

MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MEDINA HELD ON MONDAY, OCTOBER 24, 2016 AT 7:00 P.M. IN THE TOWN OF SHELBY TOWN HALL.

Present: Mayor Michael Sidari

Trustees Owen Toale, Marguerite Sherman, Todd Bensley, Timothy Elliott

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 Local Law #3 for 2016 , Vehicles and Traffic Law Section 236, Manner of Parking. The Mayor and Attorney Brooks gave brief descriptions and an overview of the proposed addition and amendment to this law. No interested persons appeared to speak and the Public Hearing was closed at 7:03 p.m.

The Mayor reported that the NYS Department of Labor had issued a PESH violation for the Village Clerk's Office. The violation consisted of a few electrical outlet repairs and the need for a Workplace Violence Prevention Program.

Mayor Sidari advised the Board that he had received a "Towing Recovery Protocol" document from Orleans County that was signed sometime in the 1980's. The Board discussed the document, noting that it was not signed by any Village parties. The Mayor will contact the County to ask if a new agreement could be drafted. They also discussed the possibility of Mr. Callard renting property in the Village to operate an impound lot.

A motion was made by Trustee Bensley and seconded by Trustee Elliott. A Public Hearing is scheduled for November 28, 2016 at 7:00 p.m. on proposed Local Law #4 Amendment to the Code of the Village of Medina Placing a Six Month Moratorium on the Installation of Solar Equipment and Systems in the Village.

All ayes
Motion carried.

A motion was made by Trustee Toale and seconded by Trustee Elliott. The Mayor is authorized to send a letter to the NYS Department of Transportation requesting a speed limit reduction on Maple Ridge Road from the current 40 mph sign to Sanderson Road; a designated truck route to Albion; and signage on Maple Ridge Road directing trucks to Salt Works Road to Associated Brands.

All ayes
Motion carried.

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A motion was made by Trustee Bensley and seconded by Trustee Toale. The minutes of October 11, 2016 are approved as submitted.

All ayes
Motion carried.

A motion was made by Trustee Sherman and seconded by Trustee Elliott. The bills as submitted are approved for payment.

All ayes
Motion carried.

A motion was made by Trustee Elliott and seconded by Trustee Toale. The Mayor is authorized to sign an Addendum to the agreement with MedEx, decreasing the billing rate per call from \$36.75 to \$32.50, effective immediately through 2017.

All ayes
Motion carried.

A motion was made by Trustee Toale and seconded by Trustee Bensley. Bradley Lang is appointed Wastewater Treatment Plant Operator with a 78-week probationary period.

All ayes
Motion carried.

A motion was made by Trustee Bensley and seconded by Trustee Elliott. The Clerk-Treasurer is authorized to process payments for all recurring bills as they become due, with subsequent Village Board review at the second meeting of the month.

All ayes
Motion carried.

Supt. Houseknecht reported that the Wastewater Treatment Plant Upgrade project would be wrapped up in a week or so. He also said that the pump station at Pride Pak was operating.

A motion was made by Trustee Bensley and seconded by Trustee Sherman. The request from the Boxwood Cemetery Commission to spend \$2,300 from the Property Maintenance Fund for a topographical map of the cemetery is approved.

All ayes
Motion carried.

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Police Chief Kenward reported that he would be attending ongoing meetings with Orleans County Law Enforcement regarding the Black Lives Matter movement. He also said that Officers Navas and Forgione had completed the Academy and would be sworn in at the November 28 meeting. Chief Kenward further reported that the two surplus Crown Victoria police vehicles were placed with Auctions International. He would like to use the proceeds to purchase bullet proof vests.

A motion was made by Trustee Toale and seconded by Trustee Bensley. A Public Hearing on amendments to the Transient Merchant Law is scheduled for November 28, 2016 at 7:05 p.m.

All ayes
Motion carried.

A motion was made by Trustee Elliott and seconded by Trustee Toale. Local Law #3 – 2016 Vehicle and Traffic Law Section 236 is hereby amended as follows:

NEW LAWS:

Section 236-16.1, *Manner of Parking*

A. Wherever a space shall be marked off on a street for the parking of an individual vehicle, every vehicle there shall be parked within the lines bounding such space.

B. Except where angle parking is authorized, every vehicle stopped, standing or parked upon a highway where it shall be so stopped, standing or parked, parallel with the edge of the roadway, headed in the direction of lawful traffic.

C. Except when necessary to avoid conflict with other traffic, or when in compliance with law or the directions of a police officer or other traffic control device, no person shall:

1. Stand or park a vehicle:
 - a. On the roadway side of any vehicle stopped, standing or parked at the edge of streets;
 - b. On a sidewalk;
 - c. Within an intersection, except when permitted by official signs or parking meters on the side of the highway opposite a street which intersects but does not cross such highway;
 - d. On a crosswalk;
 - e. Between a safety zone and the adjacent curb or within thirty (30') feet of points on the curb immediately opposite of a safety zone, unless a different distance is indicated by official signs, markings or parking meters;

f. Alongside or opposite any street, excavation or obstruction when stopping, standing or parking would obstruct traffic;

g. Upon any bridge or other elevated structure upon a highway or within a highway tunnel, unless indicated by official signs, markings or parking meters;

h. On any railroad tracks;

i. In the area between roadways of a divided highway, including cross-overs, except in emergencies; and

j. On a public roadway in the Village without a valid motor vehicle inspection sticker displayed.

2. Stand or park a vehicle, whether or occupied or not, except momentarily to pick up or discharge a passenger or passengers:

a. In front of a private or public driveway;

b. Within twenty (20') feet of a crosswalk at an intersection, unless a different distance is indicated by official signs, markings or parking meters;

c. Within thirty (30') feet upon the approach to any flashing signal, stop or yield sign or traffic control signal located at the side of a roadway, unless a different distance is indicated by official signs, markings or parking meters;

d. Within twenty (20') feet of the driveway entrance to any fire station, and when on the side of the street opposite the entrance of any fire station within 75 feet of said entrance, when properly sign posted, unless a different distance is indicated by official signs, markings or parking meters; and

e. Alongside or obstructing a curb area which has been cut lower or constructed so as to provide accessibility to the sidewalk.

3. a. No person shall stop, stand or park a vehicle within fifteen (15') feet of a fire hydrant, except when such vehicle is attended by a licensed operator or chauffeur who is seated in the front seat and who can immediately move such vehicle in case of emergency, unless a different distance is indicated by official signs, markings or parking meters; and

b. No person shall stop, stand or park a vehicle within fifteen (15') feet of a fire hydrant, except when such vehicle is attended by a licensed operator or chauffeur who is seated in the front seat and who can immediately move such vehicle in case of emergency, when such vehicle impairs or hinders access of a fire vehicle to a fire hydrant while such fire vehicle is engaged in emergency operations, unless a different distance is indicated by official signs, markings or parking meters.

AMENDED LAWS:

Section 236-38, Penalties for offenses.

A. Every person convicted of a traffic infraction for a violation of any provision of this chapter except Article V, which is not a violation of any provision of the Vehicle and Traffic Law of the State of New York shall, for a first conviction thereof, be punished by a fine of not more than \$80.00 or by imprisonment for not more than 15 days, or by both such fine and imprisonment; for a second such conviction within 18 months thereafter, such person shall be punished by a fine of not more than \$100.00 or by imprisonment for not more

than 45 days, or by both such fine and imprisonment; upon a third or subsequent conviction within 18 months after the first conviction, such person shall be punished by a fine of not more than \$250.00 or by imprisonment for not more than 90 days, or by both such fine and imprisonment.

B. Fines.

1. Fines established:

| Violation Class A | Fine | Late 5 Business Days | Late 15 Business Days |
|---|-------------|---------------------------------|----------------------------------|
| Prohibited Parking Sign - Sign posted | \$20.00 | \$50.00 | \$75.00 |
| Parked blocking driveway | \$20.00 | \$50.00 | \$75.00 |
| Parked on sidewalk | \$20.00 | \$50.00 | \$75.00 |
| Uninspected | \$20.00 | \$50.00 | \$75.00 |
| Violation Class B | | | |
| No parking - 3 a.m. to 6 a.m., November 15 through March 15 | \$30.00 | \$50.00 | \$75.00 |
| Overtime parking - 2 hrs | \$30.00 | \$50.00 | \$75.00 |
| Parked/standing in fire lane | \$30.00 | \$50.00 | \$75.00 |
| Parked less than 15' from a fire plug | \$30.00 | \$50.00 | \$75.00 |
| Violation Class C | | | |
| No permit - handicap zone | \$80.00 | \$100.00 | \$125.00 |

2. A fine of \$125.00 will be imposed for all unpaid tickets that result in a warrant being issued by the Ridgeway or Shelby Town Courts.

Section 236-33, Penalties for offenses

Any person who stops, stands or parks in spaces marked for use by the handicapped in accordance with this article and Vehicle and Traffic Law §1203-c without a permit issued under Vehicle and Traffic Law §1203-a or without a registration issued under Vehicle and Traffic Law §404-a shall be subject to a fine of \$80.00 for the first offense and \$125.00 for the second offense occurring within a period of two (2) years within the same municipality.

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

All ayes
Motion carried.

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Trustee Toale reported that he had attended the recent Major Crime Task Force meeting.

Trustee Sherman observed that all departments were working very hard and that she was happy to see everyone busy and working together.

Trustee Bensley thanked the Fire and Police Departments for hosting the Firemen and Policemen's Ball. He noted that it was a nice event.

The Mayor gave a brief update on the Energy Efficiency Project, noting the replacement of the water meters was in progress and an agreement with National Grid regarding the purchase of the light poles was ongoing. He also reported that he had attended a meeting regarding the Orleans County Comprehensive Plan. The committee will be conducting a survey of unoccupied houses.

A motion was made by Trustee Bensley and seconded by Trustee Toale. The Village will commit \$1,800 from the 2016-17 Budget for mailing surveys to Village residents.

All ayes
Motion carried.

Resident David Kusmierczak thanked the DPW for fixing up the driveways on East Oak Orchard following sewer pipe replacement work.

A motion was made by Trustee Toale and seconded by Trustee Bensley. The meeting is adjourned at 8:30 p.m.

All ayes
Motion carried.

Respectfully submitted,

Deborah L. Padoleski
Clerk-Treasurer

