

**VILLAGE OF MINOA
BOARD OF TRUSTEES
December 15, 2014**

PRESENT: Mayor Richard Donovan
Trustee Abbott
Trustee Brazill
Trustee Champagne
Trustee Christensen
Clerk Treasurer Lisa DeVona
Attorney Courtney Hills, Primo & Hills Law Firm

ALSO PRESENT: Mike Macko, John Sears

Mayor Donovan opened the village board meeting at 7:00 pm with the Pledge of Allegiance led by Trustee Abbott.

**PUBLIC HEARING –
LOCAL LAW 3 FOR
2014
CAT LICENSING**

Trustee Christensen made a motion, seconded by Trustee Champagne to open the public hearing for Local Law 3 for 2014 for the repeal of Article III of Chapter 42 of the Village of Minoa Municipal Code, relative to the licensing of cats. All in favor; motion carried.

Mayor Donovan opened the public hearing at 7:03pm.

Trustee Christensen made a motion, seconded by Trustee Brazill to waive the reading of the legal notice. All in favor; motion carried.

With no comments from the board Mayor Donovan opened the hearing up to the public.

John Sears, 103 S. Main Street stated he had several questions and felt this law was being rushed through. He asked if the animal control officer was having trouble enforcing the cat licensing law.

Mayor Donovan stated the village had a procedure that allowed the animal control officer to take abandoned or stray cats to a local veterinarian for boarding. The local veterinarian does not take the stray animals without boarding and impound fees which can be very costly. The village must comply with state laws and because we no longer have an establishment to take the animals therefore we are discontinuing the cat licensing section of the village code. Mr. Sears asked if stray cats are allowed to roam. Mayor Donovan stated they roam now and if there is a complaint in the future the local SPCA will take care of the incident.

Mr. Sears asked if he called the SPCA would they come and take stray animals.

Mayor Donovan answered yes they will. Mr. Sears asked if licensed cats are allowed to roam.

Mayor Donovan answered yes they are.

Attorney Hills stated the village still has an animal control section in the code this public hearing is to repeal the cat licensing section.

Mr. Sears asked if the village would install a fence around the sandbox located at Lewis Park. Mayor Donovan answered no we will not. Mr. Sears stated it is just common sense to put a fence around the sandbox so that the cats cannot go to the bathroom in the sand.

Mayor Donovan stated that would create a safety hazard for the children and cats would climb the fence.

Mr. Sears offered the solution of putting a gate on the fence to allow the children into the area to play.

Mayor Donovan stated it would be impractical to put a gate and/or fence up around the sandbox.

Mr. Sears stated what he was referring to is “common sense”, putting a fence up that’s eight feet high around the sandbox would alleviate the village from any liability.

Mayor Donovan repeated that it would create a safety hazard.

Deputy Mayor Brazill stated that the cats would climb the fence.

Mr. Sears asked, “What if you had a fence that was high enough with push exits so that the children could get out of the fence”.

Mayor Donovan stated again that it was an impractical solution.

Mr. Sears asked whether a child ingesting animal feces would be a liability to the village.

Mayor Donovan stated these are all “what if’s”, the fence would create a safety hazard and as our attorney stated we still have an animal control law on the books, we are just repealing the cat licensing section of the code.

Mr. Sears stated he wanted to make it very clear of his concerns of cats going to the bathroom in the sandbox. If there is a lawsuit against the village, then the village would have to do something.

Attorney Hills notified Mr. Sears that his comments would be duly noted in the minutes.

Mr. Sears asked if there have been any complaints of cats going to the bathroom in the sandbox.

Mayor Donovan stated no complaints have been filed.

Although Mr. Sears has never seen cat feces on the sidewalks in Minoa Farms he made reference to the goose waste material he has seen.

Mr. Sears asked if he could trap a cat on my property and then call SPCA to pick it up?

Mayor Donovan stated if you have an animal on your property that shouldn’t be there call the Town of Manlius dog control number and they will follow their procedures per the contract with Town of DeWitt.

Mayor Donovan asked Mr. Sears to keep his questions to the licensing of cats as this was a public hearing on that subject only.

Mr. Sears stated he had a right to speak on this. Mayor Donovan reminded Mr. Sears again that it was a public hearing on licensing of cats.

Mr. Sears asked if there were any other problems that he missed regarding the local law and then asked what the other villages were doing with cats. Mayor Donovan replied that it doesn’t matter what the other villages are doing; we are repealing the licensing of cats and we still have animal control laws in effect.

Mr. Sears stated “we will litigate this in court”.

Mayor Donovan replied “that’s fine”.

With no other comments Trustee Champagne made a motion, seconded by Trustee Christensen to close the public hearing.

Mayor Donovan closed the public hearing at 7:16pm.

Trustee Christensen made a motion, seconded by Trustee Brazill to adopt the enactment of Local Law #3 for the year 2014 for the repeal of Article III of Chapter 42 of the Village of Minoa Municipal Code, relative to the licensing of cats. All in favor. Motion carried.

DPW

2015 OCRRA SOLID WASTE MANAGEMENT SYSTEM AGREEMENT

Trustee Champagne made a motion, seconded by Trustee Brazill authorizing the Mayor to execute the 2015 OCRRA Solid Waste Management System Agreement. All in favor; motion carried.

COMPREHENSIVE PLAN COMMITTEE

Mayor Donovan appointed the following members to the Comprehensive Plan Committee:

Trustee Eric Christensen, Chairman

Mike Murnane, John Turbeville, Gail Greiner, Aaron Wood

Trustee Brazill made a motion, seconded by Trustee Champagne to approve the Mayor’s appointments to the Comprehensive Plan Committee. All in favor; Motion carried.

CLERK- TREASURER

MEETING MINUTES – DECEMBER 1, 2014

Trustee Champagne made a motion, seconded by Trustee Christensen approving December 1, 2014 meeting minutes with changes as submitted by the board. All in favor. Motion carried.

TREASURERS REPORT – MONTH ENDING NOVEMBER 30, 2014

Trustee Abbott made a motion, seconded by Trustee Brazill accepting the Treasurers Report for month ending November 30, 2014 as submitted. All in favor. Motion carried.

LEGAL SERVICES AGREEMENT – PRIMO & HILLS LAW FIRM

Trustee Champagne made a motion, seconded by Trustee Brazill to authorize the Mayor to execute legal services agreement with Primo & Hills Law Firm with changes as discussed to delete “\$1,500.00 each calendar quarter for attendance at meetings and/or special meeting of the Village Board of Trustees” in the agreement. All in favor; motion carried.

MEETING SCHEDULE – JANUARY, FEBRUARY 2015

Trustee Brazill made a motion, seconded by Trustee Christensen due to holidays in January and February the village board will hold meetings on January 5th and 20th , February 2nd and 17th beginning at 7:00pm in the Municipal Building Board Room. All in favor; motion carried.

LEASE TERMINATION AGREEMENT WITH MINOA FIRE DEPARTMENT INC FOR THE POLE BARN

A motion was made by Trustee Brazill and seconded by Trustee Abbott authorizing the Mayor to execute the Lease Termination Agreement with the Minoa Fire Department Inc for the pole barn located at Lewis Park. All in favor; motion carried.

2015 NYCOM CONFERENCES & WORKSHOPS

Trustee Champagne made a motion, seconded by Trustee Brazill to approve Mayor, village Trustees, and department heads to attend the following 2015 NYCOM conferences and training seminars: Winter Legislative Meeting (February), Annual Meeting (May), Fall Training School (September) and Public Works School (October). All in favor; motion carried.

FIRE DEPARTMENT

CHANGE IN STATUS – REMOVED FROM ROLL

Trustee Champagne made a motion, seconded by Trustee Abbott to approve the request from the Minoa Fire Department to remove from Membership roll; Joe DiPaulis, Todd Brown, and Todd Farnsworth effective immediately. All in favor. Motion carried.

AUDIT OF CLAIMS ABSTRACT 14

A motion was made by Trustee Champagne and seconded by Trustee Abbott that the claims on Abstract #014 in the amounts of General Fund - \$109,003.66 (Vouchers 566 - 606), Sewer Fund - \$20,470.09 (Vouchers 222 - 241), for a total of \$129,473.75 audited and paid. All in favor. Motion carried.

ATTORNEY REPORT

Nothing new to report.

TRUSTEES’ REPORT

Trustee Champagne thanked the board and Trustee Brazill for successful tree lighting event. Trustee Christensen thanked board and all who participated and helped with the tree lighting; he also reported that Hope for Heather foundation has selected September 19, 2015 as their event date. Trustee Christensen made a motion, seconded by Trustee Champagne to hold the annual Fall Festival and Hope for Heather 5Krun/3Kwalk on September 19, 2015. All in favor; motion carried. Trustee Abbott reported the fire department held their annual election on December 8, 2014; he also extended an invitation from the fire department to the village board for the annual Christmas Party, Monday, December 22, 2014 at 7PM. Trustee Brazill thanked everyone that help out with the annual tree lighting event; DPW, clerk’s office, fire and ambulance, Minoa Elementary chorus, and Eastern Star members.

MAYOR’S REPORT

Mayor Donovan reported on the following:

- Consensus CNY committee members met here on Friday, December 12th; was a very informative meeting and I was able to give an overview of the village. Topics included the loss of sales tax, surviving with a tax cap and freeze, unfunded mandates as well as the lack of increase to state aid and CHIPS money. The committee agreed and adopted their base line report which will be available in late January early February. For more information regarding this Commission on Local Government Modernization please visit www.cgr.org/consensuscny
- Chittenango School District is now using the CERF program and will be on-site December 18th at 2pm if you would like to stop down to visit with the students.

**PUBLIC
COMMENT**

John Sears, 103 S. Main Street asked for details of the Comprehensive Plan Committee; who are the members and what is the goal? Mayor Donovan gave an overview of the committee stating a comprehensive plan is a vision of the village and is a useful tool in future planning and the members have been chosen by the chairman of the committee and are Village residents. Mr. Sears stated he did not know any of these people and wondered why there were picked behind closed doors and then appointed today? Mr. Donovan stated this was not a debate and if Mr. Sears wished to state his questions and concerns they would be noted in the minutes and answered at the next board meeting. Mayor Donovan instructed Mr. Sears to ask his questions; state his concerns and the village board would address them at the next meeting.

Mr. Sears asked about the following topics: Lease Termination Agreement (pole barn), and agenda item #5 Fire Department, Removed from Membership Roll, are the members “forced out” of the fire department. Mayor Donovan stated the answers to his questions and concerns would be addressed at the next meeting.

ADJOURNMENT

A motion was made by Trustee Champagne and seconded by Trustee Christensen to adjourn the village board meeting at 7:47pm. All in favor. Motion carried.

Respectfully submitted,

Lisa L. DeVona

Lisa L. DeVona
Clerk-Treasurer