

# VILLAGE OF BARKER BOARD OF TRUSTEES

## REGULAR MEETING MINUTES



July 11, 2022 7:00PM  
@ Barker Fire Hall

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

**In Attendance:** DPW Superintendent Mark Remington, Deputy Clerk-Treasurer Ruth Dent, Neal Gordon, Juli Wilson, Kent Wakefield, Phyllis Hildebrant, Lisa Thompson and Kathie Smith arrived at 7:15pm. All 5 members of the Board of Trustees present.

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

The Sales tax received for May 2022 was \$15,304.79 an increase of \$3,485.47 over May 2021.

The **Approval of Minutes** for the monthly board meeting held June 13, 2022 was motioned for approval by Trustee Davis and was seconded by Trustee Quiett.

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

### **Resolution #19-2022**

#### **Authorizing a Public Hearing to Discuss Applying for a Community Development Block Grant**

Authorize a Public Hearing to discuss community development needs, and to discuss the possible submission of one or more Community Development Block Grant (CDBG) applications for the 2022 program year.

A **motion to ADOPT Resolution #19-2022** was made by Deputy Mayor Corwin-Bradley and was seconded by Trustee Hirschman.

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

### **Resolution #20-2022 Opening the Public Hearing for Community Development Block Grant Application**

Opening the Public Hearing for Community Development Block Grant Application.

A **motion to ADOPT Resolution #20-2022** was made by Trustee Davis and was seconded by Deputy Mayor Corwin-Bradley.

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

**PUBLIC HEARING:** The public hearing was opened at 7:01pm by Mayor Nellist.

#### **FY 2022 Community Block Grant Application-Drainage system study of the Village of Barker**

Stormwater study due to poor drainage and extensive flooding within the Village. This study will help plan a capital improvement project and will be used to leverage additional grant funding.

The following comments were made during the Public Hearing:

Juli Wilson: Inquired about how long it will take to hear if the Village receives this grant. Mayor Nellist clarified that this grant is to conduct a study of the existing drainage system and make advisements on how it can be remediated and/or replaced to better serve the Village's drainage needs. Mayor Nellist also stated that it's the third time applying for this through CDBG, which is highly competitive.

Kent Wakefield: Stated that the Lion's Club building at end of Main Street and East Avenue is having significant problems with drainage this past year. Mr. Wakefield stated there's been an uptick in water movement in the driveway and has led to water inside the building, which needs to be resolved. Mr. Wakefield asked that the existing drains be examined for clogs or breaks by DPW Superintendent Mark Remington. Mayor Nellist stated if the grant is received for the study, it could be used to apply for funding to complete the work. Mayor Nellist stated that over the years the Village has had to rank and prioritize projects and drainage has always been high on the list, but it comes with a high price tag. The Village applied for grant funding in 2013 to remediate the stormwater drainage system, which was denied. The Village has also applied for this particular grant since 2020 to present. Mayor Nellist stated DPW Superintendent Mark Remington will call for a dig request and excavate the area of the current drain to see if a repair is needed to help drain the water in that area.

### **Resolution #21-2022 Closing the Public Hearing for Community Development Block Grant Application**

Closing the Public Hearing for Community Development Block Grant Application at 7:12pm.

A **motion to ADOPT Resolution #21-2022** was made by Trustee Davis and was seconded by Trustee Hirschman.

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

### **Resolution #22-2022 CDBG Grant Application Signatory**

WHEREAS, the Village of Barker has held a public hearing to obtain citizen's views in relation to the application for funds; and

WHEREAS, the NYS Office of Community Renewal application process requires that the governing body of the applicant authorize the submission of the application and related actions.

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees for the Village of Barker hereby authorizes the Mayor of the Village of Barker to submit an application to the NYS Office of Community Renewal and to act in connection with the submission of the application, including the execution of all required certifications and forms and to provide such additional information as may be required

A **motion to ADOPT Resolution #22-2022** was made by Deputy Mayor Corwin-Bradley and was seconded by Trustee Quiett.

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

**Resolution #23-2022 Commitment of Funds to CDBG Grant if Awarded**

Committing the Village of Barker to provide a cash match of **\$2,500.00** if awarded a Community Planning Community Development Block Grant to study and analyze the Village of Barker’s stormwater drainage system and necessary remediation plans.

A **motion to ADOPT Resolution #23-2022** was made by Deputy Mayor Corwin-Bradley and was seconded by Trustee Hirschman.

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

**Local Law #2-2022: A Local Law Allowing for the Harboring of Hen Chickens within the Village of Barker**

*Vote will take place at the August 8, 2022 Board Meeting at 7:00pm at the Barker Fire Hall* in order to give the public enough notice to attend the meeting.

**NYPA SMART STREET LIGHTING (LED) PROJECT update & discussion**

The quote obtained to switch our workers comp coverage to a company that would provide a waiver of subrogation is substantially more than we pay currently. We typically pay between \$1,000 to \$1200 with Niagara County, the quote is over \$5000 with divided sharing returned after 9 months to bring it down to approximately \$3500. The increased cost of the property and liability insurance should be considered, as well. Since, the Village had to increase the limits to 4,000,000/8,000,000 per occurrence to meet the requirements for National Grid. There are three options on how to proceed:

- 1. Close with national grid and adjust all pricing at that time & start the purchase procedure all over again
- 2. Enter agreement and have National Grid Replace their lights to LED and you benefit from lower energy use.
- 3. Cancel with NYPA and pay for services rendered thus far, approximately \$5,500

An extensive discussion ensued about the NYPA Smart Street Lighting Project and the best option for the Village to move forward. A timeline of events that led to the downfall of the project were explained to the residents in attendance. Trustee Davis stated that he felt the Village should pay NYPA for services rendered and enroll in the National Grid LED streetlighting program, which will give the Village a slight savings compared to what the Village currently pays. Trustee Davis expressed that too much of the savings through the NYPA program would be eaten up by insurance costs to comply with National Grids requirements to purchase the assets outright. The approximate cost annually to comply with the insurance requirements would be \$4,700 annually out of a \$5,000-6,000 savings for switching to LED streetlighting with Village owned assets. Mayor Nellist inquired as to tabling the decision until August to see if local representatives could help with the issue of NC MuSIP not providing a waiver of subrogation for the workers compensation insurance. The decision can be tabled until August, which is what the Board of Trustees chose.

**Resolution #24-2022**

**Village of Barker & Barker Public Library Building Phase I- Approval of Change Order #1-6**

MCO 1: Substitute metal clad doors and windows with hollow metal doors and vinyl windows.

MCO 2: Additional excavation for footings and foundation walls to accommodate the structural change (MCO 4)including the removal of excavated material off site.

MCO 3: Additional concrete for footings and foundation walls to accommodate the structural change (MCO 4).

MCO 4: Substitute pole barn structure with prefabricated conventional framed structure.

MCO 5: Addition of under slab plumbing.

MCO 6: Addition of under slab electrical.

Change Order Cost:

MCO 1: (\$12,126.00)

MCO 2: \$11,420.00

MCO 3: \$5,130.00

MCO 4: (\$32,300.00)

MCO 5: \$13,393.00

MCO 6: \$3,609.00

(\$10,874.00)

Revised Contract Amount:

Original Contract Amount = \$450,073.00

Change Order #1-6 Amount = (\$10,874.00)

Revised Contract Amount = \$439,199.00

Trustee Davis inquired as to the security level of the hollow metal doors versus the metal clad doors. Mayor Nellist stated the metal clad doors were a 50 week led time and the hollow metal doors were just as secure as doors on residential houses. Mayor Nellist stated that the Village is receiving a better building due to these change orders.

A **motion to ADOPT Resolution #24-2022 accepting change orders #1-6** was made by Trustee Quiett and was seconded by Trustee Davis.

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

**Resolution #25-2022**

**Village of Barker & Barker Public Library Building Phase I- Approval of Change Order #7**

MCO 7: Standing seam metal roof upgrade difference from Best Rib metal roof with drywall installed on interior ceiling

Revised Contract Amount:

Original Contract Amount = \$450,073.00

Revised Contract Amount #1-6 = \$439,199.00

Change Order #7= \$41,597.00

Revised Contract Amount= \$480,796.00

Mayor Nellist stated he has learned a lot about building during this process. The contractor pushed the better roof system of standing seam, which is better and less likely to leak, versus the best rib system. A standing seam roof will be less maintenance than the best rib, but required some changes to the roof design to accommodate the standing

seam. The perlings were moved to the right position, blocking installed every 2ft and by sheeting the interior ceiling with drywall now it will lock in the roofing system, therefore the increase in change order #7.  
A **motion to ADOPT Resolution #25-2022 accepting change order #7** was made by Deputy Mayor Corwin-Bradley and was seconded by Trustee Hirschman.  
The previous was ADOPTED. AYES-Nellist,Corwin-Bradley,Davis,Hirschman,Quiett NAYS-0/None 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, 2022, at 5%, August 6%, September 7% and October 8%. Any taxes remaining unpaid as of November 1<sup>st</sup> will be re-levied onto the Town/County taxes in January
- Water bills for 2<sup>nd</sup> quarter 2022 (April-June) were mailed out on July 8 and are due August 10, 2022, without penalty
- A Board Audit of the financial records of the Clerk-Treasurer FY 2021-2022 was scheduled for August 1, 2022 at 4:30pm at the Village Hall

Permission for both Clerk-Treasurer and Deputy Clerk-Treasurer to attend NYCOM Fall Training School September 12-16, 2022 and close the Village Hall Office September 12-16, 2022 was given in April at the annual organizational meeting, Resolution #14-2022.

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

2<sup>nd</sup> QR 2022 water loss was 4.52%

Mayor Nellist inquired about the weed eater repair at Gordon Fisk and if it would be cost effective to purchase a new one. The bulb has been replaced in front of the Gazebo, as well.

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

3 violations sent regarding tall grass  
3 appearance tickets issued for unresolved violations  
4 building permits issued: 2 roofs, a remodel & a pavilion  
2 inspections completed

**Correspondence:** Town of Somerset Public Hearing Notice-NC Sheriffs radio network tower-June 20, 2022  
Municipal Clerks Honor Roll awarded to Amanda Detschner]  
NYSEG Natural Gas Safety materials  
Barker Lions Club-Letter asking for remediation of the drainage issue by the Lions’ Club building

A brief discussion about the drainage issue in the letter from the Lions Club ensued as a continuation of the public hearing discussion. Mayor Nellist stated that the Village will call for a stakeout, then the Village will call the Town of Somerset water department for excavation assistance and hopefully an easy repair will alleviate the problem. Goal date for repair done by August 8<sup>th</sup>.

NC Gallonage Report

**Approval of Claims and Bill Payment:** Abstract 002 Voucher #'s 25-63 H3-Fund Abstract #55  
General Fund-\$9,553.86 Water Fund-\$3,313.70 T&A Fund-\$700.00 H3-Fund-\$288,916.60  
TOTAL \$302,484.16

A **motion to approve the above claims and bill payment audited by the entire Board of Trustees** was made by Trustee Davis and was seconded by Deputy Mayor Corwin-Bradley.  
The previous was ADOPTED. AYES-Nellist,Corwin-Bradley,Davis,Hirschman,Quiett NAYS-0/None Motion Carried

**Public Comment** was made by:

Kathie Smith: Stated the Library is working on community outreach and would like as much input as possible from the surrounding community on what the Library should be moving forward, especially now that the new facility construction is underway. Mrs. Smith inquired about Phase II for the new building. Mayor Nellist stated that the proposal from Barton & Loguidice wasn’t received until Friday, July 8<sup>th</sup> after the office had closed and was forwarded to Dan Seman for review.

Phyllis Hildebrant: Inquired about the procedure for the chicken law vote next month. Particularly if a public comment will be open before the Board of Trustees votes on the subject. Mayor Nellist stated he will allow public comment before the Board votes on the local law. Only the Board of Trustees members will vote on the proposed law.

Neal Gordon: Stated regarding the drainage issue at the end of Main Street and East Avenue, as time progresses the Lion’s Club building hasn’t changed, but the landscape around has for example driveways installed and the road has been paved. These factors can play a role in drainage, as well.

**Board Comment** was offered by:

Trustee Hirschman: Miracle recreation is putting together a quote and a visual for a 4 bay swing set in David Barker Park with a baby seat and 3 regular seats.

Trustee Davis: Stated he is in charge of the 5K Cornfest race on August 13<sup>th</sup> at 9:00am. The race route will be Main Street down East Ave, left on Coleman and back to the starting point.

A motion for **Adjournment was made at 8:02pm** by Deputy Mayor Corwin-Bradley and was seconded by Trustee Hirschman.  
The previous was ADOPTED. AYES-Nellist,Corwin-Bradley,Davis,Hirschman,Quiett NAYS-0/None Motion Carried

**Next work session will be Monday, August 1, 2022 at 6:00pm at the Barker Fire Hall**  
**Next regularly scheduled meeting will be Monday, August 8, 2022 at 7:00pm at the Barker Fire Hall**

Respectfully Submitted,

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