



VILLAGE OF BARKER WORK SESSION MINUTES

February 1, 2016

6:00pm

In **Attendance**: All Board of Trustee Members, Police Chief Annable, DPW Superintendent Mark Remington, Deputy Clerk-Treasurer Vicky Baker and Clerk-Treasurer Amanda Detschner

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

The following items were topics of discussion with no action taken:

- ❖ Dept. of Public Works/Woodward access concern brought to us by a concerned citizen
The two deeds associated with the DPW Garage property were looked over, as well as a survey from 1983 when the Village purchased the DPW Garage property. It showed, as did the deeds explain, that the Village was granted a ROW of 16 feet from the property owners on Woodward Avenue for the Village to access the property. The Village does not own this strip of land, it is just granted access through the permanent ROW. A letter will be drafted to reflect this to the concerned property owner.
- ❖ Process of getting a contract in place for services rendered to the Fire Hall
A contract will be drafted that reflects the Board of Trustees opinion that the Village will plow snow in front of the emergency bays at the Fire Hall in exchange for the ability to wash any Village vehicle/machinery at the Fire Hall. A contract is necessary due to the fact that the BFD is an independent not for profit organization that no longer has municipal ties due to the formation of the Somerset Fire Protection District. As for the problem with the Barker Seniors, a copy of the executed contract and a letter will be sent to the Town of Somerset explaining the same. When Mayor Nellist met with the BFD members they stated that they understood that the mowing would stop, but expressed that they would still like the Village to plow the entire parking lot. This was brought to the Boards attention, but was not agreeable.
- ❖ Meeting on Tuesday, February 9th at 2:00pm at the Village Hall with NC IDA about potential areas for development. Several properties were brainstormed by the Mayor that could be possible sites
- ❖ Boards potential interest in drafting a resolution in support or opposition of the Light House Wind project along with addressing Home Rule. The Board had a discussion about what they feel would be appropriate. A consensus was a resolution on Home Rule and the importance of its powers would be agreeable to all Board members.
- ❖ NC Health Care Consortium meeting will be held on Tuesday, February 9th at 5:30pm at the Town of Lockport meeting room
- ❖ Insurance walk through was completed on Jan. 21st, 2016. She made some recommendations that will be put in writing shortly.
 - ✓ Playground must go. It is not intended for public use and may contain arsenic due to the age of the wood.
 - ✓ Sidewalks must be put back on the responsibility of the resident as the Village code indicates
 - ✓ Board should pass a resolution stating that any resident shall give the Village any complaint in writing giving the Village a time frame to remedy the problem

The Board discussed the recommendations and said that further investigation would be made.

No **Public Comment** was offered.

Board Comment was offered by:

Mayor Nellist: Asked Mark Remington if he could make a key to the DPW Gate in case it's needed in his absence. He also asked Clerk-Treasurer to purchase a key box so that it could be easily located when needed.

A **motion to adjourn was made at 6:40pm** by Deputy Mayor Rider and a second was offered by Trustee Kerth. All voted aye to carry the motion.

Next meeting is the Monthly Board Meeting, Monday, February 8, 2016 @ 7:00pm, with a budget session to be held before hand at 6:00pm.

BUDGET SESSION TO IMMEDIATELY FOLLOW

Topics included, but were not limited to:

- ✓ Revenues
- ✓ Expenditures- A1010.1-A1640.45
- ✓ Projects/equipment of necessity

Budget Session ended at 8:00pm.

Next Budget Session is scheduled for Monday, February 8, 2016 @ 6:00pm before the Monthly Meeting.



VILLAGE OF BARKER BUDGET SESSION MINUTES

February 8, 2016

6:00pm

In Attendance: All Board of Trustee members, Police Chief W. Ross Annable, DPW Superintendent Mark Remington, Deputy Clerk-Treasurer Vicky Baker and Clerk-Treasurer Amanda Detschner

Topics included, but were not limited to:

- ✓ Expenditures- A-1910.4-A7550.4
- ✓ Projects/equipment of necessity: Main Street Quote, High Street Quote, SAM funding application, Loader Tractor and Dump Truck Trade

The Budget Session ended at 6:55pm.



VILLAGE OF BARKER BOARD OF TRUSTEES REGULAR MEETING MINUTES

February 8, 2016 7:00PM

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

In **Attendance**: Police Chief W. Ross Annable, DPW Superintendent Mark Remington, Deputy Clerk-Treasurer Vicky Baker and two participation in government students: Heather Potter and Allie Buzzard

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

The **Sales tax** received for January 2016 was \$11, 877.70 a decrease of \$1,675.72 from January 2015.

The **Approval of Minutes** for the monthly board meeting January 11, 2016 was motioned by Deputy Mayor Rider and was seconded by Trustee Matheis. A unanimous vote followed to carry the motion.

The **Approval of the Highway agreement** with the Town of Somerset was moved for approval by Trustee Kerth and a second was offered by Trustee Ruffini. All voted aye to carry the motion.

The **Approval of the Water/Sewer agreement** with the Town of Somerset was moved for approval by Trustee Matheis and was seconded by Deputy Mayor Rider. All voted in favor and the motion carried.

The **Contract between the Village and the Barker Fire Department** concerning Snow removal services was discussed and the contract read aloud. The contract specified the Village would only plow in front of the emergency bays as time permits in exchange for privileges to wash the Village's equipment/vehicles. A motion to approve the contract between the Village and the Barker Fire Department was moved by Deputy Mayor Rider and was seconded by Trustee Kerth. A unanimous vote followed to carry the motion.

RESOLUTION #2-2016 **HOME RULE RESOLUTION**

WHEREAS, Article IX, Section 2(c) of the New York State Constitution grants local governments home rule powers that preserves the right of municipalities to adopt or amend local laws relating to its property, affairs or government; and

WHEREAS, Section 10 of the Municipal Home Rule Law empowers municipalities to enact local legislation to protect the physical and visual environment as well as the power to adopt or amend local laws related to property, affairs, or government; and

WHEREAS, this Village Board strongly believes that the interests of the residents of the Village of Barker are best served through localized decisions and actions granted under New York State home rule; and

WHEREAS, Governor Cuomo and the New York State Legislature enacted Article 10 of the Public Service Law in 2011, which provided for the siting of major electric generating facilities in New York State; and

WHEREAS, said Article 10 of the Public Service Law created a seven-member board consisting of five New York State bureaucrats and two members from the community where the proposed facility is to be located; and

WHEREAS, this seven-member board is responsible for approving or denying applications to site proposed major electric generating facilities in local communities throughout New York State; and

WHEREAS, the siting of a major electric generating facility can have an enormous impact upon local communities including altering the environment and wildlife, reducing the quality of life, and changing unique community characteristics; and

WHEREAS, the seven-member board must consider local laws but may override said local laws enacted by municipalities that are designed to protect the physical and visual local environment or preserve the unique characteristics of said community; and

WHEREAS, Article 10 fundamentally strips local governments of the home rule powers guaranteed in the New York State Constitution, leaving a local community defenseless against the siting of a major electric generating facility.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of the Village of Barker hereby opposes the stripping of home rule powers under Article 10 of the Public Service Law; and be it further




RESOLVED, that the Village Board calls upon the New York State Legislature and Governor Cuomo to amend Article 10 to restore local control over the siting of large electric generating facilities; and be it further

RESOLVED, that the Village of Barker shall forward copies of this resolution to Governor Andrew Cuomo, Senator Robert G. Ort, Senate Temporary President John J. Flanagan, Member of the Assembly John D. Ceretto, Member of the Assembly Jane L. Corwin, Speaker of the Assembly Carl E. Heastie, Congressman Chris Collins, United States Senator Charles E. Schumer, and United States Senator Kirsten Gillibrand.

A motion to **adopt Resolution #2-2016** was made by Deputy Mayor Rider and was seconded by Trustee Ruffini. All voted aye to carry the adoption of the resolution. Motion Carried.

The Offices of **two (2) Trustees (2 year terms)** are open for the upcoming election on **Tuesday, March 15, 2016 from Noon until 9:00pm**. Petitions must be filed with the Clerk-Treasurer no later than February 9, 2016 by 5:00pm in order to be on the ballot.

The **Clerks Financial Reports** were reviewed and accepted by the Board of Trustees.

-  Water Bills due February 10th before penalty will be added, any unpaid water amounts after March 31, 2016 will be levied onto the Village tax roll for payment in June
-  Ability to ACH customers now with the new water software, checked with M&T it will cost 15 cents per ACH. The Board discussed the benefits of ACH payments and decided they would like to offer this to Village residents. **A motion to approve the ACH payments was made by Deputy Mayor Rider and was seconded by Trustee Ruffini. All voted aye and the motion carried.**
-  As soon as all the numbers are back for the proposed project for SAM Funding (State and Municipal Facilities Funding) through Senator Ort, our Main Street Rehabilitation project will be submitted. **A motion to approve the submittal of the SAM Funding application was made by Trustee Matheis and was seconded by Trustee Kerth. All voted in favor, motion carried.**

The Board of Trustees brought forth a motion to **eliminate the Village Historian position from the Budget**. It was moved for approval by Trustee Kerth and was seconded by Deputy Mayor Rider. The following votes were cast:

- Mayor Nellist- Nay
- Deputy Mayor Rider- Aye
- Trustee Kerth- Aye
- Trustee Ruffini-Aye
- Trustee Matheis-Aye

Motion Carried.

Mayor Nellist expressed that he felt the Board should give the Historian another year.

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

The **Code Enforcement Report** was reviewed and accepted by the Board of Trustees.
1-permit for an addition

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

Correspondence:

USDA Single Family Housing program assistance event-Feb. 24, 2016 10-11:30am, Batavia
NC Treasurer's Office-Payment summary-2015
Seaman & Norris notification of Town of Somerset proposed wind law revisions & public hearing notice
Copy of the proposed wind law for the Town of Somerset
Town of Yates notification of resolution being passed opposing Light house wind project
Time Warner Cable programming changes-January 20, 2016
Time Warner Cable programming changes-February 3, 2016
NYS DOT CHIPS balance notification letter
The Evans Insurance Agency promotional letter
US Census Bureau compliance letter
Modern 4th QTR origin/material report- the Village is recycling 43.64 Tons (2015) compared to
13.62 Tons in same quarter 2014

Western NY Regional Economic Development CFA Funding
NYS-Local Government Services-MRF (Municipal Restructuring Fund) info and webinar dates and times
NC Gallonage Report

Approval of Claims and Bill Payment: Abstracts 009 Voucher #'s 277-310
General Fund-\$14,539.28 Water Fund-\$2,832.55 T&A Fund-\$1,000.00 TOTAL \$18,371.83
A motion for **approval of claims and bill payment** was made by Trustee Kerth and was seconded by Trustee Matheis. A unanimous vote followed to carry the motion.

Budget Transfer: A3310.4 Traffic Control Signs \$470.25 from A5142.4 Snow Removal Contractual
A1620.43 Village Hall- Sewer \$18.00 from A1950.4 Taxes on Village Property
The above listed budget transfers were motioned for approval by Deputy Mayor Rider and were seconded by Trustee Ruffini. All voted aye to carry the motion.

No Public Comment.

Board Comment was offered by:

Trustee Matheis: A doctor that moved to our community is looking for a facility to run a community clinic out of; the Board was receptive to it and asked Trustee Matheis to find out his name so we can discuss it further

Mayor Nellist: Reminded the Board that he was meeting with the NC IDA about properties we would like to see developed or populated again. This will take place Tuesday, February 9th at 2:00pm at the Village Hall. A NC Health Care Consortium meeting is being held on Tuesday, February 9th at 5:30pm at the Town of Lockport Town Hall.

Trustee Kerth: A letter will be sent to the concerned citizen regarding questions about the ROW to the DPW Garage off of Woodward Avenue

A motion for **Adjournment** was made at 7:49pm by Deputy Mayor Rider and was seconded by Trustee Matheis. A unanimous vote followed to carry the motion.

Next regularly scheduled work session/ budget session will be February 22, 2016 @ 6:00pm.

March 7, 2016 Work Session is Cancelled.

Next regularly scheduled meeting will be Monday, March 14, 2016 @ 7:00pm.

Respectfully Submitted,

Amanda M. Detschner
Clerk-Treasurer