

MINUTES OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MEDINA HELD ON MONDAY DECEMBER 16, 2024 AT 6:00 P.M. IN THE SENIOR CITIZEN CENTER.

Present: Mayor Marguerite Sherman  
Trustees Jess Marciano, Diana Baker, Deborah Padoleski, and Mark Prawel  
Police Chief Todd Draper, Fire Chief Matthew Jackson, and Code Enforcement Officer Daniel Gardner

Excused: Superintendent of Public Works Jason Watts and Attorney Matthew Brooks

Mayor Sherman called the meeting to order at 6:00 p.m. with the Pledge of Allegiance to the Flag.

A motion was made by Trustee Marciano and seconded by Trustee Baker. The Public Hearing on the Restore New York Grant is open at 6:02 p.m.

Mayor Sherman said the Board approved supporting the submission of a Restore New York Grant application for 409-413 Main Street. In order to move forward, the Village needs to be the administrator of the grant. Since the Village has no intent to apply for this grant this year themselves, the Village is supporting the grant application.

Ms. Linda Limina asked what it means that the Village is administrating the grant. Clerk-Treasurer Burgess stated the engineers submit the necessary paperwork to the Village for review and submission and if awarded the grant, the funds will be disbursed through the Village. Clerk-Treasurer said they have been the administrator on several projects in the past, including the current project as requested by the EDA to administer the Takeform Project.

A motion was made by Trustee Marciano and seconded by Trustee Padoleski. The public hearing is closed at 6:06 p.m. as no additional person wished to speak.

Mayor Sherman said the board was very excited to announce promotions within the police department. She said that Jacob Reeves had been appointed to the position of Police Sargeant and Christian Navas had been promoted to the position of Police Lieutenant. She asked Police Chief Draper to step forward for the official swearing in of the officers.

Both officers were sworn in, and the board offered their congratulations.

Mayor Sherman opened the first public comment period on agenda items only.

Ms. Gabrielle Barone said she had read the request to replace the plaque in the canal basin and it is important.

Ms. Villegas said she is in favor of allowing backyard chickens and asked the board to come to a compromise in allowing backyard chickens.

Ms. Carol Callina said she is not in favor of having chickens in the Village. She said if the board can't decide, then let the residents decide. She said she lives in the Village for a reason and chickens are for living out in the country.

Ms. Callina also asked how long the Police Officer that was resigning was on the Police force and asked if the Village would be reimbursed for any costs relating to the Police Academy. Mayor Sherman said the agency that the Officer was transferring to had agreed to reimburse the Village the cost of the Police Academy.

Ms. Brandi Zavitz said her daughter lives on Davis Avenue and lives next to chickens. She said it is bringing foxes into the neighborhood and there are noises associated with living next door to chickens.

Ms. Kate Hardner addressed the board stating she had started a petition and sixty percent of the six hundred and sixty-five signatures were from the 14103 zip code. She said they have demonstrated there is enough interest to allow the matter to go in front of the Planning Board.

Mayor Sherman said Mike Cocquyt was present from LaBella Engineers and asked if he had anything additional to add about the Restore New York Grant. Mr. Cocquyt said he was excited about the project.

A motion was made by Trustee Prawel and seconded by Trustee Padoleski.

### **Resolution in Support of an Application to the RestoreNY Communities Initiative**

#### **Municipal Grant Program**

*WHEREAS the Village of Medina is eligible for grant funding under Round 9 of the Restore NY Communities Initiative Municipal Grant Program, and*

*WHEREAS the VILLAGE BOARD has considered proposals that qualify for funding under the program and selected one project to be included in an application that will be submitted to Empire State Development Corporation (ESDC) as follows:*

*Redevelopment of 409-413 Main Street. This project is a proposal for the rehabilitation of a rear-facing space into commercial units, a rear street-level space into a commercial kitchen, and the upper floor into a mix of one-bedroom and two-bedroom apartments.*

*WHEREAS this project is consistent with all existing local plans, the proposed financing is appropriate for the project, the project will facilitate effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources and the project develops and enhances infrastructure and/or other facilities in a manner that will attract, create and sustain employment opportunities in Village of Medina.*

*NOW THEREFORE BE IT RESOLVED that the Village Board hereby supports and will sponsor an application for Restore NY funding for 409-413 Main Street, Village of Medina and will administer the grant in accordance with all applicable rules and regulations established by ESDC, and*

*BE IT FURTHER RESOLVED that the Village Mayor is authorized to sign the applications and any agreements required by ESDC for grant funding that results from the application.*

All ayes  
Motion carried.

Mayor Sherman said that Trustee Marciano had requested that chickens be placed back on the agenda since she was not present during the last discussion. Trustee Marciano said she was glad Ms. Hardner had referenced a chicken poll. She said she had also conducted a poll, and although it is not comprehensive, she had received fifty four responses with 37% stating no chickens, 20.4% in favor of chickens with no restrictions and 42.6% in favor of chickens with restrictions. She said this is not motivated by the board, but an advocacy group had brought it to her attention and that she thought a compromise could be made. Trustee Marciano made a motion to send the matter to the Planning Board for review. Mayor Sherman asked if any other board members had any thoughts on sending it to the Planning Board. Trustee Padoleski said she has had informal discussions with Village residents who said absolutely no to chickens. She said it's long been the idea that if you want farm animals, you want less code enforcement and bought property outside the Village. She said most people understand if you buy property in the Village there are rules associated with that. She said if it went to the Planning Board it would have to be so restrictive given the proximity of properties within the Village. Trustee Baker said it is important to allow the Planning Board to at least look at it to see what is or isn't possible. Mayor Sherman said the Planning Board did look at it, the logistics and the lot sizes and it would be difficult to do. She said she also conducted a poll with approximately 49 responses, 31 said no, 9 said yes, 6 said yes with restrictions and 3 responded that they didn't care.

A motion was made by Trustee Marciano and seconded by Trustee Baker. The request to allow backyard chickens is sent to the Planning Board for review. A vote was taken:

Trustee Marciano	Aye	Trustee Prawel	Nay
Trustee Baker	Aye	Trustee Padoleski	Nay
Mayor Sherman	Nay		

Motion denied.

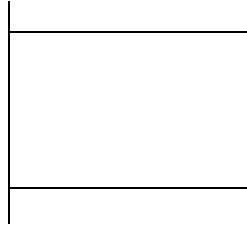
Mayor Sherman said the Board is attempting to create and / or update Village policies. Mayor Sherman asked if there was any input on what should and shouldn't be included in the vehicle use policy. She said this is something to help run our Village.

A motion was made by Trustee Padoleski and seconded by Trustee Prawel. The vehicle use policy as presented is adopted.

All ayes  
Motion carried.

A motion was made by Trustee Baker and seconded by Trustee Padoleski. The Standard Work Day and Reporting resolution for Elected and Appointed Officials as listed below will be posted for thirty days and submitted to the New York State Retirement System.

Employer Location Code  
 40211



**Standard Work Day and Reporting Resolution for Elected and Appointed Officials**

RS 24

BE IT RESOLVED, that the VILLAGE OF MEDINA /40211 hereby established the following standard work days for these titles and will report the officials to the New York State and Local Retirement based on their record of activities:

Name	Social Security Number	NYSLRS ID	Title	Current Term Begin & End Dates	Standard Work Day	Record of Activities Result	Not Submitted	Pay Frequency	Tier
Elected Officials:									
Jessica Marciano			VILLAGE TRUSTEE	04/01/23-03/31/25	6	4.30		QUARTERLY	
								QUARTERLY	
Appointed Officials:									

A vote was taken.

Trustee Baker                      Aye                      Trustee Prawel                      Aye  
 Trustee Marciano                      Abstain                      Trustee Padoleski                      Aye

Motion carried.

Mayor Sherman said she had a request from Joana Pacheco, the Capital Planning Manager for the Canal Corporation project. Ms. Pacheco would like a letter of support to convey the significance of this ten-million-dollar project as the next step in finalizing plans. This request was posted to the website and distributed to the board.

A motion was made by Trustee Baker and seconded by Trustee Prawel. The Mayor is authorized to submit a letter of support to the New York Power Authority in support of the ten-million-dollar Canal Corporation Project.

All ayes  
 Motion carried.

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

Whereas, the Village Board of the Village of Medina, has previously authorized the Mayor to sign the Snow and Ice Contract D014781 between the State of New York and the Village of Medina for now and

ice control for a term of five years, commencing July 1, 2019, and ending on June 30, 2024 and now requests funds for the 2024-2025 season.

All ayes  
Motion carried.

A motion was made by Trustee Baker and seconded by Trustee Prawel.

The Mayor is authorized to sign an agreement with the New York State Department of Transportation Department to extend the existing Municipal Snow and Ice Agreement for an additional 5-year period.

All ayes  
Motion carried.

Mayor Sherman said she had received a request from Scott Cielewich wanting to either restore or replace a plaque which had been placed on the Napa building in the canal basin. Mr. Cielewich offered to make a donation to the Village in the amount of \$5,000.00 with any remaining funds from the plaque restoration to be used for any public purpose. Mayor Sherman said she had talked to Chris Busch who keeps up the history in the Village and that he offered to take the lead on getting the plaque restored. Trustee Marciano said she is not sure the Village can accept funds that are above the cost of the replacement of the plaque. Trustee Baker agreed that the legalities would need to be looked into. The matter was tabled.

Mayor Sherman said she had received a request from Mile 303 asking for assistance in closing Main Street between the hours of 11:30 p.m. and 12:15 a.m. on December 31, 2024, to hold their annual Ball Drop. Mayor Sherman said this does need to be approved each year as they are requesting assistance in closing Main Street in order for people to gather in the street.

A motion was made by Trustee Prawel and seconded by Trustee Padoleski. Mile 303 is allowed to hold their Annual Ball Drop on December 31, 2024 with the assistance of the Medina Police Department in closing down Main Street between the hours of 11:30 p.m. and 12:15 a.m.

All ayes  
Motion carried.

Mayor Sherman said the Occupancy Tax has been signed by Governor Hochul and the next step in the process is to schedule a public hearing to pass a local law.

A motion was made by Trustee Marciano and seconded by Trustee Baker. A public hearing is scheduled for January 27, 2025, at 6:00 p.m. pursuant to Local Law 1-2025; the Village of Medina Occupancy Tax.

All ayes  
Motion carried.

A motion was made by Trustee Prawel and seconded by Trustee Padoleski. The resignation of Police Officer Kyle Daly is accepted effective December 12, 2024.

All ayes  
Motion carried.

A motion was made by Trustee Marciano and seconded by Trustee Padoleski. Donations in the amount of \$742.00 are accepted to purchase wreaths for the 2025 Wreaths Across America Ceremony.

All ayes  
Motion carried.

A motion was made by Trustee Marciano and seconded by Trustee Baker. The minutes of the meeting of November 25 are accepted with the following correction/addition to record the votes of all Board members for the resolution promoting Christian Navas to the position of Police Lieutenant. The correction will be recorded as follows:

Trustee Marciano	Aye, with overtime	Trustee Padoleski	Aye, without overtime
Trustee Baker	Aye, with overtime	Trustee Prawel	Aye, without overtime
Mayor Sherman	Aye, with overtime		

The motion to promote with the ability to earn overtime is carried.

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

Trustee Marciano	Aye	Trustee Prawel	Aye
Trustee Padoleski	Aye	Trustee Baker	Abstain

Trustee Baker noted she abstained as she did not have time to review the bills.

Code Enforcement Gardner said the new court date for the Fuller Building will be held on February 25, 2025. He said he has a request to re-zone forty-six acres located on Oak Orchard Street. He said he has a request from the owners of 911 W. Center Street to expand parking. Trustee Marciano asked if signs are allowed to be placed on telephone poles throughout the Village. Code Enforcement Gardner said they are not. Mayor Sherman and she and Code Enforcement Gardner would be working on a letter to distribute to businesses to give business owners guidance on what needs to go in front of the Planning Board.

Fire Chief Jackson said the Parade of Lights ran smoothly and he appreciated the collaborative effort with the other Department Heads to ensure success in regards to public safety. He said the annual ground ladder testing was conducted on December 6<sup>th</sup> and everything passed. He said his department had participated in the annual MAAC gift delivery. He thanked Lieutenant Cooley for being the point man on this annual tradition.

Police Chief Draper said schedule changes for the new promotions would take place in January. He said the Parade of Lights was a success. He said he would be sending two officers to Florida to extradite a suspect on the Indictment Warrant for the April Orleans Ford Burglary. He said his department had received suspicious persons complaints. He said reports are connected to

attempted larcenies. He encouraged citizens to secure their cars and call 911 immediately if they see any criminal activity.

Clerk-Treasurer Burgess said that the interest earned since investing in NYCLASS from September 11, 2024, through November 30, 2024 totaled \$15,393.57.

Trustee Marciano wished everyone a Merry Christmas.

Mayor Sherman said the Village had applied for two grants through the Water Infrastructure Act and did not receive either. One was for repair to our aging water infrastructure and the other for a pump station project. She said herself, Trustees Prawl and Padoleski had attended an Open House at Brunners International on Saturday December 7<sup>th</sup>. She said they have been purchased by Hendrickson and will be continuing the same product line. They are planning an expansion which will bring more jobs. She said Trustee Padoleski and herself had met with their grant writer and took a tour around the Village. She said they would be meeting again in January to be applying for some upcoming grants. On December 9, Mayor Sherman met with Harbormaster and the Parks and Recreation Director of the North Tonawanda Canal to gain insight into how they rent spaces and maintain a busy boat harbor. Mayor Sherman said she has a meeting scheduled with MRB on December 18, to discuss the concept plan for the fire station addition. Mayor Sherman said she has a meeting scheduled with Joana from the Canal Corporation to discuss logistics to the upgrades being proposed in Lions Park. Mayor Sherman said she plans on setting up a meeting with the IDA, The Village and Pride Pak to discuss the road usage issues.

Mayor Sherman opened the second public comment period.

Mr. Michael Maak asked if the Police Officer that resigned was a transfer. Mayor Sherman said it was and that the accepting agency would be paying the fees back for the cost of the Police Academy. Mr. Maak said you can't compete with \$120,000.00 per year and that the Village may need to do something different.

Ms. Carol Callina asked if the burned building was paying taxes. Clerk-Treasurer Burgess said any unpaid taxes are re-levied to the County and that process just took place in November.

Ms. Mike Limina asked if there is a reason why, other than pay, that Police Officers are leaving. She asked the board what they were doing about the aging water and sewer lines. Mayor Sherman said the Village had been applying for water infrastructure and sewer grants and that a water savings account in the amount of \$50,000.00 had been established.

Trustee Marciano said she agreed that two of the Police Officers promoted were local loyal individuals who were raising their families in Medina. She said the Village is providing services and there is intense pressure to not raise taxes while maintaining these services. She said she has faith in Officer Navas' and Reeves leadership. Police Chief Draper said the pay is something the Village cannot compete with and part of it is residency. He said the current Civil Service list has one individual that lives in Orleans County. He said they get trained and then move closer to home. Mayor Sherman said the Village did buy into a better retirement system hoping to retain people longer.

Mr. Jim Mirand asked if the Restore New York Grant Project was also a recipient of the New York Forward Grant. Mr. Cocquyt from LaBella said he was not being paid by the Village and

that the property owner has to front all the money in advance. He said if the Restore New York Grant was awarded they would break up the scope of work, one is completed and then they move into the second scope of work.

Mr. Mirand asked as the canal basin project moves forward, would parking spaces in the canal basin be lost and that there is a shortage of parking. Mayor Sherman said she did not know yet as the project has not started.

Mr. Matt Anelli asked that the parking on Ohio Street between Center Street and Park be looked into as it is a safety issue. Trustee Marciano said parking had been turned over to the Code Enforcement Officer.

Mr. Mike Maak asked if there is a requirement for apartments to supply parking and if they could park on Village property. Mayor Sherman said they cannot and it is up to the property owner to figure that out.

A motion was made by Trustee Padoleski and seconded by Trustee Prawel. The meeting is moved into executive session at 7:32 p.m. to discuss a contractual matter.

All ayes  
Motion carried.

A motion was made by Trustee Baker and seconded by Trustee Marciano. The meeting is reconvened at 9:01 p.m.

All ayes  
Motion carried.

A motion was made by Trustee Prawel and seconded by Trustee Marciano. The part-time Account Clerk position in the Clerk's Office is extended an additional six weeks from the date of January 3, 2025.

All ayes  
Motion carried.

A motion was made by Trustee Marciano and seconded by Trustee Prawel. The meeting is adjourned at 9:04 p.m.

All ayes  
Motion carried.

Respectfully submitted,  
Jada A. Burgess  
Clerk-Treasurer



