

The Workshop Meeting of the Board of Trustees of the Village of Albion was held Wednesday, January 23, 2013 at 7:00 PM, at 35 East Bank Street, Albion, New York.

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

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

#### **DEPARTMENT HEAD REQUEST**

Moved by Trustee Sheehan and seconded by Trustee Sidari approving the request from the Superintendent of Public Works Dale Brooks to attend the Advocacy day in Albany March 5<sup>th</sup> and 6<sup>th</sup>.

CARRIED

5 Ayes

0 Nays

#### **WINDOWS**

The Superintendent of Public Works Dale Brooks informed the Board of Trustees that he will review the three quotes he received for replacing the windows at the Village Office.

The Superintendent of Public Works Dale Brooks discussed the street lights downtown. He had placed a loaned LED 45W lamp in one of the lights to see if there was any difference in the lighting. He stated it was a lot better and it will save the Village approximately \$8,900 a year switching the lamps out. He will try a 30W lamp to see if there is a difference from the 45W (as far as the light they give out), which would result in even more savings.

#### **STREETSCAPE**

Mr Tom Rivers discussed the placing of trees, benches, etc for Main Street. He will get together with the Superintendent of Public Works Dale Brooks to review layout and he will ask the store front owners about placing them in front of their respective stores. The Village Department of Public Works would need to store and place the benches.

#### **DEPARTMENT HEAD REPORTS**

The Board of Trustees received monthly reports from the Department of Public Works Dale Brooks, Police Chief Roland Nenni, Code Enforcement Officer Ron Vendetti, Cemetery Supervisor Jason Zicari, Village Clerk Linda Babcock, Water Treatment Plant Superintendent Kevin Miller and the Superintendent of the Pollution Control Plant Aric Albright.

#### **CLARENDON STREET BRIDGE REIMBURSEMENT**

The Village Clerk will check into why the last reimbursement for the period 10/17/11-4/12/12 for the Clarendon Street Bridge was short \$798.30

#### **APPROVED MINUTES**

Moved by Trustee Sheehan and seconded by Trustee Banker that in as much as each member received copies of the minutes of January 9, 2013 and there being no errors or omissions, minutes are hereby approved as written.

CARRIED

5 Ayes

0 Nays

#### **APPROVED PAYMENT TO STC-CONTRACT #3**

Moved by Trustee Sheehan and seconded by Trustee Banker approving payrolls and the payment to STC Construction for Contract #3, Pay Application #2 for work performed at the JMIPCF in the amount of \$189,287.50. This contract is 64% completed as of December 31, 2012.

CARRIED

5 Ayes

0 Nays

**APPROVED PAYMENT TO SUBURBAN-CONTRACT #2**

Moved by Trustee Sheehan and seconded by Trustee Banker approving payment to Suburban Electric for Contract #2, Pay Application #7 for work performed at the JMPCF in the amount of \$27,385.65. This contract is 76% completed as of December 29, 2012.

CARRIED

5 Ayes

0 Nays

**APPROVED PAYMENT TO DIOGUARDI CONSTRUCTION**

Moved by Trustee Sheehan and seconded by Trustee Banker approving payment to DioGuardi Construction for the final pay estimate for work performed at the Visitor's Center Rear Façade Renovations Project in the amount of \$1,303.00 as submitted by Chatfield Engineers. Chatfield Engineers also provided the following documents:

Contractors Final Payment Acknowledgements, Contractor's Affidavit of Payment of Debts and Claims, Consent of Surety to Final Payment, Contractors Affidavit of Release of Lien's and a copy of their Liability Insurance Certificate.

CARRIED

4 Ayes

1 Nay

Trustee Sheehan

Trustee Miller

Trustee Banker

Trustee Sidari

Mayor Theodorakos

**APPROVED PAYMENT TO STUART BROWN**

Moved by Trustee Miller and seconded by Trustee Sheehan approving payment to Stuart I Brown Associates in the amount of \$1,400.00 for professional services for the JMPCF Project for the period of October 27, 2012 to December 28, 2012.

CARRIED

5 Ayes

0 Nays

**ADOPT SEQR FOR COMPREHENSIVE PLAN**

The following resolution was proposed by Trustee Banker who moved its adoption and seconded by Trustee Sheehan:

WHEREAS:

1. The Albion Village Board (hereinafter referred to as Village Board) has reviewed the Environmental Assessment Form for the adoption of the Village and Town of Albion Comprehensive Plan Update (hereafter referred to as the Comprehensive Plan).
2. The Village Board has considered the Environmental Assessment Form prepared for this action, comments received from the public, and the proposed Negative Determination of Environmental Significance.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Village Board declares that the action to adopt the Albion Comprehensive Plan will not have a significant adverse effect on the environment.
2. The Village Board further declares that the reasons supporting this negative declaration include:
  - a. Compared with the criteria listed in Section 617.11 of SEQR regulations, all indications are that the proposed action will not cause substantial adverse change in community character, aesthetics, design and natural features; and,
  - b. Review of the proposed Comprehensive Plan and the Environmental Assessment Form has indicated that the action to adopt the Comprehensive Plan will not have a significant adverse impact on the environment of the Village of Albion.
3. The Mayor is directed to sign the Negative Determination of Environmental Significance on page 1 of the Environmental Assessment Form.

4. The Village Clerk is directed to file copies of the Negative Determination of Environmental Significance and Attachment thereto with the Village of Albion, the Environmental Notice Bulletin and the New York State Department of Environmental Conservation.

CARRIED

5 Ayes

0 Nays

**ADOPT COMPREHENSIVE PLAN**

The following resolution was proposed by Trustee Banker who moved its adoption and seconded by Trustee Sheehan:

WHEREAS, The Albion Village Board has, after careful study, considered the proposed document entitled Village and Town of Albion Comprehensive Plan Update ("Comprehensive Plan") dated January 2013 that was prepared by the Albion Comprehensive Plan Steering Committee and revised based on comments from the public and the Orleans County Planning Board; and

The Albion Comprehensive Plan Steering Committee conducted a public hearing on the draft Plan on April 26, 2012.

The Albion Village Board has considered comments made by the public and interested agencies at the Village Board Public Hearing held on September 12, 2012; and

The Orleans County Planning Board reviewed the draft Comprehensive Plan at its meeting on December 20, 2012 and recommended "Approval."

The Albion Village Board has completed the Environmental Review Record on the adoption and maintenance of said document and issued a "Negative Declaration" of significance on January 23, 2013, pursuant to the State Environmental Quality Review (SEQR) regulations; and

The Albion Village Board acknowledges that the adoption of said Comprehensive Plan is the beginning of a ten to fifteen year planning program for guiding growth and development in the Town and Village of Albion, New York and, as such, will require periodic maintenance to keep the document viable; and

The Albion Village Board has carefully considered the impacts associated with the Plan adoption and finds that said Plan constitutes a suitable, logical and timely strategy for the future development of the Town and Village of Albion; and

The Albion Village Board acknowledges and hereby gives public notice that official copies of the Comprehensive Plan and all modifications thereof shall be on file in the Offices of the Albion Town Clerk and Albion Village Clerk;

NOW THEREFORE BE IT RESOLVED, that

1. The document consisting of text, maps and charts entitled Village and Town of Albion Comprehensive Plan Update, to be dated January 2013, is hereby adopted as the Comprehensive Plan for the Village of Albion, Orleans County, New York in accordance with Village Law Section 7-722.

2. In order for the Comprehensive Plan to be at all times current with the needs of the community, and to provide appropriate direction to the various municipal boards, agencies and departments of the Village, the Village Planning Board shall annually review the Comprehensive Plan and make recommendations for revisions by the Village Board, as may be deemed necessary, following public review and input. Should the Village Planning Board find that no changes are necessary, this finding shall be reported.

CARRIED

5 Ayes

0 Nays

**AUDIT REVIEW**

Mr Richard Ertel from Amato, Fox and Company was present to review the audit with the Board of Trustees for June 1, 2011 to May 31, 2012. He stated that it shows the Village of Albion is in good shape, but should look at raising water/sewer rates in the future.

**CORRESPONDENCE**

The Board of Trustees received a correspondence from NYMIR (Village's Insurance carrier) with recommendations from their recent survey of the municipality. The Village Clerk needs to respond by March 8<sup>th</sup> as to how the recommendations will be addressed. NYMIR also sent information regarding sidewalks, which the Board of Trustees needs to discuss further. Attorney Gavenda will check NYCOM's policy on sidewalks.

**MAIN STREET PARKING LOT**

Attorney Gavenda stated that the survey map and the topographical map for the Main Street parking lot/land have been sent to Chatfield Engineers so he can provide a plan/cost for the area.

**APPROVED JOB POSTING**

Moved by Trustee Sidari and seconded by Trustee Sheehan approving the "Job Posting" for the Senior Water Treatment Plant Operator for an open position at the Water Treatment Plant.

CARRIED

5 Ayes

0 Nays

**APPROVED JOB POSTING**

Moved by Trustee Sidari and seconded by Trustee Sheehan approving the "Job Posting" for the Water Treatment Plant Operator Trainee for an open position at the Water Treatment Plant.

CARRIED

5 Ayes

0 Nays

**APPLICATION**

The following application will be place on file for future reference:

Water Treatment Plant Operator IIA – Todd JM Shervin

**RESOLUTION OF SUPPORT**

The Board of Trustees received a correspondence from Assemblyman Michael P Kearns asking for support by the following resolution regarding two foreclosure bills (A.88 and A.824) which will add depth and resonance to committee deliberations.

The following resolution to support New York State regarding the proposed laws concerning contact information for vacant structures was proposed by Trustee Miller who moved its adoption and seconded by Trustee Sheehan:

WHEREAS, vacant, abandoned and foreclosed homes and structures have proliferated throughout New York State over the last five years; and

WHEREAS, vacant structures that are not maintained for months at a time degrade and depreciate the value of the vacant structure as well as the value of surrounding properties; and

WHEREAS, lending institutions that hold mortgages on said vacant structures do not always provide the contact information of a responsible party; and

WHEREAS, Assembly Bill A.88 and Assembly Bill A.824, currently pending, would make it mandatory for lending institutions to provide contact information of responsible parties regarding vacant structures; and require good faith in obtaining a foreclosure; and

WHEREAS, the Village of Albion Village Board supports the passage of said Bills.

NOW THEREFORE, BE IT RESOLVED that the Village of Albion hereby supports the passage of said Bills and respectfully requests that the State Representatives who represents constituents in the Village of Albion support the passage of said Bills.

CARRIED

5 Ayes

0 Nays

**CLARENDON STREET BRIDGE PROJECT**

Moved by Trustee Sheehan and seconded by Mayor Theodorakos approving to go with the Hy-Span structure and leaving Crimson Drive the way it is for the Clarendon Street Bridge Project.

CARRIED

3 Ayes	2 Nays
Trustee Sheehan	Trustee Miller
Mayor Theodorakos	Trustee Banker
Trustee Sidari	

**STRAWBERRY FESTIVAL REQUEST**

The Board of Trustees received a correspondence from the Albion Strawberry Festival Committee requesting the use of the Village Police Department, the Department of Public Works, picnic tables from Bullard Park and to close East State Street and East Bank Street between Main Street and Platt Street. The Committee will need to turn in a Special Use Permit Application.

**SELF-INSURANCE MEETING**

The Board of Trustees received a correspondence from Orleans County Personnel and Self Insurance indicating that the next meeting will be Monday, January 28<sup>th</sup> at 10:45 AM to review the Village of Albion's cases.

**IDA LEASE**

Received a correspondence from Orleans County IDA stating they voted to exercise its first one year renewal option for the offices at 121 North Main Street. Their monthly rent will be \$1,800 for the period of March 1, 2013 to February 28, 2014.

**EXECUTIVE SESSION**

Moved by Trustee Sheehan and seconded by Trustee Sidari to adjourn to executive session to discuss litigations and personnel issues at 9:16 PM.

CARRIED

5 Ayes	0 Nays
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**EXECUTIVE SESSION CLOSED**

Moved by Trustee Banker and seconded by Trustee Sidari to come out of executive session at 9:55 PM.

CARRIED

5 Ayes	0 Nays
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**APPROVED PAYMENT**

Moved by Trustee Sheehan and seconded by Trustee Miller approving the stipulation offer from the Orleans County Board of Health which includes a civil compromise payment of \$250.00 in regards to the "Matter of the Finding Violation against the Village of Albion" pending Attorney Gavenda's approval.

CARRIED

5 Ayes	0 Nays
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**MEETING ADJOURNED**

Moved by Trustee Sheehan and second by Trustee Miller that there being no further business, meeting is hereby adjourned at 10:05 PM.

CARRIED

5 Ayes	0 Nays
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Respectfully submitted,



Linda K Babcock

Clerk-Treasurer