

MINUTES OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MEDINA HELD ON MONDAY FEBRUARY 26, 2024, AT 7:00 P.M. IN THE SENIOR CITIZENS CENTER.

Present: Deputy Mayor Marguerite Sherman,
Trustees Timothy Elliott, Jessica Marciano, and Diana Baker
Fire Chief Mathew Jackson, Police Chief Todd Draper, and Superintendent of Public Works Jason Watts
Attorney Matthew Brooks

Excused: Mayor Michael Sidari, Code Enforcement Officer Daniel Gardner

Deputy Mayor Sherman introduced Tanner Ferris and Nicholas Joy, who were appointed to the positions of Police Officer. Police Chief Draper performed an official swearing in of the two officers. Deputy Mayor Sherman welcomed the new candidates.

Deputy Mayor Sherman opened the first public comment period.

Mr. John Parada asked where the Board was with the water sewer project that had been completed three years ago. He also asked what the Code Enforcement Officer was doing to clean up properties in the Village.

Trustee Marciano said the water project was completed not that long ago and she would be happy to meet with Mr. Parada to discuss it further. She said the Village of Medina's infrastructure is considered aged but not unsafe. The Village has not been able to secure grant funding for that reason.

Deputy Mayor Sherman said the Code Enforcement Officer is writing violations and that it is a process taking people to court.

Mr. Parada said in the Town of Shelby the part-time Code Enforcement Officer has a list of homes he is going after and has already done summons on those properties. He said the economic development agency has stated that we have lost projects because of the concern over the gateways coming into the Village.

Deputy Mayor Sherman said that is a good recommendation to ask Code Enforcement for a list of properties he is currently working on. Mr. Parada asked if there was a board liaison that worked with Code Enforcement. Deputy Mayor Sherman said two board members are appointed as liaisons to each department.

Ms. Ann Misti noted that she knows several people from Buffalo that come to Medina for events and that they discuss the conditions of the homes in Medina.

Ms. Mary Hare asked what the process is for cleaning up properties in the Village. Trustee Elliott said that a citation is issued. Either the violation is fixed, or the property owner would go to court.

Attorney Brooks used the Main Street building as an example. The Village could take down the building, but the Village would not be able to re-coup those costs. He said often there are negotiations. He said fines can be assessed to a property but it may take three years before it would go to auction. It is not just Medina facing this problem.

Ms. Hare asked if a lot of these properties are owned by people who are from out of town. She also asked if someone starts working on the property if it stops the process.

Ms. Linda Limina said it is clearly a deterrent to have buildings look like that especially when businesses are looking all around the Village. She asked if the former Ames Plaza building was looked at for code violations and questioned if it is safe.

Attorney Brooks said there is the Village Code and the New York State Code. He said it would be a liability to the Benderson Group if someone were to get hurt.

Mr. Michael Maak asked what the status of the East Avenue building. Trustee Elliott said he believed that was going to court as well.

Deputy Mayor Sherman said the Village is looking to pursue the Brownfield Grant which may help with buildings such as the East Avenue building.

Mr. Scott Carlton also expressed his concern over the condition of properties in the Village. He said people are parking on the sidewalks and asked why they are not being ticketed. He said there are habitual nuisance properties.

Trustee Marciano said that people have complained to her about receiving a ticket.

Mr. Carlton asked if the Board was looking at the signs turning off Maple Ridge Road and that these are the gateways to the Village. The signs need to be replaced.

Trustee Elliott said that funds had been budgeted for signs. Mr. Carlton said instead of buying signs for the business park, the signs coming into the Village should be replaced.

Superintendent Watts said signs had already been ordered.

Ms. Gabrielle Barone said the building on Main Street that caught fire had not been inspected in five years. She said you are the Village managers. Manage it.

Ms. Michele Marriott asked about 715 Gwinn Street. She said dogs are constantly outside the property and there has been a police presence.

Police Chief Draper said the dog issue would be Orleans County Animal Control. He also said his department handles complaints as they come in.

Deputy Mayor Sherman said that there is someone who has purchased a few properties and is looking to clean them up. She also suggested for the properties that need minor clean up, organizing a group from the school to help the homeowners. Ms. Hare suggested the Lions Club or Rotary.

Mr. Carlton said assessments are up and with that the tax will increase. He said increasing taxes will scare away young families. He said you need to be honest with your unions. He said this falls on the homeowners.

Deputy Mayor Sherman thanked the public for their comments saying that the Board needs to hear from them.

Deputy Mayor Sherman said that Local Law # 1-2024 had been discussed, which would update the income requirements for the senior citizen exemption.

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

LOCAL LAW 1-2024
ARTICLE II SENIOR CITIZENS TAX EXEMPTION

§ 214-15 Exemption granted.

Pursuant to § 467 of the Real Property Tax Law of the State of New York, real property owned by one or more persons, each of whom is 65 years of age or over, shall be exempt of pursuant to the following Schedule (§ 214-16) of the assessed valuation thereof and annual income, except that no exemption shall be allowed or granted:

A.

If the income of the owner or the combined income of the owners of the property exceeds the sum of \$24,700 for the income tax year immediately preceding the date of making application for exemption. "Income tax year" shall mean the twelve-month period for which the owner or owners file a federal personal income tax return or, if no such return is filed, the calendar year. Where title is vested in either the husband or the wife, their combined income may not exceed such sum. Such income shall include social security and retirement benefits, interest, dividends, rental income, salary or earnings and income from self-employment but shall not include gifts or inheritances.

B.

Unless the title of the property shall have been vested in the owner or all of the owners of the property for at least 12 consecutive months prior to the date of making application for exemption; provided, however, that in the event of the death of either a husband or wife in whose name title of the property shall have been vested at the time of death and then becomes vested solely in the survivor by virtue of devise by or descent from the deceased husband or wife, the time of ownership of the property of the

deceased husband or wife shall be deemed also a time of ownership by the survivor, and such ownership shall be deemed continuous for the purpose of computing such period of 12 consecutive months; and provided, further, that where property of the owner or owners has been acquired to replace property formerly owned by such owner or owners and taken by eminent domain or other involuntary proceeding, except a tax sale, the period of ownership of the property shall be combined with the period of ownership of the property for which application is made for exemption, and such periods of ownership shall be deemed to be consecutive for purposes of this section.

C.

Unless the property is used exclusively for residential purposes.

D.

Unless the real property is the legal residence of and is occupied, in whole or in part, by the owner or by all of the owners of the property.

§ 214-16 Application for exemption.

Application for such exemption must be made by the owner or all of the owners of the property on forms furnished by the Village of Medina and shall furnish the information and be executed in the manner required or prescribed in such forms and shall be filed in the Village Treasurer's office on or before the taxable status date of the Village of Medina.

§ 214-17 False statements; penalties for offenses.

It shall be unlawful to willfully make a false statement in such application for such exemption, and any person, upon conviction of having made any willful false statement in such application for such exemption, shall be punishable by a fine or penalty of not more than \$100, and such person shall be disqualified from further exemption under the provisions of this article for a period of five years.

§ 214-16 Exemption Schedule.

Annual Income	Exemption %
\$19,000 or less	50%
\$19,000.00-\$19,999.99	45%
\$20,000.00-\$20,999.99	40%
\$21,000.00-\$21,999.99	35%
\$22,000.00-\$22,899.99	30%
\$22,900.00-\$23,799.99	25%
\$23,800.00-\$24,699.99	20%

All ayes
Motion carried.

The naming of the three streets in the business park was tabled. Superintendent Watts said we were already past the deadline to add to the Village Street inventory. Trustee Marciano said she would like to get more community input. Ms. Hare suggested naming one of the streets after the Hungerfords.

Deputy Mayor Sherman said Mayor Sidari had checked with the Village insurance carrier. The stand-up boards would need to be donated to the Village to be covered under the Village of Medina's insurance policy. Ms. Kathy Blackburn said the Medina Area Partnership would be supplying the insurance.

A motion was made by Trustee Marciano and seconded by Trustee Baker. The request made by the Medina Area Partnership, to allow Stand-Up Boards to be placed on Village property is granted, contingent on the Village being named as a secondary on the insurance policy. The Medina Area Partnership will provide a copy of the policy to the Village.

All ayes
Motion carried.

Deputy Mayor Sherman said the Village would like to be designated as a Pro-Housing Community. Mr. Parada asked what this meant. Trustee Baker said it would assist with grant funding such as the DRI and New York Forward.

A motion was made by Trustee Baker and seconded by Trustee Marciano. Mayor Sidari is authorized to sign the Pro-Housing Community letter to submit to Governor Hochul's Office as well as the office of New York State Homes and Community Renewal.

The Police Report Management System was discussed. Deputy Mayor Sherman said Mayor Sidari had contacted Orleans County to see if the \$3,000.00 annual maintenance charge could be a County expense and not charged to the Village. The matter was tabled.

Deputy Mayor Sherman said Police Chief Draper had requested to call for the Civil Service Lieutenant list. Trustee Marciano said the Police Department had been without a Lieutenant for a year, training needed to take place and we need to bring in another person for a leadership role. Deputy Mayor Sherman said when the budget was established the Lieutenant position was removed for this fiscal year and she would like to wait until the upcoming fiscal year to discuss it. She said we need to look at each department and its administrative costs. Trustee Elliott said if we promote from within it does open a space at the bottom. Police Chief Draper suggested filling the open lieutenant position and filling the open spot after the new fiscal year.

A motion was made by Trustee Elliott and seconded by Trustee Marciano. Mayor Sidari is authorized to call for the Civil Service Lieutenant's list. The motion was put to a vote as follows:

Trustee Elliott	Aye	Deputy Mayor Sherman	Nay
Trustee Marciano	Aye	Trustee Baker	Aye

Motion carried.

Deputy Mayor Sherman said the structure of each department needed to be discussed during the budget process.

A motion was made by Trustee Marciano and seconded by Trustee Baker. Mayor Sidari is authorized to sign the acknowledgement and acceptance of the Engineering Planning Grant awarded in the amount of \$50,000.00 for the development of an engineering report to identify sources of inflow and infiltration, evaluate alternatives and recommend improvements to the Village of Medina's wastewater collection system.

All ayes
Motion carried.

A motion was made by Trustee Elliott and seconded by Trustee Marciano. The Village of Medina will pursue the Brownfield Grant.

All ayes
Motion carried.

Trustee Elliott will take the lead on the Brownfield Grant.

A motion was made by Trustee Marciano and seconded by Trustee Baker. The Village of Medina will pursue the Northern Border Regional Commission Grant.

All ayes
Motion carried.

Trustee Marciano will take the lead on the Northern Border Regional Commission Grant.

A motion was made by Trustee Baker and seconded by Trustee Marciano. The Village of Medina will pursue the Restore New York Grant Program.

All ayes
Motion carried.

Trustee Baker will take the lead with Deputy Mayor Sherman assisting.

Deputy Mayor Sherman said that Fire Chief Jackson had distributed the ambulance rate increase proposal to the board. The increase assists in aligning the Village with the average rates for an agency similar to Medina.

A motion was made by Trustee Elliott and seconded by Trustee Baker. The ambulance rate increases as proposal by Fire Chief Jackson are approved.

All ayes
Motion carried.

Deputy Mayor Sherman said that Barton and Loguidice had suggested the Village give them a figure for the fire station addition and they could re-configure the project. Trustee Marciano said she is not eager to sign with Barton and Loguidice when they were asked to pare down the project and they said they could not, and it was bare bones. Trustee Elliott suggested getting a second or third opinion. Deputy Mayor Sherman said Mayor Sidari had contacted another contractor and was waiting for a proposal. Trustee Marciano said in the worst-case scenario we build one bay. Trustee Marciano said she had also contacted a contractor who had estimated the cost to build one bay at \$700,000.00 and that it would take a couple of months. Deputy Mayor Sherman said once a rendering on the building is decided, it would need to be reviewed by bond counsel to ensure it met the bond resolution specifications. The matter was tabled.

An updated Village volunteer application had been distributed to the Board. A motion was made by Trustee Elliott and seconded by Trustee Baker. The volunteer application is approved.

All ayes
Motion carried.

A motion was made by Trustee Elliott and seconded by Trustee Marciano. David Flynn is appointed to the Planning Board as an alternate.

All ayes
Motion carried.

A motion was made by Trustee Elliott and seconded by Trustee Marciano. Randy Reese is appointed to the Zoning Board as an alternate.

All ayes
Motion carried.

A motion was made by Trustee Elliott and seconded by Trustee Marciano. Randy Reese is appointed to the Parks Committee.

All ayes
Motion carried.

A motion was made by Trustee Elliott and seconded by Trustee Baker. Barbara Gorham is appointed to the Tourism Committee.

All ayes
Motion carried.

A motion was made by Trustee Marciano and seconded by Trustee Baker. Michelle Capstick is appointed to the Parks Committee.

All ayes
Motion carried.

Deputy Mayor Sherman said there are still three open positions on the Boxwood Cemetery Commission, one on the Tree Board and one on the Parks Committee.

A motion was made by Trustee Elliott and seconded by Trustee Marciano. William Chmylak is appointed to the position of Wastewater Treatment Plant Operator Trainee Grade 2 as per the CSEA contract with a probationary period of one hundred and eighty days.

All ayes
Motion carried.

The contractual agreement between the Village of Medina and attorney Matthew Brooks was tabled until all board members could review the contract.

Deputy Mayor Sherman said a letter was received by 309 Commercial Street requesting that the late fee be removed from account number 51-0002200-0. The account holder stated that the water bill was placed in the night deposit box on the last day to pay. Clerk-Treasurer Burgess explained that the night deposit is emptied each morning, throughout the day and is checked prior to closing on the last day to pay. If a payment was submitted on the last day to pay, it would have been processed. No action was taken.

A motion was made by Trustee Baker and seconded by Trustee Elliott. A public hearing is scheduled for March 25, 2024, at 7:00 p.m. on the adoption of a proposed local law entitled, "Override the Tax Levy Limit Established in General Municipal Law §3-c. The motion was put to a vote as follows:

Trustee Marciano	Nay	Trustee Elliott	Aye
Trustee Baker	Aye	Deputy Mayor Sherman	Aye

Motion carried.

A motion was made by Trustee Baker and seconded by Trustee Marciano. The minutes of January 22, 2024, and February 12, 2024, and the Special Meeting held on January 24, 2024 and February 20, 2024, are accepted as submitted.

All ayes
Motion carried.

A motion was made by Trustee Marciano and seconded by Trustee Baker. The bills as submitted are authorized for payment.

All ayes

Motion carried.

Superintendent Watts said a water leak on Highland Avenue was repaired and he was hoping to repair a leak on Park Avenue the following day. He said they have been out pruning a lot of trees and working on the tree cut list. He said the GIS mapping is almost complete which will enable his department to have mapping access on their phones. He said weather permitting, brush pick up would resume starting on March 4, 2024. He said they were working on fixing lights on Main Street and would be putting up historical banners next week.

Fire Chief Jackson said firefighters Schreder and Baxter are in week three of the Fire Academy and doing well. He said Firefighter Kyle completed his FTO and is continuing to learn while working on requirements to be cleared to provide patient care. Firefighter Pahura is taking the IAFF Fit 2 Thrive Class which will certify him as a Peer Fitness Trainer through IAFF. He said his department was working with The Willows and Baxter to review and revise their fire safety plans and the department's response. He said firefighter Tim Miller would be teaching a CPR/AED for the Lyndonville Fire Department.

Police Chief Draper expressed his gratitude to the Board for their support on the new hires. He said the quarterly Police Advisory Committee meeting was held on February 26, 2024. He said Officer Daly's graduation day would be held on March 29, 2024, at 2:00 p.m. He said upcoming training would be held on several different topics including breath test operator course, evidence room training and a background investigations course.

Deputy Mayor Sherman opened the second public comment period. Mr. Maak asked if the EDA could assist the Village with pursuing the Brownfield Grant. Ms. Barone said the EDA would be looking at the grant as well and suggested looking at the Restore New York Grant, however the property needs to be sponsored by the municipality. If the municipality doesn't have a title to it, there isn't much you can do.

Mr. Maak asked if there was a preliminary discussion on the budget yet. Deputy Mayor Sherman said after the election, dates would be set up for old members and new members of the Board.

Ms. Hare asked if we could hire a grant writer. Trustee Marciano said the Village has retained a grant writer to assist the Fire Department. Ms. Misti asked if we would be pursuing grants pertinent to the water, since Governor Hochul recently announced grants.

Mr. Parada asked what the Board was doing about the STAMP project and if they planned to bring wastewater down to the creek. Ms. Barone said the Village is not part of that. Orleans County had filed a lawsuit and the Town of Shelby had agreed to the STAMP project.

Mr. Parada also asked about the windmills. Deputy Mayor Sherman said we need to hear from the residents and the Village could send a letter opposing it. Trustee Elliott asked if he was asking for a letter of support. Mr. Parada said he was and that it will be the biggest eyesore.

Mr. Jeff Pasnik asked if the Village election could be posted on the Village website on the main page.

Mr. Carlton asked if the Department of Public Works could be better utilized than water flowers on Main Street. He also thought the department should not be digging holes for new trees. Trustee Elliott said the Tree Board is part of the Village and a contractor could not be hired to come in to dig holes. Superintendent of Public Works Watts said the part time summer laborers take care of the watering on Main Street. Mr. Carlton suggested that the downtown business association take care of the watering. Trustee Elliott said the Medina Area Partnership does a lot downtown and they re-invest in flowers, banners, and music. He said that is what makes Medina great, the volunteers. It is a working relationship.

Mr. Parada asked who determines if a tree is cut down. Superintendent Watts said the Urban Forestry Coordinator inspects the trees and decides. It is a process.

A motion was made by Trustee Marciano and seconded by Trustee Baker. The meeting is adjourned into executive session at 9:12 p.m. to discuss contractual negotiations.

All ayes
Motion carried.

A motion was made by Trustee Baker and seconded by Trustee Marciano. The meeting is reconvened and subsequently adjourned at 9:32 p.m.

All ayes
Motion carried.

Respectfully submitted,

Jada A. Burgess
Clerk-Treasurer