

DISTRIBUTION LIST

Richard Donovan, Mayor
William Brazill, Trustee
Ronald Cronk, Trustee
John Champagne, Trustee
Eric Christensen, Trustee
Thomas Petterelli, DPW Superintendent
Janet Stanley, Justice
Richard J. Greene, Codes Enforcement Officer
Chief Pat Flannery
Koagel & Vincentini
Minoa Library

EMAIL DISTRIBUTION LIST

Steven Primo, Attorney
Keith Brandis, Paramedic Supervisor
Town of Manlius
Village of Fayetteville
Donna DeSiato, Superintendent ESM School District
Manlius Historical Society
John Regan

VILLAGE OF MINOA
BOARD OF TRUSTEES
APRIL 4, 2011

The regularly scheduled meeting of the Village Board of the Village of Minoa was held at the Municipal Building in the Village Board Room, 240 N. Main St, on April 4, 2011.

PRESENT: Mayor Donovan
Trustee Brazill
Trustee Champagne
Trustee Christensen
Trustee Cronk
Attorney Primo
Clerk/Treasurer Snider
Attendant Michael Macko

ABSENT: None

ALSO Thomas Petterelli, Dennis Erard, and John Sears

PRESENT:

Mayor Donovan opened the meeting at 7:00 p.m. with the Pledge of Allegiance led by Clerk/Treasurer Snider.

MINUTES OF SPECIAL MEETING / MARCH 9, 2011 A motion was made by Trustee Brazill and seconded by Trustee Cronk accepting the minutes of the March 9, 2011 Special Meeting. All in favor. Motion carried.

MINUTES OF SPECIAL MEETING / MARCH 16, 2011 A motion was made by Trustee Christensen and seconded by Trustee Cronk accepting the minutes of the March 16, 2011 Special Meeting. All in favor. Motion carried.

MINUTES OF VILLAGE BOARD MEETING – MARCH 21, 2011 A motion was made by Trustee Cronk and seconded by Trustee Christensen to accept the minutes of the March 21, 2011 Village Board Meeting as recorded. All in favor. Motion carried.

DISTRIBUTION OF 2011-2012 BUDGETS Mayor Donovan provided the Village Board with the 2011-2012 Budgets for review and reminded them that the Public Hearing was scheduled for April 11, 2011 at 7:00 p.m. Mayor Donovan said the General Fund Budget included a tax rate increase from \$6.30 per thousand to \$6.95 per thousand due to the loss of Sales Tax revenue and increased New York State Retirement expenses.

SCHEDULE PUBLIC HEARING / LOCAL LAW # 1 FOR 2011 / PLANNED DEVELOPMENT DISTRICT Attorney Primo said the proposed law gives the Village Board the option to work with the Planning Board and Zoning Board at the beginning of the project. He said he received comments from Richard Greene, Codes Enforcement Officer, and made the proper adjustments to the revised Local Law #1 for 2011 and provided the revision for the Board to review. Attorney Primo said the law would allow the Board to review the conceptual plan and then forward to the Planning Board for their review and recommendations, and then the Board would either accept or deny the proposal.

Mayor Donovan encouraged the Board to review the proposed local law and provide any comments and/or concerns to Attorney Primo.

A motion was made by Trustee Champagne and seconded by Trustee Christensen to schedule a Public Hearing for Local Law # 1 for 2011 amending Chapter 160 of the Village of Minoa Municipal Code entitled Zoning and providing for a new zoning district entitled Planned Development District (PDD) on Monday, April 18, 2011 at 6:55 p.m. All in favor. Motion carried.

SCHEDULE PUBLIC HEARING / LOCAL LAW # 2 FOR 2011 / SIGNS Tabled.

Attorney Primo said he did not receive any comments on the proposed Local Law #2 for 2011 regarding Signs, but he did make adjustments based on concerns from the previous Board Meeting on the placement of signs on utility poles. He added a portion that would not allow signs on the utility poles and that a time constriction could be allowed for those signs, but rarely works. Attorney Primo said that non-conforming use signs, when a Legislative Body makes a legal change that was previously approved it becomes a non-conforming use and is still legal under the old law. Attorney Primo said the Board is allowed to create a timeframe to correct the non-conforming use that usually consists of 5-15 years depending on the expense and fair market value of the project. He recommends that the Board chooses a period somewhere between 7-10 years to correct the sign and conform to the law.

Mayor Donovan said he doesn't believe that there will be many non-conforming signs, using Chase Bank as an example, felt that 10 years is a good period. Trustee Champagne expressed concern that the Minoa Elementary School sign and the Village of Minoa welcome signs would be non-conforming and Attorney Primo said that a free standing sign should not be higher than 10 feet based on the proposed law and would probably meet the requirements. Discussion ensued regarding the signs situated around the Village of Minoa and public

service signs. Mayor Donovan suggested that the Board members work with Richard Greene and Attorney Primo about the signs they have concerns about to see if they would meet the requirements.

Attorney Primo said the Village Board should retain the right to issue and approve special sign permits. He said this would allow the Board to make that decision if the sign satisfies the criteria and/or it doesn't fit the area, the Board would have the right to approve or deny the application.

**PERMISSION TO SELL
TWO (2) TRUCKS
THROUGH
ONONDAGA COUNTY
ONLINE AUCTION**

A motion was made by Trustee Brazill and seconded by Trustee Cronk giving permission to sell by auction, two (2) DPW pickup trucks through the Onondaga County Online Auction without an established reserve amount, but with the right to decline all bids for a 1997 Ford 250 known as Truck 4 and a 2001 Ford 450 known as Truck 6 that fall below \$5,000.00. All in favor. Motion carried.

**PERMISSION TO
FURTHER EVALUATE
THE FIRE &
EMERGENCY
SERVICES STUDY**

Mayor Donovan said the Executive Committee will be meeting to review the study and set-up committees and then come back to the Village Board with a recommendation. Mayor Donovan said this approval would no way mean that the Village is going forward and/or approves of the consolidation, it was just for review purposes.

A motion was made by Trustee Brazill and seconded by Trustee Cronk giving permission for Mayor Donovan to continue with further committee evaluation of the fire and emergency services study completed by RFG Fire Consulting Services and entitled "Management & Operations Study of the Fire Rescue Departments & EMS Resources and Administration". All in favor. Motion carried.

**ONONDAGA COUNTY
BOARD OF
ELECTIONS / POLLING
PLACE AGREEMENT**

Tabled – Mayor Donovan said he is still waiting to discuss his concerns with Helen Higgins at the Onondaga County Board of Elections when she returns from vacation.

**MOBILE HEALTH
APPRAISAL SERVICES**

A motion was made by Trustee Brazill and seconded by Trustee Christensen authorizing Mayor Donovan to sign the Mobile Health Appraisal Services Agreement for firefighters' physicals for the period of June 1, 2011 through May 31, 2012. All in favor. Motion carried.

**NYS RETIREMENT /
STANDARD WORK
DAY AND
REPORTING
RESOLUTION**

A motion was made by Trustee Champagne and seconded by Trustee Brazill approving the annual NYS Retirement Standard Work Day and Reporting Resolution RS 2417-A establishing standard work days for elected and appointed officials and will report the days worked to the NYS and Local Employees' Retirement System based on the time keeping system records or the record of activities maintained and submitted by the officials the clerk of the body and will post on the Village Office bulletin board for a minimum of 30 days and is attached hereto as Schedule "A". All in favor. Motion carried.

AMBULANCE

Nothing to report.

FIRE DEPARTMENT

Dennis Erard, President of the Minoa Fire Company, advised the Board that the Annual

Firefighters' Banquet was scheduled for April 30, 2011 and the Board, Thomas Petterelli, and Clerk/Treasurer Snider would be receiving an invitation.

DPW ***PERMISSION TO HIRE DPW SUMMER HELP / JAMES R LANDRY***
A motion was made by Trustee Christensen and seconded by Trustee Champagne agreeing to hire James R. Landry, 225 Osborne Street, Minoa, NY 13116 at a rate of \$8.00/hr effective May 16, 2011 as summer help for the DPW for the 2011-2012 Fiscal Year. All in favor. Motion carried.

CERF A motion was made by Trustee Christensen and seconded by Trustee Brazill accepting the Non-Disclosure and Confidentiality Agreement between the Village of Minoa CERF & SKD, LLC. to be utilized by all employees and visitors and is attached hereto as Schedule "B". All in favor. Motion carried.

Attorney Primo said the sophisticated technology needs to be protected and it is the responsibility of the Village Board to show due diligence in protecting the technology should there be an infringement problem in the future.

WWTF ***REQUEST PERMISSION TO WAIVE SEWER AMOUNT OF \$90.00 / MISTY BLOWERS / ACCT # 1268.0 / DENIED***
Clerk/Treasurer Snider explained that Misty Blowers is the new property owner of 106 Beresford Lane, Acct # 1268.00 and that she requested in a letter dated March 20, 2011 for a waiver of \$90.00 for the February 2011 billing, as she believes the amount is the responsibility of the former owner. Clerk/Treasurer Snider said she spoke w/ a representative at Germain & Germain, LLP, who stated that Ms. Blowers was given a credit of \$140.88 at a closing for the period of August 1, 2010 through January 31, 2011 for the February billing and it is her responsibility to speak to her attorneys about the credit received.

Attorney Primo said it would be a good idea to request a copy of the closing papers in the future to walk the resident through the closing credits that were covered.

A motion was made by Trustee Champagne and seconded by Trustee Brazill denying the written request from Misty Blowers dated March 20, 2011, to waive the \$90.00 Sewer Rent for Account # 1268.0 as detailed above. All in favor. Motion carried.

PERMISISON TO WAIVE SEWER PENALTY / JOSEPH DINATALE / ACCT # 3291.0 / \$5.00
A motion was made by Trustee Christensen and seconded by Trustee Brazill to approve the written request dated March 23, 2011, from Joseph DiNatale, 215 Helfer Lane, Minoa, NY to waive the sewer penalty in the amount of \$5.00 for Account # 3291.0 due to the initial bill getting lost in the mail. All in favor. Motion carried.

TRUSTEES' REPORT Trustee Champagne said he was delivering the flyers for the Easter Egg Hunt scheduled for April 23, 2011 at the Minoa Elementary School for distribution.

Trustee Champagne said the water flow through the WWTF has been high recently due to the weather, but has settled back to normal levels. He said they will be cleaning the tanks due to increased sand sediment that was causing problems with the sludge during the heaving periods of water. Trustee Cronk said the increased sand damages the chains. Trustee Champagne said they have examined the manholes and the cleanup should only take a few days.

Trustee Christensen said he would update the sign at Lewis Park for the Easter Egg Hunt. Trustee Christensen thanked the Board for their support and kindness during the passing of his mother.

Trustee Cronk had nothing to report.

**PERMISSION TO USE
REES FIELD /
CENTRAL NEW YORK
SHETLAND
SHEEPDOG CLUB, INC.**

A motion was made by Trustee Champagne and seconded by Trustee Brazill giving permission to the Central New York Shetland Sheepdog Club, Inc. to use Reese Field on June 4, 2011 for their Annual Match from 9:00 a.m. until early afternoon based on the written request dated March 17, 2011 from Laurie A. Danboise and upon confirmation that the field was not being utilized by the ESM Youth Sports or the ESM School District. All in favor. Motion carried.

MAYOR'S REPORT

Mayor Donovan said he has been working on the bylaws for the MS4 Coalition and they hope to have it in place within the year that would allow for a unified source for legal, educational and printing for MS4 services.

Mayor Donovan said he participated in the Meals on Wheels annual program.

Mayor Donovan said he has been busy attending the Executive Committee and Public Meetings for the Fire and Ambulance Study. He said the study is available at the Village of Minoa website <http://www.villageofminoa.com>

Mayor Donovan said the Critical Response Committee Drill was a huge success and appreciated the turnout from the Village of Minoa Board and staff. He said he has discussed the possibility of creating a drill to be used by the Village of Minoa employees with the Town of Manlius Police Department.

Mayor Donovan said he attended the ESM High School Career Day with Thomas Petterelli and said the school continues to be on the cutting edge of technology to keep the students focused on their future.

Mayor Donovan said he toured the village streets with Thomas Petterelli and Alex Wisniewski, LJR Engineering, to discuss the increased water levels throughout the village, specifically the north side, and cleaning out the creeks to help the flow of water.

Mayor Donovan said he would like permission to pursue the reallocation of the rooms throughout the Municipal Building to provide space for the Minoa Fire Department to support their volunteers in a bunk-in program. He said he received a pro-bono schematic building plan from Sean Foran, Hueber-Breuer, for possible building adjustments.

PERMISSION TO MEET WITH MINOA FIRE DEPARTMENT – MUNICIPAL BUILDING ROOM RECONFIGURATIONS

A motion was made by Trustee Champagne and seconded by Trustee Brazill giving permission to Mayor Donovan and Trustee Brazill to meet with the Minoa Fire Department to discuss possible room reconfigurations, the Bunk-in Program, and training areas in the Municipal Building. All in favor. Motion carried.

ATTORNEY'S REPORT

Attorney Primo provided a draft resolution for a Code of Ethics for the Board to review. He said the Code of Ethics is based on New York State Law and would cover both paid employees and volunteer firefighters. He said the Minoa Fire Department is also required to have a code of ethics. Attorney primo said he tried to be comprehensive and there are items in there that are not necessarily required, but specific to the Village of Minoa. Mayor Donovan encouraged the Board to thoroughly review the resolution and hopes to have the resolution in place within the next month.

Attorney Primo said that some municipalities have a Board of Ethics, but they are expensive because they would need an independent attorney to cover complaints and does not recommend that the village adopt that option.

AUDIT CLAIMS

A motion was made by Trustee Champagne and seconded by Trustee Brazill that claims on Abstract # 21 in the amounts of General Fund - \$15,675.65 (Vouchers 908-933) and Sewer Fund – \$2,940.64 (Vouchers 323-337) for a total of \$18,616.29 be audited and paid. All in favor. Motion carried.

PUBLIC COMMENTS

John Sears gave his condolences to Trustee Christensen for the loss of his mother after asking for clarification of his statement.

ADJOURNMENT

A motion was made by Trustee Champagne and seconded by Trustee Brazill that the Village Board Meeting be adjourned at 8:04 p.m. All in favor. Motion carried.

Respectfully submitted,

Suzanne M. Snider

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Village Clerk/Treasurer