

MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MEDINA HELD ON MONDAY, APRIL 25, 2016 AT 7:00 P.M. IN THE VILLAGE CLERK'S OFFICE CONFERENCE ROOM.

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

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

Mayor Sidari opened the Public Hearing on proposed Local Law No. 2 for 2016, entitled "Override the Tax Levy Limit". No interested persons appeared to speak. The Mayor closed the Public Hearing at 7:02 p.m.

The Mayor opened the Public Hearing on the proposed 2016-17 Budget at 7:05 p.m. He provided a synopsis of the budget as follows:

Total Appropriations		\$ 5,045,818
Less:		
Estimated Revenues	\$1,926,482	
Cash Surplus and Reserves	<u>264,000</u>	
		\$ 2,190,482
Balance to be raised by taxes		\$ 2,855,336
Taxable Valuation		\$164,996,442
Estimated Tax Rate		\$ 17.3054

He noted that even with the loss of Bernzomatic and a resulting \$1,255,721 loss in taxable valuation, they were able to keep the rate at a \$.17, or less than 1%, increase over last year. He commended department heads and fellow board members for their cooperation.

No interested persons appeared to speak and the Mayor closed the Public Hearing on the budget at 7:07 p.m.

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A motion was made by Trustee Bensley and seconded by Trustee Elliott. The Minutes of April 11, 2016, April 12, 2016, and April 14, 2016, are approved as submitted.

All ayes  
Motion carried.

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

All ayes  
Motion carried.

The following motion was made by Trustee Toale and seconded by Trustee Bensley.

WHEREAS, the Village Board of the Village of Medina wishes to assess the advisability of submitting a Community Development Block Grant ("CDBG") application to the New York State Office of Community Renewal ("OCR") for funding to support the expansion of product line production at the Associated Brands ("the project") facility located at Park Avenue and 4001 Salt Works Road, Medina, NY 14103; and

WHEREAS, the Village is required to hold a public hearing to provide information to the public and to consider citizen comments regarding the CDBG program and the Project prior to submitting an application for CDBG funding;

NOW, THEREFORE, BE IT

RESOLVED, that the Medina Village Board calls for a Public Hearing whereas all interested parties shall be heard; and be it further

RESOLVED, that the Public Hearing shall be held on May 9, 2016, at 7:00 P.M. at the Town of Shelby Town Hall, 4062 Salt Works Road, Medina, NY 14103; and be it further

RESOLVED, that the Village Clerk is hereby directed to have published at least once in the Batavia Daily News, at least seven (7) days before the date scheduled for the Public Hearing, the Public Hearing Notice that is attached hereto.

All ayes  
Motion carried.

A motion was made by Trustee Sherman and seconded by Trustee Bensley. The Mayor is authorized to sign the Addendum to Water Supply Agreements with the Town of Shelby and the Niagara County Water District regarding Water District No. 12.

All ayes  
Motion carried.

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A motion was made by Trustee Toale and seconded by Trustee Sherman. The Mayor is authorized to sign a contract regarding ambulance service provided to the Towns of Ridgeway, Shelby and Yates, and the Village of Lyndonville.

All ayes  
Motion carried.

A motion was made by Trustee Elliott and seconded by Trustee Bensley. The Mayor is authorized to sign an agreement with Young Explosives Corporation to provide a fireworks display at the Medina Parade of Lights Event on November 26, 2016, at a cost of \$2,400.

All ayes  
Motion carried.

A motion was made by Trustee Toale and seconded by Trustee Elliott. The Mayor is authorized to sign an agreement with Computel Consultants, who will perform a utility bill review.

All ayes  
Motion carried.

A motion was made by Trustee Bensley and seconded by Trustee Toale. The Mayor is authorized to sign an agreement with Bonadio & Co. for their audit services for fiscal year ending May 31, 2016, at a cost of \$12,750.00.

All ayes  
Motion carried.

A motion was made by Trustee Elliott and seconded by Trustee Bensley. The following Local Law No. 2 for 2016 Override the Tax Levy Limit Established in General Municipal Law Sec. 3-c is adopted.

**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, 2016, that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law Section 3-c.

**Section 2. Authority**

This Local Law is adopted pursuant to Subdivisions 5 of the General Municipal Law Section 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.

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**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, 2016, that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law Sec. 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.

A motion was made by Trustee Sherman and seconded by Trustee Toale. The 2016-17 Budget, with a tax rate of \$17.3054, is hereby adopted.

All ayes  
Motion carried.

A motion was made by Trustee Bensley and seconded by Trustee Elliott. The resignation of Police Officer Jason Barnum effective May 8, 2016, is hereby accepted with regret.

All ayes  
Motion carried.

Supt. Houseknecht reported that the installation of the water and sewer at the Pride Pak project would be started in the next week or two.

Fire Chief Lupu thanked the DPW for the mechanic's time and efforts to save the Village costly repairs of the fire truck.

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A motion was made by Trustee Toale and seconded by Trustee Sherman. Adam Fisher is removed as Fire Callman due to his recent appointment as Firefighter.

All ayes  
Motion carried.

Code Enforcement Officer Busch reported on building progress at Pride Pak. He also noted that he had performed uncut grass inspections, resulting in 53 notices mailed to property owners.

A motion was made by Trustee Bensley and seconded by Trustee Sherman. Corey Collins is appointed Police Officer effective May 9, 2016, at the Step 1 rate, for a probationary period of 78 weeks.

All ayes  
Motion carried.

A motion was made by Trustee Elliott and seconded by Trustee Bensley. The Police Chief is authorized to apply for two grants – Police Traffic Services and the General Highway Safety Grant - to obtain funds for routine costs, as well as body cameras and a police vehicle.

All ayes  
Motion carried.

Chief Kenward also thanked the DPW for the time and efforts of their mechanic who rebuilt the suspension on Car 22.

Trustee Toale thanked the department heads for the efforts regarding the budget. He noted that this was a difficult year with the loss of Bernzomatic.

Trustee Bensley said that he was happy with the end result regarding the budget and offered his thanks to department heads and board members. He also reported that on the recent "Make an Impact Day" sponsored by Medina Central School, 100 students had participated in volunteer community projects during a half day off from school.

Attorney Brooks requested a brief Executive Session to discuss pending litigation.

Mayor Sidari also offered his thanks to the Board and department heads for the all the hard work and time put in on the budget. He announced that Friday, April 29, was Arbor Day and there was a ceremony scheduled at State Street Park. He added that 61 trees would be planted this year.

Resident Mary Lewis from West Avenue questioned whether there was a conflict with Mayor Sidari holding two Village positions, Mayor and Fire Callman. The Mayor answered that this had been looked into when he was elected Trustee. Attorney Brooks added that he was not aware of any conflict in holding these two positions.

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A motion was made by Trustee Toale and seconded by Trustee Elliott. The meeting is adjourned at 7:55 p.m. to Executive Session to discuss pending litigation.

All ayes  
Motion carried.

The regular meeting was reconvened at 8:30 p.m. with all Board members still present.

A motion was made by Trustee Bensley and seconded by Trustee Elliott. The Police Chief is authorized to request a County-wide Civil Service List for the position of Police Officer.

All ayes  
Motion carried.

A motion was made by Trustee Toale and seconded by Trustee Elliott. The meeting is adjourned at 8:35 p.m.

All ayes  
Motion carried.

Respectfully submitted,

Deborah L. Padoleski  
Clerk-Treasurer