

VILLAGE OF BARKER BOARD OF TRUSTEES ANNUAL ORGANIZATIONAL MEETING MINUTES



April 2, 2018 7:00PM

Mayor Aaron Nellist
Deputy Mayor Gregory P. Kerth
Trustee James Baker
Trustee Kimberly Ruffini
Trustee Seanna Corwin-Bradley

In **Attendance**: Police Chief Timothy Braugher, Deputy Clerk-Treasurer Victoria Baker and 6 Participation in Government Students: Austin Sullivan, Cara Fox, Ella Fox, Mark Smith, Mallory Gross and Jessica Parlier.

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

Oath of Office for Trustee Corwin-Bradley and Trustee Kimberly Ruffini was administered by Clerk-Treasurer Amanda Detschner.

Mayoral Appointments:

Code Enforcement Officer- Mark Remington- 1yr Term
Village Historian- Peter Devereaux- 1yr Term
Ethics Board- Matthew Rose- 5yr Term
Ethics Board-
Planning Board- Grace Bodine- 5yr Term
Planning Board-Jordan Gow- 5yr Term
Official Newspaper- Union Sun & Journal
Village Attorney- Daniel E. Seaman & Brian Seaman, Esq.
Alternate Village Attorney- Tom Caserta, Esq.
Village Engineer- Chatfield Engineers

A motion to APPROVE the above Mayoral Appointments was made by Trustee Corwin-Bradley and was seconded by Deputy Mayor Kerth.

The previous was ADOPTED. AYES 5- Nellist, Kerth, Baker, Ruffini, Corwin-Bradley NAYS- 0/None Motioned Carried.

Mayoral Assignments for the Board of Trustees:

Deputy Mayor- Infrastructure, Water and Property Maintenance & Police Liaison
Trustee Corwin-Bradley- Grant, Research, Policies and Procedures & Special Projects
Trustee Baker- Equipment and Fixed Assets
Trustee Ruffini- Parks, Recreation & Main Street Beautification

PUBLIC HEARING FOR THE TENTATIVE BUDGET FY June 1, 2018- May 31, 2019 was opened at 7:04pm.

| | |
|------------------------------|---|
| General Fund-\$330,966 | Tax Rate at \$7.40/thousand an increase of 8 cents totaling a |
| <u>Water Fund- \$109,659</u> | revenue increase of \$2,409.00 |
| TOTAL \$ 440,625 | Equates to an \$8.00 increase for a 100,000 home |

The public was silent. Therefore, Public Hearing was closed at 7:05pm.

Adoption of the FY 2018-2019 Budget and set the Tax Rate-Resolution #8-2018

WHEREAS, the tentative budget for the fiscal year 2018-2019 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 Village Law, that the said tentative budget as changed, altered and revised, be and hereby adopted as the Budget of the Village of Barker for the fiscal year 2018-2019.

THEREFORE BE IT FURTHER RESOLVED, that the tax rate for the fiscal year 2018-2019 budget be set at \$7.40 per thousand.

A **motion to ADOPT Resolution #8-2018** was made by Trustee Baker and was seconded by Trustee Ruffini.

The previous was ADOPTED. AYES 5- Nellist, Kerth, Baker, Ruffini, Corwin-Bradley NAYS- 0/None Motioned Carried.

The **Sales tax** received for March 2018 was \$9,242.71 an increase of \$130.76 from March 2017.

The **Approval of Minutes** for the monthly board meeting held March 12, 2018 was motioned for approval by Trustee Corwin-Bradley and was seconded by Trustee Kerth.

The previous was ADOPTED. AYES 5- Nellist, Kerth, Baker, Ruffini, Corwin-Bradley NAYS- 0/None Motioned Carried.

Election Results: A total of 29 ballots were cast on Tuesday, March 20, 2018- two (2) Trustee positions for two (2) year terms

TRUSTEE: Seanna Corwin-Bradley 26
Kimberly Ruffini 28

Investment Policy-Resolution #9-2018

This policy on file with the Village Clerk- Treasurer.

A **motion to ADOPT Resolution #9-2018** was made by Trustee Corwin-Bradley and was seconded by Trustee Baker.

The previous was ADOPTED. AYES 5- Nellist, Kerth, Baker, Ruffini, Corwin-Bradley NAYS- 0/None Motioned Carried.

Procurement Policy-Resolution #10-2018

This policy is also on file with the Village Clerk-Treasurer.

A **motion to ADOPT Resolution #10-2018** was made by Trustee Ruffini and was seconded by Deputy Mayor Kerth.

The previous was ADOPTED. AYES 5- Nellist, Kerth, Baker, Ruffini, Corwin-Bradley NAYS- 0/None Motioned Carried.

Ethics Policy- Resolution #11-2018

This policy is also on file with the Village Clerk-Treasurer.

A **motion to ADOPT Resolution #11-2018** was made by Deputy Mayor Kerth and was seconded by Trustee Baker.

The previous was ADOPTED. AYES 5- Nellist, Kerth, Baker, Ruffini, Corwin-Bradley NAYS- 0/None Motioned Carried.

Fund Balance Policy- Resolution #12-2018

This policy is also on file with the Village Clerk-Treasurer.

A **motion to ADOPT Resolution #12-2018** was made by Trustee Corwin-Bradley and was seconded by Deputy Mayor Kerth. The previous was ADOPTED. AYES 5- Nellist, Kerth, Baker, Ruffini, Corwin-Bradley NAYS- 0/None Motioned Carried.

Work Place Violence Policy- Resolution #13-2018

This policy is also on file with the Village Clerk-Treasurer.

A **motion to ADOPT Resolution #13-2018** was made by Trustee Ruffini and was seconded by Trustee Baker.

The previous was ADOPTED. AYES 5- Nellist, Kerth, Baker, Ruffini, Corwin-Bradley NAYS- 0/None Motioned Carried.

Sexual Harassment Policy- Resolution #14-2018

This policy is also on file with the Village Clerk-Treasurer.

A **motion to ADOPT Resolution #14-2018** was made by Deputy Mayor Kerth and was seconded by Trustee Ruffini.

The previous was ADOPTED. AYES 5- Nellist, Kerth, Baker, Ruffini, Corwin-Bradley NAYS- 0/None Motioned Carried.

Mileage Allowance- Resolution #15-2018

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 automobiles while performing their official duties on behalf of the Village of Barker; and

WHEREAS, the rate determined by the IRS may change throughout the year, at any point shall the rate of reimbursement change it shall change the reimbursement allowed under Village policy, as well.

NOW THEREFORE BE IT RESOLVED,

Section 1. That the Board of Trustees shall approve reimbursement to such officers and employees at the rate of .545 cents per mile.

Section 2. That this resolution takes effect immediately.

A **motion to ADOPT Resolution #15-2018** was made by Trustee Baker and was seconded by Trustee Corwin-Bradley.

The previous was ADOPTED. AYES 5- Nellist, Kerth, Baker, Ruffini, Corwin-Bradley NAYS- 0/None Motioned Carried.

Advanced Approval of Claims- Resolution #16-2018

WHEREAS the Board of Trustees has determined to authorized 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 RESOVED:

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.

A **motion to ADOPT Resolution #16-2018** was made by Deputy Mayor Kerth and was seconded by Trustee Corwin-

Bradley. The previous was ADOPTED. AYES 5- Nellist, Kerth, Baker, Ruffini, Corwin-Bradley NAYS- 0/None Motioned Carried.

Attendance at Schools and Conferences-Resolution #17-2018

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

New York State Conference of Mayors Public Works Training School

Niagara County Municipal Clerks Association meetings

Niagara County MuSIP Ad Hoc Advisory Committee

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

New York State Office of the State Comptroller

New York State Association of City and Village Clerks

New York State and Local Retirement System

Cornell Municipal Clerks Institute

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.

Mayor Nellist stated that the Board expects any individual attending these sessions to return ready and willing to answer questions regarding their findings and in some instances provide a written report of their schooling. A **motion to ADOPT Resolution #17-2018** was made by Trustee Ruffini and was seconded by Deputy Mayor Kerth. The previous was ADOPTED. AYES 5- Nellist, Kerth, Baker, Ruffini, Corwin-Bradley NAYS- 0/None Motioned Carried.

Designation of Official Depository- Resolution #18-2018

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 M&T Bank as the depository of all money received by the Village Clerk-Treasurer.

Section 2: That this resolution shall take effect immediately.

A **motion to ADOPT Resolution #18-2018** was made by Trustee Corwin-Bradley and was seconded by Trustee Baker. The previous was ADOPTED. AYES 5- Nellist, Kerth, Baker, Ruffini, Corwin-Bradley NAYS- 0/None Motioned Carried.

Resolution #19-2018

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 first Monday of the month 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 replacing the regular Board meeting for April.

A **motion to ADOPT Resolution #19-2018** was made by Trustee Baker and was seconded by Deputy Mayor Kerth.

The previous was ADOPTED. AYES 5- Nellist, Kerth, Baker, Ruffini, Corwin-Bradley NAYS- 0/None Motioned Carried.

Resolution #20-2018

Procedure for calling of Special meetings

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.

A **motion to ADOPT Resolution #20-2018** was made by Deputy Mayor Kerth and was seconded by Trustee Ruffini.

The previous was ADOPTED. AYES 5- Nellist, Kerth, Baker, Ruffini, Corwin-Bradley NAYS- 0/None Motioned Carried.

Resolution #21-2018

Establishing a Cell Phone Stipend for the Mayor and Department of Public Works Superintendent

WHEREAS, it's the Village's expectation that the employees and Elected Officials designated as key personnel be accessible during duty hours, after duty hours, on weekends and on Holidays to respond to emergencies or other events/activities requiring recall; and

WHEREAS, privately owned cell phones are the primary means of communication that said key employees/elected officials utilized on a daily basis in conducting business/performing their assigned responsibilities and for recall; and WHEREAS, the Superintendent of Public Works already receives a \$25.00 stipend per month towards the cost of his personal cell phone premium; and

WHEREAS, the Mayor will now be paid a \$25.00 stipend per month, starting June 2018; and

WHEREAS, it's the duty of the individual receiving the cell phone stipend to ensure that they maintain a properly working device at all times; and

WHEREAS, in arriving at the terms and conditions in the Resolution, the Board of Trustees and employees/elected officials covered by this resolution recognize that this Resolution may be amended in the future at any time;

NOW THEREFORE BE IT RESOLVED, that the Village of Barker Board of Trustees hereby approves the employee/elected official phone stipend as stated above.

A **motion to ADOPT Resolution #21-2018** was made by Trustee Corwin-Bradley and was seconded by Trustee Ruffini.

The previous was ADOPTED. AYES 5- Nellist, Kerth, Baker, Ruffini, Corwin-Bradley NAYS- 0/None Motioned Carried.

Unpaid Water- Authorize the Clerk-Treasurer to collect unpaid water rents, delinquent as of April 1st, 2018 by sending the outstanding amounts to Niagara County department of real property for placement on the Village Tax roll. The total of unpaid amount as of April 1, 2018 is \$7,914.69.

A **motion to authorize the Clerk-Treasurer to collect unpaid water rents through re-levying the amount onto the Village tax bill** was made by Deputy Mayor Kerth and was seconded by Trustee Baker.

The previous was ADOPTED. AYES 5- Nellist, Kerth, Baker, Ruffini, Corwin-Bradley NAYS- 0/None Motioned Carried.

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

- ✓ Spring Newsletter will be mailed as soon as the Annual Drinking Water Quality Report is received and completed
- ✓ Water bills will be mailed April 10th and are due May 10th without penalty
- ✓ Village's Fiscal Stress Score for 2017 was No Designation at a score of 3.3 and for the Environmental Score- Moderate Environmental Stress at 43.3

Mayor Nellist explained the Village's Fiscal Stress score and noted that the Village's fiscal stress has decreased over the last several years, although the Environmental Stress has increased over the past three years which are factors the Village can't control.

- ✓ Received a letter from NYPIRG a non-profit organization that conducts research door to door. They request a letter in response to their request, since they gave notice in 2017, I used the letter updated the information and attached the new Peddle Local Law so that they adhere to the hours listed.

Mayor Nellist thanked the Clerk-Treasurer and Deputy Clerk-Treasurer for the help with the quote for the press release regarding the Bi-Centennial Park Erosion Break Wall Installation grant.

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

NC Water District Transmission Main Phase 2 Coordination Shutdown

Trial Shutdown scheduled April 5th

Shutdown scheduled to start on April 17, 2018 between 6am and 9am and the shutdown is estimated to last approximately 24 hours. You may not notice any changes, but if you do it's due to the following. The possibility of low pressure is to be expected, as well as the water could be cloudy due to air introduced in the line.

Code Enforcement Report- no report submitted

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

The **Appointment of Officer Joseph A. Laudico as a part-time Police Officer at a rate of \$13.50 per hour** was motioned for approval by Trustee Corwin-Bradley and was seconded by Trustee Baker.

The previous was ADOPTED. AYES 5- Nellist, Kerth, Baker, Ruffini, Corwin-Bradley NAYS- 0/None Motioned Carried. The oath of office was administered by the Clerk-Treasurer.

Correspondence:

NYS Dept. of Civil Service-Memorandum about revisions to Section 159 of the NYS Civil Service Law
NYCOM Update on State 2018-2019 Budget Proposals
NYCOM Update on the State Adopted S2018-2019
NYCOM Annual Meeting-May 6-May 8, 2018 Saratoga Springs
NYS OSC Fiscal Stress Report
NY Public Interest Research Group Fund, Inc. (NYPIRG) Notice Letter
Niagara Nature News-Spring 2018 Edition

Approval of Claims and Bill Payment: Abstract 011 Voucher #'s 358-381
General Fund-\$2,412.55 Water Fund-\$624.52 T&A Fund-\$700.00 TOTAL \$3,737.07

A motion to approve the claims and bill payment was made by Deputy Mayor Kerth and was seconded by Trustee Ruffini. The previous was ADOPTED. AYES 5- Nellist, Kerth, Baker, Ruffini, Corwin-Bradley NAYS- 0/None Motioned Carried.

Budget Transfer: A1010.1 Board of Trustees P/S \$13.00 to A1210.4 Mayor Contractual
A6410.4 Publicity Contractual \$50.00 to A4020.4 Registrar-Contractual
A1010.1 Board of Trustees P/S \$300.00 to A1325.42 C/T Supplies
A1420.4 Law Contractual \$500.00 to A1325.42 C/T Supplies

A motion to approve the above budget transfers was made by Deputy Mayor Kerth and was seconded by Trustee Baker. The previous was ADOPTED. AYES 5- Nellist, Kerth, Baker, Ruffini, Corwin-Bradley NAYS- 0/None Motioned Carried.

No **Public Comment** was offered.

Board Comment was offered by:

Mayor Nellist: Stated that he was disclosing that if the Board chooses to move ahead on the Smart Street Lighting initiative then he would have to recues himself due to his employment with the NYS Canal authority being under the control of the NYS Power Authority.

Trustee Corwin-Bradley: Stated the car seat safety event had 5 cars and several of the cars had expired or broken equipment. She thanked the Clerk-Treasurer and Deputy Clerk-Treasurer for the packets for the kids. She would like to plan another one when an event is going on in order to get more participation.

A motion for **Adjournment was made at 7:39pm** by Trustee Corwin-Bradley and was seconded by Deputy Mayor Kerth. The previous was ADOPTED. AYES 5- Nellist, Kerth, Baker, Ruffini, Corwin-Bradley NAYS- 0/None Motioned Carried.

Next Work Session meeting will be Monday, May 7, 2018 @ 6:00pm.

Next regularly scheduled meeting will be Monday, May 14, 2018 @ 7:00pm.

Respectfully Submitted,

Amanda M. Detschner
Clerk-Treasurer