

The Workshop Meeting of the Board of Trustees of the Village of Albion was held Wednesday, March 26, 2014 at 7:00 PM, at the Village Hall, 35 East Bank Street, Albion, New York.

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

Also in attendance was Police Chief Roland Nenni and the candidates who won the recent election, Dean A London, Stanley A Farone and Gary L Katsanis. There were no residents present.

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

PUBLIC HEARING 7:00 PM

Mayor Theodorakos opened the Public Hearing at 7:00 PM to hear comments relating to the tentative budget as proposed by the Board of Trustees for the Fiscal Year beginning June 1, 2014:

| Appropriations | Estimated Revenues | Fund Balance | Tax Levy |
|----------------|--------------------|--------------|----------------|
| \$3,849,297.31 | \$ 948,147.38 | \$250,000.00 | \$2,651,149.93 |

WATER FUND

| Appropriations | Estimated Revenues | Fund Balance |
|----------------|--------------------|--------------|
| \$1,561,830.00 | \$1,561,830.00 | \$ - 0 - |

SEWER FUND

| Appropriations | Estimated Revenues | Fund Balance |
|----------------|--------------------|--------------|
| \$1,220,052.40 | \$1,054,940.00 | \$165,112.40 |

Discussed how the tax base is down \$2.7 million from the previous year, that the water and sewer rates will need to be increased to help offset those budgets, that there has been a lot of work done on the tentative budget so far and that the new Board members will continuing working on it.

CLOSED PUBLIC HEARING

Moved by Trustee Sidari and seconded by Trustee Sheehan that in as much as everyone who wished to speak relating to the tentative budget as proposed by the Board of Trustees for the Fiscal Year beginning June 1, 2014 were heard, the Public Hearing closed at 7:09 PM.

CARRIED

4 Ayes

0 Nays

DEPARTMENT HEAD REPORTS

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

DEPT HEADS

Moved by Trustee Sheehan and seconded by Trustee Sidari approving the Superintendent of Public Works Dale Brooks request to attend the Ithaca Highway School June 2-4, 2014.

CARRIED

4 Ayes

0 Nays

APPROVED MINUTES

Moved by Trustee Sheehan and seconded by Trustee Banker that in as much as each member received copies of the minutes of March 19, 2014 and there being no errors or omissions, minutes are hereby approved as written.

CARRIED

4 Ayes

0 Nays

APPROVED PAYMENT TO WASTE MANAGEMENT

Moved by Trustee Sheehan and seconded by Trustee Sidari approving payment to Waste Management in the amount of \$1,323.68 for services rendered February 1, 2014 to March, 31, 2014.

CARRIED

4 Ayes

0 Nays

ACCEPT APPLICATIONS

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

Summer Help/Cemetery

Ricky C Starkweather

Cemetery Laborer

Robert L Neilans

Anything

Kenneth E Smith

APPROVED TO SURPLUS VEHICLES

Moved by Trustee Sheehan and seconded by Trustee Sidari the following to be declared surplus property and the funds from the sale go back to the Fire Department:

2 – 2003 Ford Expeditions (old Fire Chief Vehicles)

CARRIED

4 Ayes

0 Nays

APPROVED TRUCK COMMITTEE

Moved by Trustee Sheehan and seconded by Trustee Sidari approving the Fire Department to form a committee to start researching the purchase of the next new fire truck which will replace their 1974 HAHN pumper (Engine30).

CARRIED

4 Ayes

0 Nays

ADOPTED RESOLUTION 2014-5 SUPPLEMENTAL AGREEMENT FOR BRIDGE

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

WHEREAS, the Village Board has applied for funding to rehabilitate the Clarendon Street Bridge; and

WHEREAS, Mayor Dean A Theodorakos and/or the Village Clerk Treasurer Linda K Babcock are hereby authorized to execute all agreements, certifications and reimbursement requests on behalf of the Village of Albion; and

WHEREAS, The Village Board of Trustees understands and accepts the stipulations of the agreement including its associated schedule, appendices, exhibits and attachments; and

WHEREAS, the Village Board has appropriated \$246,000.00 to deliver the project as described in Schedule A of the agreement;

NOW THEREFORE BE IT RESOLVED, that the Village Board of Trustees hereby directs Mayor Theodorakos and Village Clerk Treasurer Linda K Babcock to execute all documents for the rehabilitation of the Clarendon Street Bridge Project.

CARRIED

4 Ayes

0 Nays

APPROVED SEWER BREAK

Moved by Trustee Sheehan and seconded by Trustee Banker approving the Superintendent of Public Works Dale Brooks recommendation to grant the request from McDonald's for a \$2,900.49 break on the sewer portion of their water/sewer bill due to a leak that didn't enter the sanitary sewer.

CARRIED

4 Ayes

0 Nays

APPROVED SEWER BREAK

Moved by Trustee Sheehan and seconded by Trustee Banker approving the Superintendent of Public Works Dale Brooks recommendation to grant the request from Francesco Corso for a \$257.05 break on the sewer portion of their water/sewer bill due to a leak that didn't enter the sanitary sewer. The water drained into the dirt floor.

CARRIED

4 Ayes

0 Nays

ADOPTED RESOLUTION 2014-6

The following resolution of support was proposed by Trustee Sidari who moved its adoption and seconded by Trustee Banker:

WHEREAS, Orleans County adopted Resolution No. 82-214 regarding "An alternative to the property tax freeze";

NOW THEREFORE BE IT RESOLVED, the Board of Trustees supports Orleans County's resolution in offering an alternative to the property tax freeze that will lead to permanent and historic property tax reductions by eliminating the cost of State mandated spending imposed on County property taxpayers.

CARRIED

4 Ayes

0 Nays

ADOPTED RESOLUTION 2014-7

The following resolution 2014-7 was proposed by Trustee Sheehan who moved its adoption and seconded by Trustee Banker supporting New York State Assembly Bill A-07588 known as the Rural Broadband Deployment Act which promotes rural broadband deployment by providing residents and small businesses with tax credits for broadband deployment:

WHEREAS, high-speed Internet service is essential for commercial economic growth, for our education systems, and the overall well-being of our citizens; and

WHEREAS, the Internet Innovation Alliance has published the following statistics relative to broadband access and jobs:

More than 62% of American workers, including our farmers, rely on the Internet to do their jobs
 Among U.S. workers, 14% telecommute or work from home at least one day a week
 Jobs that depend upon broadband availability are projected to increase 25% by 2018
 37% of employees say the ability to telecommute would cause them to choose one job over another
 Job seekers had a 27% increase in success by using social networks to generate referrals
 Nearly 75% of public libraries offer computer resources for job seekers
 Nearly 18% of new jobs in North Carolina were created as a direct result of broadband
 In Minnesota, 60% of unemployed adults, 30% of homemakers, and 17% of retirees say they would likely join the workforce if empowered by teleworking
 A \$10 billion investment in broadband would produce nearly 500,000 new jobs
 Local economic growth and secondary investment enabled by broadband expansion is 10 times the initial investment; and

WHEREAS, there are significant areas of the County without access to high speed broadband services because of geographic isolation, topographic conditions, and low population density; and

WHEREAS, the County has made broadband deployment a priority as evidenced by their commitment to having a broadband study performed (under the umbrella of the Niagara-Orleans Regional Alliance (NORA)) which will identify broadband deficiencies and potential solutions to address the deficiency; and

WHEREAS, broadband providers have not found it economically feasible to provide broadband services to many of the remote areas of the County; and

WHEREAS, New York State Assembly bill A-07588, known as the Rural Broadband Deployment Act, would promote rural broadband deployment by providing residents, and small business with tax credits for broadband deployment; and

WHEREAS, the bill would allow for residents, municipalities, and small business in un-served areas to come together, pool their economic power, and select a broadband provider to deploy services to their area; and

WHEREAS, any eligible out of pocket expenses the resident, municipalities, or small business incurs for the construction of the network, would be eligible for a 100% refundable tax credit over 5 years; and

WHEREAS, the New York State Senate has passed companion bill S-05481 in support of the Rural Broadband Deployment Act; now, therefore be it

RESOLVED, that the Village of Albion Board of Trustees supports New York State Assembly bill A-07588, known as the Rural Broadband Deployment Act; and be it

FURTHER RESOLVED, that certified copies of this resolution be forwarded to Governor Andrew M. Cuomo, State Majority Leader Dean Skelos, State Senator George D. Maziarz, State Assembly Speaker Sheldon Silver, State Assemblyman Steve Hawley, State Assemblywomen Jane Corwin, Orleans County, and all others deemed necessary and proper.

CARRIED

4 Ayes

0 Nays

ADOPTED RESOLUTION 2014-8

The following resolution 2014-8 was proposed by Trustee Sheehan and who moved its adoption and seconded by Trustee Sidari supporting the International Joint Commission to reject the proposed plan 2014 in its entirety:

WHEREAS, the International Joint Commission (IJC) has announced consideration of a new plan that will replace the current regulation plan (58DD) that controls water levels of Lake Ontario and the stated purpose of the new plan, known as PLAN 2014 is to reverse environmental damage caused by the current regulation plan (58D), particularly with regard to the restoration of 65,000 acres of shoreline meadow marsh; and

WHEREAS, PLAN 2014 will increase the current range of water levels that private and public riparian property owners relied on for the last 50 years and according to a peer review conducted by the National Academy of Sciences, the potential environmental benefits of the PLAN 2014 are based upon speculative and unreliable research; and

WHEREAS, projected lake levels under the proposed plan will result in increased duration and frequency of high and low water, significantly increasing the potential for damages to Lake Ontario riparians (estimated at over \$2.2 million per year, which is likely an underestimate) and negatively impacting sport fishing and recreational boating economics across the entire region (estimated at over \$94 million per year); and

WHEREAS, PLAN 2014 greatly decreases protections that exist in the current plan, replacing them with a plan that results in the transfer of prosperity from Niagara County along with other Lake Ontario communities to Hydropower (NYPA and others) who will realize a benefit of approximately \$5.3 million per year on average; and

WHEREAS, Orleans County residents who own property or businesses along the Lake Ontario shore, including its bays, tributaries, and ponds have voiced their concern about a proposed change in the lake levels that would result in significant damage to their properties, and a corresponding decrease in revenues from recreational boaters and fishermen, both locally-based and those traveling internationally; and

WHEREAS, Orleans County residents and elected officials are resolute in protecting the waters, streams, and harbors of Lake Ontario, the home for some of the best sport fishing, pleasure sailing and power-boating in the world; and

WHEREAS, modifying the current range of operation by PLAN 2014 further hinders boating access and when combined with the protracted absence of federal funding for maintenance dredging of our federal shallow draft harbors, will cause significant and measurable negative financial impacts to the local and regional economy; now, therefore be it

RESOLVED, the Village of Albion Board of Trustees does herewith respectfully request that the International Joint Commission reject in its entirety all current plans for the implementation of the PLAN 2014; and be it

FURTHER RESOLVED, that the IJC immediately enact a moratorium on the development of any future proposals to modify the range of water levels on Lake Ontario until the completion of a thorough, objective and all inclusive analysis of the potential economic damages on tourism, recreation, business and residences along the south shore of Lake Ontario (including properties located along harbors, rivers and streams) with a specific section dedicated to the thorough evaluation of damages in Orleans County where impacts have been identified as the most acute; and be it

FURTHER RESOLVED, that as part of this study, the Village of Albion Board of Trustees further recommends the Commission also assess the amount of civil work and financial assistance required to mitigate the damage of any future plans, and identify funding sources available to offset said actions; and be it

FURTHER RESOLVED, that this study must also evaluate the environmental impacts of repeated flooding of the built environment, to include the identification of the constituents of point and non-point source runoff and the impacts of sediment and nutrient loading on the quality of water in the impacted areas; and be it

FURTHER RESOLVED, that certified copies of this resolution be forwarded to the International Joint Commission, Governor Andrew M. Cuomo, the New York Department of State, Joe Martens, Commissioner of the New York State Department of Environmental Conservation, the New York State Environmental Facilities Corporation, U.S. Senator Charles E. Schumer, U.S. Senator Kirsten E. Gillibrand, U.S. Congressman Chris Collins, Senate Environmental Conservation Committee, NY State Senator George Maziarz, NY Assemblyman Hawley, NY Assemblywoman Jane Corwin, Orleans County and all others deemed necessary and proper.

CARRIED

4 Ayes

0 Nays

ADOPTED RESOLUTION 2014-9

The following resolution 2014-9 was proposed by Trustee Sheehan who moved its adoption and seconded by Trustee Sidari supporting No College for Inmates:

WHEREAS, Orleans County adopted Resolution No. 110-314 regarding "No College for Inmates";

NOW THEREFORE BE IT RESOLVED, the Board of Trustees supports Orleans County's resolution in calling on New York State Legislature to reject Governor Cuomo's plans to reward inmates by providing them with college educations at taxpayer expense.

CARRIED

4 Ayes

0 Nays

CORRESPONDENCE

The Board of Trustees received a correspondence from Orleans County with the 2012 Canal Bridges Resolutions that they adopted in August 2012 and October 2012.

NOTIFICATION OF POSSIBLE EMPLOYEE RETIRING

The Board of Trustees received notification from Mr Brian Rush with his intentions of retiring September 30, 2014.

CORRESPONDENCE

The Board of Trustee received a correspondence from Hurwitz & Fine PC with the PILOT agreement from County of Orleans Industrial Development Agency for their property at 152 McKinstry Street. The tenant, BOMET Recovery LLC will be recycling electronics.

CORRESPONDENCE

The Board of Trustees received a correspondence from the Students of Genesee Community College regarding Smoke Free NOW.

NOTIFICATION OF POSSIBLE EMPLOYEE RETIRING

The Board of Trustees received notification from Police Sergeant William G Scribner stating his intentions of retiring during the fiscal year of June 1, 2014 to May 31, 2015.

NOTIFICATION OF POSSIBLE EMPLOYEE RETIRING

The Board of Trustee received notification from Police Sergeant Gary VanWycke stating his intentions of retiring during the fiscal year of June 1, 2014 to May 31, 2015.

CORRESPONDENCE

The Board of Trustees received a correspondence from Cohen Law Group regarding Cable Franchise Transfer from Time Warner to Comcast. Attorney Gavenda will review.

EXECUTIVE SESSION

Moved by Trustee Sheehan and seconded by Trustee Banker to adjourn to executive session to discuss personnel matters at 8:15 PM.

CARRIED

4 Ayes

0 Nays

EXECUTIVE SESSION CLOSED

Moved by Trustee Banker and seconded by Trustee Sheehan to come out of executive session at 8:26 PM.

CARRIED

4 Ayes

0 Nays

The Board of Trustee worked on the tentative budget for the fiscal year June 1, 2014 to May 31, 2015.

MEETING ADJOURNED

Moved by Trustee Sheehan and seconded by Trustee Sidari that there being no further business, meeting is hereby adjourned at 8:59 PM.

CARRIED

4 Ayes

0 Nays

Respectfully submitted,



Linda K Babcock
Clerk-Treasurer