

MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MEDINA HELD ON MONDAY, SEPTEMBER 23, 2019 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, Code Enforcement Officer Daniel Gardner, DPW Supt. Joseph Perry
Attorney Matthew Brooks

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

Gary Saj was recognized by the Mayor. Mr. Saj addressed the Board regarding 19 Glenwood Avenue, a property that he recently purchased at the Orleans County foreclosure auction. He is disputing the vacant property registry fees that remain as liens on this parcel. He contends that he was unaware of this lien and that the charges were assessed prior to his purchase. The Board referred Mr. Saj to the guidance provided to potential buyers at foreclosure auction, recommending that lien searches be done as well as communication with the various taxing entities, to ascertain any possible outstanding charges. Mr. Saj requested copies of the 2017-18 and 2018-19 tax bills showing the vacant property registry fees added. The Clerk-Treasurer will have those available.

A motion was made by Trustee Elliott and seconded by Trustee Bensley. The Medina Memorial Hospital is authorized to hang a banner at Rotary Park for two weeks from October 14 to October 26, advertising the Treasure Island Auction.

Trustee Bensley	Aye	Trustee Elliott	Aye
Trustee Sherman	Aye	Trustee Toale	Nay

Motion carried.

Mayor Sidari read a letter from the Medina Business Association notifying the Board of the annual Beggar's Night parade to be held on Friday, October 25, from 5:30 to 7:00 p.m. on Main Street.

The Mayor also read a letter from the Medina Lions Club notifying the Board of the annual Scarecrow Fest to be held on Saturday, October 5 at Forrestel Farm. They also requested permission to hang a banner at Rotary Park for one week prior to the event.

A motion was made by Trustee Bensley and seconded by Trustee Elliott. The proposed lettering for the front doors of City Hall submitted by the Medina Sandstone Society, are approved pending approval by the Medina Planning Board.

All ayes
Motion carried.

A motion was made by Trustee Sherman and seconded by Trustee Toale. The Mayor is authorized to sign for membership to the NYS Rural Water Association at an annual fee of \$461.00.

All ayes
Motion carried.

A motion was made by Trustee Bensley, as follows:

WHEREAS, the Village Board of the Village of Medina, on September 23, 2019, makes a resolution to authorize the Mayor to sign Snow and Ice Contract D014781 between the State of New York and the Village of Medina for snow and ice control for a term of five years, commencing July 1, 2019 and ending on June 30, 2024, and further, the amount for the 2019-20 season shall be \$16,172.70.

Seconded by Trustee Toale, put to a vote, the results of which are as follows:

All ayes
Motion carried.

A motion was made by Trustee Sherman and seconded by Trustee Toale. The Village of Medina hereby adopts a **Fair Housing Plan** as follows:

I. Introduction

The Village of Medina understands the importance of taking action to further fair housing in the community and is committed to meeting its responsibilities in this respect as a recipient of Federal Community Development Block Grant funds. To ensure that residents are aware of fair housing provisions under Federal and State law and of the processes and assistance available to obtain compliance with existing statutes, the City has developed this Fair Housing Plan. The Plan describes the procedures developed to further fair housing in the community.

II. Availability of Information

The Village of Medina's Fair Housing Plan recognizes that public knowledge of fair housing provisions is the first step in expanding equal opportunity. Toward that end, the Village has taken, or will take the following actions:

A. *Appoint a Fair Housing Officer*

The Fair Housing Officer, Marguerite Sherman, appointed by the Village Board of Trustees, has the following responsibilities:

1. Maintain Federal and State fair housing information in the Community Development Department including brochures issued by the U. S. Department of Housing and Urban Development (HUD) and the New York State Division of Human Rights.
2. Record initial information regarding housing discrimination complaints on a standard form.
3. Forward copies of all complaints to and, as appropriate, consult with the Fair Housing/Equal Opportunity Division of the applicable HUD Office.

B. *Provide Information*

The Village of Medina will make available, upon request, copies of applicable Federal and State laws which contain anti-discrimination provisions, including: Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, Fair Housing Amendments Act of 1988 and the Human Rights Law (Executive Law, Article 15) of the State of New York.

C. *Promote Fair Housing Activities and Available Resources*

The Village of Medina will designate the month of October as *Fair Housing Month* and will promote said designation through a Village Board of Trustees proclamation.

The Village of Medina will further promote fair housing and housing resources by posting Fair Housing posters in visible locations within all Municipal buildings.

III. **Discrimination Complaints**

The Village of Medina will provide information and assistance to individuals who feel that they have been the victims of discrimination in regard to housing.

A. *Discriminatory Housing Practices*

For the purpose of this Plan, a discriminatory housing practice means an act that is unlawful under sections 804, 805, 806 or 818 of the Fair Housing Act (Title VIII of the Civil Rights Act of 1968, as amended). Such discriminatory housing practices include discrimination in the sale or rental of housing, discrimination in the provision of brokerage services, or interference, coercion, or intimidation, as defined under the Act, on the basis of race, color, religion, national origin, sex, handicap or familial status.

B. *Receiving Complaints*

The Fair Housing Officer will record information on a standard form to ensure that a complete file is established. Following this, the Fair Housing Officer will then contact the Department of HUD and/or the New York State Division of Human Rights to review the particulars of the complaint and request guidance in the formal filing of the complaint in cases where the individual decides to use this method. Copies of all complaints will also be forwarded to the Fair Housing and Equal Opportunity Division of the HUD Office in Buffalo, New York. If the complainant decides to take his/her case directly to Federal Court, the Village of Medina will consult with the County Bar Association on the appropriate procedures to be followed and the procedure for securing affordable legal services if the individual is of low- or moderate-income.

The motion on the Plan was put to a vote and the results were as follows:

All ayes

Motion carried.

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A motion was made by Trustee Bensley and seconded by Trustee Toale. The following **Proclamation** declaring the month of October as “Fair Housing Month in the Village of Medina” is hereby adopted.

WHEREAS, the Declaration of Independence states “that all men are created equal; that they are endowed by their Creator with certain unalienable rights”; yet we must face the harsh fact that in this nation, and in this state, all men do not have equal housing opportunities because of race, national origin, or religion; and

WHEREAS, we must, as individuals and as people, take our stand to make equal opportunity for all, including equal opportunity in housing a reality in our community; and

WHEREAS, the primary responsibility for this action lies with each individual citizen of this Village, and each of us can play a major role in removing the stain of discrimination and prejudice; and

WHEREAS, the Fifty-First Anniversary of the National Fair Housing Law, Title VIII of the Civil Rights Act of 1968, during the month of October, is an occasion for all Americans, individually and collectively, to rededicate themselves to the principle of freedom of choice and to participate in efforts to eliminate vestiges of housing discrimination wherever they exist;

NOW, THEREFORE, BE IT RESOLVED, that I, Michael J. Sidari, Mayor of the Village of Medina, do hereby proclaim October, 2019

“Fair Housing Month in the Village of Medina”

and ask the citizens of this Village to join in reaffirming the obligation and commitment to fair housing opportunities for all.

All ayes
Motion carried.

A motion was made by Trustee Toale and seconded by Trustee Elliott. The following **Fund Balance Policy for the Village of Medina In Accordance with GASB 54** is hereby adopted:

Purpose

The Board recognizes that the maintenance of a fund balance is essential to the preservation of the financial integrity of the Village and is fiscally advantageous for both the Village and the taxpayer. This policy establishes goals and provides guidance concerning the desired level of fund balance maintained by the Village to mitigate financial risk that can occur from unforeseen revenue fluctuations, unanticipated expenditures, and similar circumstances.

Definitions

Fund balance is a measurement of available financial resources and is the difference between total assets and total liabilities in each fund. The following definitions will be used in reporting activity in governmental funds. The Village may not report all fund types in any given reporting period based on actual circumstances and activity.

The general fund is used to account for all financial resources not accounted for and reported in another fund.

Special revenue funds are used to account and report the proceeds of specific revenue sources that are restricted or committed to expenditure for specific purposes other than debt service or capital projects.

Debt service funds are used to account for all financial resources restricted, committed or assigned to expenditure for principal and interest.

Capital project funds are used to account for all financial resources restricted, committed or assigned to expenditure for the acquisition or construction of capital assets.

Permanent funds are used to account for resources restricted to the extent that only earnings, and not principal, may be used for purposes that support the Village's purposes.

GASB Statement 54 distinguishes fund balance classified based on the relative strength of the constraints that control the purposes for which specified amounts can be spent. Beginning with the most restrictive constraints, fund balance amounts will be reported in the following categories:

- 1) **Nonspendable fund balance** – amounts that are not in a spendable form (e.g., inventory) or are legally or contractually required to be maintained intact (e.g., permanent fund principal).
- 2) **Restricted fund balance** – amounts that can be spent only for the specific purposes stipulated by external parties either constitutionally or through enabling legislation (e.g., grants or donations).
- 3) **Committed fund balance** – amounts that can be used only for the specific purposes determined by a formal action of the Board of Trustees [*or Education*]. Commitments may be changed or lifted only by referring to the formal action that imposed the constraint originally (e.g., the board's commitment in connection with future construction projects).
- 4) **Assigned fund balance** – amounts *intended* to be used by the government for specific purposes. Intent can be expressed by the Board of Trustees or by a designee to whom the governing body delegates the authority. In governmental funds other than the general fund, assigned fund balance represents the amount that is not restricted or committed. This indicates that resources in other governmental funds are, at a minimum, intended to be used for the purpose of that fund.
- 5) **Unassigned fund balance** – includes all amounts not contained in other classifications and is the residual classification of the general fund only. Unassigned amounts are available for any legal purpose.

Policy

The responsibility for designating funds to specific classifications shall be as follows:

Committed Fund Balance – The Board of Trustees is the Village’s highest level of decision-making authority, and the formal action that is required to be taken to establish, modify, or rescind a fund balance commitment is a resolution approved by the Board.

Assigned Fund Balance – The Board of Trustees has authorized the Mayor and the Clerk-Treasurer as officials authorized to assign fund balance to a specific purpose as approved by this fund balance policy.

Minimum Unassigned Fund Balance

It is the goal of the Village to achieve and maintain an unassigned fund balance in the general fund at fiscal year-end of not less than 6% and not more than 20% of budgeted expenditures. If the unassigned fund balance at fiscal year-end falls below the goal, the Village shall develop a restoration plan to achieve and maintain the minimum fund balance.

Order of Expenditure of Funds

When multiple categories of fund balance are available for expenditure (e.g., a project is being funded partly by a grant, funds set aside by the Board, and unassigned fund balance), the Village will start with the most restricted category and spend those funds first before moving down to the next category with available funds.

The motion on the policy was put to a vote, the results are as follows:

All ayes
Motion carried.

A motion was made by Trustee Sherman and seconded by Trustee Toale. The slide and swing set at Pine Street Park are hereby declared surplus.

All ayes
Motion carried.

A motion was made by Trustee Toale and seconded by Trustee Sherman. The minutes of the meetings of August 26, 2019, September 2, 2019, and September 9, 2019, are hereby approved as submitted.

All ayes
Motion carried.

A motion was made by Trustee Toale and seconded by Trustee Bensley. DPW Supt. Perry has obtained his Class C Water License and is authorized to receive the annual stipend of \$700.

All ayes
Motion carried.

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Fire Chief Lupo reported on progress for the two Firefighters still out on Worker's Compensation; Firefighter Mackenzie is enrolled in Paramedic Class; Captain Jackson is enrolled in Officer 3 class for October and November; the Fire Department Open House is scheduled for October 6 and the Firemen/Policemen's Ball is scheduled for October 12 at the Sacred Heart Club.

Supt. Perry reported that his department has been cleaning up trees cut by National Grid, striping crosswalks, picking up brush and pruning trees.

A motion was made by Trustee Bensley and seconded by Trustee Elliott. Supt. Perry is authorized to advertise for bids for one new and one used dump truck, to be opened on October 15, 2019 at 1:00 and 1:15 p.m.

All ayes
Motion carried.

Code Enforcement Officer Gardner reported that he had issued the building permit for the new dog park fencing. He also noted that Tim Enderby would be done performing his inspection duties on October 11 and that Firefighters were working with him now to learn the process. He also reported that of the 120 citations for missing house numbers, 21 remained to be remedied.

Police Chief Kenward reported that C & H PC had installed the server last week and were currently installing the work stations. He also reported that several officers, along with him and Secretary Caldwell, had attended various training classes. He added that Beggar's Night has been scheduled for October 25.

A motion was made by Trustee Sherman and seconded by Trustee Elliott. Halloween Trick or Treating is authorized for Thursday, October 31 from 5:30 to 7:30 p.m. with visits to houses with lights on only.

All ayes
Motion carried.

Jim Hancock reported to the Board that there were 220 registered guests at the Visitor's Center this year and \$250 worth of merchandise was purchased by those visitors. He reported that they had three new volunteers to operate the Center. He requested the Board consider signage on Main Street directing visitors to the Municipal Parking Lot and Canal Basin and also possible camping permits to be issued to cyclists at State Street Park.

A motion was made by Trustee Toale and seconded by Trustee Bensley. The meeting is adjourned to Executive Session at 8:30 p.m. to discuss labor contract negotiations and pending legal matters.

All ayes
Motion carried.

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A motion was made by Trustee Toale and seconded by Trustee Sherman. The meeting is adjourned at 9:00 p.m.

All ayes
Motion carried.

Respectfully submitted,

Deborah L. Padoleski
Clerk-Treasurer