

# VILLAGE OF BARKER BOARD OF TRUSTEES ANNUAL ORGANIZATIONAL MEETING MINUTES

APRIL 7, 2014 7:00PM



Mayor Aaron Nellist  
Deputy Mayor Mark Wilson  
Trustee Gregory P. Kerth  
Trustee Janice M. Rider  
Trustee Kimberly Ruffini

In attendance: Police Chief W. Ross Annable, Department of Public Works Superintendent Mark Remington, Deputy Clerk-Treasurer Vicky Baker, Judy Remington, Pat Fuller and 6 Participation in Government Students.

The meeting was opened with the Pledge of Allegiance administered by Mayor Nellist at 7:00pm.

**Oath of office** for Janice Rider and Kimberly Ruffini was administered by the Clerk-Treasurer, Amanda M. Detschner.

**Mayoral Appointments to be approved by the Board of Trustees:**

Code Enforcement Officer- Mark Remington -1 Year Term  
Village Historian- Peter Devereaux- 1 Year Term  
Zoning Board- Dale Corwin-3 Year Term  
Zoning Board- Joseph Naish-3 Year Term  
Official Newspaper- Lockport Union Sun and Journal  
Village Attorney- Daniel E. Seaman, Esq.  
Alternate Village Attorney (Town Disputes)-Tom Casserta, Esq.  
Village Engineer – Chatfield Engineers  
Appointment of Frank Rider, III for Department of Public Works, per diem laborer.

**Approval by Board of Trustees** was moved by Deputy Mayor Wilson and seconded by Trustee Kerth. A unanimous vote followed carrying the motion.

The **Oath of Office for Mayoral Appointments** was administered by the Clerk-Treasurer, Amanda M. Detschner.

**Mayoral Assignments for the Board of Trustees**

Deputy Mayor Wilson-Equipment and Inventory  
Trustee Kerth-Street/Sidewalks  
Trustee Rider-Policy/Procedure  
Trustee Ruffini-Parks and Recreation

**PUBLIC HEARING FOR THE TENTATIVE BUDGET FY June 1, 2014- May 31, 2015 was opened at 7:05pm.**

General Fund- 318,297  
Water Fund- 97,135  
TOTAL- 415,432

Comment from the public was silent. Mayor Nellist closed the Public Hearing at 7:07pm.

**Adoption of the Budget Resolution # 7-2014**

WHEREAS the tentative budget for the year 2014-2015 has been duly presented to the Board of Trustees by the Budget Officer and

WHEREAS a duly advised public hearing has been held thereon,

THEREFORE BE IT RESOLVED, pursuant to section 5-508 (4) of the Village Law, that the said tentative budget, as changed, altered, and revised, be and hereby is adopted as the Budget of the Village of Barker for the year 2014/2015.

A motion to adopt resolution #7-2014 was made by Trustee Kerth and a second was offered by Trustee Rider. All voted aye to carry the motion.

**Honoring of past Trustee Patricia Fuller** for her service to the Village through a certificate of appreciation and gift certificate.

**The approval of minutes** of the March 10, 2014 minutes as submitted by the Clerk-Treasurer was motioned by Trustee Rider and a second was offered by Deputy Mayor Wilson. A unanimous vote carried the motion.

**Election Results:** We had 12 voters turn out for the election on March 18<sup>th</sup> for two Trustees each for two year terms.

Janice Rider received 9 votes  
Kimberly Ruffini received 12 votes

**Investment Policy-Resolution #8-2014**

The Investment Policy was adopted on a motion from Trustee Kerth and seconded by Deputy Mayor Wilson. All voted aye to carry the motion. This policy is on file with the Village Clerk.

**Procurement Policy- Resolution #9-2014**

The Procurement Policy was adopted on a motion from Trustee Rider with a second offered by Deputy Mayor Wilson. A unanimous vote followed to carry the motion. This policy is also on file with the Village Clerk.

**Mileage Allowance-Resolution #10-2014**

WHEREAS the Board of Trustees has determined to pay a fixed rate for mileage as reimbursement to officers and employees of the Village who use their personal automobiles while performing their official duties on behalf of the Village of Barker.

NOW THEREFORE BE IT RESOLVED:

Section 1. That the Board of Trustees shall approve reimbursement to such officers and employees at the rate of .56 per mile.

Section 2. That this resolution shall take effect immediately.

Trustee Kerth moved to adopt resolution #10-2014 and Trustee Rider seconded. All voted in favor and this resolution was adopted.

**Advanced Approval of Claims- Resolution #11-2014**

WHEREAS the Board of Trustees has determined to authorized payment in advance of audit of claims for public utility services, postage, freight and express charges, and

WHEREAS all such claims shall be presented to the next regular meeting for audit and

WHEREAS the claimant and officer incurring or approving the same shall be jointly and severally liable for any movement disallowed by the Board of Trustees,

NOW THEREFORE BE IT RESOLVED:

Section 1. That the Board of Trustees authorizes payment in advance of audit of claims for public utility services, postage freight and express charges and all such claims shall be presented at the next regular meeting for audit and the claimant and officer incurring or approving the same shall be jointly and severally liable for any amount disallowed by the Board of Trustees.

Section 2. That this resolution shall take effect immediately.

Trustee Kerth moved to adopt resolution #11-2014 and Deputy Mayor Wilson offered the second. All voted aye, therefore adopting this resolution.

**Attendance at Schools and Conferences- Resolution #12-2014**

WHEREAS there is to be held during the coming official year

New York State Conference of Mayors and Fall Training School for Fiscal Officers and Municipal Clerks  
Niagara County Municipal Clerks Association meetings  
Niagara County Association of Town Highway Superintendents  
Western New York Water Works Association  
Western New York Fire Marshall's Inspectors Association  
Niagara Frontier Building Officials Association  
New York State Municipal Finance Officers  
Cornell Municipal Clerks Institute  
Etc. and

WHEREAS it is determined by the Board of Trustees that attendance by certain municipal officials and employees at one or more of these meetings, conferences or schools benefit the municipality;

NOW THEREFORE BE IT RESOLVED:

That the Superintendent of Public Works, Clerk-Treasurer, Deputy Clerk-Treasurer and Building Inspector be authorized to attend these previously named meetings with the understanding that their primary responsibilities to the Village are met.

This resolution shall take effect immediately.

Deputy Mayor Wilson moved to adopt resolution #12-2014 and Trustee Ruffini offered the second. A unanimous vote followed adopting the resolution.

**Designation of Official Depository- Resolution #13-2014**

WHEREAS the Board of Trustees of the Village of Barker has determined that Village Law 4-412(3)(2) requires the designation of banks or trust companies for the deposit of all village monies;

NOW THEREFORE BE IT RESOLVED:

**Section 1:** That the Board of Trustees of the Village of Barker does hereby designate Key Bank as the depository of all money received by the Village Clerk-Treasurer.

**Section 2:** That this resolution shall take effect immediately.

Trustee Rider moved to adopt resolution #13-2014 and the second was offered by Trustee Kerth. All voted aye, therefore adopting this resolution.

**Resolution #14-2014**

**Setting the monthly meetings of the Village of Barker Board of Trustees, regular work sessions and setting the annual organizational meeting.**

WHEREAS the Village of Barker Board of Trustees meets on a monthly basis, and

WHEREAS a regular time and day for these meetings is necessary to provide for public attendance

THEREFORE BE IT RESOLVED that the Monday preceding the regular monthly meeting is hereby established as the regular work session at seven o'clock PM in the Village Hall and

THEREFORE BE IT RESOLVED that the monthly meetings of the Village of Barker Board of Trustees shall be held on the second Monday of each month at seven o'clock PM in the Village Hall and

THEREFORE BE IT FURTHER RESOLVED that the annual organizational meeting of the Village of Barker Board of Trustees shall be held on the first Monday of April at seven o'clock PM.

Trustee Kerth moved to adopt resolution #14-2014 and Trustee Ruffini offered the second. All voted aye, therefore adopting the resolution.

#### **Procedure for calling of Special Meetings-Resolution #15-2014**

WHEREAS, it is not uncommon for special meetings to be necessary in addition to the regular meetings of the Village of Barker Board of Trustees, and

WHEREAS, it is necessary, as well, to have a procedure for calling such meetings, and

WHEREAS it is also necessary notify the public and the news media of these special meetings,

THEREFORE BE IT RESOLVED that these special meetings may be held at the request of the Mayor alone and/or at the request of two or more Trustees, and

THEREFORE BE IT FURTHER RESOLVED that the Clerk will notify each member individually and that in the absence of the Clerk, the Mayor will provide the notification and

That this resolution shall take effect immediately.

Trustee Kerth moved to adopt resolution #15-2014 and Deputy Mayor Wilson seconded. All voted aye, therefore adopting the resolution.

The **Approval of Contract with Barker Fire Department** in the amount of \$6,500 for the 2014-2015 fiscal year. The contract was written that the Village will make monthly payment to the Fire Department in order to make the severance of the contract easier when the time comes. Trustee Kerth moved to approve the 2014/2015 contract with the Barker Fire Department, while Trustee Ruffini seconded. A unanimous vote followed to carry the motion.

**Sales Tax** from Niagara County for February was \$8,878.28 a decrease of \$237.50 from February 2013.

**Unpaid Water-** Authorize the Clerk-Treasurer to collect unpaid water rents, delinquent as of April 11<sup>th</sup> by the Tax Levy. The unpaid amount as of March 31 was \$9,474.58. A motion to collect the unpaid rents was moved by Deputy Mayor Wilson and a seconded was offered by Trustee Rider. All voted in favor to carry the motion.

#### **64 Gallon Recycling Carts**

- Arrived on March 28<sup>th</sup>
- Education Day/Distribution Day April 26, 2014 from 9am-Noon at the Barker Fire Hall, back building Modern Disposal will be on site to answer questions, Board/Employee presence for distribution and faith in program
- First day of "EOW" Every Other Week recycling will being on Tues., May 20<sup>th</sup>.
- It was decided that one cart per household, apartment buildings or residents who want to purchase more carts will be done for the price of \$45.00. Deputy Mayor Wilson offered to contact the Barker Commons to discuss the possibility of them securing a recycling dumpster. The board also advised Judy Remington of Pizza, Wings and Things to look into such receptacle, as well.

#### **Clerk - Treasurer**

- Financial Report was submitted and discussed.
- Gas Leak on March 14<sup>th</sup> – NYSEG repairman said Board room vent less heater is inadequate as heat source
- Office Furnace repaired on March 19<sup>th</sup>-fan switch replaced by Drum Oil
- Water bills to be mailed out on April 10<sup>th</sup> and are due w/o penalty by May 12<sup>th</sup>.
- Spring Newsletter to be mailed out between April 10-April 14, which will include the Annual Drinking Water Quality Report
- Submitting two additional plates for the NYS Emergency Management –special edition plates for authorized responders
- NFAVO meeting –Barton Hill Restaurant \$25.00/ person Speaker will be the Town of Lewiston regarding the biological waste lagoons

#### **Public Works**

- Report submitted was submitted and discussed.
- Water Comparison Report, still has substantial loss. Leak detection was called and will be out later in April.
- The Barker Business Association is folding and using the money in treasury to purchase 2 new steel, square, 20 year warranty picnic table for the Village Park. The third table will be partially paid for by the Barker Business Association, as well as the Dewart Family in loving memory of John, "Jack" Dewart, a former Mayor who recently passed away.
- The Village Board graciously accepted the generosity of the Barker Business Association, as well as Dewart Family.

**Code Enforcement**

- One demolition permit issued in March

**Police Report** was submitted and discussed.

**Correspondence:** Somerset Assessor's Veteran's exemption report comparison  
 Thank You note from Joyce Dewart regarding flowers sent in honor of Jack Dewart  
 NC Gallonage Report  
 NYCOM update on Governor's Tax Freeze Proposal  
 Informational Materials from Orleans Community Health Foundations  
 Time Warner Cable Programming changes-March  
 Time Warner Cable Programming changes-April  
 PILOT information from Niagara County Economic Development  
 E-mail from Gordon Porter regarding voting  
 Pipeline Safety Seminars  
 Grace Under Pressure: Municipal Innovation Exchange Summit-April 25, Syracuse, NY  
 NYCOM Annual Meeting- May 4-6 Saratoga, NY  
 WNY Regional Economic Development Council- Meeting Minutes from March 11<sup>th</sup> meeting

**Approval of Claims and Bill Payment:** Abstracts 10A-10F Voucher #468-518  
 General Disbursements: \$19,187.08 Water Disbursements: \$2,034.52 Total Disbursements: \$21,221.60  
 Trustee Rider moved to pay the bills and a seconded was offered by Trustee Kerth. All voted aye to carry the motion.

**Budget Transfers:** A4020.4 (Registrar) \$ 70.00 from A1325.44 (Code Publishers) A motion was made by Trustee Kerth as a seconded as offered by Trustee Rider. A unanimous vote followed to carry the motion.

**Public Comment** was offered by Patricia Fuller. She expressed that money is available from the Bridge Commission, but it has to be a non-profit organization working with the municipality in order to be eligible to receive the matching funds.

**Board of Trustee Comment**

Trustee Kerth: Feels the Board should look at instituting the Veteran's exemption on our tax base/levy.

Tom Casserta, Esq. has been retained on behalf of the Village to represent the Village in instances that involve the Town of Somerset. Also the article in the Buffalo News referring to the pot hole grant money is just out CHIP money with a little extra added to it. Trustee Kerth also voiced his disappointment in the turn out for our last election. He expressed the need for the entire Board to exercise their right to vote, as well as his frustration for the lack of participation by our citizens in their local governments.

Mayor Nellist: Expressed the need to get the water loss under control and get hold of any agency that can help us locate the source. He also inquired about the Safeway to School sidewalk grant, that this may be a way to improve our sidewalks with help. Mayor Nellist expressed wishes on continuing the sidewalk work to the business end of Main Street and an overall beautification of that area.

**The motion for adjournment** was offered by Deputy Mayor Wilson and a second was offered by Trustee Rider. All voted in favor to carry the motion. Meeting adjourned at 8:21pm.

Next Work Session – May 5<sup>th</sup> at 7:00pm

Next Meeting – May 12<sup>th</sup> at 7:00pm

Respectfully Submitted,

Amanda M. Detschner  
 Clerk-Treasurer