

MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MEDINA HELD IN THE TOWN OF SHELBY HALL ON SEPTEMBER 27, 2010, AT 7 PM

Present: Mayor Tabelski

Trustees Meier, Kiebala, Irwin, Squires

DPW Supt Houseknecht, Police Chief Avila' , Fire Chief Zinkievich

Attorney Brooks

Mayor Tabelski called the meeting to order at 7 pm with the Pledge of Allegiance to the flag.

On motion of Trustee Irwin, seconded by Trustee Kiebala; that the Minutes of September 13, 2010, be approved with the correction of the meeting date.

**All Aye
Carried.**

The Mayor said that the 74 anniversary of the Lions Club of Medina would be celebrated on November 6 at the Hickory Ridge Golf Club.

Mayor Tabelski said that Code Officer Busch was at a Code Conference.

Supt Houseknecht said that the box out of Gwinn Street would take 2 or 3 days. He said that bids were out for curbing and would be opened on October 6; upon which Larsen Engineers would review them and make recommendation to the Board for approval at the Meeting of October 12. Houseknecht said that the curbing and binder course on Gwinn Street should be finished about November 17.

Supt Houseknecht said that the wheel loader had been rebid, with one bid being received from Five Star Equipment. He said that the company had bid a loader for \$138,800 less a trade value for the present loader, for a net cost of \$11,800.

On motion of Trustee Meier, seconded by Trustee Irwin; that the bid to supply the Village with a wheel loader be awarded to Five Star Equipment, with a net bid less trade of \$11,800.

**All Aye
Carried**

Mayor Tabelski thanked Supt Houseknecht and his staff for setting up the sound system on Main Street. He said that it made Ale in Autumn a special event.

Fire Chief Zinkievich reported that Firefighter Cooley would be graduation from the Fire Academy on October 7 in Montour Falls, and that he would attend. He said that all are welcome.

Zinkievich said that the banner had been erected for the Open House on October 3.

The Chief said that one bid meeting specifications for the oxygen-generating system had been received from Devall Safety in the amount of \$26, 650, which was slightly under their estimate. He recommended awarding the bid and said the Village would recoup this cost in less than 3 years.

On motion of Trustee Irwin, seconded by Trustee Meier; that the Village accept the bid from Devall Safety for A\$26,650 to supply the Village with an oxygen-generating system for the ambulances.

All Aye
Carried.

Chief Avila' said that the new police vehicle was in and will be on the road soon.

Chief Avila' said that the Drug Task Officer was on a part-time basis last year due to a shortage of staff. He said that his actual hours were submitted to the County, but the reimbursement was less than \$50,000. The Chief said that there was no contract for this year between the Village and the County.

Avila' suggested that the Trick or Treat hours be set at 5:30 to 7:30 pm on Halloween night.

On motion of Trustee Meier, seconded by Trustee Irwin; that trick or treat hours be set at 5:30 to 7:30 pm on Halloween; also that only houses with the porch light on be visited, and that permissible age was up to 12 years.

All Aye
Carried.

Attorney Brooks said that he had talked to other municipalities concerning the Gross Receipts' Tax, and that they were not agreeing to a refund. He said that the settlement agreement would impact future National Grid payments.

On motion of Trustee Meier, seconded by Trustee Kiebala; that the Mayor be authorized to sign the settlement agreement with National Grid relative to Gross Receipts tax payments.

All Aye
Carried.

The Mayor said that the proposed Commercial Design Standards as proposed and drafted by the Planning Board would be sent to the EDA for their review and comment. He said that he would like to wait for such comment before drafting a local law.

Trustee Meier said that the Town of Shelby would like to meet with the Village Board to discuss a memorandum of understanding relative to water and sewer issues outside the Village limits, including residential, commercial, and industrial customers.

Trustee Meier said that he would like to limit such discussion to industrial users only. The Board decided to review the issue and possibly draft such a memorandum.

The Mayor read a SEQR review that had been drafted by Larsen Engineers; and it was put to a vote;

RESOLVED by Trustee Meier, seconded by Trustee Kiebala:

RE: SEQR Classification of RFP10 Energy Efficiency and Block Grant, Photo Voltaic Project – Funded through NYSERDA Contract #19538

WHEREAS: Actions to approve, fund, and construct public facilities are subject to review under requirements of the State Environmental Quality Review Act (SEQR) 6NYCRR617.

WHEREAS: The Village of Medina is proposing the implementation of a Photovoltaic System (solar array) at the Department of Public Works Complex, supplemental funding has been applied for through NY State Energy Research and Development Agency.

WHEREAS: It is the responsibility of the applicant for funding to demonstrate project readiness by complying with the environmental review regulations.

WHEREAS: Responsibilities for compliance are based upon the classification of the project.

WHEREAS: The Board of Trustees, as applicant, may classify the action.

WHEREAS: The Board of Trustees has examined the project in accord with criteria contained in 6NYCRR617.5(c):

WHEREAS: The Project has been classified as Type II because the actions are limited to the following, as defined by 6NYCRR 617.5(c)

1_ 617/5 (c)(7): 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.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Medina, Orleans County, New York, as follows:

- 1) The Village Board of Trustees has determined that the Project constitutes a Type II Action pursuant to the State Environmental Quality Review Act (SEQR). A SEQR type II project is considered to have such a minor impact that an environmental checklist does not need to be prepared, and the action requires no further SEQR documentation or notification.
- 2) The Village clerk is directed to maintain for public inspection this Resolution and place a copy with other project records.
- 3) Any official regulatory documents, approvals of funding or Construction should state that the Village of Medina has classified this project (or these actions) to be SEQR Type II.

ROLL CALL VOTE ON THE RESOLUTION WAS AS FOLLOWS:

Tabelski Aye
Irwin Aye
Kiebala Aye

Meier Aye
Squires Aye

Resolution carried.

On motion of Trustee Meier, seconded by Trustee Irwin; that the Medina Historical Society be permitted to have walks at Boxwood Cemetery on October 24 and October 30, 2010, contingent upon submitting a Certificate of Insurance to the Clerk.

All Aye
Carried.

On motion of Trustee Irwin, seconded by Trustee Kiebala; that bills, as listed on abstracts for September 27, 2010, be paid.

All Aye
Carried.

Cheryl Thompson asked the Board about her mowing bill for 520 Church Street. Trustee Meier said that he had spoken to the Code Officer, who said that there was no irregularity with it. Thompson contended that she had been mowing her lawn along with a section of land in the back that belongs to the Village. Further investigation will be done.

Lisa Trippensee reported that the visiting boaters had been full of praise for Chief Avila' and the Village during their visits in the Canal Basin.

Trippensee outlined the Old Tyme Christmas celebration and Parade of Lights and new features of the celebration. She said that there would be a parade in the afternoon and one at night and asked for street closures. Ms Trippensee said there would be an ice-sculpting event if the Board approved it.

On motion of Trustee Kiebala; seconded by Trustee Meier; that the Tourism Committee be permitted to have Park Avenue, part of West Avenue, and Main Street closed during the parade hours. The Board agreed to allow the ice-sculpting event contingent upon the sculptor submitting a Certificate of Insurance.

All Aye
Carried.

Trustee Kiebala reported that she had attended a Joint Recreation Committee Meeting, where Director Brooke Jablonski had summarized the season. Kiebala said that there had been record-high attendance, and the program had been accomplished under the budget.

Chief Avila' said that there had been instances where older children in summer school had bullied younger children at the school attending the program. Avila' suggested that the program be relocated.

The Mayor said that the next meeting would be on October 12 in the other conference room at the Shelby Town Building.

On motion of Trustee Irwin, seconded by Trustee Kiebala; that the regular meeting be adjourned into Executive Session to discuss pending litigation and the employment history of a particular individual at 8:15 pm

All Aye
Carried.

Respectfully submitted,
E M Crowley, CT