

MINUTES OF THE WORKSHOP MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MEDINA HELD ON MONDAY OCTOBER 11, 2021 AT 7:00 P.M. IN THE SENIOR CITIZEN'S CENTER.

Present: 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, Clerk-Treasurer Jada Burgess

Attorney Matthew Brooks

Excused: Mayor Michael J. Sidari

Deputy Mayor Toale opened the workshop with a discussion on amending § 88-1 of the Village Code, Burning of Combustible Material. Attorney Brooks advised that a public hearing would need to be scheduled.

Deputy Mayor Toale advised that the Boxwood Cemetery Commission was working on amending the by-laws. The Commission was also requesting that a \$150.00 fee be added for any Saturday burials.

The appointments to the Planning and Zoning Boards were discussed. Recommendations from both chairs were anticipated. The discussion was tabled until the next meeting.

Police Chief Kenward advised that he had three officers who had taken the Police Sergeant Civil Service Exam and had passed. Interviews had been conducted. Police Chief Kenward requested approval from the Village Board to appoint Officer Christian Navas to the position of Police Sergeant with the starting salary per the Medina Police Benevolent Association Collective Bargaining Agreement.

A motion was made by Trustee Sherman, seconded by Trustee Elliott. Police Officer Christian Navas is appointed to the position of Police Sergeant with a starting salary of \$61,137.81 and a probationary period of 26 weeks with a start date of October 25, 2021.

All ayes
Motion carried.

Clerk-Treasurer Burgess advised the Board that the Office of Community Renewal had requested that the Village's procurement policy be updated to include MWBE language. The policy had been distributed to the Board and Attorney Brooks for review.

A motion was made by Trustee Elliott, seconded by Trustee Marciano. The procurement policy is amended as of October 11, 2021.

All ayes
Motion carried.

Deputy Mayor Toale advised that Local Law 3-2021 had been presented at the August 23, 2021, meeting of the Village Board in which a public hearing had been held, but not voted on.

A motion was made by Trustee Elliott, seconded by Trustee Sherman. The following Local Law No. 3-2021 is hereby adopted.

Local Law # 3 – 2021

Chapter 236

Vehicles & Traffic, Section 236-55 Chapter 236 — Vehicles & Traffic, Section 236-55. Schedule XVII: Time Limit Parking.

The Village Code of the Village of Medina is hereby amended as follows: Chapter 236, Section 236-55 is hereby amended to remove two (2), 15-minute parking spots on the east side of Main Street, from the north curb line of Mill Alley beyond the existing handicapped parking spot, as follows:

REMOVE THE FOLLOWING ENTRY FROM SCHEDULE XVII: TIME LIMIT PARKING

Nemo of Street Side	Time Limit; Hours/Days	Location
Main Street East	15 minutes; Days: Monday — Saturday 8:00 a.m. to 5: p.m.	One (1) parking space located immediately north of the existing handicap parking spot beginning approximately 75 feet from the northeast corner of Main Street and Mill Street, and the second (2nd) spot ending approximately 87 1/2 feet from said northeast corner of the Intersection of Main Street and Mill Street, adjacent to the building formerly known as the White Hotel.

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.

Deputy Mayor Toale advised that Local Law 4-2021 had been presented at the August 23, 2021, meeting of the Village Board in which a public hearing had been held, but not voted on.

A motion was made by Trustee Marciano, seconded by Trustee Sherman. The following Local Law No. 4-2021 is hereby adopted.

4 230-4 Creation and establishment of Village Tree Board.

There is hereby created and established a Village Tree Board for the Village of Medina, which shall consist of five members, citizens and residents of this Village, who shall be appointed by the Mayor with the approval of the Board of Trustees. The members shall be of voting age and residents of the Village, with the Building Department Code Enforcement Officer and the Superintendent of Public Works serving as ex officio members,

- A. The Mayor with approval of the Board of Trustees, may also appoint and/or remove a Municipal Forestry Coordinator as an ex officio member of the Tree Board.
- B. The Municipal Forestry Coordinator shall possess credentials in urban forestry, urban arboriculture or like experience in municipal forestry.
- C. The Municipal Forestry Coordinator shall serve for a term of five (5) years, unless removed prior to the term expiration.
- D. Responsibilities of Municipal Forestry Coordinator
 - i. Shall be responsible for ensuring the Municipal Tree Board is in compliance of local law and sound urban forestry practice in development of tree-related plans, planting and policies, and in all tree-related activities.
 - ii. Shall provide education and assistance for the Municipal Tree Board in carrying out its duties.
 - iii. Shall advise, recommend courses of action in management and care for village trees in conjunction with the Superintendent of Public Works.
 - iv. Shall develop tree-related plans for planting sites, determine and procure suitable and appropriate tree species and plant material for village use and specific applications; assist with implementation and execution of planting, tree-related inspections, pruning, removal of village trees and all other tree-related activities in conjunction with the Superintendent of Public Works.
 - v. Shall provide review and recommendations on behalf of the Municipal Tree Board for landscape plans submitted to the Tree Board by the Municipal Planning Board as part of a Site Plan Review.

All ayes
Motion carried.

The following resolution was offered by Trustee Marciano and seconded by Trustee Elliott to wit;

A BOND RESOLUTION, DATED OCTOBER 11, 2021, OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF MEDINA, ORLEANS COUNTY, NEW YORK (THE “VILLAGE”), AUTHORIZING A SEWER SYSTEM CAPITAL IMPROVEMENTS PROJECT (PUMP STATIONS - 2021), AT AN ESTIMATED MAXIMUM COST OF \$1,250,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,250,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SUCH PURPOSE, SUCH AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE VILLAGE TREASURER.

WHEREAS, the Village Board of Trustees of the Village of Medina, in the County of Orleans, New York (the “Village”) desires to undertake a capital improvements project for the reconstruction of and construction of improvements to the Village Sewer System.

NOW THEREFORE,

BE IT RESOLVED, by the Village Board of Trustees (by the favorable vote of not less than two-thirds of all the members of the Board of Trustees) as follows:

SECTION 1. The Village is hereby authorized to undertake a certain sewer system capital improvements project, such work to generally consist of improvements to or replacement of five sanitary sewer pump stations in the Village including, but not limited to, wet wells/valve vaults improvements, new pumps, new valves, upgraded electrical/communication equipment, as well as various other improvements as more fully identified in (or contemplated by) a preliminary engineering report prepared by Barton & Loguidice, including all preliminary work and necessary equipment, materials, and related site work and any preliminary costs and other improvements and costs incidental thereto and in connection with the financing thereof (collectively, the “Purpose”). The estimated maximum cost of the Purpose is \$1,250,000.

SECTION 2. The Village Board of Trustees plans to finance the estimated maximum cost of the Purpose by the issuance of serial bonds of the Village in an aggregate principal amount not to exceed \$1,250,000 hereby authorized to be issued therefor pursuant to the Local Finance Law, such amount to be offset by any federal, state, county and/or local funds received. Unless paid from other sources or charges, the cost of such improvements is to be paid by the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

SECTION 3. It is hereby determined that the Purpose is a class of objects or purposes described in subdivision 4 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of such Purpose is 40 years.

SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of such bonds.

SECTION 5. It is hereby determined the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

SECTION 6. The faith and credit of the Village are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation will be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources or charges, there will annually be levied on all the taxable real property of the Village a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 7. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00, Sections 56.00 to 60.00, Section 62.00, Section 62.10, Section 63.00, and Section 164.00 of the Local Finance Law, the powers and duties of the Village Board of Trustees pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and details as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village. Without in any way limiting the scope of the foregoing delegation of powers, the Village Treasurer, to the extent permitted by Section 58.00(f) of the Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes of the Village.

SECTION 8. The temporary use of available funds of the Village, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in this resolution.

SECTION 9. This resolution shall constitute the declaration (or reaffirmation) of the Village's "official intent" to reimburse the expenditures authorized in this resolution with the proceeds of the bonds, notes or other obligations authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 10. The Village Treasurer is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and may designate the bonds authorized by this resolution, and any notes issued in anticipation thereof, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3) of the Code.

SECTION 11. The Village Treasurer is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 12. The Village Treasurer is further authorized to call in and redeem any outstanding obligations that were authorized hereunder (at such times and in such amounts and maturities as may be deemed appropriate after consultation with Village officials and the Village's municipal advisor), to approve any related notice of redemption, and to take such actions and execute such documents as may be necessary to effectuate any such calls for redemption pursuant to Section 53.00 of the Local Finance Law, with the understanding that no such call for redemption will be made unless such notice of redemption shall have first been filed with the Village Clerk.

SECTION 13. The Village has determined that the Purpose is a Type II action that will not have a significant effect on the environment and, therefore, no other determination or procedures under the State Environmental Quality Review Act ("SEQRA") are required.

SECTION 14. To the extent applicable, the Village Treasurer is hereby authorized to execute and deliver in the name and on behalf of the Village a project financing agreement prepared by the New York State Environmental Facilities Corporation ("EFC") (the "SRF Project Financing Agreement"). To the extent applicable, the Village Treasurer and the Village Clerk and all other officers, employees and agents of the Village are hereby authorized and directed for and on behalf of the Village to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby, including, but not limited to, the SRF Project Financing Agreement.

SECTION 15. In the absence or unavailability of the Village Treasurer, the Deputy Treasurer is hereby specifically authorized to exercise the powers delegated to the Village Treasurer in this resolution.

SECTION 16. The validity of such serial bonds or of any bond anticipation notes issued in anticipation of the sale of such serial bonds may be contested only if:

1. (a) such obligations were authorized for an object or purpose for which the Village is not authorized to expend money, or

(b) the provisions of the law which should be complied with as of the date of publication of this notice were not substantially complied with

and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication of this notice, or

2. such obligations were authorized in violation of the provisions of the Constitution of New York.

SECTION 17. This Resolution is subject to permissive referendum pursuant to Section 36.00 of the Local Finance Law. The Village Clerk is hereby authorized and directed to

publish (one time) and post (in at least six conspicuous public places within the Village and at each polling place), this resolution, or a summary thereof, together with a notice of adoption of this resolution subject to permissive referendum, within ten days after the date of adoption of this resolution.

SECTION 18. If no petitions are filed in the permissive referendum period, the Village Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of said Local Finance Law, in a newspaper having a general circulation in the Village and hereby designated as the official newspaper of the Village for such publication.

* * * * *

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

AYES: Trustee Toale
 Trustee Sherman
 Trustee Marciano
 Trustee Elliott

NOES:

ABSENT: Mayor Michael Sidari

The foregoing resolution was thereupon declared duly adopted.

The following resolution was offered by Trustee Marciano and seconded by Trustee Elliott to wit;

RESOLUTION AUTHORIZING SUBMISSION OF A NEW YORK STATE WATER INFRASTRUCTURE IMPROVEMENT ACT (WIIA) GRANT APPLICATION

WHEREAS, the Village of Medina wishes to apply to the New York State Water Infrastructure Improvement Act grant for a Sanitary Sewer System Improvements Project.

WHEREAS, the grant application requires approval from governing board for submission.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of the Village of Medina authorizes the submission of a New York State Water Infrastructure Improvement Act (WIIA) grant application for a Sanitary System Improvements Project; and

BE IT FURTHER RESOLVED, that the Village Mayor is hereby authorized to submit the (WIIA) grant application on behalf of the Village, and to execute any agreements, instruments or other documents in connection with the Village's acceptance of any such grants and/or the funding thereof; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

All ayes
Motion carried.

A motion was made by Trustee Sherman and seconded by Trustee Marciano. The minutes from August 23, 2021, and September 13, 2021, are approved as submitted.

All ayes
Motion carried.

Police Chief Kenward advised that the Police advisory committee had met for the first time on September 27, 2021.

Fire Chief Jackson advised the board that the annual open house was held on October 3rd and despite the weather was a success. He stated his department was using the house at 152 State Street and this was proving to be valuable training for the whole team. He reminded the board that the annual Firemen's ball would be held on October 23, 2021.

Trustee Elliott stated he had attended the fire training at State Street and was glad to see other departments, such as Ridgeway, participating as well.

A motion was made by Trustee Sherman, seconded by Trustee Elliott. The meeting is adjourned at 7:25 p.m.

Respectfully submitted,

Jada A. Burgess
Clerk-Treasurer