

The Workshop Meeting of the Board of Trustees of the Village of Albion was held Wednesday, August 25, 2010 at 7:00 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, Jeannette Riley, Kevin P Sheehan and Attorney John Gavenda.

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

RESIDENT

Resident, Mr Lou Becker addressed the Board of Trustees about the Charles W Howard Day event that Ms Carol Culhane his wife Jeri and he have been working on. The event will be held Saturday, September 25, 2010 from 9:00 AM to 6:00 PM. Activities will be held on the Court House Square, the First United Methodist Church and the Erie Canal Schoolhouse Bed and Breakfast. There will also be guided bus tours of the Santa Claus School property, Mt Albion Cemetery, Village architectural and historical landmarks and the Cobblestone Museum. There was a discussion on putting the Christmas tree up on the Court House lawn, hanging a Christmas banner and doing a resolution proclaiming a "Charlie W Howard Day".

AMSA

Moved by Trustee Riley and seconded by Trustee Banker approving Ms Katelin Olsen, Program Manager for the Albion Main Street Alliance (AMSA) request to use the Canal Park and the municipal parking lot along the canal on Saturday, October 9, 2010 for a flea market and fall festival for children. The hours will be from 10:00 AM to 4:00 PM.

CARRIED

5 Ayes

0 Nays

Ms Olsen invited the Board of Trustees to be judges for the scarecrow costume and gourd/vegetable painting contest that will be taking place.

DEPT HEAD

Moved by Trustee Sheehan and seconded by Trustee Miller approving Superintendent of Public Works, Dale Brooks request to declare the 2007 Police car as surplus property.

CARRIED

5 Ayes

0 Nays

APPROVE MINUTES

Moved by Trustee Sheehan and seconded by Trustee Miller that in as much as each member received copies of the August 7, 2010; August 11, 2010 and August 12, 2010 minutes and there being one error or omission, minutes are hereby approved as written with the following correction:

August 11, 2010, Page 7, under Forgive Water/Sewer Bill, Trustee Sheehan voted nay not Trustee Miller

CARRIED

5 Ayes

0 Nays

APPROVE PAYMENT TO ATTY DIMATTEO

Moved by Trustee Riley and seconded by Trustee Sheehan approving payment to Attorney Daniel M DiMatteo for services rendered in the amount of \$150.00.

CARRIED

5 Ayes

0 Nays

ADOPT STANDARD WORK DAY

The following resolution adopting the standard work day was proposed by Trustee Sheehan who moved its adoption and seconded by Trustee Banker:

WHEREAS, the New York State and Local Employees' Retirement System established Section 315.4, a new regulation on retirement reporting for elected and appointed officials which became effective August 12, 2009; and

WHEREAS, the new regulation adds additional requirements for both employers and elected and appointed officials, including an expanded record of work activities, a more detailed resolution and specific time frames within which requirements must be completed;

NOW THEREFORE BE IT RESOLVED, that the Village of Albion hereby establishes the following as standard work days for certain elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body;

Dean A Theodorakos	6 hours for Standard Work Day
Eileen S Banker	6 hours for Standard Work Day
Kevin P Sheehan	6 hours for Standard Work Day
John C Gavenda	6 hours for Standard Work Day

AND BE IT FURTHER RESOLVED, the above list reflects only those elected and appointed officials with terms of office commencing after August 12, 2009, as stipulated in the new regulation and who do not participate in our time reporting system.

CARRIED

5 Ayes 0 Nays

CORRES TO COMMUNITY RENEWAL

Moved by Trustee Miller and seconded by Trustee Sheehan approving Mayor Theodorakos to sign the response letter to New York State Office of Community Renewal as provided by Stu Brown Associates. The letter is in regards to the response of the Comprehensive Monitoring Close Out Report for the NYS Community Development Block Grant (CDBG) Project No. PR 111-08.

CARRIED

5 Ayes 0 Nays

ADOPT WORK PLACE POLICY

Moved by Trustee Sheehan and seconded by Trustee Miller to adopt the following "Violence in the Work Place Policy" as submitted by the Violence in the Work Place Committee:

**VILLAGE OF ALBION
POLICY PROHIBITING WORKPLACE VIOLENCE**

POLICY STATEMENT

The Village of Albion is concerned and committed to the safety and health of our employees. We have a zero tolerance policy towards violence, threats of violence, harassment, intimidation, bullying and other disruptive behavior in the workplace. We will provide the necessary resources to meet our goal of a safe workplace.

We require the prompt and accurate reporting of all violent incidents whether or not physical injury has occurred. All reports of incidents are taken seriously and dealt with appropriately. Employees who are found to have violated this policy are subject to disciplinary action, up to and including termination. The Village of Albion will not discriminate against victims of workplace violence.

All employees, including managers and supervisors, are responsible for using safe work practices, following all policies and procedures, and for assisting in maintaining a safe and secure work environment.

DEFINITIONS:**Workplace Violence**

Workplace violence is defined as any act that occurs in the workplace that creates a hostile work environment that affects employees' physical or psychological well-being. This can take the form of harassment, verbal threats, aggressive or threatening behavior and physical assault or abuse.

A workplace may be any location either permanent or temporary where an employee performs any work-related duty. This includes, but is not limited to, Village property, clients' homes and traveling to and from work assignments.

Types of workplace violence that can occur are:

- Violence by strangers
- Violence by customers or clients
- Violence by co-workers, subordinates, and supervisors
- Violence by personal relations

PROHIBITED BEHAVIOR

- Prohibited conduct includes, but is not limited to:
- Injuring another person physically
- Engaging in behavior that creates a reasonable fear of injury to another person
- Engaging in behavior that subjects another person to extreme emotional distress
- Possessing, brandishing, or using a weapon that is not required by the individual's position while on Village property or engaging in Village business
- Intentionally damaging property
- Threatening to injure an individual or to damage property
- Committing injurious acts motivated by, or related to, domestic violence or sexual harassment
- Retaliating against any employee who reports a violation of this policy

PROCEDURE:

1. Any incident that constitutes a potential or actual threat of violence towards an employee must be reported to a Supervisor. The circumstances of the incident may dictate the incident first be reported to the Village Police Department or Department Head/Designee.
2. Supervisors will take any appropriate actions to eliminate any immediate risk/danger if they exist.
3. Employees will preserve, to the extent possible, any physical evidence.
4. Following a report of an incident, the Supervisor along with the appropriate Department Head shall coordinate an immediate investigation. If appropriate, this investigation will be in cooperation with the Police Department.
5. Any disciplinary actions will be applied according to established procedures:
 - Section 75 "Disciplinary Proceedings" of the Civil Service Law
 - Article XVIII "Disciplinary Actions" of the Collective Bargaining Agreement between the Village of Albion and the Albion Police Benevolent Association
 - Article 18 "Discipline and Discharge" of the Collective Bargaining Agreement between the Village of Albion and AFSCME Council 66, Local 1436-A
 - Village of Albion Disciplinary Policy
6. Criminal investigations will be the responsibility of the Albion Police Department.

CARRIED

5 Ayes

0 Nays

2010 DODGE CHARGER PURCHASE

Moved by Trustee Miller and seconded by Trustee Riley approving Mayor Theodorakos to sign the documents from Ford Motor Credit Company for the leasing of the 2010 Dodge Charger for the Albion Police Department.

CARRIED

5 Ayes

0 Nays

SPECIAL MEETING SCHEDULED

Moved by Trustee Sheehan and seconded by Trustee Riley to schedule a Special Meeting for Monday, September 13, 2010 at 6:00 PM for contract negotiations.

CARRIED

5 Ayes

0 Nays

INVOICE SHORELINE PROJECT

Tabled approving payment to the New York State Department of Environmental Conservation for the Village of Albion Water Treatment Plant Shoreline Project. The amount of the invoice is \$57,802.54. Trustee Banker will research the member initiative program from Senator Maziarz and (at the time the project started) Assemblyman Nesbitt for the project. Both offices were supposed to cover one half of the cost of the outstanding amount due. Trustee Sheehan will contact Mr Mike Stankiewicz asking for an extension on due date.

3RD FLOOR

The Board of Trustees discussed the third floor asbestos. The project will need to go out to bid and the Minority and Women Owned Business's will need to be reached out to. Trustee Riley and Trustee Miller will discuss the project with Superintendent of Public Works, Dale Brooks at their next meeting with him.

VILLAGE PARKING LOT

Discussion on the trucks parking in the Village of Albion parking lot on Platt Street. The tenants have concerns as to the space they take up. Mayor Theodorakos will meet with Jim Whipple from Orleans County IDA to discuss options. The Village of Albion Code states that tractor trailers will be allowed to park on the west end of Platt Street Parking Lot from Platt to the west end of the North American Mortgage Building. Will discuss further at the September 8, 2010 Regular Board Meeting.

19 NORTH MAIN STREET

The Board of Trustees discussed the cost of the asbestos survey for 19 North Main Street. The project will also need to go out to bid and the Minority and Women Owned Business's will need to be reached out to.

121 FAÇADE PROJECT

Mayor Theodorakos gave an update of the 121 Façade and Canal Signage Project. He had met with Mr Paul Chatfield and Mr Tom Simbari, Simbari Architecture, PLLC to discuss the project with them. SHIPO has approved the design. The next step is, the Department of Transportation will need to accept the scope of work. It was suggested that the Village put two bid packages together, one for the original project and one scaling down the scope of the project. The bids specs should be ready in the next couple of months.

APPROVED PAYMENT OF CHATFIELD BILL

Moved by Trustee Banker and seconded by Trustee Sheehan approving payment of a portion of the following bill submitted by Chatfield Engineers. Total invoice \$1,212.50.

121 N Main Façade	08-888-8	\$ 432.50
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CARRIED

4 Ayes

1 Nay

Trustee Banker

Trustee Miller

Trustee Sheehan

Trustee Riley

Mayor Theodorakos

CLARENDON STREET BRIDGE PROJECT

Mayor Theodorakos gave an update on the Clarendon Street Bridge Project. The Department of Transportation will be sending the Village of Albion a correspondence regarding the funds for the project. As soon as the Village of Albion receives it, Mayor Theodorakos would like to invite Mr Kevin Miller, Bergmann Associates and Mr Christopher Sheridan, NYS DOT to a Village Board meeting to discuss the project.

NATIONAL GRID

Discussed update on National Grid's request for reimbursement of alleged over payments of gross receipts taxes that the Village of Albion received in error. New York State Conference of Mayors (NYCOM) is still reviewing.

TOWN OF ALBION PARK AGREEMENT

Moved by Trustee Sheehan and seconded by Trustee Banker approving Mayor Theodorakos sign the Inter-municipal Agreement between the Town of Albion and Village of Albion regarding Parks and Recreation with one change, adding a sixth member to the Recreation Committee. The Town of Albion will contribute \$4,000.00 towards the skate park equipment the Village will purchase this year. They will contribute \$6,000.00 in the Village's fiscal year of June 1, 2011 through May 31, 2012 and future contributions will be determined by the Town of Albion.

CARRIED

5 Ayes

0 Nays

RECREATION COMMITTEE

Moved by Trustee Miller and seconded by Trustee Riley to change the members on the Recreation Committee from five (5) members to six (6) members.

CARRIED

5 Ayes

0 Nays

TRANSFER OF FUNDS

Moved by Trustee Sheehan and seconded by Trustee Miller approving Recreation Director, Mr John Grillo's request to transfer \$198.00 from A7310.0405, park supplies to A7310.0201, park equipment. Money will be used to purchase a new grill.

CARRIED

5 Ayes

0 Nays

SAFER GRANT

Mayor Theodorakos and Trustee Sheehan will meet with members of the Fire Department to discuss the "Safer Grant."

PUBLIC HEARING

Moved by Trustee Banker and seconded by Trustee Sheehan approving a Public Hearing be held on Wednesday, September 22, 2010 at 7:00 PM to hear comments pertaining to changing the code of the Village of Albion, Chapter 173 titled Historic District. The changes would include:

1. No need to file the district at the County Clerk's Office
2. Change wording from Building Inspector to Code Enforcement Office
3. Changing the time to publish holding a Public Hearing from 15 days before to 10 no more than 20 days before

CARRIED

5 Ayes

0 Nays

121 NORTH MAIN ST ROOF

Trustee Miller and Trustee Riley will discuss with Dale the roof leaking at 121 North Main Street. If the project is to be paid from the un-appropriated Capital Reserve funds, the project will need to go out to bid and the Minority and Women Owned Business's will need to be reached out to.

LATERALS

There was a brief discussion on the meeting with Ms Tami-Rose Martin, Mr Ozzie Frances, friend; Superintendent of Public Works, Dale Brooks; Trustee Riley and Trustee Miller. The Village Code states it's the property owner's responsibility to fix their laterals. Ms Martin provided no additional proof that her problem is the Village's fault.

EXECUTIVE SESSION

Moved by Trustee Sheehan and seconded by Trustee Banker to adjourn to executive session for pending legal litigation and personnel issues at 8:39 PM.

CARRIED

5 Ayes

0 Nays

EXECUTIVE SESSION CLOSED

Moved by Trustee Sheehan and seconded by Trustee Riley to come out of executive session at 9:28 PM.

CARRIED

5 Ayes

0 Nays

PETITION FOR EVICTION

Moved by Trustee Sheehan and seconded by Trustee Miller for Attorney Gavenda to do a petition of eviction agreement for the property at 61 Brown Street.

CARRIED

5 Ayes

0 Nays

PART-TIME RAISES

Moved by Trustee Sheehan and seconded by Trustee Riley approving a 2% raise for part-time employees, Martha London, David Nayman, Kevin Kelley and Evonne Yaskivich effective immediately.

CARRIED

5 Ayes

0 Nays

RESIDENT COMPLAINT

Trustee Banker will contact the resident of 146 Caroline Street regarding the recent complaint she filed against Code Enforcement Officer, Ronald Vendetti.

MEETING MINUTES

Trustee Riley provided a summary of the minutes from two meetings she had attended, the meeting with Tami-Rose Martin and the upgrade committee meeting.

MEETING ADJOURNED

Moved by Trustee Riley and second by Trustee Sheehan that there being no further business, meeting is hereby adjourned 9:44 PM.

CARRIED

5 Ayes

0 Nays

Respectfully submitted,



Linda K Babcock
Clerk-Treasurer