

August 12, 2013  
Regular Town Board Meeting

Agenda:

1. Call Meeting to Order
2. Pledge of Allegiance
3. Exit Message
4. FYI – Remind Residents to Sign Attendance Sheet
5. Roll Call
6. Motion to approve the agenda
7. Motion to approve the minutes of the July 8, 2013 meeting.
8. Resolution approving the vouchers.
9. Motion to re- appoint Coleen Pahura , Assessor for a term beginning 10-1-2013 and ending 9-30-2019.
10. Motion to pay prior to abstract of the MVP, Univera and CSEA health care bills in the amount of \$5,146.76.
11. Resolution authorizing the transfers as submitted by Baldwin Business Services.
12. Letter from the Village of Albion regarding water rate increase.
13. Close

July 8, 2013

Town of Albion regular Town Board meeting held in the Town hall, 3665 Clarendon Rd.

Meeting called to order at 7:00 pm.

Pledge of Allegiance was said and the exit message was given.

Present were Councilperson Daniel Poprawski , Councilperson Timothy Neilans, Supervisor Dennis Stirk, Councilperson Jake Olles and Councilperson Matthew Passarell.

Supervisor Dennis Stirk: Katelin Olsen is here tonight to present the streetscape project.

Katelin Olsen and Tom Rivers presented the Town Board with the proposed streetscape plan and reviewed the possible funding options as per the New York State Main Street grant.

Supervisor Dennis Stirk: I need a motion to accept this proposed plan.

Motion was made by Councilperson Matthew Passarell and was seconded by Councilperson Timothy Neilans to approve the Streetscape project and further authorizes the expenditure of \$50,000.00 as per the contract with the Office of Community Renewal for the Streetscape project. Motion carried by the following vote:

|                                      |                                    |
|--------------------------------------|------------------------------------|
| Councilperson Daniel Poprawski, aye  | Councilperson Timothy Neilans, aye |
| Supervisor Dennis Stirk, aye         | Councilperson Jake Olles, aye      |
| Councilperson Matthew Passarell, aye |                                    |

Supervisor Dennis Stirk: I need a motion to approve the minutes.

Motion was made by Councilperson Jake Olles and was seconded by Supervisor Dennis Stirk to approve the minutes of the June 10, 2013 meeting as published and submitted. Motion carried by the following vote:

|                                      |                                    |
|--------------------------------------|------------------------------------|
| Councilperson Daniel Poprawski, aye  | Councilperson Timothy Neilans, aye |
| Supervisor Dennis Stirk, aye         | Councilperson Jake Olles, aye      |
| Councilperson Matthew Passarell, aye |                                    |

Supervisor Dennis Stirk: I need a resolution for the vouchers.

|   |                          |
|---|--------------------------|
| <b>Resolution #73</b>                               | <b>Payment of Claims</b> |
| <b>Whereas, the following are against the Town:</b> |                          |
| General A & B #'s – 197 – 229                       | \$ 28,767.84             |
| Highway DA & DB #'s – 108 – 119                     | \$ 6,535.22              |
| Water Districts #'s – 35 – 39                       | \$ 6,532.69              |
| Sewer District #1 - #9                              | \$ 34.20                 |
| For a grand total of                                | \$ 41,869.95             |

Motion was made by Councilperson Jake Olles and was seconded by Councilperson Daniel Poprawski to approve payment of the above listed claims. Resolution duly adopted by the following vote:

|                                      |                                    |
|--------------------------------------|------------------------------------|
| Councilperson Daniel Poprawski, aye  | Councilperson Timothy Neilans, aye |
| Supervisor Dennis Stirk, aye         | Councilperson Jake Olles, aye      |
| Councilperson Matthew Passarell, aye |                                    |

Councilperson Timothy Neilans objected to voucher #223, Robert Roberson, Attorney

Supervisor Dennis Stirk: I need a motion to pay prior to the abstract of the health care bills.

July 8, 2013

Motion was made by Supervisor Dennis Stirk and was seconded by Councilperson Jake Olles to approve payment prior to abstract of the MVP, Univera and the CSEA Vision health care bills in the amount of \$5,145.62. Motion carried by the following vote:

|                                      |                                    |
|--------------------------------------|------------------------------------|
| Councilperson Daniel Poprawski, aye  | Councilperson Timothy Neilans, aye |
| Supervisor Dennis Stirk, aye         | Councilperson Jake Olles, aye      |
| Councilperson Matthew Passarell, aye |                                    |

Supervisor Dennis Stirk: I need a resolution of designation.

**Resolution #74                      Secretary of State – Designation – Notice of Claim**

WHEREAS, General Municipal Law, §53 requires towns to file a certificate with the Secretary of State designating the Secretary of State as an agent for service of a notice of claim; and

WHEREAS, General Municipal Law, §53 requires the certificate to include the applicable time limit for filing the notice of claim and the name, post office address and electronic mail address, if available, of an officer, person, for the transmittal of notices of claim served upon the Secretary as the town's agent; and

WHEREAS, pursuant to General Municipal Law, §50-e(1)(a), the applicable time limit for the filing of a notice of claim upon a town is 90 days after the claim arises, or in case of a wrongful death action, 90 days from the appointment of a representative of the decedent's estate; and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Albion, County of Orleans designates Sarah M Basinait in her capacity as Town Clerk to receive notices of claims served upon the Secretary of State by mail at 3665 Clarendon Rd, Albion, NY 14411 and email at [townclerk@townofalbion.com](mailto:townclerk@townofalbion.com); and

BE IT FURTHER RESOLVED, that the Town Board directs the Town Clerk to file the required certificate with the Secretary of State informing him or her of the Town's designation and applicable time limitation for filing a notice of claim with the town on or before July 14, 2013.

Motion was made by Supervisor Dennis Stirk and was seconded by Councilperson Daniel Poprawski authorizing the adoption of the above resolution. Resolution duly adopted by the following vote:

|                                      |                                    |
|--------------------------------------|------------------------------------|
| Councilperson Daniel Poprawski, aye  | Councilperson Timothy Neilans, aye |
| Supervisor Dennis Stirk, aye         | Councilperson Jake Olles, aye      |
| Councilperson Matthew Passarell, aye |                                    |

Supervisor Dennis Stirk: I need a motion to close.

Motion was made by Councilperson Jake Olles and was seconded by Supervisor Dennis Stirk to close the meeting at 7:36 pm. Motion carried by the following vote:

|                                      |                                    |
|--------------------------------------|------------------------------------|
| Councilperson Daniel Poprawski, aye  | Councilperson Timothy Neilans, aye |
| Supervisor Dennis Stirk, aye         | Councilperson Jake Olles, aye      |
| Councilperson Matthew Passarell, aye |                                    |

TOWN OF ALBION

PLEASE MAKE THE FOLLOWING TRANSFERS AT YOUR 8/12/13 MEETING:

GENERAL FUND - TOWNWIDE

|                       |         |             |               |                           |
|-----------------------|---------|-------------|---------------|---------------------------|
| <i>Transfer From:</i> | A1990.4 | Contingency | \$            | 1,480.00                  |
|                       |         |             | <b>TOTAL:</b> | <u><u>\$ 1,480.00</u></u> |

|                     |         |                          |               |                           |
|---------------------|---------|--------------------------|---------------|---------------------------|
| <i>Transfer To:</i> | A1460.4 | Records Mgmt Contractual | \$            | 20.00                     |
|                     | A1910.4 | Unallocated Insurance    | \$            | 1,260.00                  |
|                     | A9050.8 | Unemployment Insurance   | \$            | 200.00                    |
|                     |         |                          | <b>TOTAL:</b> | <u><u>\$ 1,480.00</u></u> |

GENERAL FUND - OUTSIDE VILLAGE

|                       |       |                              |               |                         |
|-----------------------|-------|------------------------------|---------------|-------------------------|
| <i>Transfer From:</i> |       | <b>Unanticipated Revenue</b> |               |                         |
|                       | B1560 | Safety Inspections           | \$            | 100.00                  |
|                       |       |                              | <b>TOTAL:</b> | <u><u>\$ 100.00</u></u> |

|                     |         |                        |               |                         |
|---------------------|---------|------------------------|---------------|-------------------------|
| <i>Transfer To:</i> | B9050.8 | Unemployment Insurance | \$            | 100.00                  |
|                     |         |                        | <b>TOTAL:</b> | <u><u>\$ 100.00</u></u> |

HIGHWAY FUND - TOWNWIDE

|                       |        |                              |               |                         |
|-----------------------|--------|------------------------------|---------------|-------------------------|
| <i>Transfer From:</i> |        | <b>Unanticipated Revenue</b> |               |                         |
|                       | DA2300 | Services - Other Gov't       | \$            | 600.00                  |
|                       |        |                              | <b>TOTAL:</b> | <u><u>\$ 600.00</u></u> |

|                     |          |                        |               |                         |
|---------------------|----------|------------------------|---------------|-------------------------|
| <i>Transfer To:</i> | DA9050.8 | Unemployment Insurance | \$            | 600.00                  |
|                     |          |                        | <b>TOTAL:</b> | <u><u>\$ 600.00</u></u> |

**HIGHWAY FUND - OUTSIDE VILLAGE**

|                       |          |                             |                           |
|-----------------------|----------|-----------------------------|---------------------------|
| <i>Transfer From:</i> | DB5110.4 | General Repairs Contractual | \$ 1,100.00               |
|                       |          | <b>TOTAL:</b>               | <u><u>\$ 1,100.00</u></u> |

|                     |           |                        |                           |
|---------------------|-----------|------------------------|---------------------------|
| <i>Transfer To:</i> | DB5110.4A | Ditch Maintenance      | \$ 500.00                 |
|                     | DB9050.8  | Unemployment Insurance | \$ 600.00                 |
|                     |           | <b>TOTAL:</b>          | <u><u>\$ 1,100.00</u></u> |

**WATER DISTRICT #1**

|                       |          |                        |                         |
|-----------------------|----------|------------------------|-------------------------|
| <i>Transfer From:</i> | SW8320.4 | Source of Supply Contr | \$ 656.00               |
|                       |          | <b>TOTAL:</b>          | <u><u>\$ 656.00</u></u> |

|                     |          |                          |                         |
|---------------------|----------|--------------------------|-------------------------|
| <i>Transfer To:</i> | SW8340.1 | Transmission & Distr Svc | \$ 656.00               |
|                     |          | <b>TOTAL:</b>            | <u><u>\$ 656.00</u></u> |

**WATER DISTRICT #5**

|                       |        |                       |                        |
|-----------------------|--------|-----------------------|------------------------|
| <i>Transfer From:</i> |        | Unanticipated Revenue |                        |
|                       | SW2770 | Miscellaneous         | \$ 76.60               |
|                       |        | <b>TOTAL:</b>         | <u><u>\$ 76.60</u></u> |

|                     |          |               |                        |
|---------------------|----------|---------------|------------------------|
| <i>Transfer To:</i> | SW1990.4 | Contingency   | \$ 76.60               |
|                     |          | <b>TOTAL:</b> | <u><u>\$ 76.60</u></u> |

**WATER DISTRICT #9**

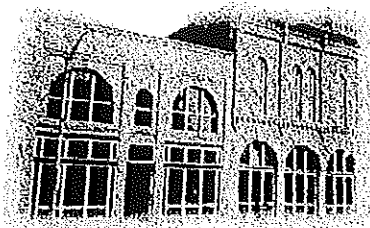
|                       |          |                            |                         |
|-----------------------|----------|----------------------------|-------------------------|
| <i>Transfer From:</i> | SW8340.4 | Transmission & Distr Contr | \$ 132.00               |
|                       |          | <b>TOTAL:</b>              | <u><u>\$ 132.00</u></u> |

|                     |          |                 |                         |
|---------------------|----------|-----------------|-------------------------|
| <i>Transfer To:</i> | SW9030.8 | Social Security | \$ 132.00               |
|                     |          | <b>TOTAL:</b>   | <u><u>\$ 132.00</u></u> |

**SEWER DISTRICT #1**

|                       |      |                              |                           |
|-----------------------|------|------------------------------|---------------------------|
| <i>Transfer From:</i> |      | <b>Unanticipated Revenue</b> |                           |
|                       | SSUB | Unexpended Balance           | \$ 8,078.00               |
|                       |      | <b>TOTAL:</b>                | <u><u>\$ 8,078.00</u></u> |

|                     |          |                       |                           |
|---------------------|----------|-----------------------|---------------------------|
| <i>Transfer To:</i> | SS8130.4 | Sewage Treatment Disp | \$ 7,500.00               |
|                     | SS9010.8 | State Retirement      | \$ 278.00                 |
|                     | SS9030.8 | Social Security       | \$ 300.00                 |
|                     |          | <b>TOTAL:</b>         | <u><u>\$ 8,078.00</u></u> |



Stirk Block - circa 1923  
TDD 1-800-662-1220

*Village of Albion*  
*Incorporated 1828*

35 East Bank Street  
Albion, NY 14411  
585-589-9176 • 585-589-1218 fax

**Dean A. Theodorakos** - Mayor  
**Kevin P. Sheehan** - Deputy Mayor  
**Eileen S Banker** - Trustee  
**Fred Miller** - Trustee  
**Peter Sidari** - Trustee  
**Linda K. Babcock** - Clerk Treasurer  
**John C. Gavenda** - Attorney

July 26, 2013

Town of Albion  
3665 Clarendon Road  
Albion, New York 14411

Re: Agreement for Sale of Surplus Water

Dear Sirs and Madams:

Please be informed that the Village of Albion will increase the water rate to your municipality.

Pursuant to the Agreement for the Sale of Surplus Water, your municipality has three (3) months to provide written notice to the Village of Albion for the opportunity to review the basis and/or justification of the increase in the water rate.

The rate increase is 2.5%. The last increase in water price was in November 2000.

The new rate of \$2.94 per 1,000 gallons of water will take effect for the usage in October and going forward.

If you have any questions regarding this matter, please contact Tracy Van Skiver, Water Billing Clerk, at (585)589-9176 Ext 101.

We are committed to making significant capital investments in our water infrastructure in order to ensure that our community will continue to enjoy the benefits of safe and efficient drinking water systems well into the future.

Very truly yours,

Linda K Babcock  
Village of Albion Clerk