Vendetti request to attend the NY Planning Federation Conference April 12<sup>th</sup> – April 14<sup>th</sup> at Bolton’s Landing New York.

CARRIED  
5 Ayes                      0 Nays

**OLD BUSINESS:**

Trustee Katsanis will review the current Village policies. Attorney Gavenda will be contacting NYCOM for samples.

**ACCEPT TREASURERS REPORT**

Moved by Trustee Farone and seconded by Trustee Katsanis accepting the Treasurer’s Report for February 2015.

CARRIED  
5 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 February 25, 2015 and there being no errors or omissions, minutes are hereby approved as written.

CARRIED  
5 Ayes                      0 Nays

**APPROVED PAYMENT OF VILLAGE BILLS**

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

General	Voucher #20916-	\$53,125.88
Water	to #21087	\$ 6,532.83
Sewer		\$ 2,743.09

The Board would like the Department Heads reminded to sign off on payments as soon as they can.

CARRIED  
5 Ayes                      0 Nays

**APPROVED PAYMENT CHATFIELD BILLS**

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

JMPCF Capital Improvement Plan	09-924-54	\$7,827.46
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CARRIED  
5 Ayes                      0 Nays

**APPROVED PAYMENT TO DONEGAN**

Moved by Trustee Katsanis and seconded by Trustee Banker approving payment to Bernard P Donegan Inc for the following services rendered December 1, 2014 to January 31, 2015:

JMPCF	\$541.53
Clarendon St Bridge	764.50
Fire Truck	34.75
FMS	<u>104.25</u>
	\$1,445.03

CARRIED

5 Ayes

0 Nays

**APPROVED PAYMENT TO OSBORN, REED AND BURKE**

Moved by Trustee Sidari and seconded by Trustee Katsanis approving payment to Osborn, Reed & Burke LLP for services rendered February 17, 2015 in the amount of \$66.00.

CARRIED

5 Ayes

0 Nays

**APPROVED LEASE DOCUMENTS FOR 2015 TAHOE**

Moved by Trustee Sidari and seconded by Trustee Farone approving Mayor London to sign the lease agreement documents with First Niagara Leasing Inc for the Police Departments 2015 Tahoe.

CARRIED

5 Ayes

0 Nays

**APPROVED PAYMENT TO SAVARINO**

Moved by Trustee Farone and seconded by Trustee Banker approving payment to Savarino Companies for Contract 4 Pay Application 9 in the amount of \$38,616.69 for services rendered at the Joint Municipal Industrial Pollution Control Facility. This project is approximately 94% completed as of February 28, 2015.

CARRIED

5 Ayes

0 Nays

**ACCEPTED APPLICATION**

The following application was accepted and will be placed on file for future reference:

Markus A Lembcke Cemetery

**PUBLIC HEARING SCHEDULED**

Moved by Trustee Banker and seconded by Trustee Sidari to schedule a Public Hearing to consider re-zoning four (4) parcels on Washington Street from R2 to GC for Wednesday, April 8, 2015 at 7:00PM.

CARRIED

5 Ayes

0 Nays

**ADOPT RESOLUTION 2015-3 REPEAL SAFE ACT OF 2013**

The following resolution 2015-3 was proposed by Trustee Katsanis who moved its adoption and seconded by Trustee Banker:

Supporting Legislation to Repeal the New York Secure Ammunition and Firearms Enforcement (SAFE) Act of 2013

WHEREAS, Senate bills S511-2015 and S1193-2015 have been introduced to the New York State Senate by Senators Michael Nozzolio and Katherine Marchione respectively, which would repeal all or part of the New York Secure Ammunition and Firearms Enforcement Act of 2013; and

WHEREAS, this Legislative Body has long advocated for the protection of the rights afforded our citizens under the Constitution, which has for generations guided our Nation and served as a framework to our republic and society; and

WHEREAS, the Second Amendment of the United States provides for the "right of the people to keep and bear arms" and further states that this right "shall not be infringed"; and

WHEREAS, members of the Village of Albion Board of Trustees, being elected to represent the people of the Village of Albion, are duly sworn by their oath of office to uphold the Constitution of the United States; and

WHEREAS, members of the New York State Assembly and the New York State Senate, being elected by the people of New York State, are duly sworn by their oath of office to uphold the Constitution of the United States; and

WHEREAS, the Civil Rights Law of the State of New York states in Article 2 Section 4, "Right to keep and bear arms. A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms cannot be infringed."; and

WHEREAS, the lawful ownership of firearms is a recreational benefit to our residents through hunting and target shooting, along with an economic and environmental benefit to our region with several locally owned and operated gun/sporting businesses; and

WHEREAS, the New York State Secure Ammunition and Firearms Enforcement (NY SAFE Act) of 2013 which was rushed to passage by the New York State Senate, Assembly and Governor, will have a detrimental effect on hunters, sportsmen and legal gun owners, creating a hostile environment both for them and for the sale and manufacture of legal firearms; and

WHEREAS, the legislation prohibits the sale of firearm magazines with a capacity larger than seven (7) rounds and, those firearm magazines with a capacity larger than seven (7) rounds, which are authorized to be retained by existing owners, may only be loaded with seven (7) rounds and eventually must be permanently altered to only accept seven (7) rounds or be disposed of; and

WHEREAS, few or no low capacity (seven (7) rounds or less) magazines currently exist for many of the firearms commonly possessed by law-abiding residents of New York State; and

WHEREAS, the legislation severely impacts the possession and use of firearms now employed by the residents of Orleans County for the defense of life, liberty and property; and

WHEREAS, the legislation severely impacts the possession and use of firearms now employed for safe forms of recreation including, but not limited to hunting and target shooting; and

WHEREAS, while there are some areas of the legislation that the Village of Albion Board of Trustees finds encouraging, such as the strengthening of Kendra's Law and Marks's Law, as well as privacy protections for lawful permit holders, we find the legislation fails to offer little meaningful solutions to gun violence and places undue burdens where they don't belong, squarely on the backs of law abiding citizens; and

WHEREAS, there are many parts of this legislation that place an unfunded mandate on the local Sheriff Departments, County Clerk's Office and County Judges, while tax payers are crying out for relief; and

WHEREAS, there will be significant financial impact due to the approximately 4,850 Orleans County pistol permits that will have to be renewed requiring additional manpower and computer systems; and

WHEREAS, requiring law-abiding gun owners to verify ownership of certain types of firearms every five years, in addition to registering them on permits, which now also must be renewed every five years, does not increase the safety of the public and is unnecessarily burdensome to the residents of New York State; and

WHEREAS, this legislation effectively treats countless New York State law abiding gun owners as criminals; and

WHEREAS, the enactment of the NY SAFE Act has engendered significant controversy over both the process by which it was enacted and certain provisions contained within; and

WHEREAS, the manner in which this legislation was brought forward for vote in the State Legislature is deeply disturbing to the Village of Albion Board of Trustees; and

WHEREAS, this legislative body unanimously voted to oppose the New York Secure Ammunition and Firearms Enforcement Act of 2013 for all reasons stated above in RESOLUTION NO.2013-7 of the Village of Albion Board of Trustees proceedings of July 24, 2013; now be it

RESOLVED, that the Village of Albion Board of Trustees does hereby support Senators Michael Nozzolio's and Katherine Marchione's bills S511-2015 and S1193-2015 to repeal all or part of the New York Secure Ammunition and Firearms Enforcement Act of 2013; and be it

FURTHER RESOLVED, that this Board supports the introduction of an Assembly bill which calls for the repeal of the New York Secure Ammunition and Firearms Act of 2013; and be it

FURTHER RESOLVED, that this Board supports efforts by the New York State Legislature to remove funds for enforcement of the New York Secure Ammunition and Firearms Act of 2013 from the New York State Budget; and be it

FURTHER RESOLVED, that certified copies of this Resolution be forwarded to the Governor of the State of New York, Senator Robert Ort, Assemblyman Stephen Hawley, Assemblywoman Jane Corwin and all others deemed necessary and proper.

CARRIED

5 Ayes

0 Nays

#### **AMA REGARDING BLUE CONTAINERS**

Ms Lisa Stratton from the Albion Merchants Association informed the Board of Trustees that they have purchased hanging flower baskets. They will not be using the blue containers as flower pots this year and suggested using them in the parks. Mayor London will bring it up at the next joint meeting with the Town of Albion.

The Board of Trustees agreed to help with the cost of the flyers the Albion Merchants are having printed by the Lake Country Pennysaver, which will include information about the downtown concert series.

#### **CORRESPONDENCE**

The Board of Trustees received a correspondence from Orleans County regarding a meeting they will be hosting regarding joint shared services and government efficiency plan that New York State is requiring be put in place. They will be hosting the meeting on Thursday, March 19, 2015 at 6:30 PM.

#### **CORRESPONDENCE**

The Board of Trustees received notification from Bernard P Donegan's office with the interest rate for the \$650,000 Bond Anticipation Note. This is for the funding of the Clarendon Street Bridge project. They received three bids:

First Niagara Bank, NA	1.2000%
Roosevelt & Cross Inc	1.3750%
Oppenheimer & Co Inc	1.5000%

**ACCEPTED APPLICATIONS**

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

Claude E Behe	WTP Operator Trainee
Codey W States	Anything

**RETIREMENT INTENTION**

The Board of Trustees received a correspondence from Sergeant William G Scribner stating his intention to retire during the fiscal year June 1, 2015-May 31, 2016.

**RETIREMENT INTENTION**

The Board of Trustees received a correspondence from Officer John M Doyle stating his intention to retire during the fiscal year June 1, 2015-May 31, 2016.

**CLARENDON BRIDGE PROJECT**

The Superintendent of Public Works Dale Brooks informed the Board of Trustees that Clarendon Street will be closed starting March 20, 2015. Keeler Construction will start the project as soon as the utility companies have all their lines moved.

**RESIDENTS**

Mr Benjamin Frevert and Mr Ram Shrivastava from Larsen Engineers did a presentation regarding the Village doing a solar study. They will be able to review our electric bills on line. The cost will be \$2,500 to get started plus a percentage of the construction cost. The \$2,500 will be given back and rolled into the financing. Larsen Engineers would assist the Village in obtaining funding for the project.

**ALBION HERITAGE TRAIL**

Mr Tom Rivers addressed the Board of Trustees about the Albion Heritage Trail. He would like the Board to ask Ms O'Connell if she feels the Village would have a good application for that project. Ms O'Connell will be attending the April 8<sup>th</sup> meeting to discuss the services she offers.

**ELBA**

Moved by Trustee Banker and seconded by Trustee Sidari approving to move forward with Elba regarding their Pollution Control Plant, Water Plant and possibly repairing any water line breaks. Attorney Gavenda will work with Elba's Attorney on the agreement.

CARRIED

5 Ayes

0 Nays

**VILLAGE PROPERTY**

A resident inquired if the property behind TOPS that the Village owns is for sale. The Board of Trustees stated that it is not at this time, but will keep his contact information on hand.

**ANNUAL MEETING DATE SET**

Moved by Trustee Sidari and seconded by Trustee Katsanis to schedule the Annual Meeting for Wednesday, April 1, 2015 at 6:00 PM.

CARRIED

5 Ayes

0 Nays

**EXECUTIVE SESSION**

Moved by Trustee Sidari and seconded by Trustee Banker to adjourn to executive session for personnel issues at 9:02 PM.

CARRIED

5 Ayes

0 Nays

**EXECUTIVE SESSION CLOSED**

Moved by Trustee Farone and seconded by Trustee Katsanis to come out of executive session at 9:39 PM.

CARRIED

5 Ayes

0 Nays

**MEETING ADJOURNED**

Moved by Trustee Katsanis and seconded by Trustee Banker that there being no further business, meeting is hereby adjourned at 9:40 PM.

CARRIED

5 Ayes

0 Nays

Respectfully submitted,



Linda K Babcock  
Clerk-Treasurer