

The Regular Meeting of the Board of Trustees of the Village of Albion was held Wednesday, March 19, 2014 at 7:00 PM, at the Village Hall, 35 East Bank Street, Albion, New York to address items from the cancelled meeting of March 12, 2014 due to the weather.

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

Also in attendance was Police Chief Roland Nenni and the candidates who won the recent election, Stanley A Farone and Gary L Katsanis. There were no residents present.

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

#### **PUBLIC HEARING 7:00 PM**

Mayor Theodorakos opened the Public Hearing at 7:00 PM to consider adopting a Local Law authorizing a property tax levy in excess of the limit established in General Municipal Law §3-c.

It was noted that passing this Local Law doesn't mean the 2% tax cap will be exceeded. Only that the Village would be covered if it did.

#### **CLOSED PUBLIC HEARING**

Moved by Trustee Sheehan and seconded by Trustee Banker that in as much as everyone who wished to speak to consider adopting a Local law authorizing a property tax levy in excess of the limit established in General Municipal Law §3-c were heard, the Public Hearing closed at 7:04 PM.

**CARRIED**

3 Ayes

0 Nays

#### **ADOPT LOCAL LAW #1, 2014**

The following Local Law #1, 2014 was proposed by Trustee Sheehan who moved its adoption and seconded by Trustee Banker:

WHEREAS, the Board of Trustees at a Regular Board Meeting of said Board held on Wednesday, February 12, 2014 did adopt a motion that a Public Hearing be held on the aforesaid proposed Local Law at 7:00 PM on March 12, 2014, but due to the weather was postponed until March 19, 2014, 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 March 12, 2014, and

WHEREAS, a notice of such Public Hearing on said proposed Local Law was duly published in the Batavia Daily Newspaper on March 1, 2014, 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 7:00 PM on March 19, 2014, 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 #1, 2014**

##### **Section 1. Legislative Intent**

It is the intent of this local law to allow the Village of Albion to adopt a budget for the fiscal year commencing June 1, 2014 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

##### **Section 2. Authority**

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government's governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

**Section 3. Tax Levy Limit Override**

The Board of Trustees of the Village of Albion, County of Orleans, is hereby authorized to adopt a budget for the fiscal year commencing June 1, 2014 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

**Section 4. Severability**

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**Section 5. Effective date**

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

CARRIED

3 Ayes

0 Nays

**BUDGET MEETING**

Police Chief Roland Nenni was present to review his tentative budget.

**ACCEPT TREASURERS REPORT**

Moved by Trustee Sheehan and seconded by Trustee Banker accepting the Treasurer's Report for February 2014.

CARRIED

3 Ayes

0 Nays

**APPROVED MINUTES**

Moved by Trustee Banker and seconded by Trustee Sheehan that in as much as each member received copies of the minutes of February 26, 2014 and March 3, 2014 and there being no errors or omissions, minutes are hereby approved as written.

CARRIED

3 Ayes

0 Nays

**APPROVED PAYMENT OF VILLAGE BILLS**

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

General	Voucher #18149	\$29,839.93
Water	to #18330	\$ 7,778.39
Sewer		\$ 6,493.39

CARRIED

3 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:

General Engineering Services	94-193-180	\$108.00
JMPCF Capital Improvement Plan	09-924-42	\$969.30

CARRIED

3 Ayes

0 Nays

**APPROVED PAYMENT TO SUBURBAN ELECTRIC**

Moved by Trustee Sheehan and seconded by Trustee Banker approving payment to Suburban Electric for services rendered at the Joint Municipal Industrial Control Facility for Contract 5, Pay Estimate 1, in the amount of \$1,900.00

CARRIED

3 Ayes

0 Nays

**APPROVED PAYMENT TO DONEGAN**

Moved by Trustee Sheehan and seconded by Trustee Banker approving payment to Bernard P Donegan Inc for the following services rendered November 1, 2013 to January 20, 2014:

JMPCF	\$1,236.10
Clarendon St Bridge	\$ 816.00

CARRIED

3 Ayes

0 Nays

**APPROVED CEMETERY DEEDS**

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

Sandra L Clark	#106 Ashwood Way
Nancy A Aman	S.G. 540, 541 and 542 Deerfield Avenue

CARRIED

3 Ayes

0 Nays

**CORRESPONDENCE**

The Board of Trustees received a correspondence from the Albion Police Benevolent Association requesting to meet regarding contract negotiations. The current contract will end May 31, 2014. The current Board of Trustees will let the newly elected Board schedule the meeting at their convenience.

**TABLED ADOPTING THE RESOLUTION FOR 134-136 LIBERTY ST**

The Board of Trustees tabled adopting the resolution regarding accepting conveyance of 134-136 Liberty Street from Orleans County.

Trustee Pete Sidari entered meeting at 7:13 PM.

**APPROVED ELECTRIC AGREEMENT**

Moved by Trustee Sheehan and seconded by Trustee Banker approving Mayor Theodorakos to sign the Power Sale Agreement with Integrys Energy. The agreement is for three (3) years at a fix rate of 0.06260.

CARRIED

4 Ayes

0 Nays

**BUDGET MEETING SCHEDULED**

Moved by Trustee Banker and seconded by Trustee Sheehan to schedule a Special Meeting for Monday, March 24, 2014 at 6:00 PM for budget review.

CARRIED

4 Ayes

0 Nays

**EXECUTIVE SESSION**

Moved by Trustee Sidari and seconded by Trustee Banker to adjourn to executive session to discuss personnel matters at 7:50 PM.

CARRIED

4 Ayes

0 Nays

**EXECUTIVE SESSION CLOSED**

Moved by Trustee Sheehan and seconded by Trustee Banker to come out of executive session at 8:30 PM.

CARRIED

4 Ayes

0 Nays

**MEETING ADJOURNED**

Moved by Trustee Sidari and seconded by Trustee Sheehan that there being no further business, meeting is hereby adjourned at 8:31 PM.

CARRIED

4 Ayes

0 Nays

Respectfully submitted,



Linda K Babcock  
Clerk-Treasurer