

VILLAGE OF BARKER BOARD OF TRUSTEES

Annual Organizational Meeting Minutes



April 4, 2022 7:00PM
Barker Fire Hall

Mayor Aaron Nellist
Deputy Mayor Seanna Corwin-Bradley-*Absent*
Trustee Aaron Davis
Trustee Melanie Hirschman
Trustee David Quiett

In **Attendance**: Neal Gordon. Deputy Mayor Corwin-Bradley was absent from the meeting.

At **7:01pm meeting was called to order** by Mayor Nellist by administering the Pledge of Allegiance.

Mayoral Appointments:

Village Historian: Pete Devereaux
Official Newspaper: Union Sun & Journal
Village Attorney: Daniel Seaman, Seaman & Norris LLP
Alternate Village Attorney: Thomas Caserta
Village Engineer: Barton & Loguidice
Registrar-Tracy Carmer
Ethics Board-Philip Bates (exp.3/31/2027)
Ethics Board-vacant (exp. 3/31/2026)
Planning Board-vacant (exp. 3/31/2026)
Planning Board-vacant (exp. 3/31/2023)
Zoning Board-Robert Wendler (exp. 3/31/2025)

Mayoral Assignments for the Board of Trustees:

Deputy Mayor Corwin-Bradley-Property Maintenance and Improvements
Trustee Davis-Grant, Research, Policies and Procedures
Trustee Quiett- Fleet Equipment Maintenance and procurement
Trustee Hirschman-Parks, Recreation & Main Street Beautification

PUBLIC HEARING FOR THE TENTATIVE BUDGET FY June 1, 2022-May 31, 2023

The public hearing for the FY 2022-2023 budget was opened at 7:03pm by Mayor Nellist.

General Fund-\$378,703 Tax Rate at \$7.70
Water Fund- \$84,769

TOTAL \$ 463,472

Mayor Nellist gave a brief description of what items were in the budget and the financial outlook on the present fiscal year. Some items in the budget include increased sidewalk funding for repair and replacement, establish an equipment reserve for DPW equipment, putting money back into fund balance. Many projects are coming to fruition this year and next like the rebuilding of the Village Hall/Library building, purchase of the street lighting assets to install LED smart street lighting and putting a pitched roof on the block DPW building. Neal Gordon stated the felt this board has done a good job overseeing the money of the Village.

The public hearing was closed at 7:06pm.

Resolution # 4-2022 Adoption of the FY 2022-2023 Budget and Set the Tax Rate

WHEREAS, the tentative budget for the fiscal year 2022-2023 has been duly presented to the Board of Trustees by the Budget Officer and

WHEREAS, a duly advised public hearing has been held thereon,

THEREFORE BE IT RESOLVED, pursuant to section 5-508 (4) of Village Law, that the said tentative budget as changed, altered and revised, be and hereby adopted as the Budget of the Village of Barker for the fiscal year 2022-2023

THEREFORE BE IT FURTHER RESOLVED that the tax rate for the fiscal year 2022-2023 budget be set at \$7.70 per thousand.

A motion to **adopt Resolution #4-2022** was made by Trustee Hirschman and was seconded by Trustee Quiett.

The previous was ADOPTED. AYES-4-Nellist,Davis,Hirshman,Quiett NAYS-0/None ABSENT-1-Corwin-Bradley
Motion Carried. Resolution Adopted.

The **Sales tax** received for March 2022 was \$12,311.09 an increase of \$2,830.96 from March 2021.

The **Approval of Minutes** for the Monthly Board Meeting March 14, 2022

Budget Session meeting held March 21, 2022

A **motion to approve the above minutes** was made by Trustee Davis and was seconded by Trustee

Hirschman. The previous was ADOPTED. AYES-4-Nellist,Davis,Hirshman,Quiett NAYS-0/None ABSENT-1-Corwin-Bradley Motion Carried.

Election Results: A total of 26 ballots were cast on Tuesday, March 15, 2022

Trustee: 2 year term-2 seats

Seanna Corwin-Bradley 24

David Quiett 26

Write In: None

Resolution #5-2022 Establishment of a Capital Reserve: AKA “Equipment Reserve Fund”

RESOLVED, that pursuant to Section 6-c of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the “Equipment Reserve Fund” (hereinafter “Reserve Fund”). The purpose of this Reserve Fund is to accumulate moneys to finance the cost of a type of equipment. The type of equipment to be financed from the Reserve Fund is the acquisition of any equipment for use by Department of Public Works including by way of example, but not limitation, trucks, mower tractors, wood chippers and tractors.

The Village Clerk-Treasurer is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The Clerk-Treasurer may invest the moneys in the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of the Village. Any interest earned for capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund. The Clerk-Treasurer shall account for the Reserve Fund in a manner which maintains the spate identity of the Reserve Fund and shows the date and mount of each sum paid into the fund, interest earned by the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Board a detailed report of the operation and condition of the Reserve Fund.

A brief discussion ensued about adding the reserve to the NYCLASS account, which will be done to accumulate interest.

A motion to **adopt Resolution #5-2022** was made by Trustee Quiett and was seconded by Trustee Hirschman. The previous was ADOPTED. AYES-4-Nellist,Davis,Hirshman,Quiett NAYS-0/None ABSENT-1-Corwin-Bradley Motion Carried. Resolution Adopted.

Resolution # 6-2022- Investment Policy

This policy is on file with the Village Clerk-Treasurer

A **motion to adopt Resolution #6-2022** was made by Trustee Davis and was seconded by Trustee Hirschman. The previous was ADOPTED. AYES-4-Nellist,Davis,Hirshman,Quiett NAYS-0/None ABSENT-1-Corwin-Bradley Motion Carried. Resolution Adopted.

Resolution # 7-2022- Procurement Policy

This policy is on file with the Village Clerk-Treasurer

A **motion to adopt Resolution #7-2022** was made by Trustee Hirschman and was seconded by Trustee Quiett. The previous was ADOPTED. AYES-4-Nellist,Davis,Hirshman,Quiett NAYS-0/None ABSENT-1-Corwin-Bradley Motion Carried. Resolution Adopted.

Resolution # 8-2022- Ethics Policy

This policy is on file with the Village Clerk-Treasurer

A **motion to adopt Resolution #8-2022** was made by Trustee Quiett and was seconded by Trustee Davis. The previous was ADOPTED. AYES-4-Nellist,Davis,Hirshman,Quiett NAYS-0/None ABSENT-1-Corwin-Bradley Motion Carried. Resolution Adopted.

Resolution # 9-2022- Fund Balance Policy

This policy is on file with the Village Clerk-Treasurer

A **motion to adopt Resolution #9-2022** was made by Trustee Hirschman and was seconded by Trustee Quiett. The previous was ADOPTED. AYES-4-Nellist,Davis,Hirshman,Quiett NAYS-0/None ABSENT-1-Corwin-Bradley Motion Carried. Resolution Adopted.

Resolution # 10-2022- Work Place Violence Prevention Policy

This policy is on file with the Village Clerk-Treasurer

The motion to adopt Resolution #10-2022 was made by Trustee Davis and was seconded by Trustee Hirschman. The previous was ADOPTED. AYES-4-Nellist,Davis,Hirshman,Quiett NAYS-0/None ABSENT-1-Corwin-Bradley Motion Carried. Resolution Adopted.

Resolution # 11-2022- Sexual Harassment Policy

This policy is on file with the Village Clerk-Treasurer

A **motion to adopt Resolution #11-2022** was made by Trustee Quiett and was seconded by Trustee Davis. The previous was ADOPTED. AYES-4-Nellist,Davis,Hirshman,Quiett NAYS-0/None ABSENT-1-Corwin-Bradley Motion Carried. Resolution Adopted.

Resolution #12-2022- Mileage Allowance

WHEREAS, the Board of Trustees has determined to pay a fixed rate for mileage as reimbursement to officers and employees of the Village who use their automobiles while performing their official duties on behalf of the Village of Barker; and

WHERAS, the rate determined by the IRS may change throughout the year, at any point shall the rate of reimbursement change it shall change the reimbursement allowed under Village Policy, as well.

NOW THEREFORE BE IT RESOLVED,

Section 1. That the Board of Trustees shall approve reimbursement to such officers and employees at the rate of 58.5 cents per mile.

Section 2. That this resolution takes effect immediately.

A **motion to adopt Resolution #12-2022** was made by Trustee Hirschman and was seconded by Trustee Quiett. The previous was ADOPTED. AYES-4-Nellist,Davis,Hirshman,Quiett NAYS-0/None ABSENT-1-Corwin-Bradley Motion Carried. Resolution Adopted.

Resolution #13-2022- Advanced Approval of Claims

WHEREAS, the Board of Trustees has determined to authorize payment in advance of audit claims for public utility services, postage, freight and express charges, and

WHEREAS, all such claims shall be presented at the next regular meeting for audit; and

WHEREAS, the claimant and officer incurring or approving the same shall be jointly and severally liable for any movement disallowed by the Board of Trustees;

NOW THEREFORE BE IT RESOLVED,

Section 1. That the Board of Trustees authorizes payment in advance of audit claims for public utility services, postage, freight and express charges and all such claims shall be presented at the next regular meeting for audit and the claimant and officer incurring or approving the same shall be jointly and severally liable for any amount disallowed by the Board of Trustees.

Section 2. That is resolution shall take effect immediately.

A **motion to adopt Resolution #14-2022** was made by Trustee Davis and was seconded by Trustee Hirschman.

The previous was ADOPTED. AYES-4-Nellist,Davis,Hirshman,Quiett NAYS-0/None ABSENT-1-Corwin-Bradley
Motion Carried. Resolution Adopted.

Resolution #14-2022- Attendance at Schools and Conferences

WHEREAS, there is to be held during the coming fiscal year:

New York State Conference of Mayors and Fall Training School for Fiscal Officers and Municipal Clerks

New York State Conference of Mayors Public Works Training School

New York Association of Local Government Records Officers

Niagara County Municipal Clerks Association meetings

Niagara County MuSIP Ad Hoc Advisory Committee

Niagara County Association of Town Highway Superintendents

Western New York Water Works Association

Western New York Fire Marshall's Inspectors Association

Niagara Frontier Building Officials Association

New York State Municipal Finance Officers Association

New York State Office of the State Comptroller

New York State Association of City and Village Clerks

New York State and Local Retirement System

International Municipal Clerks (IIMC) Approved Institute

WHEREAS, it is determined by the Board of Trustees that attendance by certain municipal officials and employees at one or more of these meetings, conferences or schools benefits the municipality;

NOW THEREFORE BE IT RESOLVED:

That the Superintendent of Public Works, Clerk-Treasurer, Deputy Clerk-Treasurer and Building Inspector be authorized to attend these previously names meetings with the understanding that their primary responsibilities to the Village are met. This resolution shall take effect immediately.

A **motion to adopt Resolution #14-2022** was made by Trustee Hirschman and was seconded by Trustee Quiett.

The previous was ADOPTED. AYES-4-Nellist,Davis,Hirshman,Quiett NAYS-0/None ABSENT-1-Corwin-Bradley
Motion Carried. Resolution Adopted.

Resolution #15-2022- Designation of Official Depository

WHEREAS, the Board of Trustees of the Village of Barker has determined that Village Law 4-412(3)(2) requires the designation of the banks or trust companies for the deposit of all Village monies;

NOW THEREFORE BE IT RESOLVED:

Section 1. That the Board of Trustees of the Village of Barker does hereby designate M&T as the depository of all money received by the Village Clerk-Treasurer

Section 2: That this resolution shall take effect immediately.

A **motion to adopt Resolution #15-2022** was made by Trustee Quiett and was seconded by Trustee Davis.

The previous was ADOPTED. AYES-4-Nellist,Davis,Hirshman,Quiett NAYS-0/None ABSENT-1-Corwin-Bradley
Motion Carried. Resolution Adopted.

Resolution # 16-2022- Setting the Monthly Meetings of the Village of Barker Board of Trustees, regular work sessions and setting the Annual Organizational Meeting

WHEREAS, the Village of Barker Board of Trustees meets on a monthly basis; and

WHEREAS a regular time and day for these meetings is necessary to provide public attendance

THEREFORE BE IT RESOLVED that the first Monday of the month is hereby established as the regular work session at six o'clock PM in the Village Hall/Police Station and

THEREORE BE IT RESOLVED that he monthly meetings of the Village of Barker Board of Trustees shall be held on the second Monday of each month at seven o'clock PM in the Barker Fire Hall and

THEREFORE BE IT FURTHER RESOLVED that the annual organizational meeting of the Village of Barker Board of Trustees shall be held on the first Monday of April at seven o'clock PM replacing the regular Board Meeting for April.

A **motion to adopt Resolution #16-2022** was made by Trustee Hirschman and was seconded by Trustee Quiett.

The previous was ADOPTED. AYES-4-Nellist,Davis,Hirshman,Quiett NAYS-0/None ABSENT-1-Corwin-Bradley
Motion Carried. Resolution Adopted.

Resolution #17-2022- Procedure for Calling Special Meetings

WHEREAS. It is not uncommon for special meetings to be necessary in the addition to the regular meetings of the Village of Barker Board of Trustees, and
WHEREAS, it is necessary, as well, to have a procedure for calling such meetings, and
WHEREAS, it is also necessary to notify the public and the news media of these special meetings,
THEREFORE BE IT RESOLVED, that these special meetings may be held at the request of the Mayor alone and/or at the request of two or more Trustees, and
THEREFORE BE IT FURTHER RESOLVED that the Clerk-Treasurer will notify each member individually and that in the absence of the Clerk-Treasurer, the Mayor will provide the notification and
That this resolution shall take effect immediately.

A **motion to adopt Resolution #17-2022** was made by Trustee Quiett and was seconded by Trustee Davis.
The previous was ADOPTED. AYES-4-Nellist,Davis,Hirshman,Quiett NAYS-0/None ABSENT-1-Corwin-Bradley
Motion Carried. Resolution Adopted.

Unpaid Water- Authorize the Clerk-Treasurer to collect unpaid water rents, delinquent as of April 1st, 2022 by sending the outstanding amounts to Niagara County Department of Real Property for placement on the Village Tax Roll. The total of unpaid amount as of April 1, 2022 is \$16,659.83
A **motion to authorize the Clerk-Treasurer to re-levy unpaid water rents to NC Real property** was made by Trustee Davis and was seconded by Trustee Quiett.
The previous was ADOPTED. AYES-4-Nellist,Davis,Hirshman,Quiett NAYS-0/None ABSENT-1-Corwin-Bradley
Motion Carried. Resolution Adopted.

Resolution #18-2022- Unpaid Water Accounts greater than \$1,000 authorization to Re-Levy onto Village Tax Roll for Collection

WHEREAS the Village is required pursuant to NYS Village Law § 11- 1118 to re-levy any unpaid water rents onto the upcoming Village tax bill and
WHEREAS, since the onset of COVID-19 in March of 2020 the Village has been unable to re-levy outstanding unpaid water account balances due to the moratorium on water service terminations and moratorium of re-levy of water accounts in 2021 creating large unpaid water account balances; and
WHEREAS the County of Niagara requires authorization to re-levy any delinquent water bill greater than \$1,000,
NOW THEREFORE BE IT RESOLVED, the Village of Barker Board of Trustees authorizes the Niagara County Real Property Department to re-levy all delinquent water accounts, including those owing over \$1,000, onto 2022-2023 Village tax bills.

A **motion to adopt Resolution #18-2022** was made by Trustee Davis and was seconded by Trustee Hirschman.
The previous was ADOPTED. AYES-4-Nellist,Davis,Hirshman,Quiett NAYS-0/None ABSENT-1-Corwin-Bradley
Motion Carried. Resolution Adopted.

The **Clerk-Treasurer’s Financial Reports** were reviewed and accepted by the Board of Trustees.
✓ Water bills will be mailed April 8th and are due May 10th without penalty
The Clerk-Treasurer gave a brief synopsis of the records management software demoed last week to help facilitate the storage, retrieval and adding documents to a central database. Since most of the documents came back digitally after the fire it’s hard to search them for specific information, this software would allow us to do a search with dates, key words or file type to find the information quickly. A quote has not been received as of yet.

The **Public Works Report** was reviewed and accepted by the Board of Trustees.
1st QTR 2022 water loss was 4.15%

The **Code Enforcement Report** was reviewed and accepted by the Board of Trustees.
4 property violations & 1 permit issued
Mayor Nellist spoke about the phone call her received from a resident of the Town about the Dollar General and the condition of the debris outside. Dollar General was violated for excess debris/rubbish and ordered to remedy the situation by April 11, 2022.

Correspondence:
PWT Restaurant-Liquor License Renewal letter
Seaman & Norris-Equipment Reserve Fund letter
Spectrum-billing changes
Charter Communications-Upcoming changes-March 18, 2022
Charter Communications-Updated programming changes-March 21, 2022
Charter Communications-packages with partial content
Charter Communications-Programming changes-March 29, 2022
Charter Communications-Programming change update-March 31, 2022
Charter Communications-Programming change-April 1, 2022
NC Gallonage Report

Approval of Claims and Bill Payment: Abstract 011 Voucher #’s 361-385 H3-Fund Voucher #52
General Fund-\$7,285.22 Water Fund-\$145.48 T&A Fund-\$1,400.29 H3-Fund-\$9,730.14TOTAL
\$18,561.13

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 Quiett.
The previous was ADOPTED. AYES-4-Nellist,Davis,Hirshman,Quiett NAYS-0/None ABSENT-1-Corwin-Bradley
Motion Carried.

Budget Transfers: A1325.4 Clerk-Contractual \$125.00 to A1325.42 Clerk-Supplies
A1325.43 Clerk-Training \$500.00 to A1325.42 Clerk-Supplies
A5110.1 Laborer PS \$3,000.00 to A1420.4 Law-Contractual
A8140.4 Storm Sewers \$995.00 to A1910.4 Insurance
A1620.41 Village Hall-Electric\$100.00 to A1620.42 Village Hall-Heat
A1450.4 Election Contractual \$80.00 to A1620.42 Village Hall-Heat
A1640.43 DPW-Vehicle Maintenance \$450.00 to A1640.41 DPW Gasoline
A1640.45 DPW-Miscellaneous \$500.00 to A1640.44 DPW-Heat
A7110.43 Parks-Miscellaneous \$1500.00 to A5182.4 Street Lighting

A **motion to approve the above budget transfers** was made by Trustee Hirschman and was seconded by Trustee Quiett. The previous was ADOPTED. AYES-4-Nellist,Davis,Hirshman,Quiett NAYS-0/None ABSENT-1-Corwin-Bradley Motion Carried.

Public Comment was offered by:

Neal Gordon: Inquired about switching legal counsel that could be more positive and proactive for the Village needs.

Board Comment was offered by:

Trustee Hirschman: Stated that the north end of the parking lot along Quaker Road of PWT restaurant is actually part of the park and should be seeded with trees placed as a barrier to separate the park from the restaurant's property. A discussion ensued and it was agreeable that the portion of the park be seeded with trees placed as a barrier.

Trustee Hirschman also stated she contacted the contractors from the previous DPW block building roof pitching quotes to verify information so the Village could make a decision. A **motion to award the work to RJKing LLC in the amount of \$18,060.00 with wood trusses on 2ft centers and 29 gauge metal** was made by Trustee Davis and was seconded by Trustee Hirschman. The previous was ADOPTED. AYES-4-Nellist,Davis,Hirshman,Quiett NAYS-0/None ABSENT-1-Corwin-Bradley Motion Carried.

MJP Contacting \$27,000.00
Granzow Construction \$42,775.33
RJKing LLC \$18,060 (wood trusses) or \$19,183 (metal trusses)

Trustee Quiett: Thanked everyone for their support during the Election process and he's looking forward to serving.

Mayor Nellist: Stated that 4/5/2022 a meeting with B&L to discuss changes to save money and get a better built building. He's been working with the contractor, lawyer and engineering firm.

Trustee Davis: Inquired about the part time DPW laborers attendance and stating they need to work more often to help our Mark. Changes can be made to the employee handbook and other policies if need be.

Trustee Davis gave a brief synopsis of the LED street lighting program. Additional insurance liability coverage needs to be added to give a 5 million per occurrence limit, as well as a letter stating self insured for workers compensation for national grid to allowing closing of the assets. The national grid process must close by May 25th to meet the deadline or the Village will have to start the entire process from scratch. The Village Board unanimously agreed to move forward with the street lighting asset through National Grid. A **motion to add the additional liability coverage** needed was made by Trustee Quiett and was seconded by Trustee Davis. The previous was ADOPTED. AYES-4-Nellist,Davis,Hirshman,Quiett NAYS-0/None ABSENT-1-Corwin-Bradley Motion Carried.

A **motion to allow Deputy Mayor Corwin-Bradley to sign the Customer Project Commitment with NYPA** was made by Trustee Hirschman and was seconded by Trustee Davis. The previous was ADOPTED. AYES-4-Nellist,Davis,Hirshman,Quiett NAYS-0/None ABSENT-1-Corwin-Bradley Motion Carried.

A **motion for Adjournment was made at 8:00pm** by Trustee Davis and was seconded by Trustee Hirschman. The previous was ADOPTED. AYES-4-Nellist,Davis,Hirshman,Quiett NAYS-0/None ABSENT-1-Corwin-Bradley Motion Carried.

Next special meeting will be Monday, May 2, 2022@ 6:00pm @ the Barker Fire Department
***Public hearing on the harboring of hen chickens within the limits of the Village**

Next regularly scheduled meeting will be Monday, May 9, 2022 @ 7:00pm at the Barker Fire Hall

Respectfully Submitted,

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