

May 24, 2010

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

Meeting called to order at 7:00 pm.

Pledge of Allegiance was said

Present was Councilperson Ryan Miller, Councilperson Clifford Thom, Supervisor Judith Koehler, Councilperson Timothy Neilans and Councilperson Matthew Passarell. Attorney for the Town John Gavenda arrived at 7:10 pm. Also present was Highway Superintendent Jed Standish and Town Clerk Sarah Basinait.

Supervisor Judith Koehler: I need a motion for the agenda.

**After discussion of the agenda it was amended as follows:**

**Motion was made by Councilperson Ryan Miller and was seconded by Councilperson Matthew Passarell to approve the agenda with the following additions:**

- 17. Suburban Electric**
- 18. Landscape**
- 19. MEO**
- 20. Excavator**
- 21. Executive session**

**Motion was carried by the following vote:**

**Councilperson Ryan Miller, aye      Councilperson Clifford Thom, aye**  
**Supervisor Judith Koehler, aye      Councilperson Timothy Neilans, aye**  
**Councilperson Matthew Passarell, aye**

Supervisor Judith Koehler: Bob Fox is here tonight to explain the audits he conducted.

**Bob Fox, accountant, presented the Town Board with the audit findings from the Town Clerk, Tax Collector and Court Clerk audits. He asked the Board to accept these.**

**Motion was made by Councilperson Timothy Neilans and was seconded by Councilperson Clifford Thom to approve the audits of the Town Clerk, Tax Collector and Court Clerk for the year 2009 as prepared and submitted by Bob Fox. Motion carried by the following vote:**

**Councilperson Ryan Miller, aye      Councilperson Clifford Thom, aye**  
**Supervisor Judith Koehler, aye      Councilperson Timothy Neilans, aye**  
**Councilperson Matthew Passarell, aye**

Supervisor Judith Koehler: Chuck Kinsey is her tonight to speak to the Board about IT services.

**Chuck Kinsey, Orleans County Director of Computer Services, presented the Town Board with a proposal for IT services in the Town. The Board will review and revisit at the June 14, 2010 meeting.**

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Supervisor Judith Koehler: Bob wants to present the Board with a power point presentation on the consolidation of the water districts.

**Bob Fox gave a presentation on the consolidation of the water districts and how it can be accomplished.**

Supervisor Judith Koehler: John wants to go over Water District #9.

**Attorney for the Town John Gavenda presented the Board with a final order and bond resolution for Water District #9. He wanted the Board to adopt both.**

Supervisor Judith Koehler: I need a resolution for the final order.

**Resolution #57 Final Order Establishing Water District #9**

**The resolution in its entirety is hereby filed with and made a part of these minutes. Motion was made by Councilperson Timothy Neilans and was seconded by Councilperson Clifford Thom authorizing the adoption of this resolution.**

**Resolution duly adopted by the following vote:**

**Councilperson Ryan Miller, aye      Councilperson Clifford Thom, aye  
Supervisor Judith Koehler, aye      Councilperson Timothy Neilans, aye  
Councilperson Matthew Passarell, aye**

Supervisor Judith Koehler: I need a motion for the bond resolution.

**Resolution #58 Bond Resolution**

**The resolution in its entirety is hereby filed with and made a part of these minutes. Motion was made by Councilperson Clifford Thom and was seconded by Councilperson Ryan Miller authorizing the adoption of this resolution. Resolution duly adopted by the following vote:**

**Councilperson Ryan Miller, aye      Councilperson Clifford Thom, aye  
Supervisor Judith Koehler, aye      Councilperson Timothy Neilans, aye  
Councilperson Matthew Passarell, aye**

Supervisor Judith Koehler: I need a motion for the boom mower.

**Motion was made by Councilperson Timothy Neilans and was seconded by Councilperson Matthew Passarell to utilize the boom mower from Orleans County Soil and Water at a cost of \$1,000.00 year and it will be used for one to two weeks a year. Motion carried by the following vote:**

**Councilperson Ryan Miller, aye      Councilperson Clifford Thom, aye  
Supervisor Judith Koehler, aye      Councilperson Timothy Neilans, aye  
Councilperson Matthew Passarell, aye**

Supervisor Judith Koehler: I need a resolution for the standard work day.

**The Board discussed this and the following standard work day hours were established for the following:**

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Motion was made by Councilperson Timothy Neilans and was seconded by Councilperson Ryan Miller to set the standard work day for the Town of Albion Supervisor and Board members at 8 hrs. Motion carried by the following vote:

Councilperson Ryan Miller, aye      Councilperson Clifford Thom, abstain  
Supervisor Judith Koehler, aye      Councilperson Timothy Neilans, aye  
Councilperson Matthew Passarell, abstain

Motion was made by Councilperson Timothy Neilans and was seconded by to set the standard work day for the Town Clerk/Tax Collector at 8 hours. No second given. Motion defeated

Motion was made by Councilperson Miller and was seconded by Councilperson Passarell to set the standard work day for the Town Clerk/Tax Collector and Court Clerk at 7 hrs for retirement purposes. Motion defeated by the following vote:

Councilperson Ryan Miller, aye      Councilperson Clifford Thom, nay  
Councilperson Judith Koehler, aye      Councilperson Timothy Neilans, nay  
Councilperson Matthew Passarell, nay

Motion was made by Councilperson Ryan Miller and was seconded by Councilperson Thom to table the issue of setting the standard work day for the Town Clerk/Tax Collector and Court Clerk until a written opinion is rendered from the State Comptroller. Motion carried by the following vote:

Councilperson Ryan Miller, aye      Councilperson Clifford Thom, aye  
Councilperson Judith Koehler, aye      Councilperson Timothy Neilans, nay  
Councilperson Matthew Passarell, aye

Motion was made by Councilperson Timothy Neilans and was seconded by Councilperson Matthew Passarell setting the standard work day for the Town Justices at 8 hours. Motion carried by the following vote:

Councilperson Ryan Miller, aye      Councilperson Clifford Thom, aye  
Councilperson Judith Koehler, aye      Councilperson Timothy Neilans, aye  
Councilperson Matthew Passarell, aye

Motion was made by Councilperson Timothy Neilans and was seconded by Councilperson Ryan Miller setting the standard work day for the Town Planning Board members at 8 hours. Motion carried by the following vote:

Councilperson Ryan Miller, aye      Councilperson Clifford Thom, aye  
Councilperson Judith Koehler, aye      Councilperson Timothy Neilans, aye  
Councilperson Matthew Passarell, aye

Motion was made by Councilperson Timothy Neilans and was seconded by Councilperson Matthew Passarell setting the standard work day for the Town Zoning Board members at 8 hours. Motion carried by the following vote:

Councilperson Ryan Miller, aye      Councilperson Clifford Thom, aye  
Councilperson Judith Koehler, aye      Councilperson Timothy Neilans, aye  
Councilperson Matthew Passarell, aye

Supervisor Judith Koehler: I need a motion asking for the cell phone to be returned.

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**Motion was made by Councilperson Matthew Passarell and was seconded by Councilperson Timothy Neilans authorizing the return of the Town cell phone currently used by Michael Neidert in the Highway Department. Motion carried by the following vote:**

**Councilperson Ryan Miller, aye      Councilperson Clifford Thom, aye  
Councilperson Judith Koehler, aye      Councilperson Timothy Neilans, aye  
Councilperson Matthew Passarell, aye**

Supervisor Judith Koehler: I need a motion to approve prepayment of the Univera bill.

**Motion was made by Councilperson Ryan Miller and was seconded by Councilperson Clifford Thom authorizing the prepayment of the Univera bill in the amount \$326.71. Motion carried by the following vote:**

**Councilperson Ryan Miller, aye      Councilperson Clifford Thom, aye  
Councilperson Judith Koehler, aye      Councilperson Timothy Neilans, aye  
Councilperson Matthew Passarell, aye**

Supervisor Judith Koehler: I need a motion to approve prepayment of the Village of Albion water bill.

**Motion was made by Councilperson Clifford Thom and was seconded by Councilperson Ryan Miller authorizing the prepayment of the Village of Albion water bill in the amount \$2,002.62. Motion carried by the following vote:**

**Councilperson Ryan Miller, aye      Councilperson Clifford Thom, aye  
Councilperson Judith Koehler, aye      Councilperson Timothy Neilans, aye  
Councilperson Matthew Passarell, aye**

Supervisor Judith Koehler: I need a motion for Suburban Electric.

**Motion was made by Councilperson Clifford Thom and was seconded by Councilperson Matthew Passarell authorizing Supervisor Judith Koehler to execute the contract with Suburban Electric in the amount of \$478.00. The contract in its entirety is hereby filed with and made a part of these minutes.**

**Motion was carried by the following vote:**

**Councilperson Ryan Miller, aye      Councilperson Clifford Thom, aye  
Councilperson Judith Koehler, aye      Councilperson Timothy Neilans, aye  
Councilperson Matthew Passarell, aye**

Supervisor Judith Koehler: I need a motion for the landscaping.

**Motion was made by Councilperson Timothy Neilans and was seconded by Councilperson Matthew Passarell authorizing Councilperson Clifford Thom to expend \$78.00 and Supervisor Judith Koehler to expend \$50.00 for purchases of landscaping material and flowers in an amount of \$128.00. Motion carried by the following vote:**

**Councilperson Ryan Miller, aye      Councilperson Clifford Thom, aye  
Councilperson Judith Koehler, aye      Councilperson Timothy Neilans, aye**

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**Councilperson Matthew Passarell, aye**

Supervisor Judith Koehler: Next item is the replacement of a MEO.

**The Board discussed the replacement of a MEO and decided to table it and revisit it at the June 14<sup>th</sup> meeting.**

Supervisor Judith Koehler: The excavator is the next issue.

**The Board discussed the purchase of an excavator and decided to table it and revisit it at the June 14<sup>th</sup> meeting.**

Supervisor Judith Koehler: I need a motion for executive session.

**Motion was made by Councilperson Matthew Passarell and was seconded by Councilperson Timothy Neilans to close the meeting and enter executive session for the discussion of pending litigation at 10:00 pm. Motion carried by the following vote:**

**Councilperson Ryan Miller, aye      Councilperson Clifford Thom, aye  
Councilperson Judith Koehler, aye      Councilperson Timothy Neilans, aye  
Councilperson Matthew Passarell, aye**

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