

The Workshop Meeting of the Board of Trustees of the Village of Albion was held Wednesday, May 25, 2016 at 7:00 PM, at the Village Hall, 35 East Bank Street, Albion, New York. The Meeting scheduled for 6:00PM with Orleans County had been cancelled.

Present were Deputy Mayor Eileen S Banker, Trustees Stanley Farone, Mattea Navarra and Pete Sidari. Mayor Dean A London and Attorney John C Gavenda were absent.

Also in attendance was the Water Treatment Plant Chief Operator Kevin Miller, Cemetery Supervisor Jason Zicari, Fire Chief Harry Papponetti and Police Chief Roland Nenni.

There were 4 residents/students present.

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

#### **PUBLIC HEARING 7:00PM**

Deputy Mayor Banker opened the Public Hearing at 7:00PM to hear comments regarding a six month moratorium on mobile home construction outside of mobile home parks.

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 everyone who wished to speak relating to establishing a Local Law regarding a six month moratorium on mobile home construction outside of mobile home parks were given the opportunity to speak and no one present wished to speak, the Public Hearing closed at 7:03 PM.

#### **CARRIED**

4 Ayes

0 Nays

#### **ADOPTED LOCAL LAW #1-2016**

The following resolution 2016-10, Local Law #1, 2016 was proposed by Trustee Farone who moved its adoption and seconded by Trustee Banker:

WHEREAS, a proposed Local Law #1 of the year 2016 for the purpose six month moratorium on mobile home construction outside of mobile home parks 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, May 11, 2016 did adopt a motion that a Public Hearing be held on the aforesaid proposed Local Law at 7:00 PM on May 25, 2016, 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 May 25, 2016, and

WHEREAS, a notice of such Public Hearing on said proposed Local Law was duly published in the Batavia Daily Newspaper on May 14, 2016, 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 May 25, 2016, 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, 2016 be hereby made part of the code of the Village of Albion, New York:

#### **LOCAL LAW #1, 2016**

#### **A LOCAL LAW TO ESTABLISH A MORATORIUM ON THE INSTALLATION OF MOBILE HOMES OUTSIDE MOBILE HOME PARKS**

Be it enacted by the Board of the Village of Albion as follows:

#### **SECTION I PURPOSE AND INTENT**

The purpose of this Local Law is to establish a moratorium on the installation, construction or development of mobile homes outside mobile home parks. The intent of this Local Law is to provide a temporary, interim measure to halt the further development of mobile home until such time as the Village has had an opportunity to research the options for regulation of such facilities and to develop, consider and enact a local law establishing regulations for the installation of mobile homes in all residential districts. The Village desires to enact such a local law in order to

preserve and protect the aesthetic and visual resources of, and the property values within, the Village by providing certain regulations and restrictions on the location, size and siting of mobile homes within the Village, while complying with Sections 600 through 612 of New York Executive Law 21-B. During the period in which the moratorium established by this Local Law is in effect, the Village will evaluate the restrictions concerning mobile homes that are necessary or appropriate to so preserve and protect the aesthetic and visual resources of, and the property values within, the Village.

#### SECTION II AUTHORITY

This Local Law is enacted pursuant to the grant of powers to local governments provided in Section 10 of the Municipal Home Rule Law to adopt and amend local laws not inconsistent with the provision of the New York State Constitution and not inconsistent with any general law relating to its property, affairs, government or other subjects provided for in said Section 10 of the Municipal home Rule Law.

#### SECTION III DEFINITIONS

As used in this Local Law, the following terms shall have the meanings indicated:

A. Mobile Home: A factory-manufactured home, built on a permanent steel-framed chassis and designed to be transported to a site in one or more sections, which is intended to be used as permanent living quarters by a single family unit when connected to the required plumbing, heating, and electric utilities. For the purposes of this Ordinance, the removal of transport wheels and/or the anchoring of the mobile home to a permanent foundation shall not remove it from this definition. This term shall also include manufactured homes, single-wide manufactured homes, and double-wide manufactured homes.

#### SECTION IV MORATORIUM, RESTRICTIONS AND PROHIBITIONS

From the effective date of this Local Law forward, until the next to occur of (i) the repeal of this Local Law, (ii) the enactment of a local law by the Village regulating mobile homes outside mobile home parks, or (iii) the date six (6) months from the date of enactment of this Local Law, it shall be unlawful for any person to install, construct or develop a mobile home on any property outside of a mobile home park in the Village of Albion.

#### SECTION V APPEAL

In the event that any owner of any property located in the Village determines that they are aggrieved by the moratorium imposed by this Local Law, said owner may apply to the Village's Board of Zoning Appeals to seek a use variance for the construction of a mobile home on their property, and the Board of Zoning Appeals shall review such appeal in accordance with the procedural and substantive requirements of a use variance appeal.

#### SECTION X PENALTIES FOR OFFENSES

Any person who, themselves or by an agent or employee, shall violate any of the provisions of this Local Law, shall be guilty of a violation and subject to a fine of not less than \$100 and not more than \$500 per offense. Each day's violation shall constitute a separate offense.

#### SECTION XI SUPERSEDING EFFECT

All Local Laws, Articles, resolutions, rules, regulations and other enactments of the Village of Albion in conflict with the provisions of this Local Law are hereby superseded to the extent necessary to give this Local Law full force and effect. Without limiting the foregoing, to any extent that the terms of the Zoning Ordinance of the Village of Albion, are deemed to be in conflict with the moratorium imposed by this Local Law, the terms of this Local Law shall govern and control.

#### SECTION XII PARTIAL INVALIDITY

In the event that any portion of this Local Law is declared invalid by a court of competent jurisdiction, the validity of the remaining portions shall not be affected by such declaration of invalidity.

**SECTION XIII EFFECTIVE DATE.**

This Local Law shall be effective immediately upon filing in the office of the New York State Secretary of State, except that it shall be effective from the date of its service as against a person served with a copy thereof, certified by the Village Clerk, and showing the date of its passage and entry in the Minutes of the Village Board.

**DEPARTMENT HEAD REPORTS**

The Board of Trustees received monthly reports from Provisional Superintendent of Public Works Todd Sargent, 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.

**APPROVED MAYOR TO REQUEST POLICE LIST**

Moved by Trustee Navarra and seconded by Trustee Sidari approving Mayor London to request the Orleans County Certification of Eligible List for Police Officer.

CARRIED

4 Ayes

0 Nays

**DEPARTMENT HEADS**

Fire Chief Harry Papponetti informed the Board of Trustees that the new fire truck should be here Friday.

Mr Papponetti addressed the Board of Trustee about the new grass area by the gazebo. He stated it will become a muddy mess if it rains for the concerts this summer. He would like to see something else done. The Clerk will discuss the concerns with the Provisional Superintendent of Public Works Todd Sargent.

Cemetery Supervisor Jason Zicari questioned the motion the Board of Trustees made regarding Seasonal Employees working no more than 125 per month. The Board of Trustees stands by their original motion. Hiring another person to make up the difference of the 40 hours they use to work was mentioned. Trustee Banker will meet with Mr Zicari to discuss further.

**TABLED APPROVING WATER DISTRICT REQUEST**

The Board of Trustees tabled the request from Water Treatment Plant Chief Operator Kevin Miller to approved District 8 for the Town of Barre until June 8, 2016. They haven't seen the request yet.

**WATER TAP/LINE**

Representatives from the Orleans Veterans Club asked the Board of Trustees what the status of the water line project that will go through their property was. The Board of Trustees is waiting to hear back from Mr Adam Johnson regarding the easement. The club members indicated they will be ordering a survey because they feel when they bought the property next to them the right-of-way was included.

Mr Jeff Holler questioned the Board of Trustees about the removal/replacement of part of the sidewalk in front of the Masons building. Trustee Farone stated that he will meet with Mr Holler to see what his concerns are and ask the Provisional Superintendent of Public Works Todd Sargent to attend.

**BULLARD PARK EQUIPMENT STATUS**

The Clerk-Treasurer has talked with Sarah from Dormitory Authority of the State of New York (DASNY) and received approval to order the playground equipment for Bullard Park. The Provisional Superintendent of Public Works Todd Sargent has ordered Option 2 for a cost of \$60,744.38. The Village of Albion will receive \$50,000 SAM Grant funds through Senator Ortt's office.

**RESIDENT REQUEST DENIED**

Moved by Trustee Farone and seconded by Trustee Navarra that the request from Mr and Mrs Milton Boyer to reduce their previous bills be denied. The Board of Trustees stated that they are standing by the water department's recommendation.

CARRIED

4 Ayes

0 Nays

**BUSING FOR PARKS PROGRAM**

Moved by Trustee Farone and seconded by Trustee Sidari approving the Recreation Committees request to reinstate the busing for the Parks Program. The Recreation Director John Grillo will need to cover the expense from the budget that has already been adopted for the Parks Program. Also, the Village's insurance agent suggested that the permission form spell out the event, transportation, etc. so that the parent/guardian can't claim they weren't aware of what was going on.

CARRIED

4 Ayes

0 Nays

**APPROVED MINUTES**

Moved by Trustee Farone and seconded by Trustee Navarra that in as much as each member received copies of the minutes of the May 11, 2016 meeting and there being no errors or omissions, minutes are hereby approved as written.

CARRIED

4 Ayes

0 Nays

**APPROVED PAYMENT OF YEAR END BILLS**

Moved by Deputy Mayor Banker and seconded by Trustee Farone approving payment of the following year-end Village bills:

General	Voucher #24368	\$26,739.87
Water	to #24475	\$16,235.63
Sewer		\$ 1,463.88

CARRIED

4 Ayes

0 Nays

**APPROVED YEAR END/BUDGET ADJUSTMENTS**

Moved by Trustee Sidari and seconded by Trustee Navarra approving the Clerk-Treasurer to make necessary budget adjustments/year end transfers for the fiscal year June 1, 2015 to May 31, 2016 as needed.

CARRIED

4 Ayes

0 Nays

**APPLICATIONS ACCEPTED**

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

Anything - Lucas J Cornell and Laura L Hagan

**Park Supervisors**

Kaleigh Albanese	Brooke Chandler	Alex De Smit	Melissa Dibley
Aleah Foos	Henry Haines	Justyn Haines	Elizabeth Kovall
Kyler McQuillan	Brady Meakin	Ricky Monroe	Gary Moore
Charlyne Olick	Sabastian Piedmont	Gabriell Struble	Brett Zicari

**CLEANER POSITION**

The Board of Trustees approved the Clerk-Treasurer to place an ad for the cleaning position that is available.

**ADOPT RESOLUTION 2016-11 NYS HOMES & COMMUNITY RENEWAL**

The following Resolution 2016-11 was proposed by Trustee Farone who moved its adoption and seconded by Trustee Sidari regarding submitting an application to NYS Homes and Community Renewal for funding under the NYS Main Street Program:

WHEREAS, the Village of Albion desires to apply for \$500,000 in financial assistance through the 2016 Consolidated Funding Application (CFA) under the New York Main Street Program; and

WHEREAS, the application proposes funding to assist property owners to complete building renovations to downtown "main street" buildings on Main Street and East Bank Street; and

WHEREAS, the grant application requires that the applicant obtain the approval and endorsement of the governing body of the municipality in which the project will be located.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Albion approves and endorses the 2016 New York Main Street application for assistance prepared and to be submitted by the Village of Albion.

CARRIED

4 Ayes

0 Nays

**APPROVED DEPUTY MAYOR TO SIGN AGREEMENT-PARKS PROGRAM**

Moved by Trustee Sidari and seconded by Trustee Navarra approving Deputy Mayor Banker to sign the agreement with Orleans County to received \$2,500 towards the Village Recreation Program.

CARRIED

4 Ayes

0 Nays

**RESIDENT REQUEST**

Moved by Trustee Farone and seconded by Trustee Sidari approving the request from resident Ms Michele Hughson for a break on the sewer portion of her water/sewer bill. She had a leak in a broken expansion tank which didn't go into the sewer system, so she will receive a break of \$130.92 per the recommendation of the Provisional Superintendent of Public Works Todd Sargent.

CARRIED

4 Ayes

0 Nays

**RESIDENT REQUEST**

Moved by Trustee Sidari and seconded by Trustee Farone approving the request from resident Mr Daniel Spriegel for a break on the sewer portion of his water/sewer bill. He had a leak in his hot water tank which didn't go into the sewer system, so he will received a break of \$130.44 per the recommendation of the Provisional Superintendent of Public Works Todd Sargent.

CARRIED

4 Ayes

0 Nays

**RESIDENT REQUEST**

Moved by Trustee Farone and seconded by Trustee Sidari approving the request from resident Ms Sandi Green extending the time she has to pay off her January 1, 2016 through March 31, 2016. She will receive a six month payment plan with no penalty, if a payment is missed the penalty will be added at that point. The Board of Trustees also denied her request for a break on her bill. Ms Green had a leak in her toilet, therefore the water entered the sewer system.

CARRIED

4 Ayes

0 Nays

**RESIDENT REQUEST**

Moved by Trustee Farone and seconded by Trustee Navarra approving the request from resident Ms Dorothy Plowe for reimbursement of a plumbing bill she paid in the amount of \$126.45 per the recommendation of the Provisional Superintendent of Public Works Todd Sargent.

CARRIED

4 Ayes

0 Nays

**CORRESPONDENCE**

The Board of Trustees received an invitation from the Orleans County Veteran Service Agency regarding their open house on Jun 27, 2016.

**CORRESPONDENCE**

The Board of Trustees received a correspondence from the Village's insurance carrier NYMIR regarding the free "Drive to Survive" seminars they will be holding Tuesday, June 21, 2016 at the City of Batavia.

**CORRESPONDENCE**

The Board of Trustee received a correspondence from the Genesee-Orleans Regional Arts Council Inc regarding a meeting they will hold on June 2, 2016.

**APPROVED CEMETERY DEEDS**

Moved by Trustee Sidari and seconded by Trustee Navarra approving Deputy Mayor Banker to sign the following Cemetery Deeds:

Tanya Johnson	S.G. 678 Deerfield Avenue
Reginald L Wade	S.G. 212 Deerfield Avneue

CARRIED

4 Ayes                      0 Nays

**RESIDENT REQUEST**

The Board of Trustee received a correspondence from resident Ms Calles asking for the penalties to be removed from her bill. The issue has been taken care of.

**EXECUTIVE SESSION**

Moved by Trustee Farone and seconded by Trustee Sidari to adjourn to executive session to discuss personnel matters at 8:18 PM.

CARRIED

4 Ayes                      0 Nays

**EXECUTIVE SESSION CLOSED**

Moved by Trustee Sidari and seconded by Trustee Navarra to come out of executive session at 8:40 PM.

CARRIED

4 Ayes                      0 Nays

**APPROVED INVESTIGATION TO BE DONE**

Moved by Trustee Sidari and seconded by Trustee Navarra approving, pending the outcome of Trustee Farone's discussion with Attorney Gavenda, to hire Brian Degnan Esq for an independent investigation regarding a complaint filed against Village employees.

CARRIED

4 Ayes                      0 Nays

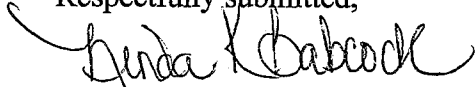
**MEETING ADJOURNED**

Moved by Trustee Sidari and seconded by Trustee Farone that there being no further business, meeting is hereby adjourned at 8:50 PM.

CARRIED

4 Ayes                      0 Nays

Respectfully submitted,



Linda K Babcock  
Clerk-Treasurer