



VILLAGE OF BARKER BOARD OF TRUSTEES
REGULAR MEETING AGENDA
August 8, 2022 7:00PM
@ Barker Fire Hall

Mayor Aaron Nellist
Deputy Mayor Seanna Corwin-Bradley
Trustee Aaron Davis
Trustee Melanie Hirschman
Trustee David Quiett

Attendance

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

- **Sales tax** received for July 2022 was \$ 16,989.09 a decrease of \$2,622.32 from July 2021
- **Approval of Minutes** for the monthly board meeting held July 11, 2022

Local Law #2-2022 Allowing the Harboring of Hen Chickens within the Village of Barker
Public Comment

Local Law #2-2022 Allowing the Harboring of Hen Chickens within the Village of Barker

The purpose of this Local Law is to eliminate the outright prohibition of ownership and harboring of hen chickens within the corporate boundaries of the Village of Barker, and to allow for such harboring through a permitting process. This Local Law is designed to protect the rural residential character of the Village, as well as reduce an overly burdensome restriction on Village residents' property rights.

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

Chapter 81, Article II of the Code of the Village of Barker is hereby amended to include the following:

§ 81-9.1. Permitting of hen chickens.

- A. Any person, firm or corporation may harbor, keep, raise, or maintain a maximum of six hen chickens within the limits of the Village of Barker by obtaining a chicken harboring permit.
- B. Applicants for a chicken harboring permit must demonstrate adequate shelter and fencing for chickens to be harbored in accordance with the standards listed below:
 - i. Chicken coops shall be located in the rear yard, a minimum of 80 feet from any dwelling and set back a minimum of 10 feet from any lot line. Coops shall be no larger than 20 square feet in size.
 - ii. Chicken runs shall be attached to a chicken coop, located in the rear yard. Chicken runs shall be located a minimum of 80 feet from any dwelling and set back a minimum of 10 feet from any lot line. Chicken runs shall be no larger than 50 square feet in size.
 - iii. Chickens' quarters shall be constructed of suitable construction materials consisting of wood frame shelters.
 - iv. Fencing and/or other restraint systems shall be sufficient to confine chickens to the coop and run.
- C. Upon successful application, including payment of the permit fee and providing proof of adequate shelter and fencing, the Code Enforcement Officer shall issue the applicant a permit to allow for the harboring of up to six hen chickens. Chicken harboring permits shall expire on June 1 of every year and must be renewed on an annual basis by the applicant. Permit fees shall be established by the Village Board of Trustees by resolution.
- D. Chickens shall remain enclosed at all times, and shall not be permitted to free roam outside of the coop or run. Loose chickens observed or photographed anywhere other than the rear yard of the applicant's premises shall be considered prima facie evidence of inadequate enclosure.
- E. Chicken enclosures shall be kept in a clean and sanitary condition, and shall be cleaned on a regular basis to prevent the accumulation of animal waste. Pending disposal, all animal waste shall be kept in a covered container and shall not emit noxious odors.
- F. Coops shall be covered, predator resistant, and well-ventilated to provide adequate space for each hen chicken.

- G. Chickens shall be kept for personal use only. The sale of chicken eggs generated on the premises or chickens shall be prohibited inside the corporate limits of the Village of Barker.
 - H. Failure to comply with the provisions of this subsection shall be grounds for revocation of a chicken harboring permit.
 - I. A violation of any provision of this subsection is punishable by a fine not to exceed \$250 or imprisonment of not more than 15 days, or both.
- This Local Law shall take effect immediately upon the filing with the Secretary of State.

ROLL CALL VOTE

- Mayor Nellist-
- Deputy Mayor Corwin-Bradley-
- Trustee Davis-
- Trustee Hirschman-
- Trustee Quiett-

Resolution #24-2022 Adopting updated Sexual Harassment Policy

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

Evans Insurance Agency on NYMIR quote for renewal 8/13/2022

A motion to accept NYMIR policy enrollment for FY 2022-2023 in the amount of \$25,342.34

NYPA LED Street Lighting Project Update

Originally the overall understanding was the assets must close by June 20th, but since the Village’s asset purchase is under \$100,000 and no order was issued by the PSC the one year time frame does not pertain to the Village’s purchase. Therefore, we have an open-ended time frame to purchase the streetlighting assets. The Village can provide a letter of indemnification instead of the waiver of subrogation to fulfill the requirement for the workers compensation insurance, which has been sent to the Village attorney.

An audit of Clerk-Treasurer’s Financial Records for FY 2021-2022 took place on Wednesday, August 2, 2022 at 5:00pm at the Village Hall. Trustee Hirschman and Trustee Davis were present to audit the books. The month of January 2022 was chosen at random. The audit concluded at 5:45pm with all financial records found to be in order.

Clerk-Treasurer’s Financial Reports

- ✓ Annual Update Document (AUD) 2022 has been submitted to the Office of the NYS Comptroller and the legal notice was published August 4, 2022
- ✓ Tax Collection remains open. Penalty is now 6% and unpaid tax notices will be mailed September 6, 2022. Any unpaid taxes outstanding as of October 31, 2022 will be turned over to Niagara County to be placed on the Town/County taxes for collection in January
- ✓ Labor Day Holiday is the day of the scheduled work session-the work session will be CANCELLED for Sept. 5th, 2022 and the September Board meeting has been moved to Wednesday, September 7th at 7:00pm due to the Clerk-Treasurer and Deputy Clerk-Treasurer attending NYCOM Fall Training School the week of September 12-16, 2022
- ✓ Columbus Day Holiday is the date of the October meeting, the meeting will be moved to Monday, October 3rd at 7:00pm at the Barker Fire Department.

Public Works Report

Authorization to have tree limbs trimmed away from new metal roof installed on block building and removal of one ash tree behind the DPW block building for \$900.00 from Lakeshore Tree Service

Code Enforcement Report

- 3 permits issued: a roof, a temporary pool and a roof/lean to replacement
- 1 violation issued
- 1 inspection-depth of holes

Correspondence:

NYS Division of the Budget-ARPA \$ payment #2 amount \$25,999.91
 NYS Dept. of Transportation-CHIPS notice
 CHIPS balance- \$23,822.50
 PAVE NY- \$6,319.26
 EWR- \$5,100.56
 POP- \$1,974.22 TOTAL \$37,216.54
 NYS PSC- comment sought on potential new area code in 716 region-July 20, 2022
 NYSEG natural gas safety notice
 Charter Communications-Upcoming programing changes-July 15, 2022
 Charter Communications-Upcoming programming changes-August 1, 2022
 Charter Communications-Upcoming programming changes-August 5, 2022
 NYS Dept. of Health-Mark Remington Class D water license renewal good through 7/31/2025
 NC Gallonage Report

Approval of Claims and Bill Payment: Abstract 003 Voucher #'s 65-93
General Fund-\$30,474.75 Water Fund-\$405.71 T&A Fund-\$2,100.00 TOTAL \$32,980.46

Budget Transfer: A1990.4 Contingency \$365.00 to A1910.4 Insurance

Public Comment
Board Comment

Executive Session: A motion to enter executive session to confer with counsel

Adjournment

Next work session scheduled for Monday, September 5th, 2022 is CANCELED due to the Labor Day Holiday.

Next scheduled Board Meeting will be Wednesday, September 7th at 7:00pm at the Barker Fire Hall
*****note change in date and time***