

The Work Session for February 5, 2018 was cancelled due to illness.

VILLAGE OF BARKER BOARD OF TRUSTEES REGULAR MEETING AGENDA



February 12, 2018 7:00PM

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

In **Attendance:** Mark Remington Public Works Superintendent, Victoria Baker Deputy Clerk-Treasurer, Jon Hotaling, Dale Howard, Grace Bodine Planning Board Chairman, Chris Boyea from Bohler Engineering and Rob Neill from Primax Properties and 13 Participation in Government Students

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

The **Sales tax** received for January 2018 was \$12,694.48 an increase of \$44.99 from January 2017.

The **Approval of Minutes** for the monthly board meeting January 8, 2018 was motioned for approval by Deputy Mayor Kerth and a second was offered by Trustee Baker.
The previous was ADOPTED. AYES 5- Nellist, Kerth, Baker, Ruffini, Corwin-Bradley NAYS- 0/None Motioned Carried.

Chris Boyea from Bohler Engineering gave a brief presentation about the proposed use of a Dollar General at SBL#18.14-1-27.1. A proposed site plan was shown to the audience.

THE PUBLIC HEARING

"AMENDING THE ZONING PROVISIONS OF THE CODE OF THE VILLAGE OF BARKER"

The Public Hearing was opened at 7:06pm after Mayor Nellist read the Local Law text aloud.

Be it enacted by the Board of Trustees of the Village of Barker as follows:

The Zoning Map of the Village of Barker, as adopted at §210-4(B) of the Code of the Village of Barker, and amended from time to time, is hereby amended to incorporate the following changes, and the amended Zoning Map, as certified by the Village Clerk, is incorporated herein:

The parcel located on the east side of Quaker Road at the southern boundary of the Village of Barker and identified on the Niagara County tax map by # 18.14-1-27.1 is changed from the "R-2: More Than Two Family Residence" district to the "B-1: Business District."

Section 210-8(A) (3) is abolished and replaced with the following:

(3) Retail stores and personal service shops, including hand laundries.

A Participation in Government student inquired about approximately when the store would open the answer was could be the end of the year. **The Public Hearing was closed at 7:08pm. A motion to table the vote until March 12th, 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.

Resolution #2-2018 Establishing the Certified Officer as it pertains to the Bi-Centennial Park Shoreline Erosion Break Wall Installation CDBG Project #77IT203-17, administered by NYS Office of Community Renewal

WHEREAS, the Village of Barker Board of Trustees must designate a Certifying Officer for the purposes of fulfilling the Environmental Review for the CDBG Grant #77IT203-17 through the NYS Office of Community Renewal;

WHEREAS, the Certifying Officer must be a Village Official, either Elected, Appointed or an Employee; and the Environmental Review Process must be signed by the Certifying Officer, not an Engineer or consultant, but maybe completed with the help of an Engineer or Consultant.

NOW THEREFORE BE IT RESOLVED, that the Village of Barker Board of Trustees designates Mark Remington as the Certifying Officer responsible for all activities associated with the Environmental Review process.

A brief synopsis of the Grant was given by Mayor Nellist.

A **motion to ADOPT Resolution #2-2018** was made 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. Resolution Adopted.

Resolution #3-2018 Establishing SEQR Type II Action for the Bi-Centennial Park Shoreline Erosion Break Wall Installation CDBG Project #77IT203-17, administered by NYS Office of Community Renewal

RESOLVED, that in accordance with the New York State Environmental Quality Review (SEQR) procedures, the Village Board of Trustees of the Village of Barker has reviewed the significance of and potential environmental impact of the construction of a break wall to control erosion and protect the shoreline and the public in Bi-Centennial Park.

RESOLVED, that the Village of Barker Board of Trustees declared the project an Emergency Action at their Board Meeting on December 11, 2017 with resolution #20-2017.

RESOLVED, that the Village Board of Trustees hereby concurs with Chatfield Engineers, P.C. that the Project is considered a Type II Action in accordance with 6NYCRR Part 617.5 (33); an emergency action that is immediately necessary on a limited or temporary basis for the protection or preservation of life, health, property or natural

resources, provided that such actions are directly related to the emergency and are preformed to cause the least change or disturbance, practicable under the circumstances to the environment.

RESOLVED, that the Village Board of Trustees hereby accepts the Environmental Assessment of this project, prepared by Chatfield Engineers, P.C.. The Village Board further declares that, based on the Environmental Assessment, it finds that the project will result in no significant adverse impacts to the environment and requires no further action.

A **motion to ADOPT Resolution #3-2018** 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. Resolution Adopted.

A motion to **Authorize Mayor Nellist and Mark Remington to execute** forms 2-1 designation of a certifying Officer, 2-3A Certification of SEQRA Classification, DEC Permit approval and the certified resolution #3-2018 for the CDBG Grant #77IT203-17 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.

A **motion to table the Authorization of Mayor Nellist to execute the Notification of Withdrawal for FEMA** pertaining to the Federal declaration of the Lake Ontario shoreline erosion due to the high levels #FEMA-4348-DR-NY in response to the Village receiving 100% funding from the NYS Office of Community Renewal was made by Deputy Mayor Kerth and a second was offered by Trustee Ruffini. The previous was ADOPTED. AYES 5- Nellist, Kerth, Baker, Ruffini, Corwin-Bradley NAYS- 0/None Motioned Carried. This was in reference to not having formal notification that the CDBG Grant funds not being officially awarded to the Village at this stage, by next month things should be finalized. If so the withdrawal maybe voted on and executed.

Resolution #4-2018 Amending the Election Resolution to reflect Change in Pay for Election Inspectors
RESOLVED, that the Village Election shall be held at the Village Hall, 8708 Main Street, Barker, NY on March 20th, 2018 and the polls shall be open between the hours of Noon and 9:00pm of such day.

FURTHER BE IT RESOLVED, that the rate of pay for the Election Inspectors shall be \$11.00 per hour, \$110.00 per day.

This had to re-done due to the fact that minimum wage had been increased. A **motion to ADOPT Resolution #4-2018** was made by Trustee Ruffini and was seconded by Trustee Corwin-Bradley. The previous was ADOPTED. AYES 5- Nellist, Baker, Ruffini, Corwin-Bradley NAYS- 0/None ABSTAIN-1-Kerth Motioned Carried.

A motion to **Renew the Water Contract with the Town of Somerset** 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.

A motion to **Renew the Highway Contract with the Town of Somerset** 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.

Playground equipment for the Main Street Rehabilitation Project-SAM Grant #7894
Two options were proposed- both on sale and on State Bid pricing
I like the colors scheme provided; the red that is available is bright red, not a dark red to go with the Village Hall.
These colors will Compliment the Gazebo and clock
Option #1-ADA Compliant \$9,999 #718S075J Fibar Playground Surfacing \$1,605.00



Option #2-ADA Compliant \$11,499.00 #718S103J Fibar Playground Surfacing \$1,636.00



The Board had a discussion about which playground they liked better, Mayor Nellist stated that he was indifferent, Trustee Baker liked option #1, Trustee Ruffini liked option #1, Deputy Mayor Kerth liked option #2 and Trustee Corwin-Bradley liked option #1. A motion to **purchase option #1** 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.

A **motion to table the purchase of fibar playground surfacing** 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.

The **Clerk-Treasurer’s financial reports were** reviewed and accepted by the Board of Trustees.

- ✓ A budget session was set to immediately follow the March 5th work session
- ✓ Any unpaid water account balances after March 31, 2018 will be added to the Village Tax Roll, Final notices will be mailed on Monday, February 26th, 2018
- ✓ Election petitions are due tomorrow, February 13th at 5:00pm in order to be on the ballot

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

- ✓ Dale Howard inquired about formally closing Bi-Centennial Park while the construction takes place for the Shoreline restoration work.

The Board of Trustees commended Mark on an excellent job of snow removal.

A **motion to formally close the Bi-Centennial Park for the safety of the public while construction** is taking place on the Shoreline 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.

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

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

- ✓ Chief Braugher has expressed interest in hiring a new Officer to fill gaps in scheduling

Correspondence:

National Grid-Notification of Street Light field audit
NYCOM 2018-2019 Executive Budget Release
Buffalo Niagara Partnership-2018 Regional Priority Projects
NYS Homes and Community Renewal-Lakeshore Erosion Project Letter
Niagara County Water District Resolution Amending water rates
NYS DOT letter about BRIDGE NY program
Charter Communications-Programming Changes- January 11, 2018
Notice of Public Hearing-Town of Somerset- January 29, 2018 @ 6:00pm
Niagara County Treasurer-In REM Foreclosure List for the Village of Barker
Chatfield Engineers-Bi-Centennial Park Shoreline Damage Assessment SEQOR
NYSEG-Natural Gas Safety reminders
Niagara County Planning Board- 2018 Meeting Schedule

Approval of Claims and Bill Payment: Abstract 009 Voucher #'s 282-324
General Fund-\$17,080.17 Water Fund-\$1,406.55 T&A Fund-\$2,100.00 TOTAL \$20,586.72

A motion to approve 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: A5110.1 PS Laborer \$1,922.00 to A5110.4 Street Maintenance Contractual
 A3120.46 Police Vehicle Maintenance \$200.00 to A3120.45 Police Supplies
 A1420.4 Attorney-Contractual \$20.00 to A1450.4 Election-Contractual

A motion to approve the above budget transfers 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.

Public Comment was offered by:

Dale Howard: Expressed his thanks to all the Village employees who have worked diligently to get the Lakeshore Grant. He expressed his feelings that the Park is a jewel to the entire community. Mayor Nellist expressed his gratitude for Mr. Howard’s patience during this tedious process.

Richard Hellert: Stated that he wanted to thank the Village’s cooperation with the Dollar General process and it will add a lot to the community

Board Comment was offered by:

Trustee Corwin-Bradley: Stated that a date and time have been set for the child safety seat check at the Barker Fire Department. It will be held on March 24, 2018 at 11:00am-1:00pm and will be manned by the Niagara County Sherriff’s department. Flyers will be sent home with Barker school children and promoted by the NC Sherriff’s department

A motion for **Adjournment was made at 7:48pm** 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.

Next Work Session meeting will be Monday, March 5, 2018 @ 6:00pm immediately followed by Budget Session.

Next regularly scheduled meeting will be Monday, March 12, 2018 @ 7:00pm.

Respectfully Submitted,
Amanda M. Detschner
Clerk-Treasurer