



**VILLAGE OF BARKER BOARD OF TRUSTEES**  
**REGULAR MEETING AGENDA**  
**March 13, 2023 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 February 2023 was \$16,642.97 a \$2,429.01 increase from February 2022.
- **Approval of Minutes** for the Monthly Board meeting February 13, 2023  
Budget meeting held February 21, 2023  
Budget meeting held February 27, 2023

**Public Hearing Local Law #1-2023**

**NOTICE OF DEFECT**

**SECTION 1. FINDINGS.**

Where claims for bodily injury or damage to property are asserted against the Village of Barker arising out of alleged defective conditions of property owned by or in the care, custody or control of the Village, adequate notice to the Village of any such conditions, if found to exist, is necessary. Whether the Village has received actual or constructive notice of such alleged defective conditions is often a question of fact which can lead to uncertainty and possible unwarranted finding of liability against the Village. To assure that the Village received notice of an alleged defective condition and is able to respond in a prompt and reasonable manner, the Village Board considers it important that such prior notice be in writing. It is the purpose of this chapter to require that notice of defective conditions of Village property be given to the Village by prior written notice actually received by the Village in order to provide for the safety, health, protection and general welfare of the persons and property of the Village of Barker.

**SECTION 2. LIABILITY OF THE VILLAGE IN CERTAIN ACTIONS.**

No civil action shall be maintained against the Village of Barker for damages or injuries to person or property sustained in consequence of any street, highway, bridge, culvert, sidewalk or crosswalk being defective, out of repair, unsafe, dangerous or obstructed or for damages or injuries to person or property sustained solely in consequence of the existence of snow or ice upon any sidewalk, crosswalk, street, highway, bridge or culvert unless written notice of the defective, unsafe, dangerous or obstructed condition or of the existence of the snow or ice, relating to the particular place, was actually given to the Village Clerk and there was a failure or neglect within a reasonable time after the receipt of such notice to repair or remove the defect, danger or obstruction complained of, or to cause the snow or ice to be removed, or the place otherwise made reasonably safe.

**SECTION 3.**

No civil action shall be maintained against the Village of Barker for injuries to person or property sustained in consequences of any property owned or maintained by the Village of Barker being out of repair, unsafe, dangerous or obstructed unless written notice of the out of repair, defective, unsafe, dangerous or obstructed condition actually given to the Village Clerk, and there was a failure or neglect within a reasonable time after receipt of such notice to repair or remove the out of repair, defect, defective, unsafe, dangerous or obstructed condition after a reasonable time of such notice.

**SECTION 4.**

The Village Clerk shall maintain a separate record of any and all written notice which shall be received pursuant to the provisions of this law.

**SECTION 5.**

Electronic submissions, including email, social media or any other electronic means shall not constitute a valid prior written notice as required pursuant to the terms of this law.

**SECTION 6. SEVERABILITY.**

If any part or provision of this chapter, or the application thereof, to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgement shall be confined in its operation to the part, provision or application directly involved in the controversy in which such judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this chapter, or application thereof to other persons or circumstances.

**SECTION 7.**

This Local Law is adopted pursuant to the terms of Village Law 6-628, Municipal Home Rule Law including section 10(1)(i) thereof and New York State Constitution Article IX including the power to enact Local Laws relating to municipalities property.

**SECTION 8. TERM.**

This law shall take effect immediately upon filing with the Secretary of State.

**Set a public hearing date and time for FY 2023-2024 Budget (April 3, 2022 at 7:00pm)**

**Clerks Report**

- ✓ Any unpaid water accounts as of April 1, 2023 will be re-levied onto the Village tax roll for collection June. Final notices were mailed to each unpaid account on February 17, 2023
- ✓ Please begin to think about the Spring newsletter and any articles that you would like to submit. This newsletter must be kept to 4 pages because of the annual drinking water quality report, target date is April 15<sup>th</sup>
- ✓ Village Election will be held March 21<sup>st</sup> from Noon until 9:00pm at the Barker Fire Hall

**Public Works Report**

**Code Enforcement Report**

2 permits issued- a roof and a remodel

**Correspondence:**

NC Gallonage Report

**Approval of Claims and Bill Payment:** Abstract 010 Voucher #'s 312-344

General Fund-\$12,171.35	Water Fund-\$439.13	T&A Fund-\$1,400.00	TOTAL \$14,010.48
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**Budget Transfer:** A8160.4 Garbage Contract \$810.00 to A1640.41 DPW Gasoline

**Public Comment**

**Board Comment**

**Adjournment**

**Next regularly scheduled meeting will be the Annual Organizational meeting on Monday, April 3, 2023 at 7:00pm at the Barker Fire Hall**