

# VILLAGE OF BARKER BOARD OF TRUSTEES

## REGULAR MEETING MINUTES

January 8, 2018 7:00PM



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

In **Attendance:** DPW Superintendent Mark Remington, Deputy Clerk-Treasurer Vicky Baker and Philip Bates.

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

The **Sales tax** received for December 2017 in the amount of \$10,125.86 an increase of \$170.74 from December 2016.

The **Approval of Minutes** for the monthly board meeting held December 11, 2017 was motioned for approval 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 **Appointment of Tracy Carmer, Registrar of Vital Statistics for a term of 4years, expires December 2021** was motioned for approval 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.

The **PUBLIC HEARING** on Local Law #1-2018 "Amending the Water Rates in the Village of Barker" was opened at 7:02pm.

A Local Law Amending the Water Rates in the Village of Barker.

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

1. Section 201-5(A) of the Code of the Village of Barker is hereby repealed and the replaced with the following:

A. Normal rate, including residential, business, schools and industries, except industries set forth in Subsection B below, and all other users:

(1) The minimum charge shall be \$71.00 charged per three-month period and shall cover the cost of providing the first 5,000 gallons of water consumed.

(2) The next 30,000 gallons per three-month period shall be charged at \$2.70 per 1,000 gallons of water consumed.

(3) The next 65,000 gallons per three-month period shall be charged at \$1.95 per 1,000 gallons of water consumed.

(4) All water consumed over 100,000 gallons per three-month period shall be charged at a rate of \$1.50 per 1,000 gallons consumed.

2. Subsection 201-5(C) is hereby enacted as follows:

C. The Board of Trustees may hereafter amend the water rates from time to time by resolution.

After Mayor Nellist read the text of the Local Law aloud, resident Philip Bates spoke regarding Subsection 2: 201-5(C) stating that he thought the process should happen as it is right now. The PUBLIC HEARING was closed at 7:04pm.

A **motion to adopt Local Law #1-2018** 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. Local Law Adopted.

**Deputy Mayor Kerth Introduced Local Law #2-2018 Amending the Zoning Provisions of the Code of the Village of Barker.**

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.

**Mayor Nellist read the Planning Board recommendation aloud. The following is their recommendation:**  
AFTER hearing the proposal and reviewing the February 2017 zoning map, the Flood Plain Map dated September 30, 2008, the Planning Board finds that large sections of the B-1 district are in a flood plain; although no properties adjacent to the requested parcel are B-1.

THE lot is located on Quaker Road, which is the main thoroughfare through the Village and has numerous parcels zoned B-1; and also the lot directly north of the proposed lot is a high density, residential use.

GIVEN all these factors and the limited amount of development within the Village in recent years, as well as vacancy rates within former businesses, that a re-zoning of the requested parcel would be beneficial to the Village and the overall zoning plan of the Village.

THE Planning Board therefore recommends the Village of Barker re-zone the requested parcel to B-1.

**A Public Hearing date** for Local Law #2-2018 Amending the Zoning Provisions of the Code of the Village of Barker was set for Monday, February 12<sup>th</sup> at 7:00pm in the Village Hall Board Room, if needed the meeting will be moved next door to the Library. This was made on a motion from Trustee Ruffini and a seconded was offered by Deputy Mayor Kerth.

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

**Resolution #1-2018 Election Resolution**  
RESOLVED, that the Village Election shall be held at the Village Hall, 8708 Main Street, Barker, NY on March 20<sup>th</sup>, 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 \$10.00 per hour, \$100.00 per day.

A **motion to adopt Resolution #1-2018** was made by Deputy Mayor Kerth and was seconded by Trustee Corwin-Bradley. The previous Resolution #1-2018 was ADOPTED. AYES 5- Nellist, Kerth, Baker, Ruffini, Corwin-Bradley NAYS- 0/None Motioned Carried. Resolution Adopted.

**Appointment of Election Inspectors for the Village Election on Tuesday, March 20<sup>th</sup>, 2018**

- Chairman- Grace Bodine
- Inspector- Janet Kerth
- Alternate- Victoria Baker
- Alternate- Kathie Smith

A motion to appoint the above election inspectors was motioned for approval 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.

The **Offices of 2 (two) Trustee seats are open for the Election.** Petitions began being released on January 3<sup>rd</sup>, 2018. The signed petitions must be filed with the Clerk-Treasurer’s office between February 6<sup>th</sup> and February 13<sup>th</sup>, 2018 in order to be on the Ballot.

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

- A Budget Session has been scheduled for February 5<sup>th</sup> immediately following the Work Session at 6:00pm.

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

- Water Comparison 8.85% loss

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

1 permit issued- a roof

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

**Correspondence:**

- NYCOM Legislative Update
- NYCOM Legislative Meeting 2018- February 11-13<sup>th</sup>, Albany
- NC Soil & Water Conservation District-Winter 2018 Newsletter
- NYCOM Allowable Levy Growth Factor for Local Governments with a June 1<sup>st</sup> Fiscal Year
- Charter Communications- Programming Changes- December 13, 2017
- Charter Communications- Programming Changes- December 21, 2017
- Town of Somerset- Public Hearing Notice- A local law amending the regulations applicable to Industrial Districts and Planned Unit Development Districts
- Town of Somerset- Public Hearing Notice- A local law amending the supplemental regulation of the Somerset zoning
- Town of Somerset- Public Hearing Notice- A local law amending the supplemental zoning regulations related to Commercial/ industrial wind energy conversion systems
- NYS Worker’s Compensation Board Letter-Paid Family Leave Opt-out notification received
- NC Treasurer- 2017 Sales Tax, Mortgage Tax and Snow and Ice Removal disbursements
- NC Gallonage Report

**Approval of Claims and Bill Payment:** Abstract 008 Voucher #'s 250-281  
General Fund-\$22,647.37 Water Fund-\$2,501.81 T&A Fund-\$1,400.00 TOTAL \$26,549.18

A **motion to approve the above claims and bill payment** 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.

**Budget Transfer:** Requested by Chief Braugher:

A3120.42 Police Gasoline \$400.00 to A3120.12 Personal Services-Officers

A3120.44 Police Training \$150.00 to A3120.12 Personal Services-Officers

A3120.46 Police Vehicle Maintenance \$500.00 to A3120.12 Personal Services-Officers

A1325.42 Clerk-Treasurer Supplies \$400.00 to A1325.43 Clerk-Treasurer Training

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:

Phillip Bates: Inquired about how many hours the Police worked for the month of December. Stated that he thought it was a joke and that there are issues in the Village that should be addressed by the Police Department.

**Board Comment** was offered by:

Mayor Nellist: Stated that he received the phone call from Caryn from Bohler Engineering inquiring about the agenda and ensuring that a public hearing would be scheduled at this meeting. The Clerk-Treasurer will reach out and give her the information.

Trustee Ruffini: Stated that Mark Remington and crew had done an excellent job keeping the Village streets clear of snow these past several weeks.

Trustee Kerth: Agreed with Trustee Ruffini

Trustee Corwin-Bradley: Agreed with Trustee Ruffini

A motion for **Adjournment** was made at 7:29pm 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.

Next Work Session meeting will be Monday, February 5, 2018 @ 6:00pm with Budget Session to immediately follow.

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

Respectfully Submitted,

Amanda M. Detschner  
Clerk-Treasurer