



# VILLAGE OF BARKER BOARD OF TRUSTEES

## REGULAR MEETING AGENDA

October 12, 2015 7:00PM

Mayor Aaron Nellist  
Deputy Mayor Janice M. Rider  
Trustee Gregory P. Kerth  
Trustee Scott Matheis  
Trustee Kimberly Ruffini

### Attendance

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

- **Sales tax** received for September 2015 was \$10,980.94 an increase of \$233.99 over Sept. 2014
- **Approval of Minutes** for the monthly board meeting September 14, 2015

The **Minutes from the October 7, 2015 Planning Board Meeting** regarding the East Avenue Proposals are presented to the Board of Trustees as their recommendation.

### Resolution #23-2015 SALE OF REAL PROPERTY

WHEREAS, the Village owns certain real property which is identified by tax map number 18.10-1-5.211 and is within the F-1 General Industrial zoning district, and

WHEREAS, the parcel that is owned by the Village was part of a larger parcel that was purchased in 2007 by the Village from Bird's Eye Foods, Inc. for \$20,000 (the "Bird's Eye parcel") on which were several buildings in poor condition. After purchasing the Bird's Eye parcel, the Village separated out and sold two smaller parcels, each for \$5,000, and

WHEREAS, the Village is currently using a building that was on the Bird's Eye parcel for its police department and intends to continue to do so, and

WHEREAS, an inquiry was recently made of the Village whether the remaining parcel, which contains 3 buildings in poor condition, was available for purchase. Thereafter the Village solicited offers for purchase of the remaining parcel from any interested purchaser, requiring any interested purchaser to include a plan for how the parcel would be used. In response the Village received two proposals. One from Erin Goodlander, d/b/a Barker Brewing and one from Robert Wendler d/b/a JNM Properties. The Goodlander proposal was for \$10,000 and proposed to use the property for an expansion of their brewery. The Wendler proposal was for \$20,000 or "\$1,000 greater than the highest bid-up to \$20,000 max bid" and proposed to use the property for housing for senior citizens. After receiving the two proposals the Village Board referred the matter to the Planning Board for to make a recommendation.

On October 7, 2015 the Planning Board convened and each of the proposers appeared and answered detailed questions concerning their offer and plan. For the reasons disclosed in its minutes the Planning Board recommended to the Village Board that the parcel be sold to Erin Goodlander d/b/a Barker Brewing for her intended purpose.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1) That the Village Board finds that selling the parcel to Erin Goodlander d/b/a Barker Brewing rather than Robert Wendler d/b/a JNM Properties is in the best interest of the Village for the following reasons:  
The proposed use of the property as a brewery is within the uses allowed by the Village Zoning laws (F-1 General Industrial District) while apartments for lease to senior citizens is not.  
Sale of the parcel to Barker Brewing would allow expansion of the brewery, including an increase of production and likely expanded employment opportunities for Village residents. It would also encourage further economic development in the Village.  
Sale of the parcel to Barker Brewing would allow a successful business to expand and enable the business to remain in the Village.  
The brewery is currently located on a parcel too small for expansion and without the ability to expand the business would likely have to re-locate.  
The proposer has proven its ability and willingness to re-purpose and renovate dilapidated buildings as its current location is in a formerly dilapidated building.

2) That the proposed purchase price of \$10,000 plus costs associated with the transfer is adequate consideration and reflects the market value of the parcel. The parcel has limited street frontage, contains 3 dilapidated buildings, and requires substantial infrastructure investment before it can be purposefully used (water lines, gas lines, electricity, etc.). The purchase price represents a full return of the Village's initial investment of \$20,000 despite the retention of the police station by the Village.

3) That the parcel is surplus property not currently being used for any Village purpose and not needed for any Village purpose. That sale of the property will serve Village purposes including those outlined above and is in the public interest.

4) That the Village accept Erin Goodlander d/b/a Barker Brewing's offer to purchase the above mentioned parcel for \$10,000 plus costs and authorizes the Mayor to execute a written contract and all other documents necessary to effectuate the sale, subject to approval by the Village's attorney, conditioned on the following: a) the purchaser will be responsible for all closing costs including the cost of a survey and title search, b) the building containing the police station and the grounds surrounding it are excluded from the sale, c) the Village will retain right of ways and easements as it shall determine, d) property to be sold in "as is" condition.

### **Establishing "Trick or Treating" Hours within the Village**

#### **Clerks Report**

- ✓ East Avenue Water Main Extension project is going to be closed out this coming month, after the last retainage is paid to V&B Underground Utilities
- ✓ Any unpaid taxes must be paid before October 30<sup>th</sup> or they will be relieved onto the County/Town tax roll for collection in January
- ✓ Fall newsletter will be mailed out by October 16<sup>th</sup>, would like to go paperless saving the Village \$240 per year on postage and \$20 on paper

#### **Public Works Report**

- ✓ Water loss is down to 12% this quarter, a reduction from 33.32%. Saving the Village \$850.50 this quarter. USDA Rural Development was notified and a water comparison was given.
- ✓ Approval to grind stumps from trees done by National Grid forestry

#### **Code Enforcement Report**

#### **Police Report**

- ✓ Would like the \$1,600 put into vehicle maintenance budget line from the sale of the Police Car

#### **Correspondence:**

Letter from Barker Brewing  
Letter from PWT regarding Liquor Licensing  
Time Warner Cable Programming Changes-September 2015  
Time Warner Cable Programming Changes-October 2015  
NCCC-Thurs., Oct. 29, 2015 from 5-9:30pm Planning and Zoning Board Training -RSVP by Oct. 23, 2015  
Buffalo Niagara Enterprise-NY Sun solar power initiative  
Barker Central School Homecoming letter  
The Bank of Greene County  
NC Gallonage Report-Great Improvement  
American Council of Engineering Companies of NY (ACEC) How to fund your water infrastructure project 10/20 9am-12:30pm  
Pipeline public awareness pamphlet  
Real Estate Auction-KeyBank

**Approval of Claims and Bill Payment:** Abstracts 005    Voucher #'s 137-166  
General Fund-\$6,653.72    Water Fund-\$3,525.21    TOTAL \$10,178.93

**Budget Transfer:** A3120.46 Police Vehicle Maintenance \$1,600 from A1990.4 Contingency  
A8560.4 Shade Trees \$800.00 from A1990.4 Contingency

#### **Public Comment**

#### **Board Comment**

#### **Adjournment**

**Next regularly scheduled work session will be November 2<sup>nd</sup>, 2015 @ 6:00pm**  
**Next regularly scheduled meeting will be November 9<sup>th</sup>, 2015 @ 7:00pm**