

MINUTES OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MEDINA HELD ON MAY 19, 2025, AT 6:00 P.M. IN THE SENIOR CITIZEN CENTER.

Present: Mayor Marguerite Sherman
Trustees Deborah Padoleski, Scott Bieliski, Mark Prawel, and Jess Marciano
Code Enforcement Gardner and Police Chief Draper

Excused: Fire Chief Matt Jackson and Superintendent of Public Works Jason Watts
Attorney Matthew Brooks

Mayor Sherman called the meeting to order at 6:00 p.m.

Mayor Sherman opened the public hearing on proposed Local Law 4-2025, a local law adopted to amend the Village Code of the Village of Medina to modify the Zoning Map pursuant to sec. 254-21 of the Village Code. To provide for a modification of the Zoning Map of the Village of Medina, changing boundaries, whereby the Zoning of the parcels of land identified as SBL: 80.17-1-11.11, SBL: 80.17-1-19.111, and SBL: 80.17-1-21.1, are all changed from Light Industrial (LI) to Multi-Family Residential (R3).

Mayor Sherman closed the public hearing at 6:08 p.m. as no interested persons wished to speak.

A motion was made by Trustee Marciano and seconded by Trustee Padoleski, to adopt Local Law 4-2025, as presented.

All ayes
Motion carried.

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

RESOLVED, that there be levied and assessed against the real property of the Village of Medina the following sums for Village Government and other charges for the fiscal year 2025-2026, with an estimated tax rate of \$13.99 per thousand, subject to a levy apportionment using applicable 2025 Town of Ridgeway and Town of Shelby equalization rates.

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|-------------------------------|----------------|
| General Fund | \$3,910,344.00 |
| Delinquent Water Rents | 14,727.95 |
| Delinquent Sewer Rents | 16,662.72 |
| Property Maintenance Charges | 4,506.25 |
| Vacant Building Registry Fees | 103,493.43 |

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| Total Taxes and Charges | \$4,049,734.35 |
|-------------------------|----------------|

All ayes
Motion carried.

Mayor Sherman said the Planning Board is recommending to rezone the tract of land at 450 West Oak Orchard Street, which is currently zoned as light industrial to re-zone first to Agricultural then second to a Planned Residential Development District under Village of Medina Zoning Section 254-32. The applicant requested an R3 residential zoning of the entire acreage, however the planning board recommends it is rezoned as a Planned Residential Development District which will give better control and ability for the Village to ensure the type of development that will complement the character of the Village of Medina and ensure smart and wise land planning for years to come.

Mayor Sherman said to change zoning a Public Hearing is required.

A motion was made by Trustee Prawel and seconded by Trustee Marciano. A public hearing is scheduled for June 23, 2025, at 6:05 p.m. to consider an application to rezone a 46-acre parcel located at 450 West Oak Orchard St, Medina, NY 14103. The application is to rezone parcel number: 79.15-1-2 from Light Industrial to a PRD- Planned Residential Development.

All ayes
Motion carried.

Mayor Sherman said the Village Clerk was contacted by Assemblyman Hawley's office and the Home Rule submitted was amended and the board needed to pass another resolution requesting the continuance of the Occupancy Tax.

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

**TO AUTHORIZE THE SUBMISSION OF A NEW YORK STATE HOME RULE REQUEST TO ESTABLISH A HOTEL
OCCUPANCY TAX**

WHEREAS, the Village of Medina desires to enact an occupancy tax on any room for hire within the Village; and

WHEREAS, New York State Assemblyman Hawley has introduced New York State legislation to the Assembly with bill number A8079-A, and New York State Senator Ortt has introduced New York State legislation to the Senate with bill number S7542-A; and

WHEREAS, this legislation requires the passage of a Home Rule Request to the New York State Senate and New York State Assembly by the Village of Medina;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Medina hereby approves the submission of a Home Rule Request to the New York State Senate and Assembly for bill numbers S7542-A and A8079-A that would not exceed a two (2) percent daily room tax for a hotel, motel, or similar place of public accommodation; and

BE IT FURTHER RESOLVED, that the Mayor and the Board of Trustees of the Village of Medina are hereby authorized to submit the Home Rule Request and execute and deliver all necessary documents to New York State.

A vote was taken:

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|-------------------|-----|------------------|-----|
| Trustee Padoleski | Aye | Trustee Prawel | Aye |
| Trustee Bieliski | Aye | Trustee Marciano | Aye |

All ayes
Motion carried.

A motion was made by Trustee Padoleski and seconded by Trustee Prawel. The Clerk-Treasurer is authorized to make appropriate budget transfers within the General, Water and Sewer Funds to balance the budget.

All ayes
Motion carried.

A motion was made by Trustee Prawel and seconded by Trustee Bieliski. The resolution passed at the March 24, 2025, meeting, agreeing to enter into a contract with the Medina Central School District to supply two School Resource Officers is rescinded.

A vote was taken.

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| Trustee Bieliski | Aye | Trustee Prawel | Aye |
| Trustee Padoleski | Aye | Trustee Marciano | Opposed |

Motion carried.

A motion was made by Trustee Bieliski and seconded by Trustee Marciano. Mayor Sherman is authorized to sign the NorthStar Cruise agreement, allowing NorthStar Cruises to utilize one boat slip in the canal basin, with cruises beginning June 1, 2025, providing Mr. Hellner provides a certificate of insurance in the amount of two million dollars naming the Village of Medina as an additional insured. The certificate of insurance must be received in the Village Clerk's Office by June 1, 2025.

All ayes
Motion carried.

Mayor Sherman said the air conditioning unit in City Hall was not functioning properly. A quote was received from American Heating and Cooling. The matter was tabled until additional quotes can be obtained per the procurement policy.

Mayor Sherman said the Memorial Day parade would be held on May 26, 2025, beginning at 11:00 a.m. and that Mr. Jim Freas has been in contact with the Police Department and Department of Public Works to assist in setting up for the parade and assistance from the Police Department to block off the parade route.

Mayor Sherman said Abundance Solar had contacted the Village about a proposed solar array to be placed at the landfill located on Horan Road. The matter was tabled.

Mayor Sherman said she was contacted by Chris Busch as the Village of Medina has been designated as a municipality along the New York Harriet Tubman Underground Railroad byway. Mr. Busch would like to obtain approval by the board to add an Interpretive Sign to the Heritage Sign Trail to bring elements of this momentous narrative to light.

A motion was made by Trustee Padoleski and seconded by Trustee Marciano. The Orleans Renaissance Group is allowed to add an Interpretive Panel downtown, with cost of the panel to be paid for by the support of Senator Ortt's office and Assemblyman Hawley's office.

All ayes
Motion carried.

The discussion on changing the effective dates on the Village of Medina's insurance policy was tabled until the workshop meeting.

The water policy was tabled until the workshop meeting.

A motion was made by Trustee Bieliski and seconded by Trustee Prawel. Mayor Sherman is authorized to sign the K-9 Transfer / Liability Release agreement, allowing the ownership of K-9 Phoenix to be transferred to Jacob Reeves for the sum of \$1.00.

All ayes
Motion carried.

A motion was made by Trustee Padoleski and seconded by Trustee Marciano. The donations received by individuals to be used specifically for the K-9 fund will be returned.

All ayes
Motion carried.

The discussion on the ladder truck was tabled until additional information can be gathered and when Fire Chief Jackson is present.

Mayor Sherman said Jacob Hebdon was in attendance representing the Boxwood Cemetery Commission to present the Boxwood Cemetery Rules, Regulations and By-Laws. Trustee Padoleski thanked the Commission, stating this was a long time coming and a lot of work was put in by the Commission developing the By-Laws.

Mr. Hebdon said the By-Laws were created taking into consideration input from the Superintendent of Public Works, Dale Short, Funeral Directors and those assisting in the burials. He said other cemetery by-laws were researched and reviewed. He thanked the Commission members and said the quote in the beginning of the by-laws, "Show me the manner in which a nation cares for its dead and I will measure with mathematical exactness the tender mercies of its people, their respect for the laws of the land, and their loyalty to high ideals", (Sir William Ewart Gladstone), said it all and that he hoped the Village Board also shared that sentiment.

Ms. Carol Callina commented on how great Boxwood looks. Mr. Hebdon said Dale Short is an asset to the cemetery.

Trustee Marciano asked who would be policing the provocative behavior. Mr. Hebdon said it makes sense to be more thorough. The cemetery demands respect from those who enter there, and he referenced the quote on the first page. He said to set the bar high and that the quote speaks to the conduct of the cemetery.

Trustee Marciano said she does not want her thumb on that. Mayor Sherman asked if she was recommending amending that portion of the by-laws. Trustee Padoleski said originally that was her concern as well, how something could be interpreted. She said the by-laws does set a standard of behavior and it speaks to something else entirely. She trusts Mr. Hebdon's thoughts on being thorough with the by-laws.

A motion was made by Trustee Prawel and seconded by Trustee Padoleski. The Boxwood Cemetery Rules, Regulations and By-Laws as presented are adopted.

A vote was taken.

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| Trustee Prawel | Aye | Trustee Bieliski | Aye |
| Trustee Padoleski | Aye | Trustee Marciano | Opposed |

Motion carried.

A motion was made by Trustee Padoleski and seconded by Trustee Bieliski. The following salaries for fiscal year 2025-2026 are as follows:

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|--------------------|----------------|
| Mayor | \$10,500.00 |
| Trustees | \$ 4,200.00 |
| Police Chief | \$87,290.00 |
| Fire Chief | \$83,115.88 |
| Clerk-Treasurer | \$76,000.00 |
| Superintendent | |
| Of Public Works | \$75,000.00 |
| Deputy Clerk | |
| Treasurer | \$48,591.91 |
| Police | |
| Secretary/Keyboard | |
| Specialist | \$21.00 / hour |
| Senior Account | |
| Clerk- Long | \$21.00 / hour |
| Senior Account | |
| Clerk-Forder | \$20.00 / hour |

A vote was taken.

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| Trustee Prawel | Aye | Trustee Bieliski | Aye |
| Trustee Padoleski | Aye | Trustee Marciano | Opposed |

Motion carried.

A motion was made by Trustee Marciano and seconded by Trustee Padoleski. The Minutes of April 28, 2025, and the special meeting held on May 1, 2025, are accepted as submitted.

All ayes
Motion carried.

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

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| Trustee Prawel | Aye | Trustee Bieliski | Aye |
| Trustee Marciano | Aye | Trustee Padoleski | Abstained |

Trustee Padoleski said she would be abstaining as she did not have a chance to review the bills.

Motion carried.

Code Enforcement Gardner said the library project was continuing and he was reviewing building plans submitted by engineers. He said nine building permits were issued, one right of way, one pool, one certificate of occupancy and four certificates of compliance. He performed three fire safety and property maintenance inspections, eight fire safety and property maintenance violations were cited, and one fire safety property maintenance re-inspection was performed. He issued ten violations of the New York State and Village Code.

Police Chief Draper said he had distributed his call report to the board.

Trustee Marciano said National Night Out would be the first Tuesday in August.

Trustee Padoleski said there would be a joint meeting of the Boxwood Cemetery Commission and the Friends of Boxwood on June 11, 2025. She said the Visitor Center is open, the Albany Symphony would be performing in Medina on July 2, 2025, and the Cycle the Canal would be held on July 13, 2025.

Clerk-Treasurer Burgess reported that the General Fund had earned \$70,451.95 in interest year to date, the Water Fund \$44,086.05, and the Sewer Fund, \$14,199.08.

A resident asked if there were plans to replace fire hydrants and why the fire hydrant recently replaced on West Avenue was yellow. She also asked how many violations were issued for lawns not being mowed.

Code Enforcement Gardner said he had mailed out sixty-one lawn mowing violations and the individuals are given five days before another reinspection occurs.

Ms. Carol Collina asked about the police logs. She also asked for the log of calls for both the Police Department and Fire Department and how many calls were inside the Village verses outside the Village.

Mr. Justine Fitzgibbons asked if violations were given out for sidewalks. Code Enforcement Gardner said sidewalks are the responsibility of the homeowners and violations were not given out.

Mr. Yonic Parada asked about the rezoning of 450 West Oak Orchard Street and if apartment complexes were being considered or if they would be single family homes. He also asked if there was another exit to the property.

Mr. Tim Elliott said if funds were set aside for a sidewalk program, he asked the board to work out a policy as people were starting to work outside. He also asked if the Planning Board had looked at parking in municipal lots with the possibility of leasing parking spots to residents.

Mayor Sherman said she would like the Village attorney to review and guide the Village on establishing designated parking spots in the municipal lots.

Mr. John Pratt said the water system is aged. He suggested making the owners of 450 West Oak Orchard responsible for providing water for the complex.

Jimmy Dieter presented an Eagle Scout Service Project Proposal to the Village Board. He asked the Board to approve putting in batting cages at Butt's Park. Mr. John Dieter said the wood frame structure would stay up year-round and the nets will be maintained by Loyal Baseball. Trustee Marciano asked if the wood be treated. Mr. John Dieter said it would be pressure-treated wood and should last fifty years. Mr. John Dieter said he and Jimmy Dieter would talk with the Code Enforcement Officer and the Superintendent of Public Works on the next steps, digging requirements and permits.

A motion was made by Trustee Marciano and seconded by Trustee Bieliski. The Eagle Scout Service Project Proposal as presented by Jimmy Dieter is approved, allowing Batting Cages to be installed at Butt's Park.

All ayes
Motion carried.

A motion was made by Trustee Bieliski and seconded by Trustee Prawel. The meeting is adjourned into executive session at 7:54 p.m. to discuss collective bargaining negotiations, pending litigation and the employment of a particular person.

All ayes
Motion carried.

A motion was made by Trustee Marciano and seconded by Trustee Bieliski. The meeting is reconvened at 9:12 p.m.

All ayes
Motion carried.

A motion was made by Trustee Marciano and seconded by Trustee Bieliski. A time keeping application will begin on June 1, 2025, and is effective for all employees, including department heads.

All ayes
Motion carried.

A motion was made by Trustee Prawel and seconded by Trustee Bieliski. A new part-time Account Clerk Position is created, and a position duties statement will be submitted to Civil Service.

A vote was taken.

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|-------------------|-----|------------------|---------|
| Trustee Prawel | Aye | Trustee Bieliski | Aye |
| Trustee Padoleski | Aye | Trustee Marciano | Opposed |

Motion carried.

A motion was made by Trustee Prawel and seconded by Trustee Padoleski. Laura Howland is appointed to a permanent part-time Account Clerk position in the Village Clerk's Office, effective June 1, 2025, with an applicable probationary period per Civil Service.

A vote was taken.

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| Trustee Prawel | Aye | Trustee Bieliski | Aye |
| Trustee Padoleski | Aye | Trustee Marciano | Opposed |

Motion carried.

A motion was made by Trustee Padoleski and seconded by Trustee Marciano. The meeting is adjourned at 9:31 p.m.

All ayes
Motion carried.

Respectfully submitted,

Jada A. Burgess
Clerk-Treasurer

DRAFT