

The Workshop Meeting of the Board of Trustees of the Village of Albion was held Wednesday, July 22, 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, Stanley Farone, Gary Katsanis, Pete Sidari and Attorney John C Gavenda.

Also in attendance were Police Chief Roland Nenni, Superintendent of Public Works Dale Brooks, Code Enforcement Officer Ron Vendetti and Albion Fire Department members Chief Harry Papponetti, Dale Banker, Ron Armstrong and Jeremy Graham. There were 2 residents present.

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

#### **DEPARTMENT HEAD REPORTS**

The Board of Trustees received monthly reports from the Animal Control Officer Harry Papponetti, Police Chief Roland Nenni, Code Enforcement Officer Ron Vendetti, Cemetery Supervisor Jason Zicari, Village Clerk Linda Babcock, Water Treatment Plant Chief Operator Kevin Miller and the Pollution Control Plant Chief Operator Aric Albright.

The Board of Trustees didn't receive a monthly report from Superintendent of Public Works Dale Brooks.

#### **APPROVAL TO REMOVE TREES**

Moved by Trustee Sidari and seconded by Trustee Banker approving the Superintendent of Public Works Dale Brooks request to remove the following Village trees:

157 Brown Street  
221 West State Street

CARRIED

5 Ayes

0 Nays

#### **APPROVED TRAILER PURCHASE**

Moved by Trustee Katsanis and seconded by Trustee Farone approving the Superintendent of Public Works Dale Brooks request to purchase a trailer out of equipment reserves at a cost of no more than \$5,300.

CARRIED

5 Ayes

0 Nays

#### **SOLAR ENERGY**

The Superintendent of Public Works Dale Brooks gave the Board of Trustees an update on the solar energy project. Items discussed:

Possible sites- Department of Public Works building, Water Treatment Plant and Pollution Control Facility

Sub-dividing parcels so two meters can be used

Who will do the survey – the Village and pay for it up front or fold it into the project

Attorney Gavenda and Dale will meet with the Elks to discuss leasing/acquiring land from them to use

#### **BULLARD PARK GRANT**

The Board of Trustees discussed the in-kind amount the Village will need for the Bullard Park Grant. Discussed using the water and sewer reserves towards the in-kind amount along with the labor amount that the Superintendent of Public Works Dale Brooks will calculate.

#### **APPROVAL TO REQUEST POLICE LIST**

Moved by Trustee Sidari and seconded by Trustee Banker approving Mayor London request the Village of Albion Certification of Eligible's for Police Officer from Orleans County Civil Service.

CARRIED

5 Ayes

0 Nays

**APPROVED TO HIRE**

Moved by Trustee Sidari and seconded by Trustee Banker approving to hire Steven Fox as Police Officer per Chief Nenni's recommendation. Mr Fox is a lateral transfer, will start at Step 3 of the PBA Union Contract and will have a seventy-eight (78) week probationary period.

CARRIED

5 Ayes

0 Nays

**K-9 CERTIFICATION**

Police Chief informed the Board of Trustees that K-9 Rex completed his DCJS Training course. There will be a ceremony July 24, 2015 at the Rochester Police Department.

**AFD CAPTAIN APPROVED**

Moved by Trustee Farone and seconded by Trustee Sidari approving the Albion Fire Department's selection of Darryl Szklany to fill the open position of Captain.

CARRIED

5 Ayes

0 Nays

**ADOPT RESOLUTION 2015-17 FOR FIRE TRUCK**

The following resolution 2015-17 was proposed by Trustee Farone who moved its adoption and second by Trustee Sidari:

A RESOLUTION DATED JULY 2015 OF THE VILLAGE  
BOARD OF TRUSTEES OF THE VILLAGE OF ALBION  
AUTHORIZING THE AWARD OF THE BID FOR THE  
ASSEMBLY OF PARTICULAR FIRE APPARATUS

WHEREAS, the Village of Albion is the owner of the fire apparatus utilized by the Village of Albion Fire Department; and

WHEREAS, the Village of Albion Fire Department has made the Village Board of Trustees aware of the Fire Department's need of a pumper truck and also a vehicle for support on various emergency calls; and

WHEREAS, it has come to the attention of the Village Board of Trustees that a new truck would be needed for fire emergencies; and

WHEREAS, the Village of Albion Board of Trustees lack the expertise to know or ability to determine what equipment the Village Fire Department needs to maintain the fire service presently provided therefore the Village Fire Department is in a better position to prepare the necessary specifications for the fire apparatus that it deems appropriate to effectively operate its firefighting services for the Village of Albion and those municipalities that have contracted for fire protection service; and

WHEREAS, the Village Board of Trustees had directed the Village Fire Department to prepare the necessary specifications for fire apparatus the Village Fire Department determines would best suit its needs.

WHEREAS, the specifications for the aforementioned fire apparatus were prepared by the members of the Fire Department who have the knowledge and expertise to prepare the proposed specifications. A request for proposal (RFP) was published in the 2nd on June requesting those interested to submit a bid with respect to the fire apparatus in accordance with the specifications prepared by the Fire Department which is attached hereto and made a part hereof as Exhibit A; and

WHEREAS, the specifications were provided to:

Rosenbauer Fire Apparatus  
Empire Emergency Apparatus, Inc.  
3995 Lockport Road  
Niagara Falls, New York 14305

E-One, Inc.  
4760 Camp Road  
Hamburg, New York 14070

ERV Spartan  
Colden Enterprises  
750 Ontario Street  
Kenmore, New York 14217

Pierce Manufacturing  
Churchville Fire Equipment  
340 Sanford Road South  
Churchville, New York 14428; and

WHEREAS, bids were received from E-One, Inc for \$612,595.00, ERV Spartan for \$624,858.00 and Pierce Manufacturing for \$668,796.00; Rosenbauer Fire Apparatus failed to submit any bid; and

WHEREAS, after the bids were submitted to and opened by the Fire Department Apparatus Committee said committee was asked to provide in a written report and recommendation regarding the names and addresses of bidders, the specifications for the fire apparatus and/or the bids submitted by the bidders, the estimated cost by each bidder to build out the fire apparatus, and any exceptions the bidder deemed appropriate to set forth in said bid; and

WHEREAS, the Committee did prepare and submit a report attached hereto as Exhibit B, dated June 20, 2015 regarding the three (3) bids received wherein the Committee provided a narrative as to its examination of the three bids; and

WHEREAS, the Committee recommended that the Village Board of Trustees accept the bid submitted by Pierce Manufacturing, Churchville Fire Equipment for \$668,796.00; and

WHEREAS, the Pierce Manufacturing bid was the highest of the three (3) bids; and

WHEREAS, the Village of Albion Board of Trustees is aware of the competitive bidding process and understands that it is not mandated to accept the lowest of the competitive bids but it must justify selecting any bid other than the lowest bid; and

WHEREAS, the Village Board of Trustees has thoroughly reviewed the report and recommendation of the Committee; and

WHEREAS, it appears that the bids submitted by E-One Inc and ERV Spartan had numerous exceptions and conditions to the original bid specifications, wherein Pierce Manufacturing had but one minor clarification with regards to the hose bed which was also a clarification on the E-One Inc and ERV Spartan bids but overall the bid of Pierce Manufacturing complied with the specifications requested by the Village of Albion Fire Department; and

WHEREAS, the Committee cited deficiencies in the bids submitted by E- One Inc. and ERV Spartan, the first and second lowest bids, and it is clear that those bids detailed fire apparatus which was inferior in quality and product line than the Pierce Manufacturing bid; and

NOW, THEREFORE BE IT RESOLVED, that the Village of Albion hereby awards the bid for the manufacture and fabrication of the fire apparatus as set forth in the attached bid specifications to Pierce Manufacturing in the amount of \$668,796.00 contingent on the Village of Albion securing the funding by way of a permissive referendum and financing for the purchase through a bond anticipation note (BAN).

CARRIED

5 Ayes

0 Nays

**APPROVED CONTRACT WITH PIERCE**

Moved by Trustee Farone and seconded by Trustee Katsanis approving Mayor London sign the contract with Pierce to purchase a 2015 Triple Combination Pumping Engine for \$668,796.

CARRIED

5 Ayes

0 Nays

**ADOPT BOND RESOLUTION #2015-18 RE: FIRE TRUCK**

The following Resolution 2015-18 was proposed by Trustee Farone who moved its adoption and seconded by Trustee Banker:

BOND RESOLUTION DATED JULY 22, 2015 OF THE VILLAGE BOARD  
OF TRUSTEES OF THE VILLAGE OF ALBION, NEW YORK, AUTHORIZING  
GENERAL OBLIGATION SERIAL BONDS TO FINANCE THE ACQUISITION  
OF A FIRE TRUCK, AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION  
NOTES IN CONTEMPLATION THEREOF, THE EXPENDITURE OF SUMS  
FOR SUCH PURPOSE, AND DETERMINING OTHER MATTERS IN  
CONNECTION THEREWITH.

BE IT RESOLVED by the Board of Trustees of the Village of Albion, New York (hereinafter referred to as the "Village"), by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

Section 1. The acquisition of one fire truck, which may include apparatus required in connection therewith (hereinafter referred to as "purpose"), is hereby authorized and serial bonds in an aggregate principal amount up to \$668,000 and bond anticipation notes in anticipation thereof (and renewals thereof) of the Village are hereby authorized to be issued to finance said purpose.

Section 2. The maximum cost to the Village is estimated to be up to \$668,000 for said purpose and said amount is hereby appropriated therefor. The plan for financing of said purpose is to provide all of such maximum cost by issuance of serial bonds and bond anticipation notes as herein authorized.

Section 3. It is hereby determined and declared that (a) said purpose is one of the class of objects or purposes described in Subdivision 27 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is twenty (20) years, (b) the proposed maximum maturity of said bonds authorized by this resolution will be in excess of five years, (c) current funds required to be provided prior to the issuance of the bonds or notes herein authorized, pursuant to Section 107.00 of the Local Finance Law, to the extent applicable, if any, will be provided, (d) the notes herein authorized are not issued in anticipation of bonds for an assessable improvement, and (e) there are presently no outstanding bond anticipation notes issued in anticipation of the sale of said bonds.

Section 4. The bonds and notes authorized by this resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general obligations of the Village and all the taxable real property in the Village is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount, subject to applicable statutory limitations, if any.

Section 5. It is hereby determined and declared that the Village reasonably expects to reimburse the general fund, or such other fund as may be utilized, not to exceed the maximum amount authorized herein, from the proceeds of the obligations authorized hereby for expenditures, if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations. This is a declaration of official intent under Treasury Regulation §1.150-2.

Section 6. The power to further authorize the sale, issuance and delivery of said bonds and notes and to prescribe the terms, form and contents of said bonds and notes, including, without limitation, the consolidation with other issues, whether to authorize the receipt of bids in an electronic format, the determination to issue bonds with substantially level or declining annual debt service, all contracts for, and determinations with respect to, credit or liquidity enhancements, if any, and to sell and deliver said bonds and notes, subject to the provisions of this resolution and the provisions of the Local Finance Law, is hereby delegated to the Village Treasurer, the Village's chief fiscal officer. The Village Treasurer and the Village Clerk or Deputy Clerk are hereby authorized to sign by manual or facsimile signature and attest any bonds and notes issued pursuant to this resolution, and are hereby authorized to affix to such bonds and notes the corporate seal of the Village of Albion.

**Section 7.** The faith and credit of the Village of Albion, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

**Section 8.** After compliance with Section 9 hereof, this resolution shall be published in full by the Village Clerk of the Village of Albion together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Village, in the manner prescribed by law. The validity of said bonds and bond anticipation notes issued in anticipation of the sale of said serial bonds, may be contested only if such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or the provisions of law which should be complied with, at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

**Section 9.** This resolution is subject to a permissive referendum of the qualified electors of the Village of Albion, pursuant to Section 36.00 of the Local Finance Law.

CARRIED

5 Ayes

0 Nays

**APPROVED BUDGET LINES INCREASE**

Moved by Trustee Banker and seconded by Trustee Farone approving to increase A 2705 (donations) and A 6989.401 (Economic Development) by \$2,530 for the grant received from GO ART! For the concert series per Clerk-Treasurer's request.

CARRIED

5 Ayes

0 Nay

**MEETING SCHEDULED FOR VILLAGE POLICIES**

Moved by Trustee Banker and seconded by Trustee Sidari to start the Regular Meeting August 12, 2015 at 6:00PM to review what each member would like to see added/deleted to the Village policies.

CARRIED

5 Ayes

0 Nays

**TABLED AFD TRAINING MATERIAL**

The Board of Trustees tabled approving the standard operating guidelines for "Training and Certification Drivers" and "Operation of Vehicles" as presented by the Fire Department until the July 8, 2015 Regular Meeting so Attorney Gavenda can review them WITH Fire Chief Harry Papponetti.

**APPROVED MINUTES**

Moved by Trustee Farone and seconded by Trustee Banker that in as much as each member received copies of the minutes of July 22, 2015 and there being two (2) errors or omissions, minutes are hereby approved as written with the following corrections:

Page 3 Spelling of APPROVED for Bergmann Agreement

Page 5 Vote for APPROVED TO HIRE should read as:

4 Ayes

1 Nay

Trustee Farone

Trustee Katsanis

Mayor London

Trustee Sidari

Trustee Banker

CARRIED

5 Ayes

0 Nays

**APPROVED PAYMENT TO BERGMANN**

Moved by Trustee Banker and seconded by Trustee Farone approving payment to Bergmann Associates for Pay Estimate 15 in the amount of \$20,645.82 for services rendered for the Clarendon Street Bridge.

CARRIED

4 Ayes	1 Nay
Trustee Farone	Trustee Sidari
Trustee Katsanis	
Trustee Banker	
Mayor London	

**APPROVED PAYMENT TO DIOGUARDI CONSTRUCTION**

Moved by Trustee Katsanis and seconded by Trustee Sidari approving to pay DioGuardi Construction Inc \$5,775 from the sewer reserves for routing/re-pointing brick wall at the Joint Municipal Industrial Pollution Control Plant per the Chief Pollution Control Plant Operator Aric Albright's request.

CARRIED

5 Ayes	0 Nays
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**TABLED APPROVING PAYMENT TO CPE**

Tabled approving to pay CPE \$4,389 from the sewer reserves to purchase a used 6712 full size portable sampler per the Chief Pollution Control Plant Operator Aric Albright's request. The Board would like more information from Mr Albright.

**APPROVED CHANGE ORDER #3 CONTRACT 5**

Moved by Trustee Farone and seconded by Trustee Banker approving Mayor London to sign Change Order #3 for Contract 5 – Electrical and SCADA Improvements for the Joint Municipal Industrial Pollution Control Plant.

CARRIED

5 Ayes	0 Nays
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**APPROVED CONTRACT #7**

Moved by Trustee Katsanis and seconded by Trustee Sidari approving Mayor London to sign Contract #7 for the Joint Municipal Industrial Pollution Control Plant with LEO J Roth Corporation.

CARRIED

5 Ayes	0 Nays
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**RETIREE HEALTH INSURANCE**

The Board of Trustees discussed how many days an employee would have to use per month to receive health insurance coverage when they retire.

**EXECUTIVE SESSION**

Moved by Trustee Sidari and seconded by Trustee Banker to adjourn to executive session to discuss personnel matters and to confer with Attorney Gavenda at 8:22 PM.

CARRIED

5 Ayes	0 Nays
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**EXECUTIVE SESSION CLOSED**

Moved by Trustee Sidari and seconded by Trustee Banker to come out of executive session at 9:15 PM.

CARRIED

5 Ayes	0 Nays
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**APPROVED HEALTH COVERAGE**

Moved by Trustee Banker and seconded by Trustee Farone approving an employee from the Police Department who is retiring, use 4 sick days towards their health insurance equal or less than what they currently have.

**CARRIED**

3 Ayes

2 Nays

Trustee Banker

Trustee Sidari

Trustee Farone

Mayor London

Trustee Katsanis

**MEETING ADJOURNED**

Moved by Trustee Katsanis and seconded by Trustee Sidari that there being no further business, meeting is hereby adjourned at 9:22 PM.

**CARRIED**

5 Ayes

0 Nays

Respectfully submitted,



Linda K. Babcock  
Clerk-Treasurer