



# VILLAGE OF BARKER BOARD OF TRUSTEES

## REGULAR MEETING AGENDA

December 11, 2017 7:00PM

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

### Attendance

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

- **Sales tax** received for November 2017 was \$9,975.40 a decrease of \$21.84 from November 2016
- **Approval of Minutes** for the monthly board meeting held November 13, 2017

### Introduction of LL#3-2017 Amendment of Water Rates: Set a public hearing date

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 Section 201-5(A) of the Code of the Village of Barker is hereby repealed and the replaced with the following: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

### Resolution #20-2017 Emergency Declaration for Bicentennial Park, Huntington Beach Road, Barker

**WHEREAS**, the Lake Ontario shoreline of the Village's park sustained heavy damage and erosion as a result of the unprecedented high water levels and weather conditions in 2017, which conditions caused the County of Niagara and the State of New York to declare a state of emergency, and

**WHEREAS**, in a letter dated November 21, 2017 Paul R. Chatfield of Chatfield Engineers, P.C., who evaluated the damage for the Village, reported that "additional property will be lost if immediate corrective measures are not taken to protect the shoreline," and further that "[t]he severe erosion has caused a significant threat to the safety and well being of park visitors. There is now a significant drop off (cliff) that is unprotected . . . . Immediate measures should be taken to protect the public and restore the shoreline . . . ." and

**WHEREAS**, the Village has identified Richard Truesdell, a reputable contractor who is capable of performing the work needed to remedy the above situation, and Mr. Truesdell has submitted a proposal to the Village to perform such work, now therefore, be it

**RESOLVED**, that in reliance upon the letter issued by Paul R. Chatfield, P.E., this board finds that a public emergency exists arising out of an unforeseen occurrence or condition and affecting the life, health, and safety of property and residents, which constitutes an emergency situation as defined by General Municipal Law Section 103 (4), requiring immediate repair which cannot await competitive bidding, and be it further

**RESOLVED**, that the Mayor be and hereby is authorized and directed to enter into a Contract with contractor Richard Truesdell for the repair of the damage to the Village Park shoreline, at a cost not to exceed \$50,000.00, and that competitive bidding for such project be dispensed with.

### Authorization to execute agreement/contract with Richard Truesdell, contractor Bicentennial Park Break wall Installation Project #77IT203-17

**Resolution #21-2017 Authorization to transfer fund for the CDBG Grant-Lake Ontario Imminent Threat/Flood Relief Program, Bicentennial Park Break Wall Installation Project #77IT203-17**

WHEREAS, the Village of Barker has been awarded a CDBG Grant for the Lake Ontario Imminent Treat/Flood Relief Program administered by the New York State Office of Community Renewal titled the "Bicentennial Park Break Wall Installation Project", and

WHEREAS, the Village of Barker has been awarded \$49,390 to complete the above referenced project, and

WHEREAS, the scope of the work to be performed is the installation of a break wall that is approximately 190 feet in length of the frontage of the park that borders Lake Ontario, and

WHEREAS, the establishment of a capital checking account and accounting practices is needed to administer the grant, and

NOW THEREFORE BE IT RESOLVED, that the Village of Barker Board of Trustees authorizes the Clerk-Treasurer to establish and account for the CDBG capital funds through necessary actions. As, well as record the budget modification to reflect such authorization.

**Resolution #22-2017 Authorization to transfer funds for SAM Grant- Main Street Rehabilitation Project #7894**

WHEREAS, the Village of Barker has been awarded a State and Municipal Facilities Grant (SAM) by Senator Robert Ort for the use of the proposed project titled "Main Street Rehabilitation" Project, and

WHEREAS, the scope of the work to be performed is the milling and paving of Main Street, the milling and paving of the Village Hall/Library Municipal Parking Lot, install drainage and pave the Department of Public Works lot and replace the outdated piece of playground equipment located in David Barker Park on Main Street, and

WHEREAS, the grant has been executed by both the Village of Barker and Dormitory Authority of the State of New York (DASNY) as of November 21, 2017, and

WHEREAS, a transfer of funds is needed to modify the budget to reflect the portion that will be paid out by the Village toward the total SAM grant in the amount of \$17,708.00. The Total amount of the Main Street Rehabilitation project is \$85,882.00; SAM grant awarded \$51,370.00, CHIPS funding \$16,804 and the Village's share of \$17,708.00.

NOW THEREFORE BE IT RESOLVED, that the Village of Barker Board of Trustees grants authority to the Clerk-Treasurer to transfer \$17,708.00 from un-appropriated fund balance to appropriated fund balance and record the budget modification to reflect such authorization.

**Clerks Report**

- ✓ Wednesday, December 13<sup>th</sup> the Niagara County Veteran's Service Agency is visiting the Village Hall from 9:00am until Noon, appointment slots are available
- ✓ Village Hall will be CLOSED Monday, December 25<sup>th</sup> and Tuesday, December 26<sup>th</sup> due to the Christmas Holiday, as well as Monday, January 1<sup>st</sup> and Tuesday, January 2<sup>nd</sup> due to the New Year's Holiday
- ✓ Election petitions maybe released on Tuesday, January 2, 2018 and will be due between Tuesday, January 6, 2018 and no later than Tuesday, February 13, 2018 by 5:00pm
- ✓ Friday, March 9<sup>th</sup> is the last day for residents to register with the county board of elections to be eligible to vote in the Village election Tuesday, March 20, 2017

**Public Works Report**

- ✓ The Water systems Emergency Response Plan and Vulnerability Assessments must be updated every 5 years, which now the updates are due. The Vulnerability Assessment must now include a cyber security assessment, which the Clerk-Treasurer has been working on to become complaint
- ✓ Trees were planted in the Main Street park (5 trees: 1 Crimson King Maple, 2 Silver Maple, 1 Greenspire Linden, 1-Tartarian Maple) and Lake Park (1 tree: Aristocrat pear) on December 7, 2017

**Code Enforcement Report**

**Police Report**

**Correspondence:**

- Bohler Engineering-formal request to rezone parcel #18.14-1-27.1
- NYCOM letter regarding Gross Receipts Tax and NYSEG/RG&E's non-compliance
- Niagara County Center for Economic Development newsletter
- City of Shaker Heights request for SALT legislation resolution-Coalition against Double Taxation
- NC Mortgage Tax Distribution-December 15, 2017
- NC Gallonage Report

**Approval of Claims and Bill Payment: Abstract 007**

General Fund-\$10,746.91

Water Fund-\$9.848.63

**Voucher #'s 217-249**

T&A Fund-\$1,400.00

TOTAL \$21,995.54

**Budget Transfer:**

A1910.4 Insurance \$2,100.00 to A8160.4 Refuse Collection

A5110.4 Street Maintenance-Contractual \$8,500.00 to A8160.4 Refuse Collection

**Presentation by Bohler Engineering regarding the proposed Dollar General on Quaker Road**

**Public Comment**

**Board Comment**

**Adjournment**

**Next Work Session meeting is CANCELLED for January due to the New Year's Holiday.**

**Next regularly scheduled meeting will be Monday, January 8, 2018 at 7:00pm.**