



VILLAGE OF BARKER BOARD OF TRUSTEES REGULAR MEETING MINUTES

July 12, 2021 7:00PM
@ Barker Fire Hall

Mayor Aaron Nellist
Deputy Mayor Seanna Corwin-Bradley
Trustee Aaron Davis
Trustee Jordan Gow
Trustee Melanie Hirschman- *Via Telephone*

In **Attendance:** Deputy Clerk-Treasurer Jennifer Mason, Benjamin Joe (Union Sun & Journal), Jim Baker, Phillip Bates, Pat Fuller, Gregory Kerth, Neal Gordon, Jon Hotaling, Herbert Meyer, Robert Longstreet, Randy Glen (Evans Insurance Agency), Juli Wilson, Kent Wakefield, Robert & Ruth Wendler, Jessica Monaco, Cindy Harris, Holly Howland, Kathie Smith, Brian Carmer, Lisa Thompson, Lisa Erickson (NIOGA), Tom Binderman (NIOGA). Trustee Hirschman was listening to the meeting via teleconference.

At 7:00pm meeting was called to order by Mayor Nellist by administering the Pledge of Allegiance.

The **Sales tax** received for June 2021 was \$11,819.32 a \$3,839.26 increase from June 2020.

The **Approval of Minutes** for the monthly board meeting held June 14, 2021 was motioned for approval by Deputy Mayor Corwin-Bradley and was seconded by Trustee Davis.

The previous was ADOPTED. AYES-4-Nellist, Corwin-Bradley, Davis, Gow NAY-0/None Absent-1-Hirschman. Motion Carried.

The **PUBLIC HEARING on the Abolishment of the Village Police Department- Local Law #1-2021** was opened at 7:02pm by Mayor Nellist.

Section 1. Findings.

The Village Board of Trustees hereby finds as follows:

- A) The cost of maintaining a police department has become more than the Village can afford due to high increases in insurance coverage, cost of personnel and equipment, training, and other related expenses.
- B) The limitations on time and duration of coverage afforded by a part-time department are not in the best interests of the citizenry.
- C) Given the increases in police-related litigation, chances of a loss in excess of insurance limits have increased to the extent that the Village cannot sustain a loss.
- D) There is duplication of coverage, with the other police forces bearing responsibility to provide police protection to the Village.

Section 2. Authority.

This law is enacted pursuant to Municipal Home Rule Law Section 10 and Section 8-800 of the Village Law of the State of New York.

Section 3. Abolition of Police Department.

The Village of Barker Police Department is hereby abolished.

Section 4. Effective Date.

This law is subject to permissive referendum and shall become effective immediately upon the filing of the law with the Office of the Secretary of State.

The **following comments** were made during the Public Hearing:

Philip Bates stated he has lived in the Village since 1985. Mr. Bates was the former Village Police Officer and expressed that he felt the Police should stay and work with the Town of Somerset

Gregory Kerth stated he has lived here for 30 years and at that time the Village was thriving with business and warranted a Police Department. Mr. Kerth stated the PD is not self sufficient and its time for the PD to be abolished. Coverage can be provided by the Town, NC Sheriff Department and NYS Troopers.

Herb Meyer stated that since the Village had been incorporated (Jan. 2, 1908) it maintained a Police presence all these years, varying from one Officer to up to ten at times. Mr. Meyer stated the response time for NC Sheriff would be 17-20 minutes and could cost the Village more money than is currently budgeted if we contracted with NC Sheriff's Department for coverage. Mr. Meyer also stated that if PD departments were to combine the Town should contract with the Village.

John Miller, Town of Somerset Police Chief stated the Town of Somerset PD does patrol the Village and the Town and assist the NC Sheriff on various calls. Mr. Miller stated that the Town and Village should pool resources and not abolish the PD. Mr. Miller stated its time to make do with what we have and improve it. Mr. Miller also stated that crime is on the rise, and we are not isolated from that trend.

Patricial Fuller inquired about if the PD were abolished how would it affect Village taxes? Ms. Fuller also asked what does it mean to combine Police Departments? What is the Town looking at?

Mayor Nellist stated that he is apprehensive about this issue, as well. Mayor Nellist state he would like to have a full board present to vote on this local law and stated there are smaller issues that a large entity may not have the time or desire to handle. Mayor Nellist further stated that there were good points brought up on both sides and put together an explanation of why the Board is contemplating the abolishment of the PD and make it accessible on the website and in the office for residents.

Attorney Anthony Serianni stated the process to institute a Police Department is the same as it was to abolish. A local law is introduced, a public hearing is held and if the local law is passed its subject to permissive referendum.

Mayor Nellist stated the process for the permissive referendum. If the Local Law #1-2021 is adopted, then 60 days from the adoption a petition can be passed by opposition of the local law to bring the abolishment of the PD to a vote at a special election or at the next Village Election.

A motion to hold the public hearing on Local Law #1-2021 abolition of the Village Police Department open until August 9th meeting was made by Trustee Davis and was seconded by Deputy Mayor Corwin-Bradley. The previous was ADOPTED. AYES-4-Nellist, Corwin-Bradley, Davis, Gow NAY-0/None Absent-1-Hirschman. Motion Carried.

Randy Glenn from the Evans Insurance Agency gave a presentation on the NYMIR insurance quote for renewal 8/13/2021. NYMIR is a unique program that only insures municipalities.

A motion to accept NYMIR policy enrollment for FY 2021-2022 in the amount of \$25,016.00 was made by Deputy Mayor Corwin-Bradley and was seconded by Trustee Gow. The previous was ADOPTED. AYES-4-Nellist, Corwin-Bradley, Davis, Gow NAY-0/None Absent-1-Hirschman. Motion Carried.

The **Clerk-Treasurer's Financial Reports** were reviewed and accepted by the Board of Trustees.

- Tax Collection continues with penalty added as of July 2, 2020, at 5%, August 6%, September 7% and October 8%. Any taxes remaining unpaid as of November 1st will be re-levied onto the Town/County taxes in January
- Water bills for 2nd quarter 2021 (April-June) were mailed out on July 9 and are due August 10, 2021, without penalty
- Schedule a Board Audit of the financial records of the Clerk-Treasurer, for late July or August

Deputy Mayor Corwin-Bradley and Trustee Gow will facilitate the audit at a date to be determined.

- Permission to attend NYCOM Fall Training School September 20-24, 2021, for both Clerk-Treasurer and Deputy Clerk-Treasurer, registration will open in a couple of weeks

A motion to allow both the Clerk-Treasurer and Deputy Clerk-Treasurer to attend NYCOM Fall Training School in Saratoga Springs, September 20-24, 2021, was made by Deputy Mayor Corwin-Bradley and was seconded by Trustee Gow. The previous was ADOPTED. AYES-4-Nellist, Corwin-Bradley, Davis, Gow NAY-0/None Absent-1-Hirschman. Motion Carried.

The **Public Works Report** was reviewed and accepted by the Board of Trustees.

- Water loss for 2nd QTR 2021 16.51% due to fire in May

The **Code Enforcement Report** was reviewed and accepted by the Board of Trustees.

2 permits issued- a lean to and remodel/ porch & siding

Correspondence:

NYS Urban Forestry Council- Notice Availability of funds-Arbor Day Tree Planting Event
National Fuel Gas Leak Prevention Flyer
ARPA Corona Virus Local Fiscal Recovery Funds to Non-Entitlement Units paperwork
NYS Dept. of Budget-ARPA Award letter
NC Treasurer Mortgage Tax Distribution- June 2021
Charter Communications-Programming Changes- July 7, 2021
NC Gallonage Report

Approval of Claims and Bill Payment: Abstract 002 Voucher #'s 29-67

General Fund-\$6,488.09 Water Fund-\$3,697.75 T&A Fund-\$2,000.00 TOTAL \$12,182.84

A motion to approve the above audited claims and bill payment by the entire Board of Trustees was made by Trustee Davis and was seconded by Trustee Gow.

The previous was ADOPTED. AYES-4-Nellist, Corwin-Bradley, Davis, Gow NAY-0/None Absent-1-Hirschman. Motion Carried.

Budget Transfer: FY End 2020-2021

A1640.45 DPW Garage Misc. \$28.00 to A1640.44 DPW Garage-Heat

A motion to approve the above budget transfer to FY End 2020-2021 was made by Trustee Davis and was seconded by Trustee Gow. The previous was ADOPTED. AYES-4-Nellist, Corwin-Bradley, Davis, Gow NAY-0/None Absent-1-Hirschman. Motion Carried.

Public Comment was offered by:

Jon Hotaling: Inquired about the new Village Hall and Library. Mayor Nellist stated he was going to address this in Board Comment.

Philip Bates: Inquired about new Village Hall & Library, as well. Mr. Bates stated that there are roofs falling in, yards are not mowed and many vehicles without license plates. These code violations need to be addressed and sent to the court.

Gregory Kerth: Stated he believed the Village should be dissolved as well as the PD. Mr. Kerth stated businesses have diminished and the Village should use the fire insurance money to pay off the water bond. Mr. Kerth also stated there is no longer a power plant for tax base, residents here do not want solar, do not want windmills.

Herb Meyer: Stated if the Village were dissolved required to pay for streetlighting, parks, chipping etc. through taxes as a special district for just Village residents

Board Comment was offered by:

Mayor Nellist: Gave an update on the Village Hall/Library rebuilding. Mayor Nellist informed those present about the various alternative funding sources the Village has sought to help rebuild the Village Hall & Library building. The Village is working to get the fire claim settled since it has been 2+ years. Due to various circumstances with Trident being bought by Argo a longer response occurred after the Mayor reached out in early June. Since the Village hired a public adjuster only certain questions can be answered. Mayor Nellist was finally about to get through to the administrator of Claims from Sedgwick that assured the Mayor the Village will have an answer or counteroffer by Friday. If the offer is favorable, then we will be in good shape to move forward. The Village may request a low interest loan from the USDA should co-inside with the settlement of the insurance claim. Representatives from the NIOGA library system voiced their concern of why things have not moved forward and explained several grants totaling a \$500,000 could be lost if ground is not broken by June 30, 2022. The library grants terms are once approved 180 days to begin construction and 3 years to complete the project. Ground must be broken by October 1st, 2021, for the library funding. Mayor Nellist stated that we share a common goal and want this to be settled to move forward. Mayor Nellist believes this will be a positive outcome and will call until an answer is received. Library President Kathie Smith stated the Village and Library need to work on the lease.

Deputy Mayor Corwin-Bradley: Stated the Board has not been able to speak a lot about the PD, not something the Board takes lightly. Deputy Mayor stated she is always open to discussing issues with anyone either formally or informally and expressed thanks to those who showed up for the public hearing.

Trustee Davis: Stated the LED Street Lighting Project has passed the PSC approval and will be close to closing on the National Grid fixtures soon. The design phase through NYPA is almost complete. A meeting will be held with NYPA this week to review the design. Trustee Davis stated he is also open to discussing the abolition of the PD with anyone who would like to speak with him.

Trustee Gow: Expressed thanks and appreciation for those in attendance. Trustee Gow stated the information is out there for review and any concerns should be addressed to the Board.

A motion for **Adjournment was made at 8:17pm** by Deputy Mayor Corwin-Bradley and was seconded by Trustee Davis. The previous was ADOPTED. AYES-4-Nellist, Corwin-Bradley, Davis, Gow NAY-0/None Absent-1-Hirschman. Motion Carried.

Next work session will be Monday, August 2, 2021 at 6:00pm at the Barker Fire Hall

Next regularly scheduled meeting will be Monday, August 9, 2021 at 7:00pm at the Barker Fire Hall

Respectfully Submitted,

Amanda M. Detschner, CMC, RMC, CMFO
Clerk-Treasurer