

VILLAGE OF BARKER BOARD OF TRUSTEES ANNUAL ORGANIZATIONAL MEETING MINUTES

APRIL 6, 2015 7:00PM



Mayor Aaron Nellist
Deputy Mayor Janice Rider
Trustee Gregory P. Kerth
Trustee Scott Matheis
Trustee Kimberly Ruffini

In **attendance**: Chief of Police W. Ross Annable, DPW Superintendent Mark Remington, Deputy Clerk-Treasurer Vicky Baker, Town Justice Donald Martineck, Mark and Kolt Wilson, Heather and Willard Nellist, Daniel Nellist and the following Participation in Government Students: Brittany Luczak, Tanner Gregoire, Samantha Wagner, Victoria Westlake, Kelsi Flegal, Gina Mountain, Patricia Bautista, Luz Bautista, Paige Congs, Monique Vargas and Abby Voss.

The **meeting was opened** with the Pledge of Allegiance administered by Mayor Nellist at 7:00pm.

The **Oath of office** for Mayor Aaron Nellist, Trustee Scott Matheis and Trustee Gregory Kerth was administered by Town Justice Donald P. Martineck.

Mayoral Appointment:

Deputy Mayor-Janice Rider

Mayoral Appointments to be approved by the Board of Trustees:

Clerk-Treasurer- Amanda M. Detschner- 2 Year Term
Deputy Clerk-Treasurer- Victoria A. Baker -2 Year Term
Code Enforcement Officer- Mark Remington -1 Year Term
Village Historian- Peter Devereaux- 1 Year Term
Planning Board- Phyllis Hildebrant-5 year Term
Planning Board- Art Harris-5 Year Term
Registrar- Tracy Carmer -2 Year Term
Official Newspaper- Lockport Union Sun and Journal
Village Attorney- Daniel E. Seaman & Brian Seaman, Esq.
Alternate Village Attorney (Town Disputes)-Tom Casserta, Esq.
Village Engineer – Chatfield Engineers

Approval by Board of Trustees was moved by Trustee Matheis and seconded by Trustee Kerth. All voted aye and approved the appointments.

Oath of Office for Mayoral Appointments was administered by Town Justice Donald P. Martineck.

Mayoral Assignments for the Board of Trustees

Deputy Mayor - Grant Research, Policies and Procedures
Trustee Kerth - Infrastructure, Water and Property Maintenance
Trustee Rider - Parks and Recreation, Main Street Beautification
Trustee Ruffini - Equipment and Fixed Assets

The PUBLIC HEARING FOR THE TENTATIVE BUDGET FY June 1, 2015- May 31, 2016 was opened at 7:07pm. No public comment was offered. The Public Hearing was closed at 7:08pm.

General Fund- 341,736.00
Water Fund- 99,964.00
TOTAL- 441,700.00

Adoption of the Budget Resolution #7-2015

WHEREAS the tentative budget for the year 2015-2016 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 the Village Law, that the said tentative budget, as changed, altered, and revised, be and hereby is adopted as the Budget of the Village of Barker for the year 2015/2016.

Trustee Kerth motioned for adoption of resolution #7-2015 and a second was offered by Trustee Matheis. A unanimous voted followed to carry the resolution.

The tax rate for the Fiscal Year 2015/2016 was motioned for approval at \$7.25, Deputy Mayor Rider motioned and a second was offered by Trustee Kerth. All voted in favor carrying the motion.

Past Deputy Mayor Mark Wilson was honored for his years of service and dedication to the Village. He was presented with a certificate of appreciation.

Sales Tax from Niagara County for February was \$9,149.11 an increase of \$270.83 from February 2014.

The **Approval of Minutes** for the March 9th Monthly Board Meeting submitted by Deputy Clerk-Treasurer Victoria Baker was motioned for approval by Deputy Mayor Rider and seconded by Trustee Kerth. A unanimous vote followed to carry the motion.

The **Approval of Minutes** for the March 24, 2015 Special Meeting submitted by Clerk-Treasurer Amanda Detschner was motioned for approval by Trustee Matheis and a second was offered by Trustee Ruffini. All voted aye to carry the motion.

Election Results: A total of 95 ballots were cast on Wednesday, March 18th, 2015. The results of the Mayoral race (2 year term) were as follows: Herbert Meyer 42 and Aaron Nellist 52 votes. The results for the two Trustee positions (2 year terms) were as follows: Gregory Kerth 78 and Scott Matheis 86 votes.

Investment Policy-Resolution #8-2015

The adoption of this Policy was approved on a motion from Deputy Mayor Rider and a seconded was offered by Trustee Matheis. All voted in favor to carry the motion.

This policy is on file with the Village Clerk.

Procurement Policy- Resolution #9-2015

The adoption of this Policy was approved on a motion from Trustee Kerth and a second was offered by Deputy Mayor Rider. A unanimous vote carried the motion.

This policy is also on file with the Village Clerk.

Mileage Allowance-Resolution #10-2015

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 personal automobiles while performing their official duties on behalf of the Village of Barker.

NOW THEREFORE BE IT RESOLVED:

Section 1. That the Board of Trustees shall approve reimbursement to such officers and employees at the rate of .57 per mile.

Section 2. That this resolution shall take effect immediately.

Deputy Mayor Rider moved to approve Resolution #10-2015 and Trustee Matheis seconded the motion. All voted aye, resolution carried.

Advanced Approval of Claims- Resolution #11-2015

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

WHEREAS all such claims shall be presented to 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 of 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 this resolution shall take effect immediately.

Trustee Matheis moved to approve Resolution #11-2015 and a second was offered by Deputy Mayor Rider. All voted in favor to carry the resolution.

Attendance at Schools and Conferences- Resolution #12-2015

WHEREAS there is to be held during the coming official year

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

Niagara County Municipal Clerks Association meetings

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

Cornell Municipal Clerks Institute

Etc. and

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 benefit 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 named meetings with the understanding that their primary responsibilities to the Village are met.

This resolution shall take effect immediately.

Trustee Kerth moved to approve Resolution #12-2015 and seconded by Trustee Matheis. A unanimous vote followed to carry the resolution.

Designation of Official Depository- Resolution #13-2015

WHEREAS the Board of Trustees of the Village of Barker has determined that Village Law 4-412(3) (2) requires the designation of 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 Key Bank as the depository of all money received the Village Clerk-Treasurer.

Section 2: That this resolution shall take effect immediately.

Deputy Mayor Rider moved to approve Resolution #13-2015 and a second was offered by Trustee Kerth. All voted aye to carry the resolution.

Resolution #14-2015

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 for public attendance

THEREFORE BE IT RESOLVED that the Monday preceding the regular monthly meeting is hereby established as the regular work session at six o'clock PM in the Village Hall and

THEREFORE BE IT RESOLVED that the 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 Village 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.

Trustee Matheis moved to approve Resolution #14-2015 and seconded by Deputy Mayor Rider. All voted in favor and adopted said resolution.

Procedure for calling of Special Meetings-Resolution #15-2015

WHEREAS, it is not uncommon for special meetings to be necessary in 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 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 will notify each member individually and that in the absence of the Clerk, the Mayor will provide the notification and

That this resolution shall take effect immediately.

Trustee Matheis moved to approve Resolution #15-2015 and a second was offered by Trustee Ruffini. All voted aye to carry the resolution.

Village of Barker Farmers Market - Resolution #16-2015

WHEREAS, since 2005 the Village's David Barker Park has played host to a lovely Farmers Market, and

WHEREAS, the Farmers Market drew people into the Village weekly to purchase local goods, and

WHEREAS, new leadership is needed to organize and manage the Farmers Market, and

WHEREAS, the Village of Barker will now facilitate the role through the Village Office, specifically the Clerk-Treasurer and Trustee Ruffini, and

WHEREAS, the Farmers Market will be on Thursdays from 5:00-7:30pm, and

WHEREAS, the Village of Barker's Farmer Market will only allow vendors to sell farm produce, food products or nursery products, and

NOW THEREFORE BE IT RESOLVED that the Village of Barker and its agents are in charge of the Farmers Market starting this 2015 season.

Deputy Mayor Rider moved to approve Resolution #16-2015 and seconded by Trustee Kerth. A unanimous voted followed to carry the resolution.

County Wide Tax Freeze Efficiency Plan Participation- Resolution #17-2015

WHEREAS, Governor Andrew Cuomo and the New York State Legislature enacted the Property Tax Freeze Credit to provide property tax refunds to homeowners as part of the 2014-2015 State Budget: and

WHEREAS, the new law encourages local governments to generate long-term tax relief for taxpayers by sharing services, consolidating or merging, and demonstrating and implementing operational efficiencies; and

WHEREAS, in year one of the program, which is 2015 for local governments, homeowners will receive the Freeze Credit if their local government stays within the property tax cap; and

WHEREAS, in year two of the program, which is 2016 for local governments, homeowners will receive the Freeze Credit for property taxes from any taxing jurisdiction in which the homeowner resides that stays within the property tax cap and puts forward a State-approved Government Efficiency Plan demonstrating savings equivalent to one percent of their property tax levies in each of the following three years; and

WHEREAS, while local governments may take a variety of approaches to develop their Government Efficiency Plans, the State has strongly encouraged they convene and facilitate a process to develop and submit county-wide Government Efficiency Plans; and

WHEREAS, Niagara County has offered to coordinate the development of such Governmental Efficiency Plans as the "lead agency" on behalf of all other interested municipalities; and

WHEREAS, the Village of Barker is interested in intergovernmental cooperation with Niagara County and other municipalities in submitting a county-wide Government Efficiency Plan and desires to memorialize its intention to participate in a coordinated Plan to allow its homeowners to receive the Freeze Credit.

NOW, THEREFORE, BE IT RESOLVED that the Village of Barker seeks to ensure that Village homeowners will receive the Freeze Credit as part of this new State law; and

BE IT FURTHER RESOLVED that the Village of Barker did not exceed its designated property tax cap for fiscal year 2015 and memorializes that it has no intention of exceeding the cap for fiscal year 2016, which if exceeded would disqualify the Village from participation in the Property Tax Cap Freeze Credit Program; and

BE IT FURTHER RESOLVED that the Village of Barker Board of Trustees does hereby express its support for, and participation in an Niagara County-wide Government Efficiency Plan; and






BE IT FURTHER RESOLVED that the Village of Barker Board of Trustees urges the New York State Division of the Budget to approve Niagara County’s coordinated Government Efficiency Plan with local governments with the understanding that the Village has played an active role in the identification of preexisting and implementation of new shared services, consolidation or mergers, and operational efficiencies within the Village of Barker for inclusion in the county-wide plan; and




BE IT FURTHER RESOLVED that certified copies of this resolution shall be forwarded to the Niagara County Manager; the Niagara County Budget Director, and the Niagara County Legislature.

Trustee Kerth moved to approve Resolution #17-2015 and seconded by Trustee Matheis. All voted in favor and adopted said resolution.

Unpaid Water- Authorize the Clerk-Treasurer to collect unpaid water rents, delinquent as of April 1st to the Tax Levy. The unpaid amount as of March 31 was \$8,899.75.

Deputy Mayor Rider motioned to re-levy said amount onto the Village Tax Roll and a second was offered by Trustee Kerth. All voted aye to carry the motion.

- Clerk - Treasurer**
-  Financial Statement was reviewed and accepted by the Board of Trustees.
 -  The Village will need to begin searching for a new bank, KeyBank visited me last week to inform me that we would be charged around \$120 per month in fees, plus fees for our pledged collateral
 -  Water Bills will be mailed on April 9th and will be due May 11 without penalty
 -  Spring Newsletter will be mailed this week, which will include the Annual Drinking Water Quality Report for year 2014
 -  Clerk-Treasurer will attend a training session sponsored by the Municipal Finance Officers and the OSC on April 29 from 9 until Noon.

- Public Works**
-  East Avenue Water Main Extension Project began on March 31, as of April 6th it is 45% complete
 -  The Public Works report was reviewed and accepted by the Board of Trustees.
 -  DPW Superintendent and Mayor Nellist helped a homeowner without water last week, DPW Superintendent was able to fix the problem the next day.

Code Enforcement: 8685 Coleman Road, Structural Safety Check and met with Insurance Adjuster/Owner/Family

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

Chief Annable presented the Board with several cars that were 2009, 2010 and 2011 models with low mileage (under 40,000). Three out of the four cars had already been purchased, therefore, the Board discussed giving Chief Annable a limit of \$11,000 to purchase a used Crown Victoria to replace our 2006 model. A motion was made by Deputy Mayor Rider to allow Chief Annable to purchase a car not to exceed \$11,000 and a second was given by Trustee Kerth. A unanimous vote followed to carry the motion.

- Correspondence:**
- The Bank of Green County-BAN, Serial Bonds and other Bond options
 - United Way of Greater Niagara County Annual Meeting and Awards Breakfast
 - Bene-Care Healthcare Broker-against Consortium
 - Save Ontario Shores packet
 - Time Warner Cable Programming Changes-March 2015
 - Time Warner Cable Programming Changes-April 2015
 - Town of Somerset Supervisor Letter regarding Tourism Brochure
 - Notice of Public Hearing- April 2, 2015 @ 7:30pm regarding Donovan Orchards Inc.
 - NC Gallonage Report- March 2015

Approval of Claims and Bill Payment:

Abstracts	011	Voucher #3-344
General Disbursements:	\$10,007.54	Water Disbursements: \$4,342.72 Capital Disbursements:\$13,285.75
T&A Disbursements:	\$1,000.00	Total Disbursements: \$29,146.01

Deputy Mayor Rider motioned to approve the claims and bill payment, Trustee Ruffini seconded the motion. All voted in favor, motioned carried.

The **East Avenue Water Main Extension Project** is 45% complete, as of April 6th, 2015. A Payment Application has been submitted in the amount of \$13,285.75 from V & B Underground Utilities Inc.

Trustee Kerth moved to approve the payment application #1 from V & B Underground Utilities Inc. and a second was offered by Trustee Matheis. A unanimous vote followed to carry the motion.

Public Comment was offered by:
David Nellist: Congratulating his son on being re-elected Mayor!

Board of Trustee Comment was offered by:
Mayor Nellist: Stated he was looking forward to working with everyone for another two years, as well as achieving the goals together.

A motion for **Adjournment was made at 7:46pm** by Deputy Mayor Rider and a second was offered by Trustee Ruffini. All voted aye, motioned carried.

Respectfully Submitted, Amanda M. Detschner, Clerk-Treasurer