

# VILLAGE OF BARKER WORK SESSION MINUTES



June 6, 2022

6:00pm @Barker Fire Department

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

In **Attendance**: DPW Superintendent Mark Remington, Deputy Clerk-Treasurer Ruth Dent and 6 Participation in Government Students. Deputy Mayor Corwin-Bradley was absent.

The **meeting was opened at 6:00pm** by Mayor Nellist administering the pledge of allegiance.

The **NYS DOS LGE Grant that was awarded to the Village and Barker Public Library in the amount of \$400,000** has stipulations that must be followed, which will lead to phase II bidding of the new Village Hall and Library building. Barton & Loguidice has been notified and the Village is awaiting their response.

The **Niagara County Hazard Mitigation Plan update** has been completed and the launch meeting is June 9, 2022 at 6:00pm via the registration link and will be held via Zoom. The Village has completed all the required worksheets and a draft the plan can be viewed at <https://niagara.mitigateny.org/>. The Village's part focuses on flooding due to Golden Hill Creek and drainage issues, which also impact Town of Somerset residents due to our proximity.

**NYCOM Fall Training School is September 12-16, 2022.** A brief discussion ensued about the conference and who from the Board would be attending. **By general consensus the September Board meeting will be moved to Wednesday, September 7, 2022 at 7:00pm at the Barker Fire Hall** from Monday, September 12, 2022 due to Fall Training School attendance.

**Mayor Nellist proposed a Sidewalk Incentive Program idea** of the Village and Homeowner splitting the cost of replacing sidewalks in front of homes/property. It clearly states in the Village code that sidewalks are the responsibility of the homeowner to repair and clear the snow, but by proposing a shared cost more sidewalks could be repaired at the same expense to the Village. A discussion ensued about pros and cons of offering such a program. The money would be on a first come first serve basis and if the money was exhausted a waiting list for next fiscal year would be created. Trustee Quiett stated some sidewalks need to be raised so they don't pool or flood, while others just need replacement. Trustee Hirschman stated some residents would take advantage of this and some will choose not to or just wait until the Village will foot the bill for the replacement. Trustee Hirschman inquired about the aesthetic appeal of the sidewalks if some choose to fix and others don't, won't it cause problems with uneven height? Mayor Nellist stated an edge could be beveled to fix that issue and when the other part is repaired cut it at the bevel and then pour from there on. Trustee Davis stated that there will be homeowners that will not be able to afford the repair and there will be some that can. This is an acceptable program according to the Village's counsel.

No **Public Comment** was offered.

**Board Comment** was offered by:

Trustee Quiett: Inquired about what would it take to expand the playground in David Barker Park. Mayor Nellist stated we would just have to budget for it and have it installed. Trustee Hirschman stated she contacted a couple companies about the price of swing sets for the park and she hasn't received any information back. There are many kinds of swings we would have to pick from adaptive, child and/or adult.

Trustee Hirschman: stated the results of the chicken survey are 57% opposed and 42% in favor of allowing harboring of hen chickens in the Village. She also asked if a new road sign for High Street has been ordered. DPW is in possession of the sign and it needs to be installed.

A motion for **Adjournment was made at 6:22pm** by Trustee Davis and was seconded by Trustee Quiett. The previous was ADOPTED. AYES-4-Nellist,Davis,Hirschman,Quiett NAYS-0/None ABSENT-1-Corwin-Bradley Motion Carried.

**Next meeting is the Monthly Board Meeting, Monday, June 13, 2022 @ Barker Fire Hall at 7:00pm**

Respectfully Submitted,

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



# VILLAGE OF BARKER BOARD OF TRUSTEES

## REGULAR MEETING MINUTES

June 13, 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:** DPW Superintendent Mark Remington, Deputy Clerk-Treasurer Ruth Dent, Attorney Daniel Seman, Peter Cabera, Beth & Bill Ingham. Deputy Mayor Corwin-Bradley was absent.

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 \$15,094.72 an increase of \$3,690.16 from May 2021.

The **Approval of Minutes for the monthly board meeting May 9, 2022** was motioned for approval by Trustee Hirschman and was seconded by Trustee Davis.  
The previous was ADOPTED. AYES-4-Nellist,Davis,Hirschman,Quiett NAYS-0/None ABSENT-1-Corwin-Bradley.  
Motion Carried.

The **Approval of Minutes for the special meeting held May 31, 2022** was motioned for approval by Trustee Quiett and was seconded by Trustee Hirschman.  
The previous was ADOPTED. AYES-4-Nellist,Davis,Hirschman,Quiett NAYS-0/None ABSENT-1-Corwin-Bradley.  
Motion Carried.

The **Local Law #-2022: A Local Law Allowing for the Harboring of Hen Chickens within the Village of Barker** was tabled for discussion and voting due to the absence of a Board member due to unforeseen circumstances. Mayor Nellist stated the rescheduling of the vote will be in the near future and at least a weeks' notice will be given to the public so they may participate in the meeting. Trustee Hirschman stated the results of the survey are 62% opposed and 37% in favor of harboring chickens in the Village with the majority of residents responses being concerned about smell and neighbor disputes.

A **motion to accept the final lease agreement between the Village of Barker and the Barker Public Library and to authorize the Mayor to execute necessary documents** was made by Trustee Davis and was seconded by Trustee Hirschman.  
The previous was ADOPTED. AYES-4-Nellist,Davis,Hirschman,Quiett NAYS-0/None ABSENT-1-Corwin-Bradley.  
Motion Carried.

An update on the **NYPA Smart Street Lighting Project** was given by Clerk-Treasurer Detschner. Unfortunately after a lengthy 2 ½ year process, the purchase of the street lighting assets from National Grid will fall through. This was due to NC MuSIP not providing a waiver of subrogation for worker's compensation insurance, which was the last document needed to close on the assets with National Grid. Clerk-Treasurer Detschner tried for 7 weeks to get the last of the workers compensation documents together to submit to National Grid, but was unsuccessful. Attorney Daniel Seaman was involved in trying to secure the waiver of subrogation, as well. Since the Village would have a contract for a company to install the LED light fixtures, as well as a maintenance contract there would be zero risk of Village employees getting hurt because of this program. The reason the Village choose to go with the NYPA program versus the National Grid program is that the NYPA program will allow the Village to see a large savings earlier and longer than the National Grid Program. Full payment and all necessary documents needed to be submitted to National Grid before Friday, June 10<sup>th</sup>, 2022 for the sale of the assets to close by June 20<sup>th</sup>, 2022. Now the Village will have to start the entire purchase process over again and explore workers compensation insurance alternatives to see if the issue of providing the waiver of subrogation can be resolved. The Village has already proceeded with NYPA program and must complete the program or pay for services rendered.

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

- Village Tax collection is underway, residents can pay without penalty until July 1, 2022, and then 5% penalty for the month of July, 6% for the month of August, 7% for the month of September, 8% for the month of October. Any unpaid tax amounts as of November 1, 2022, will be turned over to NC treasurer for collection in January on the Town/County tax roll.
- Ended FY 2021-2022 in good shape for both general fund and water fund

General	Water
Revenues=\$373,882.24	Revenues=\$89,643.88
Expenditures=\$317,079.24	Expenditures=\$74,652.22
Difference = \$56,803.00	Difference = \$14,991.66

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

A motion to **accept resignation of Jacob Laskey as DPW Laborer** was made by Trustee Davis and was seconded by Trustee Quiett.

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

Mayor Nellist thanked Superintendent Remington for chipping before the Memorial Day Holiday and stated that Michael Diez was hired to the DPW crew. Trustee Hirschman stated the flowers along Main Street, in David Barker Park and the Lake Park look beautiful.

The **Code Enforcement Report** was reviewed and accepted by the Board of Trustees.  
3 violations sent to residents, 3 appearance tickets, 2 permit inspections and 4 permits issued: 2 roofs, a remodel, and an installation of a pavilion

**Correspondence:** Thank you letter-Herbert W. Carr Post 425 American Legion  
NYS DOT- Pave Our Potholes (POP) Program apportionment  
Seaman & Norris-NYS DOS LGE Grant review  
NC Treasurer- June 2022 Mortgage Tax Distribution  
Association of Towns-Amendments to Open Meetings Law and Videoconferencing  
NYMIR- Notice of Policy Conditional Renewal- May 26, 2022  
NC Gallonage Report  
Charter Communications upcoming program/fee changes-May 11, 2022  
Charter Communications upcoming program/fee changes-May 27, 2022  
Charter Communications upcoming program/fee changes-June 10, 2022

**Approval of Claims and Bill Payment:**

FY END 2021-2022

Abstract 013 Voucher #'s 433-465 H3 Fund Voucher #54  
General Fund-\$24,893.98 Water Fund-\$872.18 T&A Fund-\$1,400.00 H3 Fund-\$12,495.00 TOTAL  
\$39,661.16

A **motion to approve the above claims and bill payment for FY END 2021-2022 audited by the entire Board of Trustees present** was made by Trustee Hirschman and seconded by Trustee Quiett.  
The previous was ADOPTED. AYES-4-Nellist,Davis,Hirschman,Quiett NAYS-0/None ABSENT-1-Corwin-Bradley. Motion Carried.

FY BEGIN 2022-2023

Abstract 001 Voucher #'s 1-24  
General Fund-\$16,784.43 Water Fund-\$30,811.21 T&A Fund-\$700.00 TOTAL \$18,295.64

A **motion to approve the above claims and bill payment for FY BEGIN 2022-2023 audited by the entire Board of Trustees present** was made by Trustee Davis and was seconded by Trustee Hirschman.  
The previous was ADOPTED. AYES-4-Nellist,Davis,Hirschman,Quiett NAYS-0/None ABSENT-1-Corwin-Bradley. Motion Carried.

**Budget Transfers:**

FY 2021-2022 End

A1325.43 Clerk- Training \$36.00 to A1325.41 Clerk-Telephone  
A1010.4 Board of Trustees Contractual \$134.00 to A1325.42 Clerk-Supplies  
A1640.45 DPW Garage-Misc. \$67.00 to A1640.44 DPW Garage-Heat  
A3120.45 Police Supplies \$640.00 to A3120.47 Police Bldg. Maintenance  
A6410.4 Publicity Contractual \$59.00 to A5182.45 Street Lighting Contractual

A **motion to approve the above budget transfers to end FY 2021-2022** was made by Trustee Quiett and was seconded by Trustee Hirschman.  
The previous was ADOPTED. AYES-4-Nellist,Davis,Hirschman,Quiett NAYS-0/None ABSENT-1-Corwin-Bradley. Motion Carried.

**Public Comment** was offered by:

Peter Cabera: Stated this is the first meeting he’s attended in 17 years. Mr. Cabera stated that someone has chickens in the Village already and that he himself had chickens before he knew about the Village Code against harboring chickens. Stated that hens will make noise, but if you buy chickens in a store you cannot care about how the chickens are treated, therefore people should be allowed to have chickens on their own property. Mr. Cabera also stated that he felt the 80 feet from a dwelling is too restrictive because under those rules he would not be able to abide. Mr. Cabera stated that in his opinion nothing is going on in Barker and if people want to have chickens, they should be able to in our rural community.

Beth and Bill Ingham: Stated they believe chickens should not be allowed in the Village. They also hear chickens around them, by allowing chickens in the Village predators such as fox, rats, coyotes, racoons, opossums etc. would be drawn to the Village. The Inghams stated the Village is not a rural farming community, it’s an urban setting compared to the Town of Somerset and that if the chicken law passes the Village Board is asking for trouble. Beth Ingham stated he neighbor suggested all the people in the Village that want to harbor chickens get together and purchase a plot of land in the Town and have a chicken co-op.

**Board Comment** was offered by:

Trustee Hirschman: Stated that the chicken harboring would only be allowed under a permitting process, which would not be easy and could be revoked at any time. Neighbor disputes may happen, but the Board will have to cross that bridge if it happens. Trustee Hirschman also stated she obtained a price for a 2 seat swing set for David Barker Park, \$3,168.00 with one adaptive seat and one regular swing seat. Trustee Davis asked her to investigate a 3 or 4 seat swing set. Mayor Nellist asked for pictures and about the footprint needed, as well.

Mayor Nellist: Stated he as no interest in dragging out the vote for the harboring of chicken local law and as soon as the vote is scheduled, he will give notice to the public. Also, a light in front of the Main Street Gazebo is out again.

Trustee Quiett: Inquired about how to obtain a hometown hero’s banner.

A **motion for adjournment was made at 7:39pm** by Trustee Davis and was seconded by Trustee Hirschman.  
The previous was ADOPTED. AYES-4-Nellist,Davis,Hirschman,Quiett NAYS-0/None ABSENT-1-Corwin-Bradley. Motion Carried.

**Next work session is CANCELED due to the 4<sup>th</sup> of July Holiday.**  
**Next regularly scheduled meeting will be Monday, July 11, 2022 at 7:00pm at the Barker Fire Hall.**

Respectfully Submitted,

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