

MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MEDINA HELD ON MONDAY, JULY 23, 2018 AT 7:00 P.M. IN THE TOWN OF SHELBY TOWN HALL.

Present: Mayor Michael Sidari  
Trustees Owen Toale, Todd Bensley, Marguerite Sherman, Timothy Elliott  
Fire Chief Thomas Lupo, Police Chief Chad Kenward, DPW Supt. Joseph Perry  
Attorney Matthew Brooks

Excused: Code Enforcement Officer Martin Busch

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

The Mayor requested a moment of silence to reflect the passing of community members Mrs. Barbara Draper and Mr. Bill Menz.

Alex Feig updated the Board on his fundraising plans for the skate park. He would like to hold a "Summer's End" Skate Jam on Saturday, September 15 at Butts Park to gauge interest and gather volunteers.

Fire Chief Lupo presented two options for a new ambulance. He will be piggybacking state bid prices. The Board will review the options and budgeted financing.

The Board considered a request to close Main Street for the "Ride for Life" motorcycle stunt show. A local business has expressed their opinion to not close Main Street on a week night. The event has been held in the Canal Basin in the past.

The Mayor read a request from the Senior Citizens of Western Orleans Inc. for donations to assist with ongoing expenses to maintain the program and the center. The matter will be tabled to budget discussions in the spring.

Mayor Sidari noted that the Village of Albion distributes a newsletter with resident's quarterly water bills. He asked the Board to consider this for the future.

Two bids were received regarding the purchase of playground equipment. BYO bid \$39,725.96 and Parkitects submitted a bid of \$36,286.72 or \$39,979.12 to include wood fiber chips.

A motion was made by Trustee Elliott and seconded by Trustee Bensley. The bid from Parkitects in the amount of \$39,979.12, including wood chips, is hereby accepted.

All ayes  
Motion carried.

A motion was made by Trustee Bensley and seconded by Trustee Sherman. Alex Feig is authorized to use Butts Park on September 15 for a "Summer's End Skate Jam", pending submission of a certificate of insurance.

All ayes  
Motion carried.

A motion was made by Trustee Sherman and seconded by Trustee Toale. The request to close a portion of Main Street for the Ride for Life motorcycle stunt show event is denied.

All ayes  
Motion carried.

A motion was made by Trustee Bensley and seconded by Trustee Elliott. The canal basin is authorized to be closed for the Ride for Life motorcycle stunt show on Thursday, September 13.

All ayes  
Motion carried.

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

WHEREAS, an application has been duly made to the Board of the Village of Medina, County of Orleans, New York, by Time Warner Cable Northeast LLC, I/k/a Charter Communications, a limited liability company organized and existing in good standing under the laws of the State of Delaware, doing business at 2604 Seneca Avenue, Niagara Falls, New York 14305, for the approval of a renewal agreement for Time Warner Cable's cable television franchise for fifteen (15) years commencing with the date of approval by the Public Service Commission; and

WHEREAS, the Franchise Renewal Agreement would bring the franchise into conformity with certain provisions of the Federal Cable Communications Police Act of 1984, as amended, and certain Court rulings; and

WHEREAS, a Public Hearing was held in the Village of Medina, New York, on June 25, 2018 at 7:00 p.m., and notice of the hearing was published in the Batavia Daily News on June 15, 2018.

NOW, THEREFORE, the Board of the Village of Medina finds that:

1. Time Warner Cable Northeast LLC has substantially complied with the material terms and conditions of its existing franchise and with applicable law;
2. Time Warner Cable Northeast LLC has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached; and

3. Time Warner Cable Northeast LLC can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.

NOW, THEREFORE, BE IT:

RESOLVED, that the Board of the Village of Medina hereby grants the cable television franchise of Time Warner Cable Northeast LLC and the Village of Medina for fifteen (15) years commencing with the date of approval by the Public Service Commission, and expiring fifteen (15) years hence; and be it further

RESOLVED, that the Board of the Village of Medina hereby confirms acceptance of this Franchise Renewal Agreement.

All ayes  
Motion carried.

A motion was made by Trustee Bensley and seconded by Trustee Sherman. The quote from C & H PC in the amount of \$1,863.00 for website design and set-up, and a \$275.88 annual hosting fee, is accepted.

All ayes  
Motion carried.

A motion was made by Trustee Toale and seconded by Trustee Elliott. The Village of Medina Board of Trustees does hereby authorize an application to be made for funds from the Water Quality Improvement Program administered by the New York State Department of Environmental Conservation (DEC) regarding the Wastewater Improvement Project in the amount of one million dollars (\$1,000,000) and commits the Village to provide the remaining eight hundred thousand dollars of the project cost through a separate Bond authorization previously passed by the Village in May of 2018. The Village Board also authorizes the Mayor to execute the same.

All ayes  
Motion carried.

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

WHEREAS, in compliance with Part 617 of the implementing regulations pertaining to Article 9 (State Environmental Quality Review Act-SEQRA) of the Environmental Conservation Law, the Medina Village Board has reviewed the Ultra Violet Disinfection System project proposed for the Wastewater Treatment Plant in the Village of Medina, and

WHEREAS, the completion of these improvements are subject to the New York State Environmental Quality Review Act, SEQRA; and

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WHEREAS, the proposed project has been determined to be a Type II action under SEQR [section 617.5 (c) 7] in that the project involves construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication of microwave transmission facilities; and

WHEREAS, in accordance with the State Environmental Quality Review Act (SEQRA), Type II actions have been determined to not have a significant impact on the environment or or are otherwise precluded from environmental review under Conservation Law, Article 8.

NOW, THEREFORE, BE IT RESOLVED, that the Medina Village Board hereby determines that the proposed project is a Type II action and therefore is not anticipated to result in any significant adverse environmental impact, and in accordance with SEQR, no SEQR determination of significance, EIS or findings is required.

All ayes  
Motion carried.

A motion was made by Trustee Toale and seconded by Trustee Elliott. The minutes of May 14 and June 11, 2018 are approved as submitted.

All ayes  
Motion carried.

A motion was made by Trustee Toale and seconded by Trustee Sherman. The Mayor is authorized to sign a shared services agreement with NYS DOT.

All ayes  
Motion carried.

A motion was made by Trustee Bensley and seconded by Trustee Sherman. Bills as submitted are authorized for payment.

All ayes  
Motion carried.

Supt. Perry informed the Board that Justin Day, the recently hired Mechanic, has quit after two days. He will be reviewing other applications for a replacement.

Police Chief Kenward reported that he has ordered the two new police cars and is in the process of interviewing candidates for police officer.

Fire Chief Lupo reported that the new fire boat had been delivered.

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Trustee Bensley thanked Deputy Clerk-Treasurer Burgess for her research concerning a new vendor for the Village's website.

A motion was made by Trustee Elliott and seconded by Trustee Toale. The meeting is adjourned at 8:20 p.m.

All ayes  
Motion carried.

Respectfully submitted,

Deborah L. Padoleski  
Clerk-Treasurer