

MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MEDINA HELD ON MONDAY, OCTOBER 26, 2020 AT 7:00 P.M. IN THE SENIOR CITIZEN'S CENTER.

Present: Mayor Michael Sidari

Trustees Owen Toale, Todd Bensley, Marguerite Sherman, Timothy Elliott

Fire Chief Matthew Jackson, Police Chief Chad Kenward, Code Enforcement Officer Daniel Gardner, DPW Supt. Joseph Perry

Attorney Matthew Brooks

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

The Mayor opened the Public Hearing on Local Law #4 amending the Village Code Chapter 236-Vehicles and Traffic, by adding STOP signs on the four corners of the intersection at Gwinn Street and West Oak Orchard Street. The Mayor explained that the traffic signal there had been recently changed to a four-way blinking red light. This change could eliminate the need for a crossing guard at that intersection for school children arriving and leaving school. The trial period had presented no significant issues and so this amendment would result in a permanent change. No interested person appeared to speak and the Mayor closed the Public Hearing at 7:06 p.m.

The Mayor recognized Matt Kent of 823 Richmond Avenue, Buffalo, NY, a Senior Analyst with NY Foundation for Fair Contracting. Mr. Kent referred to the several e-mails, phone calls, and correspondence concerning Milherst Construction, a low bidder on the East Avenue Forcemain Extension and Pump Station Rehabilitation Project. Mr. Kent declared that Milherst Construction had a felony criminal conviction record from defrauding NYS Unemployment Insurance Division and that they were therefore determined to not be a responsible bidder. He added that Erie County had rejected a bid from Milherst based on this. Mayor Sidari replied that Wendel had contacted three references for Milherst Construction and those clients said that there had been no issues and that they would recommend them for future projects.

Mayor Sidari then recognized resident Kevin Fisher of 25 Pebbleridge Drive. Mr. Fisher informed the Board that there was a new owner at Applewood Mobile Home Park and that they had recently increased the water and sewer billings to the homeowners. The Mayor responded that the Village issues one bill to the park and then it is the owner's discretion to bill each mobile home owner separately. The Mayor suggested that they contact the Attorney General if they felt that they had been treated unfairly, but that this was not a Village issue.

The Board discussed awarding the bid for the East Avenue Forcemain to Milherst Construction. It was noted that Wendel had issued a Recommendation of Award to Milherst. Trustee Toale remarked that he was impressed by the recommendations of other municipalities regarding their job performance. He added that it was always the Village's best intention to award the low bidder. Trustee Sherman asked if Milherst had settled their case and paid required restitution. The Mayor responded that they had.

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A motion was made by Trustee Toale and seconded by Trustee Bensley. The East Avenue Forcemain Extension and Pump Station Rehabilitation Project is awarded to Milherst Construction, for a cost of \$533,800, after they were determined to be the lowest, responsible bidder.

All ayes
Motion carried.

A motion was made by Trustee Bensley and seconded by Trustee Sherman. The contract for the Wastewater Treatment Plant Phase 2 Upgrades, Contract 20-1G Construction, is awarded to Villager Construction, at a cost of \$2,845,000, as the lowest responsible bidder.

All ayes
Motion carried.

A motion was made by Trustee Sherman and seconded by Trustee Bensley. The contract for the Wastewater Treatment Plant Phase 2 Upgrades, Contract 20-1E, Electrical, is awarded to Concord Electric Corporation, at a cost of \$438,000, as the lowest responsible bidder.

All ayes
Motion carried.

On motion of Trustee Sherman as follows:

WHEREAS, the Village Board of the Village of Medina has previously authorized 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 on July 1, 2019 and ending on June 30, 2024, and now requests the amount of \$16,254.25 for the 2020-2021 season.

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

All ayes
Motion carried.

A motion was made by Trustee Bensley and seconded by Trustee Toale. The resignation of Firefighter Cody Doran is hereby accepted.

All ayes
Motion carried.

A motion was made by Trustee Toale and seconded by Trustee Elliott. Robert Urtel is hereby re-appointed Firefighter, as a lateral transfer, at a Step 4 salary, with no previous seniority or accumulated benefits.

All ayes
Motion carried.

A motion was made by Trustee Bensley and seconded by Trustee Sherman. Fire Chief Jackson is authorized to request the Civil Service List for Firefighter.

All ayes
Motion carried.

Charlie Spencer and Heather Farnsworth were in attendance to discuss the proposed "pull-off" for passenger drop-offs at Bent's Opera House's West Center Street entrance. The Village Board reviewed plans and discussed alternatives. The matter was tabled.

A motion was made by Trustee Bensley and seconded by Trustee Sherman. Bills are approved for payment as submitted.

All ayes
Motion carried.

A motion was made by Trustee Toale and seconded by Trustee Bensley. The minutes of September 28, 2020, October 13, 2020, and October 21, 2020 are approved as submitted.

All ayes
Motion carried.

A motion was made by Trustee Bensley and seconded by Trustee Sherman. The following Local Law No. 4 of the Year 2020 Chapter 236- Vehicles and Traffic is hereby adopted.

Gwinn Street and West Oak Orchard Street Intersection Traffic Control Modification

Section 1.
Schedule VI: Stop Intersections.

The Village Code of the Village of Medina is hereby amended as follows:

Chapter 236, Section 236-44 is hereby amended by adding the following STOP signs in the Village of Medina:

Name of Street: Gwinn Street
Direction of Travel: Both
At intersection of: West Oak Orchard Street

Name of Street: West Oak Orchard Street
Direction of Travel: Both
At intersection of: Gwinn Street

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Section 2.

Schedule I: Traffic Control Signals.

Chapter 236, Section 236-39, is hereby amended by removing the traffic control stop light at:

Gwinn Street and West Oak Orchard Street

Section 3.

Effective Date

This Local Law shall take effect immediately upon filing with the Secretary of State.

All ayes

Motion carried.

A motion was made by Trustee Sherman and seconded by Trustee Bensley. The residential single-family overlay in the General Business District for the property at 514 East Avenue, is approved.

All ayes

Motion carried.

During the second Public Comment Period, Matthew Kent expressed his disappointment in the Board's decision to award the contract for the East Avenue Forcemain to Milherst Construction.

A motion was made by Trustee Toale and seconded by Trustee Bensley. The meeting is adjourned to Executive Session at 8:15 p.m. to discuss labor negotiations.

All ayes

Motion carried.

A motion was made by Trustee Bensley and seconded by Trustee Sherman. The regular meeting is reconvened and adjourned at 8:40 p.m.

All ayes

Motion carried.

Respectfully submitted,

Deborah L. Padoleski
Clerk-Treasurer