

VILLAGE OF BARKER BOARD OF TRUSTEES

REGULAR MEETING MINUTES

December 12, 2016 7:00PM



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

In **Attendance**: Police Chief W. Ross Annable, Department of Public Works Superintendent Mark Remington and Deputy Clerk-Treasurer Vicky Baker. Trustee Ruffini was absent from the meeting.

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

At 7:01 the Public Hearing for the “Local Law amending the weight limit for East Avenue and Main Street in the Village of Barker” (LL#2-2016) was opened. No public present to speak. Public Hearing closed at 7:01pm.

Sales tax received for November 2016 in the amount of \$9,997.24 a decrease of \$774.25 from 2015. An overall decrease for 2016 in the amount of \$3,937.81. Mayor Nellist commented on the decrease may be due to online shopping.

Approval of Minutes for the monthly board meeting November 14, 2016

Approval of Minutes for the informational meeting (Police) held on December 5, 2016

A motion to approve the above minutes was made by Deputy Mayor Rider and was seconded by Trustee Matheis. All voted in favor to carry the motion.

The **Approval of the Language Access Plan (LAP) as submitted by the Clerk-Treasurer**, in order to be compliant with the Civil Rights portion of the RD USDA Water Bond was motioned for approval by Trustee Kerth and was seconded by Trustee Matheis. All voted aye to carry the motion.

Resolution # 17-2016 State and Municipal Facilities Program (SAM) Grantee Certification Project ID #7894

WE HEREBY WARRANT, REPRESENT AND CERTIFY TO DASNY (the “Authority”) that:

- A) The Village of Barker has applied for a State and Municipal Facilities Program (“SAM”) Grant in the amount of \$51,370.00. This Grant will be used for the rehabilitation of Main Street. We understand that the Grant funds may be used for certain community improvement purposes as set forth in the enabling legislation and that the Grant Disbursement Agreement to be executed in connection with this Grant contains a provision that states that Grant funds may not be used to finance a program or project that will in any way promote or facilitate religious worship, instruction, or proselytizing. We have been informed that this provision exists to ensure compliance with Federal and State Law. Therefore, as Authorized Officers of the Village of Barker, we hereby certify the following in connection with the project to be financed by the Grant:
- i.) No religious purpose shall be advanced or promoted by the project or program funded by the Grant;
 - ii.) The project or program will provide no religious instruction or counseling, conduct no religious worship or services, engage in no religious proselytizing, and exert no other religious influence in the provision of services or the use of facilities or furnishings assisted in any way by public funds;
 - iii.) The project or program shall be open to all without regard to religion; and
 - iv.) The Grantee shall take affirmative steps to ensure that information is widely disseminated with respect to the following aspects of the project or program:
 - a.) The project or program is publicly funded;
 - b.) The project or program is open to all, regardless of religious affiliation; and
 - c.) The project or program beneficiaries are not limited to any particular sect or group.
- B.) We understand that the State of New York, DASNY, and other entities that may be involved in the Grant process are relying on the above information in making the determination whether to award a SAM Grant to the Village of Barker.
- C.) We have the authority to submit this certification on behalf of the Village of Barker, Mayor Aaron Nellist and Clerk-Treasurer Amanda M. Detschner.




A motion to **adopt the above resolution #17-2016** was made by Deputy Mayor Rider and a second was offered by Trustee Kerth. The following votes were cast:

Mayor Nellist-AYE
Deputy Mayor Rider- AYE
Trustee Kerth-AYE
Trustee Matheis-AYE
Trustee Ruffini-Absent

Motion Carried. Resolution Adopted.

A brief discussion took place about the awarding of the money through the SAM grant. It was explained that the money had been allocated with the Village's name on it, but until all the paperwork has been completed and DASNY has given us a letter to stating that the project has met their requirements the money will not be disbursed to us.

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

-  The Office will be closed Friday, December 23rd and Monday, December 26th in observance of the Christmas holiday & Friday, December 30th and Monday, January 2nd in observance of the New Year's holiday
-  Election petitions can be released starting Tuesday, January 3rd, 2017 and are due between Tuesday, February 7th, 2017 through Tuesday, February 14th, 2017 by 5:00pm in order to be on the Ballot
-  Friday, March 10th, 2017 is the last day individuals may register with the county board of elections to be eligible to vote in the Village election on Tuesday, March 21st, 2017

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

Trustee Kerth questioned Mark Remington about the house at 1727 Quaker Road that sells used cars one at a time out by the road. He inquired about the Village code about this situation and if it's ok to do.

No Code Enforcement Report was submitted- No permits issued

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

Mayor Nellist asked Chief Annable to adjust the Police Report from now on. He asked Chief Annable to add the starting and ending mileage for each Police vehicle, as well as instead of man hours listed please include the hours on patrol. Chief Annable stated that he was questioned at the last meeting about the certification of the Police Dog and he gave copies of the certifications to the Mayor. The Police Dog's certification is from the National registry therefore the State would not have record of it. Mayor Nellist inquired about the expired certificate and Chief Annable stated that it has been re-certified and updated. Chief Annable gave a brief update on Officer Braughler.

Correspondence: NC Treasurer's Office-Mortgage Tax Distribution 12/15/2016

NYS Dept. of Public Service pamphlets requested for the Office-English and Spanish versions
Ambulance WNY, Inc. letter
Seaman & Norris LLP-Public Hearing on Amendments to Comprehensive Plan Town of Somerset-Nov. 30, 2016
Seaman & Norris LLP- Public Hearing on Amendments to the Comprehensive Plan Town of Somerset-Dec. 21, 2016
Buffalo Niagara Partnership Advocacy Agenda Roll Out Event-January 12, 2017
SEQR: Lead Agency Notice Town of Somerset revised Comprehensive Plan
NC Gallonage Report
Charter Communications-Changes to programming-November 16, 2016
Charter Communications-Changes to programming-December 7, 2016
Selective Insurance-Driver Added Policy Notification

Clerk-Treasurer was asked to email a copy of the Ambulance WNY letter to the Board Member for further review.

Approval of Claims and Bill Payment: Abstracts 007 Voucher #'s 213-249

General Fund-\$8,969.49 Water Fund-\$721.76 T&A Fund-\$1,400.00 TOTAL \$11,091.25

A motion to approve claims and bill payment was made by Deputy Mayor Rider and a second was offered by Trustee Matheis. All voted aye to carry the motion.

Budget Transfer: A5110.1 Laborer PS \$69.00 to A5112.2 Permanent Equipment/Capital Outlay (CHIPS)

A motion for approval of the above budget transfer was made by Trustee Kerth and was seconded by Trustee Matheis. All voted favor to carry the motion.

No Public Comment was offered.

Board Comment was offered by:

Mayor Nellist: Stated that the Board needed to make a decision about the property issue regarding the end of Woodward Avenue and access to Neal Gordon's property. He stated that Neal's goal is to obtain access to his property off the end of Woodward Avenue, but as of now bushes and shrubs are in the way and a shed etc. on the other side. A discussion followed about the issue and the Board looked at the Zoning map and reviewed the issue. It was agreed that Mayor Nellist will talk to the Attorney and ask him to come and have a meeting with Mr. Gordon and the Board in order to finalize this issue. Mayor Nellist also stated that he is close to having the questions and answers from the Police meeting compiled and will then send them to the Board for review before meeting with each resident to give them the answers they were looking for.

Trustee Kerth: Keybank was bought by All Metal Works, which is a company of Dominick Ciliberto. Trustee Kerth also inquired about the addition to Mayor Brothers on Lake Road. It's going to be a 40,000 square foot addition for deliveries and processing.

A motion for **Adjournment** was made at 7:47pm by Deputy Mayor Rider and was seconded by Trustee Matheis. A unanimous vote followed to carry the motion.

Next regularly scheduled meeting will be January 9, 2017 at 7:00pm.

Respectfully Submitted,

Amanda M. Detschner
Clerk-Treasurer