

MINUTES OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MEDINA HELD ON MONDAY JULY 22, 2024, AT 6:00 P.M. IN THE SENIOR CITIZENS CENTER.

Present: Mayor Marguerite Sherman

Trustees Jessica Marciano, Diana Baker, Deborah Padoleski, and Mark Prawel

Fire Chief Jackson, Police Chief Todd Draper, and Superintendent of Public Works Jason Watts, Code Enforcement Officer Daniel Gardner

Attorney Matthew Brooks

Mayor Sherman called the meeting to order at 6:00 p.m. with the Pledge of Allegiance to the Flag.

Mayor Sherman said The Willows Public Hearing was cancelled. She said she was contacted by Jean O'Connell who was representing The Willows and they decided to wait until next year to pursue a grant from the Office of Community Renewal.

Mayor Sherman opened the first public comment period.

Mr. Ron Stork addressed the board stating that community members had reached out to him about the naming of the disc golf course located in Gulf Street Park. He said he had looked at the agendas and it did not say the disc golf course would be named. He said he did not want Gulf Street Park name impeded by the disc golf course name or signs. He reminded the board that three World War II veterans had created the park.

Mayor Sherman said they were approached about naming the disc golf course, not re-naming the park. She said signs haven't been proposed yet nor benches. These would need board approval before they would be placed in the park.

Mr. Stork said he would like to see the playground equipment updated. Police Chief Draper said there is a boy scout who would like to paint the equipment.

Mayor Sherman said she had received a letter from the Medina Woman's Softball League. They are requesting to dedicate a softball/baseball field in honor of Sidney Lovell who had recently passed away. They would like to place a plaque or sign to acknowledge his work keeping the ballfields maintained. They would like to purchase the sign to display and would hold a small dedication ceremony when it is in place.

A motion was made by Trustee Baker and seconded by Trustee Padoleski. The Medina Woman's softball league is allowed to dedicate one of the softball/baseball fields in honor of Sidney Lovell.

All ayes  
Motion carried.

Mayor Sherman said she had received a letter from the Friends of Boxwood requesting to hold Boxwood at Night on October 5, 2024, where guests could enter at 7:00 p.m. and 8:00 p.m., with a rain date of October 12, 2024. They are requesting that the cemetery is closed at 2:00 p.m. on the day of the event to allow for set-up, assistance from the Department of Public Works to assist in hanging certain features, delivery of barricades and two garbage barrels, assistance from the Police Department by doing a drive through the parking lot at the boat launch during the event, and promotion of the event through the Village's social media accounts.

A motion was made by Trustee Baker seconded by Trustee Padoleski. The Friends of Boxwood are allowed to hold their third annual Boxwood at Night on October 5, 2024, with a rain date of October 12, 2024, with entry times being 7:00 p.m. and 8:00 p.m.

All ayes  
Motion carried.

Mayor Sherman opened the Public Hearing at 6:16 p.m. on proposed Local Law Number 3-2024, to Amend Chapter 236, Vehicles and Traffic, Section 236-48. Mayor Sherman said the Village Code would be amended to prohibit parking at all times at the following locations: Prospect Avenue, the east side of the street from West Center Street to Bennett Place, West Center Street, the south side of the street from Prospect Avenue to 100 feet east of the center line of Prospect Avenue, and West Oak Orchard Street, the south side of the street from South Main Street to 85 feet west of the center line of South Main Street. Mayor Sherman asked if any interested persons wished to speak on the proposed local law. Mayor Sherman closed the public hearing at 6:19 p.m. as no interested persons wished to speak.

Mayor Sherman said at the June 24, 2024, meeting Wendel Engineers was selected as the firm that will be completing the Inflow and Infiltration Study.

A motion was made by Trustee Padoleski and seconded by Trustee Prawel. Mayor Sherman is authorized to sign the proposal letter as submitted by Wendel Engineers.

All ayes  
Motion carried.

Mayor Sherman said she had talked with Supervisor Napoli about the Village using the Ridgeway Town Hall to hold their workshop and business meetings at no cost to the Village. She said there was only one meeting where there may be a conflict. Supervisor Napoli also suggested submitting the proposed agreement to their attorneys. Attorney Brooks said the prior agreement with the Town of Shelby was a verbal agreement. He asked if they meant they needed a certificate of insurance. Trustee Marciano said that the board meeting rules adopted at the annual meeting would need to be updated.

A motion was made by Trustee Marciano and seconded by Trustee Padoleski. The Village of Medina's meeting rules are amended to state that board meetings and workshops will be held at the Ridgeway Town Hall located at 410 West Avenue at 6:00 p.m.

All ayes  
Motion carried.

Mayor Sherman opened the public hearing on the proposed Sewer Capital Charge at 6:25 p.m. Mayor Sherman said that the Village had completed upgrades to the wastewater treatment plant and has now gone into long term financing. She said in an effort to continue to deal with the aging infrastructure and to be proactive for future needs, the Village is proposing a sewer capital charge. Ms. Gabrielle Barone asked if the charges would be based on usage. Ms. Kathy Blackburn asked how much the charge would be. Mayor Sherman said the charge would begin in October and the proposed rates are \$20.00, \$21.00, \$22.00, \$23.00 and \$24.00. Trustee Padoleski said the board thought it would be easier to have a set rate rather than based on usage. She said the board is faced with \$100,000.00 in unforeseen expenses and items that need to be upgraded. She said she hates to do it, but the board needs to look ahead. Mayor Sherman said if the board opted to place a sewer capital charge of \$22.00 there would approximately an additional \$50,000.00 after the annual debt service payment is made.

As no interested persons wished to speak, Mayor Sherman closed the public hearing at 6:37 p.m.

Mayor Sherman opened the final public hearing on the Office of Community Renewal Takeform Project at 6:37 p.m. Ms. Gabrielle Barone said that the Village sponsored a grant from the Office of Community Renewal for Takeform to purchase additional software. She said it was projected to create thirty additional jobs and there have been thirty-four jobs created. Mayor Sherman said this is a joint cooperation between the Village, the Office of Community Renewal and the private business. Ms. Barone said these grants are specifically for economic development. She said the Orleans Economic Development Agency has pursued thirty of these grants and has been awarded 100% of the grants pursued.

As no other interested persons wished to speak, Mayor Sherman closed the public hearing at 6:43 p.m.

Mayor Sherman said she and Clerk-Treasurer Burgess had met with our insurance carrier. They reviewed our park applications and suggested a modification to our park use agreement. Mayor Sherman said the insurance carrier encouraged the Village to include the same verbiage in both the individual application and the organization application as used in the Pavilion Reservation Application for State Street Park. It states a certificate of insurance is required. The minimum coverage is one million dollars liability, and two million dollars aggregate.

Trustee Marciano said it took her three years to get the insurance requirements removed from the individual park use application. She said the Village would be shutting down a revenue source. She said she would be looking at other insurance carriers if this is what is required.

Trustee Baker said if someone shows up to use the park, without going through the application process, they don't have insurance.

Mayor Sherman said she does not want to ignore the insurance company's advice. Trustee Marciano said they are selling us a product.

Trustee Padoleski said she believes this has been an ongoing issue. Once you put something in writing and you put your name on it, the liability is increased. When there is an

application involved and there is a fee, then there are rules involved. If the insurance company says we need it, then we should have it but if they just show up to use the park there isn't much you can do about it. Trustee Marciano said this is why we have two different applications, one for individuals and one for organizations. She said if someone is having a birthday party or a reunion, she does not want to ask them to go through the process of obtaining insurance. She said she is strongly opposed to adding it to the individual application. Attorney Brooks asked if it is a recommendation or a requirement. Trustee Baker added that sometimes people go to the parks to hold their events because it is a more cost-effective option. The matter was tabled.

A motion was made by Trustee Baker and seconded by Trustee Marciano. Mayor Sherman is authorized to call for the Fire Chief test, the Fire Lieutenant test and the Firefighter test.

All ayes  
Motion carried.

A motion was made by Trustee Padoleski and seconded by Trustee Marciano. Clerk-Treasurer Burgess is authorized to make a budget modification in the amount of \$75,857.00, the amount of the technology grant received from New York State, increasing line A3120.2 in the budget.

All ayes  
Motion carried.

Mayor Sherman said the board was very excited to hear that Hannah Pask had passed the Senior Account Clerk test.

A motion was made by Trustee Baker and seconded by Trustee Prawel. Hannah Forder Pask is appointed to the position of Senior Account Clerk with a pay increase of fifty cents per hour.

All ayes.  
Motion carried.

A motion was made by Trustee Prawel and seconded by Trustee Padoleski, to adopt Local Law #3-2024, a local law to amend Chapter 236 of the Village Code, Vehicles and Traffic, Section 236-48.

A vote was taken.

Trustee Baker	Nay	Trustee Marciano	Nay
Trustee Padoleski	Aye	Trustee Prawel	Aye
Mayor Sherman	Aye		

Motion carried.

Trustee Marciano said she spoke with residents and bike riders and did not see a problem with parking in those areas. Trustee Baker said she did not see any obstructions in those areas.

A motion was made by Trustee Marciano and seconded by Trustee Padoleski,

BE IT **RESOLVED**, that this Village Board does hereby approve and establish a sewer capital improvement fee in the amount of \$23.00 per quarter with a effective date of October 1, 2024.

All ayes  
Motion carried.

Trustee Prawel asked how long the sewer capital charge may be in effect. Trustee Padoleski said until the debt is paid off, which is a thirty-year bond.

Mayor Sherman said there has been an increased interest in placing columbariums in Boxwood Cemetery. Mayor Sherman said Deputy Clerk-Treasurer Herbert was looking into comparable costs in local cemeteries since the prices have not been reviewed since 2013. It is currently not listed in the Boxwood Cemetery Commission by-laws. The matter was tabled.

Mayor Sherman said Superintendent of Public Works Watts was still waiting on quotes to purchase a new dump truck. The matter was tabled.

A motion was made by Trustee Baker and seconded by Trustee Marciano. The minutes of June 24, 2024, and the minutes of July 8, 2024, are accepted as submitted.

All ayes  
Motion carried.

A motion was made by Trustee Marciano and seconded by Trustee Padoleski. The bills as submitted are authorized for payment.

All ayes  
Motion carried.

Code Enforcement Gardner said a site plan had been approved for the Hartway Motors addition. He said he would be in court on July 29, 2024, to discuss the Main Street building that had caught on fire.

Police Chief Draper said the two new recruits have started their supervised training and he anticipated both being on the road in mid-October. He said National Night Out would take place on Tuesday August 6, 2024, from 5:30 p.m. to 8:00 p.m. He said he had one officer out on FMLA for the birth of his baby girl.

Fire Chief Jackson said firefighters Petry and Kyle would begin the academy on July 28<sup>th</sup>, 2024. He said they were dispatched to a house fire on July 1<sup>st</sup>. Upon arrival crews encountered a vehicle on fire behind the building. A quick response limited the fire damage to the exterior of the home. He said firefighter Steel taught CPR and First Aid to the Park Program counselors. He said the Park Program was scheduled to visit the firehouse and wash trucks. He said with the escalating opioid crisis, they have joined forces with GO Health, Orleans County Mental Health and

Orleans County Emergency Management in their effort to launch the "Naloxone Leave Behind Program" to equip residents with the lifesaving tools necessary to intervene during opioid-related emergencies. This is a collaborative endeavor and is no cost to the Village. He said they would also be participating in the National Night Out.

Superintendent of Public Works Watts said the skate park was being sealed, they had been fixing catch basins and pothole patching. He said the tee boxes were placed at the disc golf course. The crew had been trimming trees and cutting low branches over sidewalks and the road. He said they fixed a leak on West Oak Orchard, and they have two more service repairs to do. He said they were working on painting the buildings and trim at the Wastewater Treatment Plant and Grizzly Construction had completed the work on the railings around the primaries. He said a new heat and AC unit had arrived to be installed at the Wastewater Treatment Plant. Brush pick-up would be on August 5<sup>th</sup>.

Trustee Marciano said the Village had received an energy efficient grant and they were looking to review the Wastewater Treatment Plant. She said she would see if they could move the grant over to another municipal building.

Mayor Sherman asked Superintendent Watts to check on a hanging limb located at 173 Glenwood Avenue. Mayor Sherman said she would also like to start a Mayor's memo which could list things to remind Village residents of, such as brush pickup and garbage collection.

Trustee Marciano also mentioned that National Night Out would be on Tuesday August 6, 2024, from 5:30 p.m. to 8:00 p.m.

Mayor Sherman said the Seneca Chief Boat would be doing a dry run in August and she would relay information as it is received.

Mayor Sherman opened the second public comment period. Mr. Greene said he had received the 2024-25 Village tax bill for 1109 South Main Street and questioned why there was a vacant property fee on the bill. He also said a tax search was completed and the vacant property fee was not listed on the tax search. He questioned the last fees as the bill did not go to him, even though his address was listed. He said he had talked to the assessor who directed him to our office, however she did remove Core Logic from the Bank Code on the bill.

Clerk-Treasurer Burgess addressed his concerns and said the tax search was completed on September 29, 2023, and the vacant property fees were not assessed to the property until February of 2024. She said an updated tax search should have been completed closer to the sale of the property which was in March of 2024. She said the assessor had the property coded as going to Core Logic, a mortgage company, and that any bills coded as Core Logic are transferred electronically by the Orleans County Assessor's Office. She said the Village copies the tax roll prepared by the assessor's office and would not have any way of knowing if a bill was not coded correctly.

Mr. Greene said another tax search was completed.

Trustee Padoleski said if another tax search can be produced, then the board could revisit his concerns. She said it is unfortunate, but it is ultimately the homeowner's responsibility to know when taxes are due on a property. Attorney Brooks said typically there is a closing statement

which would list any upcoming tax bills. Trustee Padoleski said your attorney should have made it clear that a tax bill was due.

Ms. Kathy Blackburn thanked the Department of Public Works for watering the flowers and said they look beautiful.

Ms. Linda Limina asked what the Village charges an individual for use of a park. Trustee Marciano said it is \$25.00 for a resident and \$50.00 for a non-resident.

A motion was made by Trustee Marciano and seconded by Trustee Baker. The meeting is moved into executive session at 7:52 p.m. to discuss a contractual matter and possible litigation.

All ayes  
Motion carried.

A motion was made by Trustee Marciano and seconded by Trustee Prawell. The meeting is reconvened at 8:46 p.m.

All ayes  
Motion carried.

A motion was made by Trustee Marciano and seconded by Trustee Baker. The separation of employment benefit payment policy approved at the June 24, 2024, meeting is rescinded for those employees covered by the collective bargaining agreement.

A motion was made by Trustee Baker and seconded by Trustee Prawell. The meeting is adjourned at 8:53 p.m.

Respectfully submitted,

Jada A. Burgess  
Clerk-Treasurer

