

The Regular Meeting of the Board of Trustees of the Village of Albion was held Wednesday, October 13, 2010 at 6:30 PM, at the Village Council Chambers, 35-37 East Bank Street, Albion, New York.

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

Mayor Theodorakos opened the meeting with the pledge of allegiance at 6:33 PM.

#### **HEALTH INSURANCE**

Mr Don Bardeen and Mr Don Jablonski discussed Health Insurance with the Board of Trustees. They have provided health and group insurance brokerage service for the Village in the past years.

#### **CHATFIELD ENGINEERS**

An energy audit will be done at the Joint Municipal Industrial Pollution Control Facility. One of the requirements of the principal forgiveness offer is to participate in the energy evaluation with NYSERDA which will be no cost to the Village.

#### **APPROVED CHATFIELD AGREEMENT**

Moved by Trustee Sheehan and seconded by Trustee Banker approving Mayor Theodorakos to sign the Engineering Agreement with Chatfield Engineers for the Joint Municipal Industrial Pollution Control Facility in the amount of \$391,353.00. The contract consists of the following contracts:

1. Equalization Tank and Raw Sewage Pump Station Improvements
2. Electrical/SCADA System Improvements
3. General Construction

#### **CARRIED**

4 Ayes

0 Nays

Contract one will be addressed first along with contract two which ties into the first contract. The approximate time frame for the project is:

Bids will be March/April

Project starting in May/June and

Completed by October/November

#### **APPROVED CHANGE ORDER #4 AND #5**

Moved by Trustee Sheehan and seconded by Trustee Banker approving Mayor Theodorakos to sign Change Order #4 and Change Order #5 for the Sanitary Sewer Project.

1. Change Order #4 in the amount of \$68,845.00 is for the additional landscaping and grading that was necessary for the completion of the Meadowbrook Road Reconstruction Project. Additional work to be performed is extensive cutting and filling along the backside of the gutters, restoration of the lawn areas disturbed when the Village installed the water main, regrading of the existing drainage swale near Clover Lane, regrading of existing drainage swales and/or creating of new swales along the roadway to promote drainage to inlet structures and top soil and seed to all disturbed areas. Mr Foote explained that because of the time frame at the time the entire project went out to bid, the total restoration was not included in the bid process.
2. Change Order #5 in the amount \$72,519.00 is for the contractor to install additional asphalt top over the entire width of the road on portions of Caroline Street, East Bank Street, West Bank Street and North Clinton Street.

#### **CARRIED**

4 Ayes

0 Nays

**APPROVE PAYMENT TO SERGI**

Moved by Trustee Sheehan and seconded by Trustee Miller approving Mayor Theodorakos to sign payrolls and the payment of Pay Estimate #16 for the Sanitary Sewer Project. The amount to be paid is \$90,645.26 to Sergi Construction. The project is 78% completed as of October 1, 2010.

**CARRIED**

4 Ayes

0 Nays

**DISCUSSION**

Mr Chatfield handed out a summary of the construction costs showing a balance of approximately \$174,118 for the Sanitary Sewer Project which could be used to complete additional work such as spot repairs or section replacement.

Mr Chatfield provided the Board of Trustees with his engineering fees associated with various projects over the years. The summary also shows the courtesy discounts he provided over the years for the Village.

The Green Project is getting under way with letters ready to go out to the effected residents.

**DEPARTMENT HEAD**

The Board of Trustees agreed that Code Enforcement Officer, Ron Vendetti should work with Police Chief, Dean London regarding the property at 61 Brown Street that the Village has acquired.

**WAGES**

Code Enforcement Officer, Ron Vendetti informed the Board of Trustees that the non-union management and clerks are requesting an answer on wage increases. A committee was formed of Board members and employees who came up with recommendations. Mayor Theodorakos and Trustee Banker stated it's moving along.

**DEPARTMENT HEAD REQUEST**

Moved by Trustee Sheehan and seconded by Trustee Banker approving the Superintendent of the Pollution Control Plant, Aric Albright's request to transfer \$3,810.00 from G8130.0405-electrical to G8130.0209-conveyor.

**CARRIED**

4 Ayes

0 Nays

**STREET LIGHTS**

Discussion on the street lights in the downtown area that are not working properly. It was determined that the Department of Public Works will take care of them and fine out what the problem is. Trustee Miller thought it would be a good idea to take down the flags and check the photo eyes to make sure they are working properly at the same time they fix them.

**RESIDENT**

Employment Specialist, Ms Randi Lang is requesting a break on the sewer portion of Mr Brandon Pitt's water/sewer bill for the period 3/24/10-7/01/10. Ms Lang states that due to Mr Lang's disability, he wasn't able to hear the leak in his toilet.

Moved by Trustee Miller and seconded by Trustee Sheehan authorizing the penalty amount of \$111.44 be removed from Mr Pitt's water/sewer bill for the period of March 24, 2010 through July 1, 2010. Mr Pitts will have 10 days to pay the balance of his bill.

**CARRIED**

4 Ayes

0 Nays

**RESIDENT**

Tabled decision on resident, Ms Tabbetha Pearce's request for reimbursement for the purchase of a tire which she alleges was damaged from the construction. The Board of Trustees would like the Superintendent of Public Works, Dale Brook's recommendation before making a decision.

**APPROVE MAJOR FELONY CRIME TASK FORCE**

Moved by Trustee Miller and seconded by Trustee Sheehan approving Mayor Theodorakos to sign the 2011 Major Felony Crime Task Force Memorandum of Understanding. Also signing the document is Orleans County, Village of Medina and Village of Holley.

**CARRIED**

4 Ayes

0 Nays

**ACCEPT TREASURERS REPORT**

Moved by Trustee Sheehan and seconded by Trustee Banker accepting the Treasurer's Report for September 2010.

**CARRIED**

4 Ayes

0 Nays

**APPROVE MINUTES**

Moved by Trustee Miller and seconded by Mayor Theodorakos that in as much as each member received copies of the September 15, 2010 and September 22, 2010 minutes and there being no error or omissions, minutes are hereby approved as written.

**CARRIED**

4 Ayes

0 Nays

The Board of Trustees acknowledged that the Special Meeting scheduled for October 7, 2010 was cancelled.

**APPROVE PAYMENT OF BILLS**

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

General Fund	voucher #7406	\$62,180.33
Water Fund	to #7606	\$ 9,355.37
Sewer Fund		\$13,400.22

**CARRIED**

4 Ayes

0 Nays

Trustee Banker stated that getting the Department Heads to sign their vouchers is difficult. They will be reminded that it is their responsibility to make sure their vouchers are signed before they are approved by the Board.

**APPROVE PAYMENT CHATFIELD BILLS**

Moved by Trustee Riley and seconded by Trustee Miller approving the following bills submitted by Chatfield Engineers be paid:

McKinstry Street Storm Sewer/Rd Reconstruction	09-944-13	\$ 4,854.50
Meadowbrook Drive Road Reconstruction	09-952-10	\$ 4,844.00
Green Project Initiative	10-976-7	\$ 234.00
2007 Sanitary Sewer Improvements	06-765-37	\$ 248.00
Water System Capital Improvement Plan	09-943-10	\$ 4,990.00

The portion of invoice 94-193-158, in the amount of \$130.00 for creating a base map of the parking lot on North Main Street was tabled. The Board of Trustees would like clarification as to what work they had done. The amount of that invoice to be paid is \$582.00 which was for organizing files and attending the ARRA audit meeting.

**CARRIED**

4 Ayes

0 Nays

**APPROVE PAYMENT TO KEELER**

Moved by Trustee Banker and seconded by Trustee Miller approving Mayor Theodorakos to sign Pay Estimate #3 for the McKinstry Street Storm Sewer Project. The amount to be paid is \$53,679.02 to Keeler Construction. The project is 94% completed as of October 1, 2010.

**CARRIED**

4 Ayes

0 Nays

**MC KINSTRY STREET PROJECT BILLS**

Moved by Trustee Sheehan and seconded by Trustee Banker approving the payment of the following McKinstry Street Road Reconstruction Project bills as submitted by the Superintendent of Public Works, Dale Brooks:

Albion Ace Hardware	\$ 134.44
Barre Stone Products	\$ 6,391.51
Hanson Aggregates	\$15,811.00
Keeler Construction	\$ 8,772.50
Oak Orchard Concrete	\$ 1,794.50
Orleans County Highway	\$ 39.15
Volvo Rents	\$ 1,373.00

**CARRIED**

4 Ayes

0 Nays

Clerk-Treasurer needs to get the amount of overtime pay for Village employees who worked on the McKinstry Street Road Reconstruction Project.

**APPROVE CEMETERY DEEDS**

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

Eric Bradshaw	#24 Evergreen Columbarium
Gwendolen J Ferchen	S.G. 419-422 Deerfield Avenue
Mary L Knights	S.G. 27 and 28 Deerfield
Sally J Lusk	#22 Evergreen Columbarium
Jeanette I Sokol	#98 Ashwood Way

**CARRIED**

4 Ayes

0 Nays

**ACCEPT APPLICATION**

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

Michael R Schuck      Water Treatment Plant Trainee

**ACCEPT FIRE DEPT MEMBERS**

Moved by Trustee Sheehan and seconded by Trustee Banker accepting Brandi M Ferris and Nancy L Francis applications to be active members of the Albion Fire Department.

**CARRIED**

4 Ayes

0 Nays

**STUART I BROWN AGREEMENT**

Moved by Trustee Sheehan and seconded by Trustee Miller approving Mayor Theodorakos to sign the Agreement with Stuart I Brown Associates for the Joint Municipal Industrial Pollution Control Facility (JMIPCF) Improvement Project. Stuart I Brown Associates will be the administrator for the project for an amount not to exceed \$14,000.00.

**CARRIED**

4 Ayes

0 Nays

**CORRESPONDENCE**

Correspondence received from USDA, notifying the Village of Albion of their intent to lease approximately 3150 net usable square feet of office space in Albion.

**JUVENILE AID RESOLUTION**

The following resolution was proposed by Trustee Miller who moved its adoption and seconded by Trustee Banker approving the Village of Albion to participate in the 2010 Juvenile Aid Program:

WHEREAS, for a number of years, the Village of Albion participated in and funded the activities of the Juvenile Aid Program, and

WHEREAS, the accounting and bookkeeping requirements have resulted in the Village of Albion becoming the administrative body for the activities of the Juvenile Aid Program through the collection and disbursement of monies for the payment of invoices, assuming responsibility for employee payroll and the handling of other accounting and administrative responsibilities,

NOW THEREFORE BE IT RESOLVED, that the Village of Albion agrees to participate in the Juvenile Aid Program for the Year 2010 and agrees to be responsible for paying funds toward the operation of the programs planned, and has budgeted funding for such, as it has in the past.

**CARRIED**

4 Ayes

0 Nays

**VILLAGE PROJECTS**

There was a discussion of the third floor at the Village Hall. The main room, known as the bike room, is off limits and will be re-tagged. The Board of Trustees will review the cost of doing the separate areas to determine how much of the project will be done.

Moved by Trustee Sheehan and seconded by Trustee Miller approving Superintendent of Public Works, Dale Brooks to get the spec's ready for bids to go out to address the asbestos. Code Enforcement Officer, Ron Vendetti will provide the list of minority and women owned businesses that will need to be reached out to.

**CARRIED**

4 Ayes

0 Nays

**NATIONAL GRID**

Moved by Trustee Sheehan and seconded by Trustee Banker approving Mayor Theodorakos to sign the settlement agreement with National Grid. National Grid had requested reimbursement of alleged over payments of gross receipts taxes that the Village of Albion received in error. New York State Conference of Mayors (NYCOM) provided their opinion that the revised settlement agreement from National Grid is a reasonable resolution to the dispute. The Attorney will check into how much the Village of Albion needs to pay back National Grid.

**CARRIED**

4 Ayes

0 Nays

**INVOICE SHORELINE PROJECT**

The Board of Trustees tabled payment to NYS Department of Environmental Conservation for the Shoreline Erosion Project. The Clerk-Treasurer will response to the letter of August 12, 2010 requesting payment from the Village for the project. Trustee Banker will provide the Clerk-Treasurer with the contact information at the DEC. Apparently, one half of the member item funds has been found and needs to be internally transferred. The other half needs to be looked into further.

**DEPARTMENT HEAD**

Trustee Banker and Code Enforcement Officer, Ron Vendetti will meet with resident, Mr Peter Collazo regarding the complaint he had filed on Mr Vendetti.

**MEETING ADJOURNED**

Moved by Trustee Miller and second by Trustee Sheehan that there being no further business, meeting is hereby adjourned at 9:22 PM.

**CARRIED**

4 Ayes

0 Nays

Respectfully submitted,



Linda K Babcock  
Clerk-Treasurer