



VILLAGE OF BARKER WORK SESSION MINUTES

August 2, 2021

6:00pm @Barker Fire Hall

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

In **Attendance:** DPW Superintendent Mark Remington, and Deputy Clerk-Treasurer Jennifer Mason.
Deputy Mayor Seanna Corwin-Bradley was in attendance via teleconference. Trustee Gow was absent.

The **meeting was opened at 6:01pm** with the Pledge of Allegiance administered by Mayor Nellist.

- NYPA LED Street Lighting Project Update

Trustee Davis informed us that the project is 90% complete and provided us with a 3-page funding packet. Trustee Davis is checking into why the quote at the beginning of this project, 2 years ago, was a lower interest rate and price. The board discussed some options to save money that Davis will investigate more. Davis also inquired about having local companies bid the project instead of who they would provide.

- Update on Insurance Settlement

Mayor Nellist attempted to call Dan Graff, no answer. No current insurance update.

No **Public Comment** was offered.

Board Comment was offered by:

Trustee Hirschman: Mentioned that Spencer should begin his Story Walk project soon. The school Superintendent is interested in our Greenhouse idea but would like more details. We currently spend around \$1,000 for flowers in the Village, they're purchased from Zehr's where they give us a 20% discount. The Village needs to figure out if the Greenhouse project will be worth it, will there be enough interest and a project coordinator?

A motion for **Adjournment was made at 7:00 pm** by Trustee Davis and was seconded by Trustee Hirschman.
The previous was ADOPTED. AYES-3-Nellist, Davis, and Hirschman NAYS-0/None Motion Carried.

Next **meeting is the Monthly Board Meeting, Monday, August 9, 2021, at 7:00pm @ Barker Fire Hall.**

Respectfully Submitted,

Jennifer Mason
Deputy Clerk-Treasurer

VILLAGE OF BARKER BOARD OF TRUSTEES REGULAR MEETING MINUTES



August 9, 2021 7:00PM
@ Barker Fire Hall

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

In **Attendance:** DPW Superintendent Mark Remington, Deputy Clerk-Treasurer Jennifer Mason, Attorney Dan Seaman, Attorney Anthony Serianni, Jim Baker, Martin Padilla, Benjamin Joe, Taylor Bonaventura, Judy Remington, Kathie Smith, Lisa Thompson, Neal Gordon, Thomas Detschner, Kurt Lutz, Seth Lutz, Greg Kerth, Jon Hotaling, Phyllis Hildebrant, Juli Wilson, Kent Wakefield, Dale & Kathy Howard, Jessica Rohring, Jim & Kathy Dewart

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

The **Sales tax** received for July 2021 was \$19,611.41 an increase of \$5,007.69 from July 2020.

The **Approval of Minutes** for the monthly board meeting held July 12, 2021 was motioned for approval by Deputy Mayor Corwin-Bradley and was seconded by Trustee Gow.
The previous was ADOPTED. AYES-5-Nellist, Corwin-Bradley, Davis, Gow, Hirschman NAY-0/None Motioned Carried.

PUBLIC HEARING held over from July 12, 2021 was opened at 7:01pm by Mayor Nellist.

The following comments were made during the Public Hearing:

Martin Padilla stated that in the early 2000's the Village moved from a Constable to a small Police Force with a stripped police car that he donated money towards because he believed in the idea of a small PD, but over the years

it grew into something much larger and became out of hand. Mr. Padilla believes having a person that's community involved to solve problems is ideal, but having an expensive police force is not sustainable.

Kurt Lutz stated that the Village Police force in the 1990's destroyed this Village and it's businesses. Mr. Lutz stated he has had positive interactions with the Town of Somerset PD. Mr. Lutz stated the Town of Somerset and Village Boards need to work together and ended with sediments to abolish the PD immediately.

Greg Kerth stated that he spoke to abolish the PD at the first public hearing and his feelings had not changed. Mr. Kerth stated that 30 years ago this Village was thriving, and a PD was necessary, with dwindling business and residents there is no need for the Village PD. The Village PD is not revenue generating and the need for protection is provided by Somerset PD, Niagara County Sheriff Dept. and NYS Troopers.

Jon Hotaling thanked Trustee Davis for his post on Facebook inviting the public to attend and comment at public meetings. Mr. Hotaling stated there is no need for two PD's in the same town.

Dale Howard stated as a Town of Somerset resident that lives next to Bi-Centennial Park, this community needs a PD with one car that works together.

Mayor Nellist asked the Board if they had further comment before a vote was taken, none was offered. The **public hearing was closed at 7:13pm** on a motion from Trustee Davis and was seconded by Trustee Hirschman. The previous was ADOPTED. AYES-5-Nellist,Corwin-Bradley,Davis,Gow,Hirschman NAY-0/None Motioned Carried.

Abolishment of the Village Police Department- Local Law #1-2021

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.

A **motion to ADOPT Local Law #1-2021** was made by Trustee Davis and was seconded by Deputy Mayor Corwin-Bradley. The following Roll call vote was cast:

Mayor Aaron Nellist-AYE
Deputy Mayor Seanna Corwin-Bradley-AYE
Trustee Aaron Davis-AYE
Trustee Jordan Gow-AYE
Trustee Melanie Hirschman-AYE

Motion Carried. Local Law Adopted.

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

- ✓ Annual Update Document (AUD) 2021 has been submitted to the Office of the NYS Comptroller and the legal notice was published August 6, 2021
- ✓ Tax Collection remains open. Penalty is now 6% and unpaid tax notices will be mailed September 3, 2021. Any unpaid taxes outstanding as of October 31, 2021 will be turned over to Niagara County to be placed on the Town/County taxes for collection in January
- ✓ Labor Day Holiday is the day of the scheduled work session-the work session will be CANCELLED for Sept. 6th, 2021
- ✓ Columbus Day Holiday is the date of the October meeting will be moved to Monday, October 4th at 7:00pm at the Barker Fire Department.

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

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

2 permits issued: a roof & a fence
3 violation letters mailed on Aug. 2

Police Report- Not submitted

Correspondence: 2021 Annual Update Document (AUD)
NC Sheriff Annual Report-2020
NYS DOT CHIPS notification paperwork
Bankruptcy Court Notice
Blue Cross and Blue Shield Notice of plan elimination
Auctions International flyer
NC Economic Development Memo-Proposed shared services grant application-solar siting update
Charter Communications-Notice of Programming Changes-July 19, 2021
Charter Communications-Notice of Programming Changes-July 23, 2021
Niagara County Gallonage Report

Approval of Claims and Bill Payment: Abstract 003 Voucher #'s 68-98
General Fund-\$35,670.48 Water Fund-\$782.00 T&A Fund-\$1,400.00 TOTAL \$37,852.48
A **motion to approve the above audited claims and bill payment by the entire Board of Trustees** was made by Deputy Mayor Corwin-Bradley.
The previous was ADOPTED. AYES-5-Nellist,Corwin-Bradley,Davis,Gow,Hirschman NAY-0/None Motioned Carried.

Budget Transfers: A8160.4 Refuse Collection-Contract \$10,420.00 to A1910.4 Insurance
A **motion to approve the above budget transfer** was made by Trustee Davis and was seconded by Trustee Hirschman.
The previous was ADOPTED. AYES-5-Nellist,Corwin-Bradley,Davis,Gow,Hirschman NAY-0/None Motioned Carried.

Public Comment was offered by:
Neal Gordon: Stated he believed in the decision made tonight regarding the PD.
Kathie Smith: Inquired about the progress of the insurance release or offer from the Fire. Mayor Nellist stated he did have a telephone conversation with our public adjuster today and he had not gotten a response from Argo/Sedgwick.
Greg Kerth: Asked about the approximate figure for the fire claim, Mayor Nellist would not state a figure since we have not gotten a formal offer. Mr. Kerth stated that he doesn't want to see the taxpayers hit with a tax increase to complete the new building. Mayor Nellist stated that the project is looking to be broken down into two separate parts, so the library won't lose their grant funding. Mr. Kerth stated we don't need a new Village Hall.
Martin Padilla: inquired about variances for certain properties that are operating businesses out of their homes. He stated this shouldn't be happening and it's getting out of hand. Mr. Padilla would like to know which properties have variances.
Kent Wakefield: Inquired about the LED street lighting project and asked for an update. The Board has asked NYPA to revise the project due to the higher interest rate and longer pay back period. A meeting to discuss these issues will be set up soon. This LED street lighting project will not exceed what is currently budgeted for in the street lighting category on a annual basis, but once they are paid off a significant savings would be realized. Mr. Wakefield stated he agreed with the decision made regarding the PD.
Kurt Lutz: Inquired as to why the Village isn't partnering with the Town of Somerset for LED streetlights. Town of Somerset owns their own streetlights and utilized the National Grid program, which saves significantly less than the NYPA program.
Phyllis Hildebrant: Stated that all paid Village employees do a great job and deserves what they are paid.

Board Comment was offered by:
Trustee Gow: Stated he was happy to see so many of the public in attendance and welcomed future attendance and input.
Trustee Hirschman: Stated that the Board gave this decision a lot of thought and consideration and would never make a decision that would affect the safety of the residents or families, therefore the right decision was made. She also, stated that it was nice to see more public participation and that she is happy that her family moved to Barker.
Deputy Mayor Corwin-Bradley: Stated that she too was happy to see so much public attendance and participation.
Trustee Davis: Reiterated why the new Village Hall and Library building is necessary. The new building will be a small portion of Village Hall, Library, and a community meeting room. The current building being utilized could be sold and the new building would bring revitalization to Main Street by being a hub of activity. Trustee Davis also stated he would like to transfer the 2018 Ford Police Explorer to the Town of Somerset PD for what the Village paid for it. This will be investigated for future execution.
Mayor Nellist: Stated he was pleased with the participation this evening and encouraged it in the future.

A **motion to enter into Executive Session at 7:32pm on the grounds of conferring with Legal Counsel present** was made by Deputy Mayor Corwin-Bradley and was seconded by Trustee Gow.
The previous was ADOPTED. AYES-5-Nellist,Corwin-Bradley,Davis,Gow,Hirschman NAY-0/None Motioned Carried.

In **Attendance during Executive Session:** All 5 members of the Board of Trustees, Attorney Dan Seaman, Attorney Anthony Serianni, Deputy Clerk-Treasurer Jennifer Mason and Clerk-Treasurer Amanda Detschner.

A **motion to exit Executive Session was made at 7:49pm** by Deputy Mayor Corwin-Bradley and was seconded by Trustee Gow.
The previous was ADOPTED. AYES-5-Nellist,Corwin-Bradley,Davis,Gow,Hirschman NAY-0/None Motioned Carried.

A **motion for Adjournment was made at 7:50pm** by Deputy Mayor Corwin-Bradley and was seconded by Trustee Hirschman.
The previous was ADOPTED. AYES-5-Nellist,Corwin-Bradley,Davis,Gow,Hirschman NAY-0/None Motioned Carried.

Next regularly scheduled work session will be CANCELLED for Monday, September 6, 2021.

Next regularly scheduled meeting will be Monday, September 13, 2021 at 7:00pm at the Barker Fire Department with a presentation from Niagara County Center for Economic Development.

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