

MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MEDINA HELD ON MONDAY, NOVEMBER 22, 2021 AT 7:00 P.M. IN THE SENIOR CITIZEN'S CENTER.

Present: Mayor Michael Sidari
Trustees Owen Toale, Marguerite Sherman, Timothy Elliott, Jessica Marciano
Police Chief Chad Kenward, Fire Chief Matthew Jackson, DPW Superintendent Jason Watts, and Code Enforcement Officer Daniel Gardner
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 at 7:00 p.m. on Local Law 5-2021, the proposed amendment to Chapter 88- Burning, Outdoor, Section 88-1. Burning of Combustible material.

No interested persons appeared to speak, Mayor Sidari closed the Public Hearing at 7:02 p.m.

A motion was made by Trustee Sherman, seconded by Trustee Marciano. The bills as presented are approved for payment.

All ayes
Motion carried.

A motion was made by Trustee Elliott, seconded by Trustee Toale. The minutes of October 25, 2021, meeting and the minutes of the November 8, 2021, workshop are approved as submitted.

All ayes
Motion carried.

A motion was made by Trustee Marciano seconded by Trustee Elliott. The following Local Law No. 5-2021 is hereby adopted.

88-1 Burning of Combustible Materials

- A. No person shall burn garbage, brush, leaves, rubbish, refuse, filth, waste, wood, paper or any other material outdoors within the Village of Medina, except that open burning which is permitted under these regulations. Bonfires are prohibited in any street or alley or in a vacant lot or open area.

- B. Recreational Fires

- i. A recreational fire shall not be conducted within 15 feet of any building, structure, or combustible material unless the fire is contained in a barbecue pit or outdoor fireplace. Materials used for fuel for a recreational fire shall consist of wood only.
- ii. Any recreational fire deemed offensive or objectionable because of smoke or odor emissions when atmospheric conditions or local circumstances make such fire hazardous or offensive shall be extinguished.

C. Exceptions

- i. A cooking fire shall be contained in a cooking device designed for cooking and be fueled by natural gas, Liquified petroleum gas, or commercial charcoal or briquets.
- ii. A recreational fire contained in a container, which is store bought, designed for burning combustibles, positioned on a non-combustible surface, and that is not less than 15 feet from a building or structure.
- iii. A cooking fire in a container, designed as a barbecue pit, positioned on a non-combustible surface, and that is not less than 15 feet from a building or structure.
- iv. Any home-made fire ring using non-combustible materials not to exceed 4 feet in diameter.

D. Attendance

- i. Recreational fires shall be constantly attended until the fire is extinguished. A minimum of one portable fire extinguisher and/or garden water hose shall be present. Burning shall be supervised by a responsible adult, which is defined herein as an individual 18 years or older who is not under the influence of drugs or alcohol which would impair their ability to properly supervise a fire, in close proximate attendance until such fire is extinguished.

E. Open-Flame Cooking Devices

- i. Charcoal burners and other open-flamed cooking devices shall not be operated on combustible balconies, decks, porches, or within 10 feet of combustible construction.
- ii. Exceptions
 - 1. One and two-family dwellings
 - 2. Where buildings, balconies, decks, or porches are protected by an approved automatic sprinkler system.
 - 3. Liquified petroleum gas burners, used with a cooking device, designed for cooking, having an LP gas container with a water capacity of 2.5 pounds or less.

Effective Date:

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

All ayes
Motion carried.

Mayor Sidari read a resignation letter from Firefighter Donato Rosario with an effective date of December 4th, 2021.

A motion was made by Trustee Toale, seconded by Trustee Elliott. The resignation of Donato Rosario is hereby accepted.

All ayes
Motion carried.

Mayor Sidari opened the second public hearing at 7:05 p.m. pursuant to Cannabis Law § 131, allowing on-site consumption licenses from operating within the Village of Medina as outlined in the NYS Marijuana Regulation and Taxation Act (MRTA).

Greg McCarthy addressed the board and presented research data and stated he is in favor of allowing on-site consumption licenses from operating within the Village of Medina.

Mayor Sidari and Trustee Toale expressed concerns on how on-site consumption sites would be regulated.

Trustee Marciano agreed with Mr. McCarthy but also questioned who would be enforcing the regulations and if the Police Department would be compelled to respond to the establishment.

Attorney Brooks stated that if the Board made the decision to opt out, a local law would need to be established and a public hearing would need to be held.

Mayor Sidari read a letter from Alicia Reeves, 110 West Oak Orchard Street, Apartment # 1, requesting that the late fee in the amount of \$25.33 be removed from her water account. No action was taken.

A motion was made by Trustee Sherman and seconded by Trustee Elliott. The following list from the Department of Public Works is hereby declared surplus and authorized for disposal; and is authorized for placement with Gov Deals.

1998 Ford Ranger XL Reg. Cab Short Bed 2WD
1998-2011 Ford Ranger Bed Cap Topper Camper Shell
5 Chain Link Dog Kennel Crates
2008 Volvo L35B-Z/D Compact Wheel Loader and Forks
Ford F250 Leer Bed Cap
Easter Owens Large 2-sided Electrical box with doors

Holder C5000 Turbo Snow Blower Straight Plow V Blade Plow and Mower
Onon 4.0RV GenSet Generator
Gorman Rupp 14C2-VH4D Centrifugal 4" Trash Pump with Trailer
2008 John Deere 72" Mower Deck

All ayes
Motion carried.

Trustee Marciano detailed the National Fitness Campaign which is an outdoor fitness center that could be placed in one of the Village of Medina's parks. Individuals would be able to scan a QR code with their phone to do an individual work out. Trustee Marciano noted that there are grants available to assist with the funding of this type of outdoor fitness center. Trustee Elliott said he believed Orleans Community Health may be also looking into this program. Mayor Sidari asked that Trustee Marciano reach out to the hospital to see if they were looking into this program as well.

The board discussed possible uses of the ARPA funds including air purifiers, cameras and an electric gate at the 526 East Avenue, cameras at the parks, fire, and police departments as well as a notification system to better notify Village residents of pertinent information.

A motion was made by Trustee Marciano, seconded by Trustee Sherman. A public hearing is scheduled for December 13, 2021, at 7:00 p.m. Proposed Local Law 6-2021, to opt out of hosting on-site cannabis consumption establishments pursuant to Cannabis Law § 131

All ayes
Motion carried.

Fire Chief Jackson advised the grant writing was going well. The MAAC barrels would be picked up December 8th and delivered to the church. Two live fire training sessions were conducted. He also was working with Police Chief Kenward to ensure the safety of those who would be attending the upcoming Parade of Lights.

Code Officer Gardner said he had reviewed the plans for the Tim Horton's renovations. A new restaurant would be opening at the former Chicken and Waffles location and could accommodate seating up to eighteen people but would be mostly take out.

Superintendent Watts said his department was putting up Christmas decorations. They replaced a hydrant on South Avenue and fixed a water leak on West Center. They also eliminated a broken hydrant on Eagle Street, however two good hydrants remained at both ends of Pearl Street.

Police Chief Kenward stated the third policy advisory meeting was held on November 22nd. Sergeant Navas had completed his two weeks of police supervisory school. His department had hosted a mental health training for area law enforcement on November 9th. He was working with Fire Chief Jackson and Superintendent Watts to coordinate resources for the upcoming Parade of Lights event. He also stated that November was no shave November and as a result they were able to supply three local families with Thanksgiving dinner.

Attorney Brooks requested an executive session to discuss pending litigation.

Trustee Toale requested an executive session to discuss the contractual matter relating to a particular individual.

A motion was made by Trustee Elliott, seconded by Trustee Toale. The meeting is adjourned into Executive Session at 8:17 p.m. to discuss pending litigation and to discuss contractual matter relating to a particular person.

All ayes
Motion carried.

A motion was made by Trustee Sherman, seconded by Trustee Toale. The regular meeting is reconvened and subsequently adjourned at 8:51 p.m.

All ayes
Motion carried.

Respectfully submitted,

Jada A. Burgess
Clerk-Treasurer