

MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MEDINA HELD ON MONDAY, APRIL 24, 2017 AT 7:00 P.M. IN THE TOWN OF SHELBY TOWN HALL.

Present: Mayor Michael Sidari
Trustees Todd Bensley, Owen Toale, Marguerite Sherman, Timothy Elliott
Police Chief Chad Kenward, Fire Chief Thomas Lupo, DPW Superintendent Peter Houseknecht, Code Enforcement Officer Martin Busch
Attorney Matthew Brooks

Mayor Sidari called the meeting to order at 7:00 p.m. with the Pledge of Allegiance to the flag.

The Mayor opened the Public Hearing on Local Law No. 3 Override the Tax Levy Limit. No interested person appeared to speak. The Public Hearing was closed at 7:03 p.m.

A motion was made by Trustee Bensley and seconded by Trustee Elliott. The following adoption of Local Law No. 3 – 2017 Override the Tax Levy Limit.

Section 1. Legislative Intent.

It is the intent of this Local Law to allow the Village of Medina to adopt a budget for the fiscal year commencing June, 2017, that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

Section 2. Authority.

This Local Law is adopted pursuant to Subdivision 5 of the General Municipal Law §3-c, which expressly authorizes a local government’s governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty (60%) percent of said governing body.

Section 3. Tax Levy Limit Override.

The Board of Trustees of the Village of Medina, County of Orleans, is hereby authorized to adopt a budget for the fiscal year commencing June, 2017, that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Severability.

If a Court determines that any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the Court’s Order or Judgment shall not affect, impair, or invalidate the remainder of this Local Law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such Judgment or Order shall be rendered.

Section 5. Effective Date.

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

All ayes Motion carried.

The Mayor opened the Public Hearing regarding the 2017-18 Village Budget. He explained that the \$.4149 increase would result in an additional \$31.00 per year on property assessed for \$75,000. No interested persons appeared to speak and the public hearing was closed at 7:10 p.m.

A motion was made by Trustee Elliott and seconded by Trustee Bensley. The following General Fund Budget for 2017-18 is approved:

Total Appropriations		\$5,400,939
Less Estimated Revenues	\$2,287,938	
Cash Surplus	<u>190,000</u>	
		<u>\$2,477,938</u>
Balance to be Raised by Taxes		\$2,923,001
Taxable Valuation	\$164,952,146	
Estimated Tax Rate		\$17.7203

All ayes
Motion carried.

Mayor Sidari introduced a representative from Municipal Gas and Electric Alliance (MEGA Energy), who gave a presentation on their energy program, Community Choice Aggregation (CCA). They act as broker for National Grid and NYSEG, soliciting bids for energy supply. Residents would be given a brief period to "opt-out." Their fee, \$.0001 would be added to the winning rate. They also offer a program solely to municipal properties.

Patty Mark, 735 West Center Street, addressed the Board with her concern regarding the tractor trailer marks left on all corners in the West Center Street and Park Avenue blocks in the area of the Pickle Factory. She presented the Board with several pictures showing damage to property and curbing. She suggested signs diverting the trucks from these side streets that already have weight restrictions posted. Chief Kenward and Supt. Houseknecht will draft a letter advising of the legal route to the businesses on Park Avenue.

Pat O'Brien, owner of Main Liquor, informed the Board that he had obtained a petition with 220 signatures requesting a ten-minute parking spot in front of his establishment. He reported a 25% loss in business since spots have been full with the opening of a neighboring business. He also stated that he and his employees park on Main Street since the Liquor Authority does not allow him to have a rear entrance to his building.

The owner of Pedal and Paddle approached the Board about using the floating docks in the canal basin for his watercraft rental business. The Board had several questions and expressed interest in this endeavor. They will have Attorney Brooks review the matter regarding liability.

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A motion was made by Trustee Toale and seconded by Trustee Elliott.

WHEREAS, the Village of Medina is in support of the creation of jobs in the Village and surrounding areas; and

WHEREAS, the Village is in full support of obtaining employment for residents of the Village and surrounding areas; and

WHEREAS, a job fair would benefit the Village of Medina and local communities for the aforesaid reason.

NOW, THEREFORE, BE IT

RESOLVED, that the Village shall participate in a job fair to be held on May 18, 2017, from 1:00 to 5:00 p.m., and said job fair is to be held at Genesee Community College, Medina, New York 14103; and be it further

RESOLVED, that there is expense in the organization and operation of said job fair, to this end, the charge for booths for interested employers at said job fair shall be as follows: \$50.00 per booth for profit businesses, \$0.00 per booth for non-profit entities; and be it further

RESOLVED, that the Village Clerk shall notify the Village's insurance provider as to the participation in said job fair and shall obtain, from the insurance provider any necessary riders to properly insure the Village for said job fair, and the Village shall obtain from the owner of the location at which the job fair is to be held, a Certificate of Insurance naming the Village of Medina as additional insured for the said event, including preparation and cleanup.

All ayes
Motion carried.

A motion was made by Trustee Bensley and seconded by Trustee Sherman. The resignation of Amanda Moore as Account Clerk-Typist is accepted effective April 14, 2017.

All ayes
Motion carried.

A motion was made by Trustee Sherman and seconded by Trustee Toale. The Mayor is authorized to sign a request to Orleans County Civil Service for a current Certificate of Eligibles list for an Account Clerk-Typist position.

All ayes
Motion carried.

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A motion was made by Trustee Bensley and seconded by Trustee Elliott. The rain date for the United Way Super Cruise is authorized to be changed to Thursday, August 24, 2017.

All ayes
Motion carried.

A motion was made by Trustee Bensley and seconded by Trustee Elliott. The following Towing Policy and Application are approved, with policy excerpt as follows:

Any tow/recovery business that will be towing for the Village of Medina, NY must:

1. *Maintain minimum equipment standards for tow operations within Orleans County.*
2. *The operator must be able to have equipment on location within 30 minutes of being called.*
3. *An impound lot large enough to store 8 vehicles will be established in the Village of Medina in an area that meets both zoning and planning boards requirements. An impound area may be established inside a secured building.*
4. *All towed vehicles towed within the Village will be stored at the impound lot in the Village*
5. *The impound lot will have the following safety and security precautions:*
 - a. *A fenced in area with a locking gate. The gate will be locked when the lot is in use.*
 - b. *At least one security camera facing the impound lot.*
 - c. *At least one light illuminating the impound lot.*
 - d. *Minimum of one fire extinguisher on premises.*
 - e. *Must have an employee and a working phone number at the impound lot Monday through Friday during business hours and must be available on weekends when vehicles are on the lot.*
 - f. *No vehicles that were involved in a collision will remain on an outside lot more than 7 days or until released by an insurance company.*
6. *The Medina Police Department will have a list of authorized tow providers in each patrol vehicle with the name of authorized tow operators. The owner or operator will choose what tow operator to tow their vehicle.*
7. *Tow operators will be subject to yearly review by the Village of Medina, NY.*

All ayes
Motion carried.

A motion was made by Trustee Bensley and seconded by Trustee Sherman. The lone bid received, from Hartway Motors, for a 2015 Chevrolet Equinox with an odometer reading of approximately 27,000 miles, is accepted in the amount of \$14,900.00.

All ayes
Motion carried.

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A motion was made by Trustee Toale and seconded by Trustee Bensley. The 2002 Ford Ranger, used by the Code Enforcement Office, is declared surplus.

All ayes
Motion carried.

A motion was made by Trustee Toale and seconded by Trustee Bensley. The Board authorizes the creation of the Waterfront Development Committee, with Trustee Elliott as Liaison.

All ayes
Motion carried.

A motion was made by Trustee Sherman and seconded by Trustee Elliott. The Board approves the Planning Board recommendation to extend the Business District Overlay.

All ayes
Motion carried.

Chief Kenward reported that he has thus far installed one of the new modems in a police car; he attended a meeting at the county on domestic violence; "National Night Out" is scheduled for August 1; and Officers Frenz and Forgione had assisted the Medina Fire Department with an ambulance call.

Chief Lupo reported that "all the fires are out." He added that the ambulance had a couple of run-ins with deer. Also, following the recent physical agility test, there were ten eligible on the Firefighter's list.

A motion was made by Trustee Sherman and seconded by Trustee Toale. The bills as submitted, are authorized for payment.

All ayes
Motion carried.

Trustee Elliott offered his thanks to the Department Heads for their work on the budget.

Trustee Toale and Trustee Sherman expressed their appreciation for their fellow Board members and their ability to work together.

Mayor Sidari advised that the Village did not receive the TAP grant from the NYS Department of Transportation.

He also expressed his thanks to Board members and department heads for their efforts on the budget.

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A motion was made by Trustee Toale and seconded by Trustee Elliott. The meeting is adjourned to Executive Session at 9:00 p.m. to discuss potential litigation.

All ayes
Motion carried.

Respectfully submitted,

Deborah L. Padoleski
Clerk-Treasurer