

VILLAGE OF BARKER WORK SESSION MINUTES

November 1, 2021

6:00pm

@ Barker Fire Hall



Mayor Aaron Nellist
Deputy Mayor Seanna Corwin-Bradley
Trustee Aaron Davis
Trustee Jordan Gow-*arrived @6:20pm*
Trustee Melanie Hirschman

In **Attendance**: All Board members, apart from Trustee Gow arriving at 6:20pm.

Mayor Nellist **opened meeting at 6:07pm** by administering the Pledge of Allegiance.

- **ARPA \$ ideas/plan**

A lengthy discussion regarding the American Rescue Plan Act (ARPA), which included money from the Coronavirus Local Fiscal Recovery Fund (CLFRF). The first of two installments has been received in the amount of \$25,999.92. After both installments the total amount received will be \$51,788.00. Use of the ARPA money is restrictive and must meet the guidelines or the municipality will be forced to pay back the amount received and expended. The very first thing the municipality should do is calculate the lost revenue from the pandemic and make themselves whole from the ARPA funds. Federal Legislation has passed the Senate that would allow expanded uses of the ARPA money for municipalities to include infrastructure projects and allow use of the ARPA money as local match for grant opportunities. The ARPA money should be for a purpose that is a onetime expenditure. Many ideas were shared on projects that the ARPA money could be used for such as geothermal heating of the new VH/Library, a chipper, basketball court/ice rink in Main Street Park, upgrading water meters, drainage work, sidewalks, remediating lead water services or a new piece of playground equipment. Mayor Nellist asked each Board member to come up with a list of 10 projects, then they will be compiled and put out to the residents in a google forms survey for community input. After the community input is compiled a further discussion of projects will take place and a plan developed on how the ARPA money will be allocated.

- **NYPA LED Street Lighting Project Update**

Trustee Davis did reach out to Mark Ruhnke from NYPA about updating the payment plan to allow for the Village to purchase the fixture asset up front and payback what is currently budgeted in monthly installments instead of seeing a cost savings until the project is paid back. Updated numbers have not been received from NYPA yet.

No **Public Comment** was offered.

Board Comment was offered by:

Mayor Nellist: Stated the sale of 1693 Quaker Road has brought to the attention of the Village that approximately 24 inches of their deck is on Village property. Attorney Dan Seaman and the seller's attorney will work on a solution.

Trustee Davis: Stated as of Nov. 1st the no parking on streets is in effect from 2:00am-6:00am to allow for snow removal. Trustee Davis stated he talked to Matt Zarbo from Barton & Loguidice, about GIS information systems and the startup cost is approximately \$10,000 and then \$400 annually to maintain. B&L does do this scope of work and can help facilitate the implementation.

A **motion for adjournment was made at 7:05pm** by Trustee Davis and was seconded by Deputy Mayor Corwin-Bradley.

Next meeting is the Monthly Board Meeting, Monday, November 8, 2021 at 7:00pm @ Barker Fire Hall which will include a public hearing on exploring USDA funding for the new Village Hall/ Library.

Respectfully Submitted,

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

VILLAGE OF BARKER BOARD OF TRUSTEES

REGULAR MEETING MINUTES

NOVEMBER 8, 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, Jeremy Hughes from Barton & Loguidice, Philip Bates, Martin Padilla, Roy Anderson, Kurt Lutz, Gene Cavanaugh, Neal Gordon, Robert Wendler, Jessica Monaco, Mike Diez, Chris Diez, Tim Leising, Ronnie DePaul, Karen Davis, John Davis, Zoey Quiett, David Quiett. All members of the Board of Trustees was present.

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

The **Sales tax** received for October 2021 was \$18,166.29 a decrease of \$649.41 from October 2020, but an overall increase in sales tax received since 2020 in the amount of \$16,157.36.

The **Approval of Minutes** for the monthly board meeting held October 4, 2021 & Special meeting held October 25, 2021 was motioned for approval by Deputy Mayor Corwin-Bradley and was seconded by Trustee Davis. The previous was ADOPTED. AYES-5-Nellist,Corwin-Bradley,Davis,Gow,Hirschman NAY-0/None Motioned Carried.

The PUBLIC HEARING- USDA Community Facilities Funding for rebuilding of Village Hall/Barker Public Library was opened at 7:01pm by Mayor Nellist.

The following comments were made during the Public Hearing:

Kurt Lutz stated he would like answers about how the process to develop the new Village Hall and Library begin, as well as how the building was going to be funded. Mr. Lutz also stated he had seen the bid package for the basement and he felt it was the Cadillac of design.

Mayor Nellist stated that the Village did received \$678,422 from the building insurance settlement and the building design that was placed out to bid contained the wish list for both the Village and the Library, but through the bidding process realized that building was more than the Village/Library could afford. The Library has received grants to help contribute to the rebuilding and initially through grants and insurance the building would be covered. Unfortunately COVID changed the climate and added unforeseen costs in materials, labor and procurement. Deputy Mayor Corwin-Bradley stated the Village and Library must adhere to prevailing wage, as well as WICKS Law. Through cooperation and hard work she believes the Village and Library can have a building with a scaled back design that could come in on budget.

Jessica Monaco stated that she is a member of the Library Board and thanked all the public present for attending. Mrs. Monaco also stated the rebuilding of the Village Hall and Library is important for the community because the Library offers many services such as internet, computers, tutoring space, resume assistance and serves ages 0 to 99+. Mrs. Monaco also stated it was important to have the Village Hall/Library back on Main Street as it places the important building on Main Street and will bring people to the Village as well as serve as a community space for all to utilize. The Library Board is happy to continue the partnership with the Village to move forward in rebuilding.

Philip Bates inquired about if rebuilding the Village Hall/Library would increase taxes.

Mayor Nellist stated his desire is no, but could not answer definitively.

The **PUBLIC HEARING was closed at 7:07pm** on a motion from 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.

Resolution #41-2021 Designation of Offices to be filled in the next General Election

WHEREAS, the next general election will be held on March 15, 2022;

WHEREAS, the Board of Trustees must designate by resolution and to the public the offices which are to be filled in such election and the term thereof;

NOW THEREFORE BE IT RESOLVED,

Section 1: That the Board of Trustees designated the following offices as vacant on March 31, 2022, to filled at the Village Election to be held March 15, 2022 for the following terms:

Trustee- Two (2)-year term

Trustee-Two (2)-year term

Section 2: The Village is hereby directed to publish this resolution in the Lockport Union Sun & Journal as official public notice.

A motion to ADOPT Resolution #41-2021 was made by Trustee Hirschman and was seconded by Trustee Gow. The previous was ADOPTED. AYES-5-Nellist,Corwin-Bradley,Davis,Gow,Hirschman NAY-0/None Motioned Carried.

Unpaid Village tax to the Niagara County Treasurer

A motion to Authorize the Clerk-Treasurer to re-levy 15 parcels that remain unpaid in the amount of \$7,387.38 plus \$221.61 in penalty for a total amount of \$7,608.99 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.

Resolution #42-2021 Surplus Equipment- Police Department Firearms

WHEREAS, the Village of Barker has abolished its Police force, and

WHEREAS, said firearms are declared surplus and the Village Mayor is authorized to transfer ownership thereof to Escarpment Arms of 9 Glock pistols, 3 magazines, 1 rifle and 1 shotgun at fair market value of \$3,142.00.

A motion to ADOPT Resolution #42-2021 was made Trustee Davis and was seconded by Trustee Gow.
The previous was ADOPTED. AYES-5-Nellist,Corwin-Bradley,Davis,Gow,Hirschman NAY-0/None Motioned Carried.

Permission for BCS students in 7&8th grade to do a Turkey Trot, Tuesday, November 23, 2021 at 1:00pm. The route would be BCS School, south on Quaker to Church Street, Church to north on Pallister Ave, west on Main Street and north on Quaker Road back to BCS. The fire department will be notified and asked for assistance. The total race would be approximately a half hour long.
A motion to approve the BCS 7th & 8th Grade Turkey Trot was made by Deputy Mayor Corwin-Bradley and was seconded by Trustee Davis.
The previous was ADOPTED. AYES-5-Nellist,Corwin-Bradley,Davis,Gow,Hirschman NAY-0/None Motioned Carried.

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

- ✓ 3rd Quarter Water Bills are due Wednesday, November 10th without penalty
- ✓ Village Hall will be closed Thursday, November 11, 2021 in observance of Veteran’s Day, as well as Thursday, November 25th and Friday, November 26th, 2021 in observance of Thanksgiving holiday

The **Public Works Report** was reviewed and accepted by the Board of Trustees.
Mayor Nellist inquired about the sidewalk repair on Main Street, Superintendent Remington stated he has been in contact with a vendor but has not heard back on a price.

The **Code Enforcement Report** was reviewed and accepted by the Board of Trustees.
Mayor Nellist inquired about the status of parcel that had been violated, most have complied.

Correspondence: National Fuel Pipeline Awareness for Public Officials & First Responders Flyer
 USDA Pest Alert- Box Tree Moth
 Campanelli & Associates P.C. 5G Rollout -Controlling the siting of wireless facilities within the Village of Barker
 NYS DOT CHIPS balance-CHIPS \$12,778.85, PAVE NY \$3357.92, ERW \$2705.93 TOTAL Balance \$18,842.70
 Charter Communications- Upcoming programming changes- October 15, 2021
 Charter Communications- Upcoming programming changes- October 22, 2021
 Charter Communications- Upcoming programming changes- November 1, 2021
 NC Gallonage Report

Approval of Claims and Bill Payment: Abstract 006 Voucher #’s 168-208 H3 Fund Voucher #48
General Fund-\$13,523.52 Water Fund-\$782.30 T&A Fund-\$1,400.00 H3 Fund-\$10,046.00
TOTAL \$25,751.82
A motion to approve the above claims and bill payment audited by the entire Board of Trustees was made by Trustee Hirschman and was seconded by Trustee Gow.
The previous was ADOPTED. AYES-5-Nellist,Corwin-Bradley,Davis,Gow,Hirschman NAY-0/None Motioned Carried.

Budget Transfer: A7110.43 Parks Misc. \$75.00 to A7110.42 Parks portable toilet
A motion to approve the above budget transfer was made by Trustee Davis and was seconded by Deputy Mayor Corwin-Bradley.
The previous was ADOPTED. AYES-5-Nellist,Corwin-Bradley,Davis,Gow,Hirschman NAY-0/None Motioned Carried.

Public Comment was made by:

Martin Padilla: Inquired as to why the Library could not rebuild ahead of the Village Hall. He stated it looks as though they are capable of building alone. Mayor Nellist stated both organizations save money by working together.

Robert Wendler: Inquired about where the Village/Library are in the process. What is the foot print, when is the start date, when was the design completed? Mayor Nellist stated that the bids have come in higher than expected, so the Village/Library decided to break up the bidding to a building shell and those bids were higher than expected. The next step was to put out a bid for the basement alone and that bid came in higher than expected. The bids coming in higher than expected are due to the cost of materials raising, labor shortage and prevailing wage on top of less and less bidders willing to submit bids.

Philip Bates: Inquired as to why can’t the Town help pay for the rebuilding of the Library? Mayor Nellist stated that asking the Town to help is a valid point and he will reach out to have a conversation.

Robert Wendler: Inquired about going back to a shared building arrangement and if it makes sense. He stated he is passing a petition for dissolution, what if the Village goes away. Mayor Nellist stated if no contract is entered into then there is no decision to move forward. Deputy Mayor Corwin-Bradley stated the Library did not have building

insurance, therefore they did not received money for building claim. The Library does not have enough money to building on its own or own property on which they could build. Sharing the building between the Village Hall and Library is consolidated services. Each entity is an essential community resource and is beneficial to all residents. Overall it's the best scenario.

Tim Leising: Inquired about the 3 magazines as surplus equipment. Mayor Nellist stated the 3 magazines were for the rifle and all Glocks had their magazines intact.

David Quiett: Inquired about who should contact the Town to ask about contributing to the rebuilding, as well as if it would change anything if the Town were to become involved. Mayor Nellist stated he will contact the Town of Somerset and did not know the answer if it would change anything if the Town became involved.

Martin Padilla: Stated that after 2010 the Citizens Empowerment (Article 19) act was enacted which would give the Town 15% more state aid if the Village were to dissolve. Mr. Padilla also stated he doesn't see the rebuilding for a 3 million dollar price tag. Mayor Nellist stated that to build anything has substantial price tag and if the people want to see the Village dissolve, he won't obstruct it.

Zoey Quiett: Inquired about donations to help the library rebuild. Mayor Nellist stated the Village can not solicit funds as donations, but the library may. He told her to reach out to Library Director Lisa Thompson or Library President Kathie Smith.

Board Comment was offered by:

Trustee Davis: Stated that the increased attendance at this meeting was encouraging and asked those in attendance to come and listen every month instead of reacting to rumors. The insurance claim and building design have been talked about at many meetings over the past 2 ½ years.

Trustee Gow: Stated he agreed with Trustee Davis's remarks. He stated the Board and Village employees are always accessible and are transparent with all aspects of Village business. He expressed gratitude for everyone's civil remarks and good questions, as well as BCS student Zoey Quiett for her participation.

Deputy Mayor Corwin-Bradley: This year a small "Light Up Barker" event will be held on December 18th. "Light Up Barker" will consist of a lighting contest, caroling in the park and bonfire with smores & hot chocolate. Although several people have asked for a full "LUB" event, the Village is hesitant to do a full program due to weather concerns and COVID. Deputy Mayor Corwin-Bradley would like to speak with Lions Club about reviving Corn fest, a daylong celebration that used to take place in the 90's. She also agreed with the comments made by Trustee Davis about public participation. Lastly, she spoke about how hard the Village worked after the fire to help the community and that effort continues. If the Village Hall & Library isn't rebuilt this community has a lot to lose.

Trustee Hirschman: Stated the Village is receiving ARPA money and is going to release a Google form for input from the community on how best to use the funds.

Mayor Nellist: Stated it is nice to see the public participation. He also stated that if dissolution moves forward, he is happy to serve as a steward of taxpayer's money.

A motion to enter into executive session to consult with counsel was made by Deputy Mayor Corwin-Bradley at 7:36pm and was seconded by Trustee Davis.

The previous was ADOPTED. AYES-5-Nellist,Corwin-Bradley,Davis,Gow,Hirschman NAY-0/None Motioned Carried. Clerk-Treasurer Amanda Detschner, Deputy Clerk-Treasurer Jennifer Mason and Barton & Loguidice Jermey Hughes was asked to be present during executive session.

Those present in Executive Session were: All 5 members of the Board of Trustees, Clerk-Treasurer Amanda Detschner, Deputy Clerk-Treasurer Jennifer Mason, Attorney Dan Seaman, Attorney Anthony Serianni and Barton & Loguidice representative Jeremy Hughes.

A motion to exit executive session was made at 8:25pm 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.

Resolution #43-2021

1693 Quaker Road Property Encroachment

WHEREAS, a recent survey has revealed that there is an encroachment of a porch and deck 5.3 feet in width attached to premises owned by Mark and Judy Remington onto premises owned by the Village of Barker, which is the former Rome, Watertown and Ogdensburg property, and

WHEREAS, said Remington premises is under contract of sale, and

WHEREAS, said Remington premises is a commercial property, and

WHEREAS, said encroachment existed at the time the Village acquired the property, and

WHEREAS, the Village attorney Daniel E. Seaman has advised that for reasons of potential liability, the Village should divest itself from ownership of the encroachment area, and the entrance thereto, and

WHEREAS, the area is not utilized by the Village due to encroachment and is therefore determined to be surplus, and

WHEREAS, the Village Board has determined that the fair market value of said premises is \$500.00, and that a barrier should be constructed to separate the conveyed area from the remainder of the Village owned property, now therefore be it

RESOLVED, that the Village of Barker transfer by deed without warranty provisions the premises described as being a strip of land 5.3 feet in width adjacent to the north property line of said Remington premises beginning in the north line of Quaker Road and extending to a point 5 feet east of the end of existing deck pursuant to description to be determined by metes and bounds description and be it further Resolved that said transfer is conditioned upon payment of \$500.00 by the purchaser to the Village and the construction of a permanent barrier along the north line of the premises to be conveyed.

A motion to ADOPT Resolution #43-2021 was made by Trustee Davis and was seconded by Deputy Mayor Corwin-Bradley.

The previous was ADOPTED. AYES-5-Nellist,Corwin-Bradley,Davis,Gow,Hirschman NAY-0/None Motioned Carried.

A motion to approve NYPA's 90% design of the LED Smart Streetlighting Project was made by Deputy Mayor Corwin-Bradley and was seconded by Trustee Gow.

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

A motion for **Adjournment was made at 8:36pm** by Deputy Mayor Corwin-Bradley and was seconded by Trustee Davis.

The previous was ADOPTED. AYES-5-Nellist,Corwin-Bradley,Davis,Gow,Hirschman NAY-0/None Motioned Carried.

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

Next regularly scheduled meeting will be Monday, December 13th, 2021 at 7:00pm at the Barker Fire Hall

Respectfully Submitted,

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