

MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MEDINA HELD ON MONDAY, AUGUST 24, 2020 AT 7:00 P.M. IN THE SENIOR CITIZENS CENTER.

Present: Mayor Michael Sidari
Trustees Owen Toale, Marguerite Sherman, Todd Bensley, Timothy Elliott
Police Chief Chad Kenward, Code Enforcement Officer Daniel Gardner
Attorney Matthew Brooks

Excused: Fire Chief Matthew Jackson, DPW Supt. Joseph Perry

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

A motion was made by Trustee Bensley and seconded by Trustee Toale. The bills as presented are authorized for payment.

All ayes
Motion carried.

A motion was made by Trustee Elliott and seconded by Trustee Sherman. The minutes of August 1, 2020 are approved as submitted.

All ayes
Motion carried.

A motion was made by Trustee Toale and seconded by Trustee Elliott. The matter of the Zoll lease agreement for the purchase of cardiac monitors is tabled until the following meeting when Chief Jackson could be present.

All ayes
Motion carried.

A motion was made by Trustee Sherman and seconded by Trustee Elliott. The resignations of Joseph Simmons and Adam Vanderheite are accepted effective September 21 and September 25, 2020, respectively.

All ayes
Motion carried.

Mayor Sidari opened the Public Hearing on Local Law No. 3 - 2020 Moratorium on Public Art and Murals in the Downtown Historic Preservation District at 7:05 p.m. The Mayor explained that the purpose of this local law was to institute a 60-day moratorium on murals and public art displays in the Village's Historic Preservation District, in order for the Village to review its laws, rules and

regulations regarding murals and public art displays and to consider the creation of a Public Arts Commission. No interested persons appeared to speak. The Mayor closed the Public Hearing at 7:14 p.m.

A motion was made by Trustee Elliott and seconded by Trustee Bensley. In response to Governor Cuomo's Executive Order regarding the NYS Police Reform and Reinvention Collaborative, the following individuals are appointed to the newly formed Police Reform Task Force – Mayor Michael Sidari, Police Chief Chad Kenward, Police Lt. Todd Draper, District Attorney Joseph Cardone, Attorney Joanne Best, Scott Robinson, Daniel Doctor, Sherry Tuohey, Jackie Chinn, David King, Cynthia King, and Pastor Jovannie Canales.

All ayes
Motion carried.

In the absence of a school crossing guard, the Board discussed alternatives for traffic control at the corner of West Oak Orchard Street and Gwinn Street. It was suggested to change the light to blinking red, making it a four-way stop and to consider a crosswalk across from the school. The Mayor asked Supt. Perry and Chief Kenward to assess the situation.

The Mayor read a request from Mary Zelazny to use the sidewalk in front of their business at 511 Main Street on October 2 to hand out "goodie" bags in conjunction with their virtual walk to benefit the Knights-Kaderli fund. The Board agreed that no formal approval was needed but asked that they not block the entire sidewalk for this venture.

A motion was made by Trustee Elliott and seconded by Trustee Bensley. The resignation of Christopher Busch from the Village of Medina Planning Board and the Historic and Architectural Preservation Review Board is accepted with deep regret and thanks for many years of service on these Boards.

All ayes
Motion carried.

The interview of two potential candidates for the Planning Board was scheduled for September 16 at 4:00 and 4:30 p.m. at the Village office.

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

Resolved, that Retention and Disposition Schedule for New York Local Government Records (LGS-1), issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein.

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Further resolved, that in accordance with Article 57-A:

- (a) Only those records will be disposed of that are described in Retention and Disposition Schedule for New York Local Government Records (LGS-1), after they have met the minimum retention periods described therein;
- (b) Only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

All ayes

Motion carried.

A motion was made by Trustee Sherman and seconded by Trustee Bensley. The Alzheimer's Association is authorized to use State Street Park on October 3, 2020.

All ayes

Motion carried.

A motion was made by Trustee Bensley and seconded by Trustee Toale. Local Law No 3-2020 Moratorium on Public Art and Murals in the Downtown Historic Preservation District is adopted as follows:

SECTION 1. TITLE

This Law shall be known as Local Law No. 3 of the Year 2020 entitled "Amendment to the Code of the Village of Medina Placing a Sixty (60) Day Moratorium on Public Art and Murals in the Village Downtown Historic Preservation District".

SECTION 2. PURPOSE

Purpose and intent of this local law is to institute a sixty (60) day moratorium on murals and public art displays in the Village's Downtown Historic Preservation District, in order for the Village to review its laws, rules and regulations regarding murals and public art displays and to consider the creation of a Public Arts Commission. The moratorium is to enhance the ability of the Village to protect and promote the visual and aesthetic character of the Village of Medina, and to set design requirements and such other regulations as may be necessary to promote and preserve the health, safety and welfare of the Village of Medina and its citizens.

SECTION 3. AMENDMENT OF PRIOR LAW

1. The Code of the Village of Medina is further amended as follows:

"For the period commencing on the effective date of this Local Law No. 3 of the Year 2020 and for sixty (60) days thereafter, there shall be a moratorium in the Village of Medina Downtown Historic Preservation District, preventing the erection or creation of any mural or public art displays. No such new murals or public art displays may be erected, created, completed and/or permitted during the pendency of said moratorium. Additionally, the processing, approval, erection and/or construction of murals and public art displays within the Downtown Historic Preservation District shall be suspended. During this Moratorium, the Village Board of Trustees, assisted by the Planning Board, will draft these

new regulations for potential adoption.”

SECTION 4. SEVERABILITY

If any portion, subsection, sentence, clause, phrase or portion thereof this local law is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portion thereof.

SECTION 5. WHEN EFFECTIVE

This Local Law shall become effective immediately upon its filing in the office of the Secretary of State. On enactment of this Local Law, the Moratorium shall remain in place for a sixty (60) day time period commencing with its effective date. This sixty (60) day time period may be extended by the Village Board by adoption of a resolution for this purpose.

SECTION 6. GRANDFATHER CLAUSE

The enactment of this Moratorium, will affect any new application received on or after September 1, 2020. Any application received prior to this date will be “grandfathered” from this Moratorium and will be processed under the existing regulations. Any application received on or after this date will not be processed and no approvals or permits will be issued.

All ayes
Motion carried.

Mayor Sidari recognized Michael O’Keefe, a local attorney, who commented on several agenda items. He mentioned the possibility of confusion with the crosswalk at the school. He was also concerned with the choosing of the members for the Police Reform Task Force. Trustee Toale responded to Mr. O’Keefe with information on each member chosen.

A motion was made by Trustee Bensley and seconded by Trustee Sherman. The meeting is adjourned at 7:55 p.m. to Executive Session to discuss pending litigation.

All ayes
Motion carried.

A motion was made by Trustee Bensley and seconded by Trustee Sherman. The meeting is adjourned at 8:20 p.m.

All ayes
Motion carried.

Respectfully submitted,
Deborah L. Padoleski
Clerk-Treasurer