

MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MEDINA HELD ON MONDAY, DECEMBER 13, 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

Attorney Matthew Brooks

Excused: Code Enforcement Officer Daniel Gardner

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 6-2021, pursuant to Cannabis Law sec. 131 opting out of licensing and establishing on-site cannabis consumption establishments within the Village of Medina.

Mr. Greg McCarthy addressed the Board and spoke in favor of allowing on-site cannabis consumption establishments. Mayor Sidari closed the Public Hearing at 7:07 p.m.

Mayor Sidari stated the annual audit was complete with positive feedback received.

Mayor Sidari stated the auditors suggested closing out one of the General Fund bank accounts due to several years of inactivity.

A motion was made by Trustee Toale, seconded by Trustee Elliott. The CATV account which was created prior to year 2015, with no activity in the last six years, to be closed with the funds moved into the General Fund.

All ayes
Motion carried.

Mayor Sidari stated as outlined in the Wastewater Treatment Plant SPDES permit, that a Pre-Treatment Program was required. Per the Village of Medina's procurement policy, this would need to be sent out for competitive bidding.

A motion was made by Trustee Sherman, seconded by Trustee Toale. A Pre-Treatment program as outlined in the Wastewater Treatment SPDES permit is sent out to competitive bidding as per the procurement policy.

All ayes
Motion carried.

Mayor Sidari stated he had received the annual snow and ice agreement for 2021-2022.

On motion of Trustee Jessica Marciano 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 July 1, 2019 and ending on June 30, 2024, and now requests the amount of \$18,465.69 for the 2021-2022 season.

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

All ayes.
Motion carried.

Mayor Sidari advised that the Department of Public Works contract was ratified by the CSEA Union, with a 2% increase in salary along with changes to the clothing and cell phone stipend effective June 1, 2021, to May 31, 2024, with retroactive pay to June 1, 2021.

A motion was made by Trustee Sherman, seconded by Trustee Elliott. The Mayor is authorized to sign the Village of Medina the CSEA collective bargaining agreement covering the period of June 1, 2021 to May 31, 2024.

All ayes
Motion carried.

Mayor Sidari stated that the Boxwood Cemetery Commission had recommended adding a Saturday burial fee in the amount of \$150.00 to the Boxwood Cemetery fee schedule. Trustee Elliott asked if this type of additional fee is common. Superintendent Watts advised the Commission had researched other cemeteries and it is an additional fee other cemeteries are charging.

A motion was made by Trustee Toale, seconded by Trustee Elliott. A \$150.00 Saturday burial fee is added to the Boxwood Cemetery Fee Schedule.

All ayes.
Motion carried.

Mayor Sidari read a letter received from Mr. Gary Harriman requesting permission to sell back a grave in Boxwood Cemetery Roger Hurd Section, Block # 32, Lot # 4, Grave # 9 as he has now purchased two additional graves in the cemetery that are side by side and the single grave previously purchased is no longer needed.

A motion was made by Trustee Sherman, seconded by Trustee Elliott. The Clerk-Treasurer authorized to reimburse Mr. Gary Harriman for the initial purchase price of \$758.00 for a single grave located in the Boxwood Cemetery Rogers Hurd Section, Block # 32, Lot # 4, Grave # 9.

All ayes
Motion carried.

Mayor Sidari stated that the Village of Medina Grant Policy was distributed to the Board for review, adding a section for the Use and Receipt of Grant Funds.

A motion was made by Trustee Marciano, seconded by Trustee Elliott. The Village of Medina Grant Policy is updated December 13, 2021, to include a section on the Use and Receipt of Grant Funds.

All ayes
Motion carried.

The Board discussed that there is currently over \$12,000.00 in unpaid parking fines dating back to 2015. Options such as a collection agency, towing the vehicle or placing a boot on the vehicle in order to collect outstanding fees were discussed. Mayor Sidari will check with other municipalities as to their handling of outstanding parking ticket fines.

Mayor Sidari stated that the uncollected vacant property fees was an item discussed in the audit and that the auditors advised writing off any amounts that were considered uncollectable as the amount had grown to \$106,513.72 since 2015. Trustee Toale suggested revamping the program, so it becomes collectable. Clerk-Treasurer Burgess suggested reviewing each parcel individually to determine if the amount is collectable as several of the properties now had new owners. The matter was tabled.

Ms. Gabrielle Barone addressed the Board regarding the unpaid vacant property registry fees assessed on 525 East Avenue, tax map number 343401 80.9-1-26.1 in the amount of \$24,079.55. Ms. Barone requested that the Board consider waiving these fees as the property owner at 1 Bernzomatic Drive was working on obtaining an easement from the owners of the 525 East Avenue property in order to develop rail siding along the side of his building. The easement could not be obtained as there are outstanding unpaid vacant property fees as well as taxes. Ms. Barone noted that this developer would be paying any outstanding taxes on the 525 East Avenue property in order to obtain the easement and requested that the Board waive the unpaid vacant property fees. Mayor Sidari stated that waiving the fees in lieu of a quarter of a million-dollar project should be a consideration of the Board.

The following motion was offered by Trustee Toale, seconded by Trustee Sherman.

The unpaid vacant property fees in the amount of \$24,079.55 relevied to the Village of Medina tax bill, from 2019, 2020 and 2021, tax map number 343401 80.9-1-26.1, 525 East Avenue, Medina, New York are hereby removed. The removal of these fees is not setting a precedent. The Village Board reserves the right to review vacant property fees on a case-to-case basis.

A vote was taken.

Trustee Toale	Aye	Trustee Sherman	Aye
Trustee Marciano	Aye	Trustee Elliott	Abstain
Mayor Sidari	Aye		

Motion carried.

Trustee Marciano advised that Alex Feig had requested to resign from the Parks Committee.

A motion was made by Trustee Marciano, seconded by Trustee Elliott. The resignation of Alex Feig from the Parks Committee is hereby accepted.

All ayes
Motion carried.

A motion was made by Trustee Marciano, seconded by Trustee Sherman. Joanna Rich is appointed as the Chairperson to the Parks Committee.

All ayes
Motion carried.

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 Sherman, seconded by Trustee Elliott. The minutes of the November 22, 2021, meeting are approved as submitted.

All ayes
Motion carried.

Police Chief Kenward thanked those involved in making the Parade of Lights a success. Chief Kenward advised a social media posting had created alarm in the Medina Central School District. The FBI was brought in as a result and ultimately an arrest was made. Chief Kenward noted a Drug Recognition School coming up in April. Chief Kenward stated he has an officer with ARIDE, which is a prerequisite to the class and would make a viable candidate for the Drug Recognition School.

Fire Chief Jackson updated the Board on the submission of the grant applications. Chief Jackson noted in 2022 the need to keep track of data for Medicare Ground Ambulance Data Collection. Captain Young offered to handle the reporting end of this program, long with the Chief's assistance and the assistance of Medex. Fire Chief Jackson stated he would like to make a few minor changes to the promotional exam requirements to meet New York State law. He also thanked a collaboration of the Parades of Lights committee, and all the Village Departments that led to another successful Olde Tyme Christmas and Parade of Lights. Fire Chief Jackson congratulated Firefighter Jeff Tuohey on reaching 20 years of service with the department as of December 3, 2021. He also noted Firefighter Dustin Pahura would be taking on the role of Public Education Coordinator.

Superintendent Watts stated his department was picking up brush and debris from the windstorm as well as cutting down trees at Boxwood Cemetery. Benches, trash cans and historical signs were removed until spring. Room was made for the storage of picnic tables and benches. All auction items were paid for and picked up with the exception of the dog kennels. Superintendent Watts stated the Pride Pak lift station was back up and running under normal operation.

A motion was made by Trustee Toale, seconded by Trustee Sherman. The following Local Law No. 6-2021 is hereby adopted.

A local law adopted pursuant to Cannabis Law sec. 131 opting out of licensing and establishing on-site cannabis consumption establishments within the Village of Medina.

Section 1. Legislative Intent.

It is the intent of this local law to opt the Village of Medina out of hosting on-site cannabis consumption establishments within its boundaries.

Section 2. Authority.

This local law is adopted pursuant to Cannabis Law sec. 131, which expressly authorizes villages to opt-out of allowing on-site cannabis consumption establishments to locate and operate within their boundaries.

Section 3. Local On-Site Consumption Opt-Out.

The Board of Trustees of the Village of Medina, County of Orleans, hereby opts-out of allowing on-site cannabis consumption establishments from locating and operating within the boundaries of the Village of Medina.

Section 4. Severability.

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State. Pursuant to Cannabis Law sec. 131, this local law is subject to a permissive referendum and thus may not be filed with the Secretary of State until the applicable time period has elapsed to file a petition or referendum has been conducted approving this local law.

A vote was taken.

Trustee Toale	Aye	Trustee Sherman	Aye
Trustee Marciano	No	Trustee Elliott	Aye
Mayor Sidari	Aye		

Motion carried.

The Mayor opened the public comment period.

Alicia Reeves, 110 West Oak Orchard Street, Apartment # 1, addressed the board as a late fee had been assessed to her water bill as it was submitted through her bank and mailed, however it was not received by the due date. Ms. Reeves suggested adding a statement to the water bills indicating that the Village is not responsible for late payments made through the mail.

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

A motion was made by Trustee Toale, seconded by Trustee Sherman. The meeting is adjourned into Executive Session at 8:51 p.m. to discuss contractual matter relating to a particular person.

All ayes
Motion carried.

A motion was made by Trustee Sherman, seconded by Trustee Elliott. The regular meeting is reconvened at 8:56 p.m.

All ayes
Motion carried.

A motion was made by Trustee Elliott, seconded by Trustee Marciano. The Village Clerk-Treasurer is authorized to pay Morris Patterson one half of the remaining balance of his accumulated sick time bank for health insurance to be paid in equal payments over the next three years.

All ayes
Motion carried.

A motion was made by Trustee Toale, seconded by Trustee Sherman. The meeting is adjourned at 8:58 p.m.

All ayes
Motion carried.

Respectfully submitted,

Jada A. Burgess
Clerk-Treasurer