

The Workshop and Year-End Meeting of the Board of Trustees of the Village of Albion was held Wednesday, June 28, 2017 at 6:00 PM, at the Village Hall, 35 East Bank Street, Albion, New York.

Present were Deputy Mayor Eileen S Banker, Trustees Stanley Farone, Mattea Navarra, Pete Sidari and Attorney John C Gavenda. Also in attendance were Pollution Control Plant Chief Operator Aric Albright, Water Treatment Plant Chief Operator Kevin Miller, Code Enforcement Officer Ron Vendetti, Cemetery Supervisor Jason Zicari, Police Chief Roland Nenni and Fire Chief Harry Papponetti. There were no residents/students present. Mayor Dean A London and Clerk-Treasurer Linda Babcock were absent.

Code Enforcement Officer Ron Vendetti took the minutes.

Deputy Mayor Banker opened the meeting with the pledge of allegiance at 6:00 PM.

DEPARTMENT HEAD REPORTS

The Board of Trustees received monthly reports from Police Chief Roland Nenni, Albion Fire Department, Animal Control Officer Harry Papponetti, 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 Department of Public Works didn't submit a report.

SR WTP OPERATOR POSITION

The Board of Trustees tabled discussion on the Sr Water Treatment Plant Operator until the July 12, 2017 Meeting.

SCHEDULED PUBLIC HEARING JULY 12, 2017

Moved by Trustee Sidari and seconded by Trustee Navarra to schedule a Public Hearing for Wednesday, July 12, 2017 at 6:00 PM to hear comments regarding changes to Article XI Sign Regulations, 290-95 General Regulations to include the LED changeable copy signs.

CARRIED

4 Ayes

0 Nays

APPROVED EVENTS TO HAVE ALCOHOL AT BULLARD PARK

Moved by Trustee Sidari and seconded by Trustee Navarra approving the use of alcohol at Bullard Park for the following events:

Metro 10 - August 19, 2017 and Rock-the-Park - August 5, 2017

CARRIED

4 Ayes

0 Nays

BILLING FOR ORLEANS COMMUNITY HEALTH CENTER

The Board of Trustees asked Attorney Gavenda to contact the Town of Albion regarding the billing of sewer for the Orleans Community Health Center at 14789 Route 31. They are hooked into the Village line and the Town of Albion has been billing them, but we have not been billing the Town of Albion for the usage. The billing clerk is looking into other properties outside the Village limits to see if any other properties are effected.

ALLEN ROAD PRESSURE

The Board of Trustees tabled the discussion on the Allen Road pressure until the July 12, 2017 Meeting.

WATER BILLING

The water billing clerk will provide a report for the Board of Trustees showing what the difference for commercial properties to be billed by usage instead of minimums would be.

LAND FOR LEAVES, BRUSH AND SNOW

Attorney Gavenda stated there is nothing new on the purchase of land to dump leaves, brush and snow on.

AGREEMENT TO FIX ELBA'S WATER LINES

Attorney Gavenda will work on the agreement with the Village of Elba to fix their water lines when they have a break.

TABLED REQUEST FROM COUNTY RE: LIBERTY ST TAXES

The Board of Trustee tabled the request from Orleans County regarding the unpaid taxes for 134 and 136 Liberty Street (73.6-7-80 and 73.6-7-81). The County Treasurer Susan Heard has stated that they would like payment for the 2014 County/Town tax and the relieved 2013/2014 Village tax and the 2013/2014 School tax. The total amount due is \$842.89. Attorney Gavenda is working on it.

COUNTY TO CHARGE BACK LAWN MOWING/TAXES

The Board of Trustees tabled discussion on the correspondence received from Orleans County Treasurer Susan Heard regarding the following being charged back to the Village for lawn mowing and taxes:

73.6-7-21	Charles H Hunt Jr	2010-2013 mowing	\$ 3,351.75
73.6-7-23	Eva & Arthur Hildreth	2013	\$ 81.75
73.6-2-1	Jack Shaw	2011, 2013-2015	\$ 3,050.00
73.23-1-41	James McCarthy	2015	\$ 150.00
73.11-1-52	Virginia Mosher/Bruce Ribble	2003, 2004, 2008-2015	\$12,529.21

Attorney Gavenda is working on it.

RESIDENT REGARDING DEAD TREE

Attorney Gavenda will check into surveys done recently on Brown Street/Road to see what the right-of-way is on them. The resident and Village disagree on whose tree it is.

SURPLUS PROPERTY TABLED

The Board of Trustees tabled the request from the Department of Public Works to declare the following surplus property:

Viking Plow and Wing
12" Box Plow Protech
Stone Roller

TOWN OF ELBA'S REQUEST

Attorney Gavenda will work on the Town of Elba's request for the Village Department of Public Works to fix their water lines.

APPROVED MINUTES

Moved by Trustee Farone and seconded by Trustee Sidari that in as much as each member received copies of the minutes of June 14, 2017 and there being no errors or omissions, minutes are hereby approved as written.

CARRIED

4 Ayes.

0 Nays

APPROVED PAYMENT TO SANSONE

Moved by Trustee Farone and second by Trustee Sidari approving payment to John S Sansone for services rendered the month of May 2017 in the amount of \$807.50.

CARRIED

4 Ayes

0 Nays

APPLICATIONS ACCEPTED

The following applications were accepted and will be placed on file for future reference:

Pollution Control Plant

Miranda D Bennett	Michael P Denniston	Katie E Donnelly	Darrin S Ettinger
Matthew R Hayes	Kevin D Hering	Richard K Holloway	Christopher C Ioannone
Nathan G Johnson	Scott A Kaniecki	Lee S Kassay	Shawn LaFlair
Craig A Lane	Jason G Mullins	Michael Massaro	Brian B Plueckhahn
Rebecca L Reigle	James A Skaggs	Natalie D Starkweather	Gordon S Tonas
Marc D Tucker	Matthew D Valsente		

PUBLIC HEARING 7:02 PM

Deputy Mayor Banker opened the Public Hearing at 7:02 PM to hear comments regarding changing the Zoning from R-2, L-I, and R-C to R-3 for the properties north of the railroad on Liberty Street, to and including some properties on the north side of Beaver Street and north of the railroad on both sides of South Clinton Street to Beaver Street. Additionally changes are proposed to be made to the text of the R-3 district.

There were no residents present who wished to speak.

CLOSED PUBLIC HEARING

Moved by Trustee Farone and seconded by Trustee Sidari that in as much as nobody present wished to speak relating to changing the Zoning from R-2, L-I, and R-C to R-3 for the properties north of the railroad on Liberty Street, to and including some properties on the north side of Beaver Street and north of the railroad on both sides of South Clinton Street to Beaver Street and changes are proposed to be made to the text of the R-3 district, were given the opportunity to speak and no one present wished to speak, the Public Hearing closed at 7:04 PM.

CARRIED

4 Ayes 0 Nays

APPROVED SEQR TO ZONING CHANGES

Moved by Trustee Farone and seconded by Trustee Sidari approving Mayor London sign the SEQR form stating that the zoning changes have no significant adverse environmental impact.

CARRIED

4 Ayes 0 Nays

ADOPTED LOCAL LAW 2017-1

The following resolution 2017-13, Local Law #1, 2017 was proposed by Trustee Farone who moved its adoption and seconded by Trustee Sidari and approved amending the zoning map:

WHEREAS, a proposed Local Law #1 of the year 2017 for the purpose changing the Zoning from R-2, L-I, and R-C to R-3 for the properties north of the railroad on Liberty Street, to and including some properties on the north side of Beaver Street and north of the railroad on both sides of South Clinton Street to Beaver Street, additionally changes are proposed to be made to the text of the R-3 district s was presented to the Village of Albion Board of Trustees, and

WHEREAS, the Board of Trustees at a Regular Board Meeting of said Board held on Wednesday, June 14, 2017 did adopt a motion that a Public Hearing be held on the aforesaid proposed Local Law at 7:00 PM on June 28, 2017, 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 June 28, 2017, and

WHEREAS, a notice of such Public Hearing on said proposed Local Law was duly published in the Batavia Daily Newspaper on June 20, 2017, 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 June 28, 2017, at which time all were heard who wished to speak regarding said Local Law,

NOW THEREFORE BE IT RESOLVED, that the following Local Law #1, 2017 be hereby made part of the code of the Village of Albion, New York:

LOCAL LAW #1, 2017
A LOCAL LAW TO CHANGE 290-27
Multifamily Residential District (R-3)

§290-27

Multifamily Residential District (R-3).

A. Purpose. The purpose of the Multifamily Residential District (R-3) is to provide a stable environment for multifamily residences, such as apartment complexes and townhouses.

B. Permitted uses. Permitted uses shall be as follows:

- (1) Multifamily dwellings and developments, subject to the requirements in this section.
- (2) Townhouses, subject to the requirements of § 290-69, except that a special use permit shall not be required.
- (3) Single-family and two-family dwellings and their accessory uses and structures subject to the same requirements in the R-1 or R-2 District respectively.

C. Permitted accessory structures and uses. Permitted accessory structures and uses shall be as follows:

- (1) Customary accessory structures and uses serving multifamily dwellings and developments, including but not limited to private swimming pools, fences, storage buildings, toolhouses, greenhouses and recreational facilities.
- (2) Off-street parking subject to the provisions of § 290-43 of this chapter.
- (3) Signs subject to the provisions of Article XI of this chapter.

D. Special permit uses. Uses requiring a special permit issued by the Planning Board (subject to special use regulations, Article VII) shall be as follows:

- (1) Essential services and utilities.
- (2) Public and semipublic buildings and uses.

E. Specifications for multifamily dwellings and developments. Specifications shall be as follows:

(1) Setback requirements:

(a) Front: 30 feet.

(b) Side: 15 feet. Multiple dwellings shall not be located closer to the side and rear property lines than a distance equal to twice the height of the principal structure.

(c) Rear: 25 feet. Multiple dwellings shall not be located closer to the side and rear property lines than a distance equal to twice the height of the principal structure.

(2) Lot width: 60 feet for the first dwelling unit plus 15 feet for each additional dwelling unit, but need not exceed 200 feet.

(3) Height: 40 feet.

(4) Minimum lot size: 30,000 square feet.

(5) Maximum building coverage: 30% (including accessory structures).

F. Other provisions and requirements for multifamily dwellings and developments.

(1) No site preparation or construction shall commence nor shall existing structures be occupied until final site plan approval has been granted by the Planning Board and permits have been issued by all governmental agencies involved.

(2) Unit distribution.

(a) No more than 30% of the total number of units within a multiple-family dwelling development shall be efficiency units.

(b) No more than 30% of the total units within a multiple-family dwelling development shall have three- or more bedroom units.

(3) Minimum area and yard requirements.

(a) Minimum area and yard requirements for each multiple-family structure within a multiple-family development shall be as follows:

[1] Setback:

[a] Front: 30 feet.

[b] Rear: 25 feet.

[c] Side: 15 feet.

[2] Minimum distance between buildings: 30 feet or the height of the highest adjacent building, whichever is greater.

(a) Every building shall have a minimum setback of 25 feet from all interior roads, driveways and parking areas.

(b) A strip of land at least six feet in depth surrounding each building shall be kept completely open except for foundation plantings of less than six feet in height.

(c) Courtyards bounded on three sides by the wings of a single building or by the walls of separate buildings shall have a minimum court width of two feet for each one foot in height of the tallest adjacent building.

(4) No exterior wall shall exceed 100 feet in length unless there is a lateral offset of at least eight feet in its alignment. Each offset shall occur no less frequently than along each 100 feet of length of such exterior wall.

(5) All stairways to the second floor or higher shall be located inside the building.

(6) Access to public street.

(a) All multiple-family dwelling developments shall have direct access to a public street or a private street which is improved to meet Village standards.

(b) Where there are 12 or more dwelling units in a development, access from the common parking area(s) to the public street shall be provided by either a driveway, a private street or a street dedicated to the Village by the developer. The minimum width of any private street in a multiple-family development shall be:

[1] Twelve feet if on-street parking is not allowed; or

[2] Eighteen feet if parking is allowed on one side of the street.

(c) If there are more than 50 dwelling units in a multiple-family development or if, in the opinion of the Planning Board, the location or topography of the site indicates the need for additional access, the Planning Board may require such additional access as a condition of site plan approval.

(d) In addition, all provisions of the Village Code regulating for the design of roads and provision of fire lanes shall apply.

(7) Requirements for off-street parking as provided in § 290-43 of this chapter shall be met, except that the location of off-street parking lots may be modified to conform with the approved site development plan, provided that off-street parking shall not be located within any required setback areas. Paved pedestrian walkways, with appropriate lighting, shall be provided from off-street parking areas to all living units each parking area is intended to serve.

(8) Services.

(a) Garbage pickup and other utility areas shall be provided. Such areas shall be located with a view both to convenience and to minimizing the detrimental effect on the aesthetic character of the building(s) and shall be enclosed and shielded from view by fencing, walls or shrubbery of at least six feet in height around the perimeter. Fencing and walls shall be not more than fifty-percent open on the vertical surface.

(9) Recreation; open space; maintenance.

(a) Multiple-family dwelling complexes shall be designed to create usable private open space. A minimum of 10% of the total tract area, exclusive of the required setback areas, buffer strip and parking areas shall be designated for common recreational purposes.

(b) No recreational area shall be less than 10,000 square feet in area nor less than 100 feet in width. Areas designated for recreation purposes shall be approved by the Planning Board.

(c) Multiple-family dwelling complexes shall be attractively landscaped and properly maintained. Open space adjacent to, around or between driveways, parking areas, structures or other required improvements shall be graded and seeded to provide a thick stand of grass or other plant material.

(d) Multiple-family developments shall be constructed in accord with the site plan approval by the Planning Board and shall be designed to include adequate provisions for stormwater runoff.

(10) Utilities.

(a) All public utility, electric, gas, cable television and telephone lines shall be installed underground.

(b) Multiple-family developments shall be served exclusively by public water and sanitary sewer services. Connections to existing supply and disposal systems shall be approved by the appropriate authorities having jurisdiction thereof.

APPROVED SUPPORTING APPLICATION FOR REGIONAL WATER SYSTEM

Moved by Trustee Farone and seconded by Trustee Sidari approving Mayor London sign the letter supporting Orleans County to submit an application for planning grant assistance as it relates to the creation of a regional water system for Orleans County.

CARRIED

4 Ayes

0 Nays

RESIGNATION ACCEPTED

The Board of Trustees accepted Office Clerk Stacey Andrews letter of resignation with regret. Ms Andrews last day of work will be July 14, 2017.

APPROVED MAYOR TO REQUEST CIVIL SERVICE LIST FOR CLERK

Moved by Trustee Sidari and seconded by Trustee Farone approving Mayor London request the Orleans County Civil Service list for Office Clerk.

CARRIED

4 Ayes

0 Nays

APPROVED SEQR FOR SOLAR FARM

Moved by Trustee Farone and seconded by Trustee Sidari approving Mayor London sign the SEQR form stating that the solar farm has no significant adverse environmental impact.

CARRIED

4 Ayes

0 Nays

EXECUTIVE SESSION

Moved by Trustee Sidari and seconded by Trustee Farone to adjourn to executive session to discuss personnel matters at 7:34 PM.

CARRIED

4 Ayes

0 Nays

Deputy Mayor Banker excused Ron Vendetti from the meeting at 7:34 PM. She will take minutes from this point on.

EXECUTIVE SESSION CLOSED

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

CARRIED

4 Ayes

0 Nays

SPECIAL MEETING SCHEDULED

Moved by Trustee Farone and seconded by Trustee Sidari to hold a Special Meeting on July 5, 2017 at 6:00 PM to discuss vacant positions.

CARRIED

4 Ayes

0 Nays

MEETING ADJOURNED

Moved by Trustee Farone and seconded by Trustee Sidari that there being no further business, meeting is hereby adjourned at 8:32 PM.

CARRIED

4 Ayes

0 Nays

Respectfully submitted,



Ron Vendetti