

DISTRIBUTION LIST

Richard Donovan, Mayor
Edmond Theobald, Trustee
Ronald Cronk, Trustee
William Brazill, Trustee
John Champagne, Trustee
Steven Primo, Attorney
Thomas Petterelli, DPW Superintendent
Janet Stanley, Justice
Richard J. Greene, Codes Enforcement Officer
Chief Pat Flannery
Town of Manlius
Village of Fayetteville
Donna DeStato, Superintendent ESM School District
Manlius Historical Society
Minoa Library
John Regan

VILLAGE OF MINOA
BOARD OF TRUSTEES
APRIL 7, 2008

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 7, 2008.

PRESENT: Mayor Donovan
Trustee Brazill
Trustee Cronk
Trustee Theobald
Trustee Champagne
Attorney Primo
Clerk/Treasurer Snider

ABSENT: None

ALSO PRESENT: Mike Pede, Chris Pede, Tom Petterelli, Chris Beers, Tracy Callahan, John Sears, and Eric Christensen

Mayor Donovan opened the meeting at 7:30 p.m. with the Pledge of Allegiance led by Trustee Theobald.

**MINUTES OF
PUBLIC HEARING -
MARCH 17, 2008**

A motion was made by Trustee Theobald and seconded by Trustee Champagne to accept the minutes of the March 17, 2008 Public Hearing on the Amended Preliminary Plat for Minoa Farms. All in favor. Motion carried.

**MINUTES OF
PUBLIC HEARING -
LOCAL LAW #2 FOR
2008 - MARCH 17,**

A motion was made by Trustee Champagne and seconded by Trustee Theobald to accept the minutes of the March 17, 2008 Public Hearing on Local Law #2 for 2008 pertaining to Converted Condominium Units. All in favor. Motion carried.

2008

**MINUTES OF
VILLAGE BOARD
MEETING - MARCH
17, 2008**

A motion was made by Trustee Cronk and seconded by Trustee Brazill to accept the minutes of the March 17, 2008 Village Board Meeting as recorded. All in favor. Motion carried.

**MINUTES OF
SPECIAL MEETING -
MARCH 19, 2008**

A motion was made by Trustee Brazill and seconded by Trustee Champagne accepting the minutes of the Special Meeting of March 19, 2008 as recorded. All in favor. Motion carried.

**MINOA FARMS -
(AMENDED)
PRELIMINARY PLAT
SUBDIVISION
APPROVAL**

Tabled

**DISTRIBUTION OF
THE 2008-2009
BUDGETS**

Mayor Donovan provided the 2008-2009 Budgets to the Village Board for review and reminded everyone in attendance that the Public Hearing was scheduled for April 14, 2008 at 7:00 p.m.

**AMENDED POLICY/
RULES FOR
DECORUM AT
PUBLIC MEETINGS**

Attorney Primo said the proposed amended Rules for Decorum at Public Meetings had been provided to the Board in redline format for easy review. He said the changes in Rules for Decorum were needed to tighten things up with regard to speakers in the meeting and the changes were made with some concern, as it is not the Village's policy to restrict speaking. Attorney Primo said at one point the public was allowed to speak at any time during the agenda, but this practice became abused and the policy was adopted on April 16, 2007. Attorney Primo said the rules were self explanatory, but would gladly answer any questions the public had.

A motion was made by Trustee Brazill and seconded by Trustee Theobald to accept the amended Rules for Decorum at Public Meetings Policy, hereto attached as Schedule "A". All in favor. Motion carried.

**AMENDED POLICY/
PURCHASING
POLICY AND
CONTROL**

A motion was made by Trustee Champagne and seconded by Trustee Cronk to accept the amended Purchasing Policy and Control, hereto attached as Schedule "B". All in favor. Motion carried.

**GRANT
APPLICATION/
ASSISTANCE TO**

Clerk/Treasurer Snider said that the law firm Mackenzie Hughes LLP had prepared the annual FEMA Assistance to Firefighters Grant for the purpose of obtaining funds for a 100' ladder truck for the Minoa Fire Department.

**FIREFIGHTERS
GRANT**

The funding request is as follows:

Cost estimate of the ladder truck:	\$807,000.00
Less Village of Minoa Funding:	<u>- \$80,700.00</u>
Sub Total	\$726,300.00
Less Grant Writing Fee (5%):	<u>\$36,315.00</u>
AFG Funding Requested:	\$762,615.00

A motion was made by Trustee Cronk and seconded by Trustee Theobald approving the submittal of a FEMA Assistance to Firefighters Grant Application in the amount of \$726,300.00, less the grant writing fee of \$36,315.00 for a total funding request of \$762,615.00 on behalf of the Minoa Fire Department for the purchase of a 100' ladder truck. All in favor. Motion carried.

**AMENDED JUSTICE
COURT BUDGET**

A motion was made by Trustee Theobald and seconded by Trustee Brazill giving permission to Clerk/Treasurer Snider to amend the 2007-2008 Budget by increasing revenues (A3389) and appropriations (A1110.2) in the amount of \$2,099.48 as a result of a NYS Justice Court Grant for the purchase of a label maker, shredder, audio recorder, robe, signage and bulletin board. All in favor. Motion carried.

**AMEND CODES
ENFORCEMENT
BUDGET**

A motion was made by Trustee Theobald and seconded by Trustee Champagne giving permission to Clerk/Treasurer Snider to amend the 2007-2008 Budget by increasing revenues (A2260) and appropriations (A3620.10) in the amount of \$13,333.00 as a result of the agreement between the Village of Minoa and the Village of Fayetteville to share the cost of Codes Enforcement services from January 2008 thru May 2008. All in favor. Motion carried.

**AMEND FFIRE
DEPARTMENT
BUDGET**

A motion was made by Trustee Brazill and seconded by Trustee Cronk giving permission to Clerk/Treasurer Snider to amend the 2007-2008 Budget by increasing revenues (A2680) and appropriations (A3410.43) in the amount of \$8,025.00 as a result of the insurance recoveries from NYMIR for the repairs to Engine 24. All in favor. Motion carried.

**PERMISSION TO
ATTEND 2008
HIGHWAY SCHOOL**

A motion was made by Trustee Brazill and seconded by Trustee Cronk giving permission to Thomas Petterelli to attend the Association of Towns 2008 Highway School to be held at Ithaca College from June 2-4, 2008 at a cost of \$90.00 registration and \$170.00 lodging. All in favor. Motion carried.

**T.K. EZZO'S
LANDSCAPING
PROPOSAL**

A motion was made by Trustee Brazill and seconded by Trustee Cronk approving T.K. Ezzo's proposal originally dated March 31, 2008 (payment terms corrected on April 14, 2008) for landscaping at the five (5) welcome signs, three (3) flower boxes located throughout the Village and the monument in front of the Village Offices in the amount of \$2,000.00 due on June 1, 2008 and \$234.80 due the 1st of each month from July through November 1, 2008. All in favor. Motion carried.

**NIAGARA
MOHAWK BANNER
AGREEMENT**

A motion was made by Trustee Theobald and seconded by Trustee Champagne giving approval for Mayor Donovan to sign the Niagara Mohawk agreement to hang banners across Main Street for the Annual Firemen's Field Days at Lewis Park from May 1, 2008 thru June 1, 2008 and the Minoa Days Festival from June 21, 2008 thru July 15, 2008. All in favor. Motion Carried.

**BID RESULTS - 2007
COMMUNITY
DEVELOPMENT**

Clerk/Treasurer Snider reported on the results of the bids that were received and opened on March 25, 2008 at 12:00 Noon as follows:

- Davis Wall-Bridge, Inc. (low bidder) Base Bid - \$76,900.00 and Alternative #2 - \$17,000.00
- Lafleur Constructors, Inc. – Base Bid - \$85,385.00 and Alternative #2 - \$11,737.00
- AJ Montclair – Base Bid - \$87,777.00 and Alternative #2 - \$13,700.00
- James Ross & Son Contractors, Inc. – Base Bid - \$115,400.00 and Alternative #2 - \$23,700

A motion was made by Trustee Brazill and seconded by Trustee Cronk awarding the bid for the Rees Field Site Improvements to Davis Wall-Bridge, Inc. in the amount of \$93,900.00 per their bid, our specifications, and the final approval and recommendation of Onondaga Community Development. All in favor. Motion carried.

Please note that the 2007 Community Development Grant approval was for \$90,000.00 and the remaining balance of \$3,900.00 is the responsibility of the Village of Minoa via matching funds.

Attorney Primo stated for the record that he had a disclosure to make and that he provides legal services for Davis Wall-Bridge, Inc.

**COLLATERAL
SOURCE BILL
SUPPORT LETTER**

A motion was made by Trustee Champagne and seconded by Trustee Theobald to support the Collateral Source Bill (S.4164/A.2989) and a letter of support to be signed and sent to the appropriate New York State representatives and Barry P. Schwartz, Office of the Corporation Counsel of the City of New York. All in favor. Motion carried.

**NYS AND LOCAL
RETIREMENT
SYSTEM
AGREEMENT**

A motion was made by Trustee Champagne and seconded by Trustee Cronk authorizing Mayor Donovan to enter into agreement with the NYS and Local Retirement System which would allow Village of Minoa retirees to have their health insurance premiums deducted automatically from their monthly benefit payments and sent directly to the Village of Minoa effective January 1, 2009. All in favor. Motion carried.

**DEFERRED
COMPENSATION/
AMEND MODEL
PLAN**

A motion was made by Trustee Champagne and seconded by Trustee Theobald to adopt the following resolution. All in favor. Motion carried.

**Deferred Compensation Resolution
to Amend and Restate the Model Plan**

WHEREAS, the New York State Deferred Compensation Board (the "Board"), pursuant to Section 5 of the New York State Finance Law ("Section 5") and the Regulations of the New York State Deferred Compensation Board (the "Regulations"), has promulgated the Plan Document of the Deferred Compensation Plan for Employees of the Village of Minoa (the "Model Plan") and offers the Model Plan for adoption by local employers;

WHEREAS, the Village of Minoa, pursuant to Section 5 and the Regulations, has adopted and currently administers the Model Plan known as the Deferred Compensation Plan for Employees of the Village of Minoa;

WHEREAS, effective April 7, 2008 the Board amended the Model Plan to adopt provisions

- Expanding the eligibility for unforeseeable emergency withdrawals
- Permitting law enforcement officers, firefighters, members of a rescue squad or ambulance crew who have retired for service or disability to request a plan distribution of up to \$3,000 annually to pay for health insurance or qualified long-term care premiums for themselves, their spouse or dependents.
- Permitting a beneficiary who is not the spouse of the deceased Participant to transfer their Plan account directly to an IRA.
- Permitting a Participant who is eligible for a distribution to rollover all or a portion of their Plan account to a Roth IRA.

WHEREAS, the Board has offered for adoption the amended and restated Model Plan to each Model Plan sponsored by a local employer in accordance with the Regulations; and

WHEREAS, upon due deliberation, the Village of Minoa has concluded that it is prudent and appropriate to amend the Deferred Compensation Plan for Employees of the Village of Minoa by adopting the amended Model Plan.

NOW, THEREFORE, BE IT

RESOLVED, that the Village of Minoa hereby amends the Deferred Compensation Plan for Employees of the Village of Minoa by adopting the amended Model Plan effective April 7, 2008.

**TOGETHER WE
GROW CHILD CARE
CENTER - STATION
II EVACUATION
REQUEST**

Trustee Brazill said he had received a request from Together We Grow Child Care Center, 7020 Manlius Center Road, East Syracuse, for permission to evacuate children and employees to the Minoa Fire Department, Station II in the event of an emergency. Trustee Brazill said they had previously evacuated to the nearby bowling alley, but as it is being demolished, they now need an evacuation site as required by New York State.

Attorney Primo said he would provide Clerk/Treasurer Snider with an agreement for Together We Grow Child Care Center to sign and they would need to list the

Village of Minoa as an additional insured on their policy, with limits of not less than \$1,000,000 for each occurrence and \$2,000,000 General Aggregate.

A motion was made Trustee Brazill and seconded by Trustee Champagne authorizing Mayor Donovan to enter into agreement with Together We Grow Child Care Center allowing them to use Station II as an evacuation site in event of an emergency and contingent upon insurance requirements being provided. All in favor. Motion carried.

AMBULANCE

Nothing to report.

**MINOA FIRE
DEPARTMENT**

MEMBERSHIP IN THE MINOA FIRE DEPARTMENT

A motion was made by Trustee Brazill and seconded by Trustee Theobald accepting for support membership in the Minoa Fire Department the following individuals:

- Doug Raymond, 103 Osborne Drive, E. Syracuse, NY
- Angela Pratt, 7755 Myers Road, Kirkville, NY
- Patrick Abbot, 8019 Kirkville Bridgeport Road, Kirkville, NY
- Mike Hayduke, PO Box 127, Minoa, NY
- Judith Jarmacz, 224 Edgewood Place, Minoa, NY

All in favor. Motion carried.

MEMBERSHIP IN THE MINOA FIRE DEPARTMENT

A motion was made by Trustee Brazill and seconded by Trustee Theobald accepting for membership in the Minoa Fire Department the following individual: Kristian Bearscove, 207 Green Street, Apt. #1, E. Syracuse, NY.

Mayor Donovan asked Trustee Brazill to confirm that Dan Cooper, 107 Green Street, Fayetteville, NY was not an active member of the Fayetteville Fire Department before approving his support status with the Minoa Fire Department. Trustee Brazill said he would check into it and present it again at the next Board meeting. Mayor Donovan said that Mr. Cooper would be an asset to the Minoa Fire Department.

***REQUEST PERMISSION FOR KEITH BRANDIS AND JOHN BARATTINI
TO PARTICIPATE UNDER THE NEW YORK STATE MUTUAL AID
AGREEMENT***

Mayor Donovan said the village had received requests and permission from the Fire Chiefs for Keith Brandis, Durhamville Volunteer Fire Co., and John Barattini, Sherrill-Kenwood Volunteer Fire Department, Inc., to respond with mutual aid with the Minoa Fire Department, as well as drill and train.

Trustee Brazill said that both gentlemen are employees of the Village of Minoa in the Ambulance Department. Attorney Primo said he needs to review who has the authority to approve and said that in the past the Village of Minoa provided resolutions for approval. The decision to accept the mutual aid requests was placed on hold until Attorney Primo had a change to review the law and prior history.

DPW

Nothing to report.

TRUSTEES' REPORT

Trustee Champagne reported that the Easter Egg Hunt was held on March 22, 2008 and over 300 children attended the successful event. Trustee Champagne thanked the Board, his family, and Paul and Sheila Norcross for their help in the Easter Egg Hunt.

Trustee Champagne said that he, Lance Stolp, Tom Petterelli, and Steve Giarrusso met with the City of Syracuse DPW on April 3, 2008 to review alternative fuel options and their Compressed Natural Gas garbage truck. Trustee Champagne said they are in the infant stages of reviewing trucks, but plan to meet with Barry Car for more alternative options.

Trustee Champagne said that he is attending the Dreamweaver class, along with Clerk/Treasurer Snider, at OCM BOCES and he feels that it will benefit the village's website upon their completion of the course.

Trustee Theobald complimented Trustee Champagne and his family on their great job on the Easter Egg Hunt.

Trustee Theobald reported that the Memorial Day Parade is scheduled for May 26, 2008 at 9:00 a.m. He said that this year there will be a different guest speaker and that Jess Dardiano has agreed to sing. Trustee Theobald said he would meet with Clerk/Treasurer Snider and her staff to organize the mailings.

Trustee Theobald said the ESM Youth Sports Award Night is scheduled for April 28, 2008 and would provide further details.

Trustee Cronk had nothing to report.

**FIRE DEPARTMENT
BY-LAWS**

Trustee Brazill said Attorney Primo had reviewed and made the appropriate amendments to the Minoa Fire Department By-laws per their request and Attorney Primo had provided the Board a copy of the resolution approving the amended By-laws. Trustee Brazill said the Minoa Fire Department membership also reviewed and

approved the amended By-laws.

Attorney Primo said he reviewed amendments that were made in 2004 and the resolution reflects all of the changes made since 2004, along with proposed changes. He said Dave Matthes, Sr. reviewed the By-laws and their executive board approved them. Attorney Primo said the language and changes are consistent with their understanding. He said the amended By-laws clarify membership statuses and the various membership types. Attorney Primo said the Board should be aware that executive officer positions that have a two-year term the Minoa Fire Department requested a No Confidence Vote provision, which means that after one year they come up before their Board and they are subject to the No Confidence Vote. They wanted this because there are few nominees and sometimes they come to the realization that they are not qualified for the position and they recognized that they would need at least one year to adjust to the position. Attorney Primo said the No Confidence Vote would give them the ability to remove the unqualified individual from the executive officer position after one year. Trustee Brazill said they really wanted the provision included in the By-laws.

Attorney Primo said if the Board was to approve the proposed resolution it would in effect tell the Minoa Fire Department that their By-laws were approved. Mayor Donovan said that it was the Village's function to make sure that the By-laws were legal, but not to run their department. Attorney Primo agreed and said it was the Board's responsibility to make sure their policies do not conflict with the village's policies and that they are legal.

A motion was made by Trustee Champagne and seconded by Trustee Brazill that the Village Board agrees to adopt the resolution attached hereto as Schedule "C" approving the amended By-laws of the Village of Minoa Fire Department, Inc. All in favor. Motion carried.

MAYOR'S REPORT

Mayor Donovan said he had nothing to report.

**ATTORNEY'S
REPORT**

Attorney Primo presented proposed Local Law #3 for 2008 amending the Village of Minoa Municipal Code relative to the obstruction of designated fire lanes on privately owned property devoted to public use. He said the village currently has established fire lanes, but has no way to enforce the law. Attorney Primo said that Richard Greene, Codes Enforcement Officer, made him aware of the problem and that various areas of the Village of Minoa Municipal Code would need to be updated. He said wording was included that the village would have the ability to tow and/or remove the vehicle blocking the fire lane. Attorney Primo said that four sections of the code were adjusted to provide for the right to move the vehicle and the ability to access the charges to the owner of the vehicle. He said he would review the law with Richard Greene and

incorporate any changes as needed.

**SCHEDULE PUBLIC
HEARING - LOCAL
LAW #3 FOR 2008 -
FIRE LANES**

A motion was made by Trustee Champagne and seconded by Trustee Cronk to schedule a Public Hearing for Local Law #3 for 2008 amending the Village of Minoa Municipal Code relative to the obstruction of designated fire lanes on privately owned property devoted to public use for April 21, 2008 at 7:25 p.m. or shortly thereafter. All in favor. Motion carried.

**TREASURER'S
REPORT**

A motion was made by Trustee Brazill and seconded by Trustee Champagne to accept the Treasurer's Report for the month of March 2008 as recorded. All in favor. Motion carried.

**TRANSFERS IN
APPROPRIATIONS**

A motion was made by Trustee Brazill and seconded by Trustee Champagne to approve the requested transfer of appropriations in the General Fund attached hereto as Schedule "D". All in favor. Motion carried.

AUDIT CLAIMS

A motion was made by Trustee Champagne and seconded by Trustee Theobald that claims on Abstract #21 in the amounts of General Fund - \$52,970.85 (Vouchers 889-959); and Sewer Fund - \$4,607.85 (Vouchers 292-310) for a total of \$57,578.70 be audited and paid. All in favor. Motion carried.

PUBLIC COMMENTS

Eric Christensen said that Mayor Donovan had mentioned during his campaign that there were increased burdens based on unfunded mandates and asked what they were. Mayor Donovan said the top unfunded mandate is the MS4 Program which the DEC has declared that local municipalities are responsible for the testing, treating, local laws and enforcement of the stormwater system.

Michael Pede asked if a full-time Codes Enforcement Officer would relieve the burden and Mayor Donovan said that the MS4 requirements increases the burden on the position and may eventually lead to the Codes Enforcement Officer position being full-time for the Village of Minoa. Mr. Pede asked if the amended Codes Enforcement budget by the amount of \$13,333.00 would help. Mayor Donovan said the increase in the budget was a result of the inter-municipal agreement between the Village of Minoa and the Village of Fayetteville, as they are sharing codes services and the expenses. Mayor Donovan said that Richard Greene, Codes Enforcement Officer, worked in a part-time capacity and was brought on full-time with the agreement. Mayor Donovan said the Village of Minoa is the lead agent and the Codes Enforcement Officer works full-time under Minoa and the expenses are split with the Village of Fayetteville.

Mayor Donovan said the new uniform building code in New York State requires additional pressure on municipalities without any available funding from New York State to assist in enforcement.

Mayor Donovan said the tax burden, but the Village of Minoa has done everything they can to keep the tax rate down. Mayor Donovan said that as you look around the village, the only thing we have to support the tax base is on residential housing. He said there isn't a large commercial base and our residents in the past have indicated in the past that they did not want the high traffic volume that Fayetteville has on Route 5. Mayor Donovan said the Board is active in NYCOM and they spend a lot of time meeting with Albany trying to attempt change. He said that he was encouraged by their last meeting in February and they were able to communicate the burdens that were placed on municipalities with regard to bidding processes, laws, rules and regulations that the local municipalities have to follow.

John Sears said that the Public Hearing held that evening at 6:30 p.m. for Minoa Farms was not posted on the billboard and the 7:00 p.m. Annual Organizational Meeting was posted. Mr. Sears said that he believes in inclusion and not exclusion and wanted to know why it wasn't on the bulletin board, where else it's posted, and why it was suggested that maybe he had taken the notice down.

Mayor Donovan said that Mr. Sears had asked the same question at the last three meetings and the answer remains the same; the continuation of public hearings do not have to be republished as they are being continued and the interested parties are aware of the meetings. Mr. Sears said that maybe the people who live in Minoa Farms are aware of it and he is aware of it, but the rest of the public should also be aware of it and it should be posted on the bulletin board. Mr. Sears said he does not know where else they post it, because he has to ask every two weeks why they fail to notify the public.

Attorney Primo said the Village of Minoa operates the same way every other municipality does; they do not republish the continuation of Public Hearings and the interested parties are made aware of the continuation.

Mr. Sears said he would like to donate a few dollars to have the notices posted around the Village of Minoa.

Tracey Callahan asked how much the grant application was for the Minoa Fire Department and Trustee Brazill said the application was for \$762,615.00 for the purchase of a ladder truck.

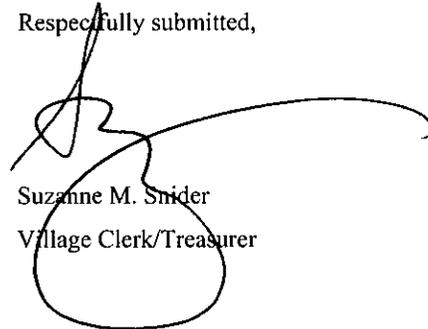
Chris Beers asked Mayor Donovan to repeat the time of the Public Hearing for Mr. Sears because he wasn't there earlier in the evening. Mayor Donovan said the continuation of the Public Hearing for the Amended Preliminary Plat Subdivision was scheduled for May 5, 2008 at 6:30 p.m. Mr. Sears said that it wasn't necessary for Mayor Donovan to repeat the meeting time for him, because he already knew when the next meeting was scheduled.

Mr. Pede asked if the 2008-2009 Budgets were available and Attorney Primo said the budgets were available in the Village Office and would be available at the Public Hearing. Clerk/Treasurer Snider said she would email Mr. Pede a copy of the budgets.

ADJOURNMENT

A motion was made by Trustee Champagne and seconded by Trustee Theobald that the Village Board Meeting be adjourned at 8:28 p.m. All in favor. Motion carried.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Suzanne M. Snider', written over a circular stamp or seal.

Suzanne M. Snider
Village Clerk/Treasurer

Village of Minoa Rules for Decorum at Public Meetings

Village Board meetings are required to be held in public for the purpose of allowing the public to *observe* the meetings. The law does not require that Village boards set aside time at regular Village board meetings for public comment, except for the case of public hearings. Public participation is the purpose of a public hearing, which is required prior to the adoption of a local law or ordinance and in other specific cases, as specified by law.

The Village Board believes that a public comment period at the end of each meeting is appropriate and desires to maintain this practice. However, it believes that it is important that all periods of public input -- whether they are public hearings or a public comment period -- should abide by a set of rules that are designed to ensure that decorum is maintained at Village Board meetings. The practice of establishing Rules of Decorum for public meetings is common for legislative boards to ensure that a productive and respectful environment is maintained.

In an effort to help the Village conduct efficient and productive meetings, the Village of Minoa, on April 16, 2007, adopted a policy on Rules of Decorum at Public Meetings. In order to address certain issues arising with the adopted Rules for Decorum, the following amended Rules of Decorum were adopted on April 7, 2008.

PUBLIC COMMENT PERIOD/PUBLIC HEARING/PUBLIC INFORMATION MEETING

1. The Village Board will set an item on each agenda for public comment. Except for the case of Public Hearings or special Public Information Meetings, the public comment portion of the meeting is the only time when comments will be permitted by the public.
2. The public comment period and public hearings and information meetings are designed for comments only. The Village Board will normally not respond to questions at a meeting but may elect to do so including at the next following meeting. Commentators are urged to review the minutes of prior meetings in order to inform themselves, as the public comment period is not intended to be utilized for repeat statements on matters of record specifically dealt with at prior meetings and hearings. If someone wishes to address a question requiring a response to a member of the Village Board they may do so, only if in a reasonable and courteous manner, outside of a meeting or hearing in person at the Municipal Building, or, by phone, mail or email. The respective Village Board member may elect to then respond or he or she may elect to defer to the next following meeting for a response.
3. Each speaker must state his or her name and the subject he or she will be addressing.
4. Each speaker is limited to speak one time, three minutes in length. Any request of extension of this time limitation must be made in advance by the speaker to the Village Mayor. In the case of public hearings, speakers may be allowed to speak a second time, once everyone has been allowed to speak once.
5. Speakers are urged to whenever possible, combine comments with others having similar comments thus allowing less speakers cumulatively, but more time for a particular speaker and/or subject matter where warranted. In such event speakers may note for the record others present whom they speak for and such others may note

their support by a show of hands or brief vocal affirmation and the Village Clerk shall so indicate such support in the record. Likewise, comments which are identical, or in substance the same as or similar to comments made by the same speaker at earlier public hearings or meetings are discouraged unless deemed relevant due to a change of circumstances occurring since the time of the earlier comment.

6. Comments by speakers must be addressed to the Village Board collectively and not to any individual Board member or members, or public officials or other attendees. Attendees may not address the Board until recognized by the Village Mayor.
7. Any audio/visual or similar equipment to be used to support the comments or issues of a speaker must be approved by the Village Mayor at least 24 hours before the regularly scheduled meeting. Such equipment will be permitted provided it does not interfere with the ordinary conduct of Village business.
8. Discussion or similar exchanges, verbal or otherwise, between speakers and attendees of the public meeting or hearing is prohibited. A speaker may voice his or her disagreement with or support of prior speakers in their respective comments directed to the Village Board.
9. Comments must be related to legitimate Village business.
10. Speakers should present their remarks in a courteous manner and shall not make personal comments to or about Board members, public officials, other attendees, Village residents or others.
11. Placards, banners, or other signs are not permitted in meeting rooms, nor the distribution of flyers.
12. If after a final warning, the speaker refuses to step down, the Village Mayor will request that a Police Officer remove the individual from the meeting room. §240.20 of the Penal Law.
13. Following a public hearing or meeting the meeting room shall be promptly vacated. Unless invited by a Board member, there shall be no conversations, comments or questions directed to or with Village officials or employees following a meeting or hearing.
14. The Village Mayor or Attorney shall be the enforcement officer hereunder, however part or all of such enforcement duties may be delegated to an attendant or other individual, including any Village Board member, officer or employee present. Failure to abide by the provisions hereof or to in any other way conduct oneself in compliance with applicable law may result in a directive (or directives) to cease any further comments and/or to immediately, be seated and/or to vacate the premises. A failure to abide by any directive shall result in a criminal prosecution, as warranted.

AGENDA

While an agenda is not required, the Village Board believes to the extent possible, an agenda should be prepared before a regularly scheduled meeting. The agenda is prepared by the Village Clerk. Items for the agenda shall be given to the Village Clerk by the Friday before the next regularly scheduled Village Board meeting. The Village Board may, for good cause, elect to accept "add-on" agenda items at any time prior to the meeting. For purposes of these rules an "election" is defined as a determination made by majority vote of a quorum of the Village Board.

VILLAGE BOARD

Village Board members must be recognized by the Village Mayor before making motions and speaking. The Village Mayor shall be the presiding officer over any meeting or hearing and shall make all determinations on placing matters on the agenda, points of order, interpretations or violations or waivers of these rules, except where an "election" of the Board is required by these rules.

GENERAL

The Village Board may for good cause shown, as stated in the record of the meeting or hearing, elect to waive, relax or modify any of the foregoing rules to address a particular circumstance or situation.

VILLAGE OF MINOA
PURCHASING POLICY
ADOPTED
BY THE
VILLAGE BOARD OF TRUSTEES
JANUARY 7, 1992
AND AMENDED
APRIL 7, 2008

CONTENTS

PAGE

1	PURCHASING POLICY AND CONTROL
2	COMPETITIVE BIDDING AND QUOTATIONS
3	PURCHASE ORDER DOCUMENT PROCESSING
4	EMERGENCY PURCHASES – NON CAPITAL ITEMS
5	REQUISITIONS
6	PROCUREMENT POLICES NOT REQUIRED BY LAW TO BE PUBLICLY BID
6-7	PROCUREMENT POLICY ADDENDUM
8	SAMPLE FORM – PURCHASE ORDER
9	SAMPLE FORM – REQUISITION
10	SAMPLE FORM – SOURCE JUSTIFICATION

PURCHASING POLICY AND CONTROL

Amended April 7, 2008

1. The Mayor shall be responsible for developing and administering the purchasing program of the municipality.
2. The purchasing procedures used by employees shall comply with all applicable laws, rules and regulations of the State of New York and Village of Minoa.
3. The Mayor or his designee shall procure supplies and equipment, as needed, at the best possible prices and maintain adequate records to show that this was done.
4. Quotes shall be obtained for materials, equipment and supplies involving an estimated annual expenditure between \$1,000 and \$9,999 and public works contracts involving expenditure between \$1,000 and \$19,999.
5. Purchase contracts for materials, equipment and supplies involving an estimated annual expenditure of over \$10,000 and public works contracts involving over \$20,000 shall be awarded only after public advertising soliciting formal bids. The Mayor or his designee may be authorized to open and records bids.
6. Opportunity shall be provided to all responsible suppliers to do business with the municipality. To this end the department head shall provide the Village Clerk with lists of potential bidders for various types of materials, equipment and supplies. Such lists shall be used in the development of a mailing list for distribution of specifications and invitations to bid. Any suppliers may be included in the list upon request.
7. When soliciting bids, a statement of "General Conditions" shall be included with all specification submitted to suppliers. These General Conditions shall be incorporated in all contracts awarded for the purchase of materials, equipment and supplies.
8. All contracts which require public advertising and competitive bidding shall be awarded as provided by law and the rules and regulations of the board. Recommendations for awarding contracts shall be submitted by the appropriate office and/or employee.
9. Where formal bidding procedures are not required by law and/or Village of Minoa regulations, quotations shall be solicited.

10. Purchases should be made through available State Contracts of the Office of General Services, Division of Purchasing, or under County Contract pursuant to Section 408-a of the County Law, whenever such purchases are in the best interest of the municipality.
11. The Mayor or his designee shall issue purchase orders after first determining that unencumbered balances of budgetary appropriations are adequate to cover such obligations.
12. Supplies used by various officers and departments should be uniform whenever consistent with operations goals, and in the interest of efficiency or economy. The Trustee in charge must justify the need for a special type of item.
13. No official or employee shall be interested financially in any contract entered into by the municipality. This also precludes acceptance of gratuities, financial or otherwise, by the above persons, from any supplier of materials or services to the municipality.

COMPETITIVE BIDDING & QUOTATIONS

PURPOSE:

To provide a policy concerning the solicitations of competitive quotations.

SCOPE:

This policy applies to transactions, materials and/or services with a substantial dollar amount that are:

1. Not covered by contractual agreement.
2. Not in categories exempted in the competitive bidding waiver procedure.

POLICY:

Procurement of the most satisfactory materials at the best evaluated cost requires the use of competitive quotations and/or bidding. Competitive quotations should be obtained for all materials, equipment, supplies, and services for which there is more than one source of supply and which are of substantial dollar expenditure.

PROCEDURES:

1. At least two sources of supply should be maintained for all items to be purchased, unless only one satisfactory source of supply is available, or unless substantial economic advantage can be obtained by confirming procurement of a specific commodity to a single source.

2. Where feasible, practical, and assuming multiple sources of supply, a minimum of two, and preferably three quotes will be solicited for requisitions.

PURCHASE ORDER DOCUMENT PROCESSING

PURPOSE:

To describe the steps and procedures that will be used to maintain control and accountability for purchase order documents.

SCOPE:

Applies to all Purchasing Department Personnel.

POLICY:

It is necessary to be able to independently account for and trace the disposition of all purchase order numbers.

DESCRIPTION:

Village of Minoa Purchase Orders are a three part printed form. The purchase order number is pre-printed and appears in the upper right section of the purchase order.

PROCEDURE:

1. The forms are stored in a secure area.
2. The purchasing department will keep a log of all purchase orders. The log will be in purchase order number sequence and show:
 - Date assigned
 - Purchase Order Number
 - Vendor
 - Requisitioner
 - Date Paid
3. Purchase orders will be typed per buyer's instructions.
4. Mayor or his designee will review and sign purchase orders.

PREPARATION OF A PURCHASE ORDER:

As a major requirement, the purchase order must contain a precise and clear description of the elements in the order, and place of delivery. All of the following information is necessary when preparing purchase orders when applicable:

- Requisitioning department per requisition

- Account number
- Date of order
- Confirmation if applicable
- Name and address of the vendor
- Delivery address
- F.O.B information
- Manner of shipment and route, if applicable
- Date goods are required
- Quantity per item
- Part/Stock # when available
- Description of goods
- Unit Price
- Total price of item
- Freight
- Total price of purchase order
- Signature of authorized person approving the order

In preparing a Purchase Order, the following points require special attention when applicable:

1. Price: A purchase order should state the price, or refer to a price quotation, or agreement on which the prices are based.
2. F.O.B: The F.O.B point and freight terms should be clearly stated.
3. Delivery Requirements: The document should show the date materials are to be at the destination.
4. Signatures: Must be in accordance with Village of Minoa Policy.

EMERGENCY PURCHASES – NON CAPITAL ITEMS

POLICY:

An emergency exists when there are conditions that endanger the health of safety of Village of Minoa personnel or which threaten to interrupt operations. Such emergencies may require material or services are available in a time frame that will not allow normal procurement to take place.

PROCEDURES:

1. Notice of the emergency is given to Trustee
2. If Trustee is not available, the Mayor shall be notified
3. Trustee will obtain:
 - A. Nature of emergency and its potential impact
 - B. Material being requisitioned, including quantity, critical specifications if any, acceptable substitutes.
 - C. Trustee evaluates the time constraints and potential impact involved and decides whether there is time to solicit oral bids, or

- whether to place the order on the basis of the historical record of price competitiveness and stock availability.
- D. Trustee or his/her designee will place the order by phone. Upon controlling the emergency, the Trustee will be responsible for the preparation and issuance of the properly completed requisition.
 - E. Buyer processes confirming order.
 - F. Trustee will make complete report to the Board at the next meeting following the emergency.

REQUISITIONS

POLICY:

All procurement actions taken by the Purchasing Department will be supported by a requisition and signed by a designated individual authorizing the expenditures. These authorized requisitions will be maintained and be available for independent examination.

DESCRIPTION:

A requisition is a written request to order materials or services. It must include department identification, account number to be charged, name and address of recommended vendor, requisitioners name, and the name and original signature of the Trustee authorized to sign for both the department and dollar amount.

PROCEDURES:

1. Requisitions are received at the Village Office.
2. Requisitions are verified for account number, signature by the Mayor or his designee.
3. Determine potential services, obtain bids where feasible, and analyze results.
4. For all requisitions where a cost greater than \$1,000 is involved, a source justification form must be prepared. This form will be used to tabulate bid/quotation results and to document the reason(s) for a particular sourcing decision.

PROCUREMENT POLICIES FOR GOODS AND SERVICES WHICH ARE NOT REQUIRED BY LAW TO BE PUBLICLY BID

Section 104-b of the General Municipal Law, effective January 1, 1992, requires all municipalities to adopt procurement policies for goods and services which are not required by law to be publicly bid.

This policy must address the procedure for purchasing goods and services which do not exceed the bid limit of \$10,000 for purchase contracts and \$20,000 for public works contracts on an annual basis.

PROCUREMENT POLICY ADDENDUM FOR THE VILLAGE OF MINOA
ADOPTED JANUARY 7, 1992
Amended April 7, 2008

1. Every purchase to be made must be initially reviewed to determine whether it is a purchase contract or a public works contract.
2. The decision that a purchase is not subject to competitive bidding will be documented in writing by the individual making the purchase. This documentation must include written or verbal quotes from vendors if dollar amount so requires. (Source Justification Form to be used.)
3. The following method of purchase will be used when making decisions to purchase:

<u>A. Estimated Amount of Purchase Contract</u>	<u>Method</u>
\$-0- to \$1,000	No Quote Necessary
\$1,001 to \$2,000	Verbal Quotations
\$2,001 to \$9,999	(3) Written/Fax Quotes &/or Written Requests for Proposals
\$10,000 and up	Bid or Approved Government Contract

<u>B. Estimated Amount of Public Works Contract</u>	<u>Method</u>
\$-0- to \$1,000	No Quote Necessary
\$1,001 to \$2,000	Verbal Quotations
\$2,001 to \$10,000	(2) Written/Fax Quotes
\$10,001 to \$19,999	(3) Written/Fax Quotes &/or Written Requests for Proposals
\$20,000 and up	Bid or Approved Government Contract

4. A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotation, the purchaser will document the attempt made at obtaining the proposals by completing the Source Justification Form. In no event shall the failure to obtain the proposals be a bar to the procurement.

5. Documentation is required of each action taken in connection with each procurement over \$1,000.
6. Documentation and justification is required whenever a contract is awarded to other than the lowest responsible offering. A determination that the offering is not responsible shall be made by the purchaser and may not be challenged under any circumstances.
7. It may not be in the best interest of the Village of Minoa to solicit quotations or document the basis for not accepting the lowest bid in the following circumstances:

Professional services or services requiring special or technical skill, training or expertise. The individual or company may be chosen based on accountability, reliability, responsibility, skill, education and training, judgment, integrity, and moral worth. Professional or technical services shall include, but not be limited to the following: services of an attorney; services of a physician; technical services of an engineer engaged to prepare plans, maps and estimates; securing insurance coverage and/or services of an insurance broker; services of a certified public accountant; investment management services; printing services involving extensive writing, editing or art work; management of municipally owned property; computer software or programming services for customized programs; and services involving substantial modification and customizing of pre-packaged software.
8. Purchases of surplus and second hand goods from another governmental entity must be documented, (Source Justification Form) by providing a copy of appropriate paperwork.
9. Federal, State, and County contracts will be reviewed for availability to assure that goods will be purchased at the lowest price.
10. This addendum to the original purchasing policy for the Village of Minoa will be incorporated into same, to the approval of the Village Board, Village of Minoa. This policy will be reviewed in its entirety annually at the annual meeting of the Village Board.

VILLAGE OF MINOA

240 N. Main Street
 Minoa, N.Y. 13116
 Tel: (315) 656-3100
 Fax: (315) 656-0825

PURCHASE ORDER

No 9467

ABOVE ORDER NO. MUST APPEAR ON
 INVOICES, PACKAGES AND CORRESPONDENCE

TO: _____

SHIP TO: _____

PLEASE ENTER OUR ORDER FOR THE FOLLOWING MATERIAL:

APPROPRIATION		SHIP VIA	DELIVERY REQUIRED	F.O.B.	DATE OF ORDER
QTY	PART/STOCK #	DESCRIPTION		UNIT PRICE	TOTAL PRICE
		<p><u>THREE PART FORM</u></p> <p>ORIGINAL TO VENDOR CANARY TO OFFICE PINK TO REQUISITIONER</p>			
				Freight	
				Total Price	

MSDS Required

Confirming Order

Village of Minoa

By: _____
 Purchasing Officer

Source Justification

1. PO # _____ VENDOR SELECTED: _____

2. VENDORS CONTACTED:

VENDOR	PERSON	DATE OF CONTACT	PRICE	DATE CAN SHIP

3. _____ PO placed at other than lowest price because of:

- OR -

_____ Alternate Vendors not contacted because of:

_____ Contractual obligations

_____ Specific request of requisitioner

_____ Unique item not available elsewhere

_____ Urgency of need

_____ Need to keep viable alternate source of supply

_____ Combination of items purchased

_____ Only approved vendor

_____ Other _____

Buyer's Signature _____ Date _____

RESOLUTION

The **VILLAGE OF MINOA BOARD OF TRUSTEES**, in the County of Onondaga, State of New York, met in regular session at the Municipal Building in the Village of Minoa, located at 240 North Main Street, County of Onondaga, State of New York, on the 7th day of April, 2008, at 7:30 P.M.

Richard Donovan, Mayor, and the following Trustees were present, namely:

William Brazill
John Champagne
Edmond Theobald
Ronald Cronk

Absent: None

The following resolution was moved, seconded and adopted:

WHEREAS, the Village of Minoa Fire Department, Inc. (“Corporation”) has deemed it desirable and in the best interest of its members to amend the By-laws of the corporation; and

WHEREAS, the Corporation has submitted proposed amended By-laws of the Corporation to its members for purposes of voting on said amendment and said amendment was prior hereto approved by a majority of the Corporation’s members conditioned on Village Board approval; and

WHEREAS, the Village of Minoa Board of Trustees also deems it desirable and in the best interest of the Corporation to amend the By-laws of the Corporation as approved by the membership of Corporation; and

WHEREAS, the Village of Minoa Board of Trustees last approved a version of Bylaws dated (“received”) 2/13/04 which Bylaws are intended to be amended by the proposed amended Bylaws; and

NOW THEREFORE, IT IS HEREBY,

RESOLVED, that the Village of Minoa Board of Trustees hereby adopts, approves and authorizes the amendment of the Village of Minoa Fire Department, Inc.’s By-laws as follows:

1) The introductory paragraph to Article IV, Section 1 shall be deleted in its entirety and replaced with the following language:

“Membership. Membership is a privilege and not a right. No person shall become a Member except upon fulfillment of

requirements of Membership stated herein and in any Policies. In order to ~~maintain as a member in good standing~~ one must meet all requirements as set forth in the Policies.”

2) Article IV, Section 1(A)(3) shall be deleted in its entirety and replaced with the following language:

“Inactive Members. Inactive Members are formerly Active Members (not merely Probationary Members) that have failed to maintain attendance requirements at training, or drills. Inactive Members may attend training and drills in order to be restored to Active Member status.”

3) The two introductory paragraphs in Article IV, Section 1(A)(4) shall be deleted in its entirety and replaced with the following language:

“Life Members. Life Members may speak on any issue and participate in committee meetings, regardless of ability to vote. They shall have all social privileges of an Active Member. Life Members may vote and serve as Executive Officers or Directors.

Any persons requesting Life Member status shall deliver its application to the Secretary for submission to the Active Membership for approval. To be eligible for consideration as a Life Member, a person either:”

4) Article IV, Section 1(A)(5) shall be deleted in its entirety and replaced with the following language:

“Support Members. Support Members shall not participate in providing emergency services. Support Members may attend social functions but shall not vote at any meeting, hold any office or serve as a Director, speak at any meeting without permission from the President, or participate in any emergencies, rescues, standbys, drills or training. The Membership may limit the number of persons eligible for such Membership. No such Member shall be under the age of eighteen.”

5) Article IV, Section 1(A)(6) shall be deleted in its entirety and replaced with the following language:

“Restrictive Firefighter. Active Restrictive Firefighters are those individuals between the age of 16 & 18 years of age who may participate in restricted firefighter activities only as set forth by the Policies of this department, and which in any event shall not include the right to vote.”

6) Article IV, Section 1(A)(7) shall be deleted in its entirety and replaced with the following language:

“Junior Firefighters. Junior firefighters are members under the Boy Scout Explorer program meeting their age requirements. Participation is limited by the Boy Scouts guidelines and the Policy and procedures of the Minoa Fire Department.”

7) A New Article IV, Section 1(A)(8) shall be added with the following language:

“Honored Individual. This honor may be bestowed upon any outstanding supporting individual deemed worthy of this honor by the Active Members. ~~An Honored Individual has~~ no rights and no privileges except upon invitation of the ~~Corporation.~~”

8) The first sentence of the second paragraph of Article IV, Section 1(M)(2) shall be deleted in its entirety and replaced with the following language:

“Any such Member appearing at the November Board of Directors meeting shall present (i) good cause for their failure to comply, and (ii) a plan to meet the Membership ~~requirement~~ and/or become active, as the case may be, in the future.”

9) Article IV, Section 5 shall be deleted in its entirety and replaced with the following language:

“Annual Election. The Annual Election shall be held on the First Regular Meeting in December, at such time and place as the Board shall choose on notice to the Members. All Directors, Executive Offices and Line Officers shall be elected at the meeting.”

10) A second paragraph shall be added to Article IV, Section 6 with the following language:

“All nominations must be received 14 days before the Annual Election. This gives the Nomination Committee time to check all qualifications and requirements for the position the candidate is running for. If a ~~Member~~ cannot attend the Annual Election, they can receive an absentee ballot from the Nomination Committee. ~~Absentee ballots~~ must be sealed and returned to the Nomination Committee, ~~not later than~~ the day before the election and will be opened at the Annual Election.”

11) The first sentence of Article IV, Section 7 shall be deleted in its entirety and replaced with the following language:

“Regular Meetings. Regular Meetings of the Corporation shall be held on Monday twice each month at a time to be determined and announced and shall continue until such meeting is properly closed by vote of the Active voting Members.”

12) Article V, Section 6 shall be deleted in its entirety and replaced with the following language:

“Election Procedure. At the annual election, Executive Officers and Directors of the Corporation shall first be elected, each by secret ballot. Each position shall be taken by the candidate from that position with the most votes, as provided at §VI(2), paragraph (2) hereof. The President, Vice-President, Recording Secretary and Treasurer shall automatically have seats on the Board of Directors, as shall the Chief. Members eligible to vote shall then vote by secret ballot, and each position must be won by the most votes, to fill the remaining seats.

a) Vote of No Confidence. ~~All Executive Officer positions shall be subject to a mandatory No Confidence vote after one year of service in a two year term. Accordingly, such officer may be removed from office by a majority vote of Voting Members. In such event, the procedure described at §VI(3) for vacancies shall be utilized by the Nominating Committee to replace a removed officer.~~

13) Article V, Section 12 shall be deleted in its entirety and replaced with the following language:

“Regular Board Meetings. The Board shall meet monthly, or otherwise as the Board shall deem necessary.”

14) Article VI, Section 1 shall be deleted in its entirety and replaced with the following language:

“Executive Officers. Executive Officers (sometimes referred to herein as “Officers” must be Directors of the Corporation. The Executive Officers of this Corporation shall consist of a President, Vice-President, Recording Secretary (a/k/a Secretary) and Treasurer. Line Officers shall not be considered Executive Officers of the Corporation for purposes of these Bylaws. Members who are non-residents of the State of New York may not be appointed or elected to any Executive Office.”

“A. Administrators. Administrators need not be Directors of the Corporation. These are optional positions that may consist of a Corresponding Secretary, Chaplain and such other positions, and with such power and duties not inconsistent with these Bylaws as may be determined by the Board of Directors. The Bylaws and Policies of the Corporation may provide further requirements for appointment to such positions. The President with the approval of the Board of Directors may appoint and/or hire any person to provide expertise in financial, legal or any other matters concerning the Corporation.”

15) Article VI, Section 5 shall be deleted in its entirety and replaced with the following language:

“Vice President. The Vice-President shall have at commencement of his term one (1) year prior experience as a Board Member and in the absence of the President, exercise all the functions of the President and all other duties assigned to him by the President.”

16) The third sentence of Article VI, Section 6 shall be deleted in its entirety and replaced with the following language:

“The Secretary shall maintain a written record of each Member, regardless of status, including name, age, date of Membership, and all information related to his service as a Member.”

17) The second sentence of Article VII, Section 3 shall be deleted in its entirety and replaced with the following language:

“Qualifications for Line Offices. In addition to the Bylaws, the Policies may dictate certain qualifications, duties, restrictions, prohibitions and powers of Line Officers. A candidate shall at minimum have at least four (4) years as an Active Member of this department at commencement of a term and must have a primary residence in the Minoa fire district. If an Active Member has five (5) or more years with another Fire Department, he or she may run for entry level line officers position at the commencement of two (2) years with the Minoa Fire Department. Only Members eligible to vote may be elected as Line Offices. In addition the candidate shall have completed and delivered proof of such completion to the Secretary of the following: (i) the N.Y.S. Basic Firefighter Course (Essentials of Firefighting) or higher level, Pump Operators Training Course, Basic First Responder (in house course) and hold a current CPR certificate for the term of office, (ii) such candidate shall also have completed a minimum of ten (10) hours annually of additional education/training in either the Firefighting, EMS or

administration categories. Such education/training shall be in addition to the normal or standard department training. In the event no Member qualifies or is willing to accept nomination for an elected office, the nominating committee shall reconvene as soon as is possible following the annual election or announcement of a vacancy. The nominating committee will announce any qualified nominations at the next Regular meeting. Only Members eligible to vote may be elected as Line Officers”

18) A new Article VII, Section 3A shall be added with the following language:

“If an active member has five or more years with another fire department, he or she may run for an ~~Entry Level~~ Line Officers position at the commencement of two years with the Minoa Fire Department. Must meet the requirements of the position as stated above.”

19) Article VII, Section 5 shall be deleted in its entirety and replaced with the following language:

~~“No Confidence Provision. All Chief, Deputy, First and Second Assistant Chief positions shall be subject to a mandatory No Confidence vote after one year of service on a two year term. Accordingly, such chiefs may be removed from office by a majority vote of voting Members. In such event, the procedures described at §VI(3) for vacancies shall be utilized by the Nominating Committee to replace a removed chief.”~~

20) Article VII, Section 6(A) shall be deleted in its entirety and replaced with the following language:

“Shall at the time of taking office, have a least four (4) years as a Line Officer in the Corporation with at least one (1) year of which will be as a chief officer.”

21) Article VII, Section 6(B) shall be deleted in its entirety and replaced with the following language:

“The Chief shall have exclusive control of the Line Officers, its Members, and all apparatus and fire equipment at all fires, emergencies, alarms, drills, inspections, fire schools, or training sessions pertaining to fire fighting or other emergencies. He shall suspend any member, who refuses to perform his duty, or who is engaging in acts detrimental to the department; such suspension is to be reviewed by the Board or Directors at its next regular meeting. He shall ensure that a record is maintained of all fires

attended by the Corporation, including the date, location, property owner, probable cause and estimated damage or loss to property involved in each fire. With regard to emergency rescue calls, the Chief shall ensure that a record is maintained for all such calls containing information as is deemed appropriate. It shall be his duty to investigate all fires or alarms of fires and report the same at each Regular Meeting. The Chief shall arrange for the purchase of all items pertaining to fire apparatus, firematic supplies or emergency equipment. He shall assign the duties of training, parades, equipment and vehicle upkeep to the Line Officers of the Corporation. The Chief shall appoint any person or persons needed to insure the proper performance and safety of the operation.”

22) Article VII, Section 15 shall be deleted in its entirety.

23) The introductory paragraph of Article VIII, Section 2(B) shall be deleted in its entirety and replaced with the following language:

“Bylaws / Policy Committee. This Committee shall consist of the President, Chief and at least three (3) other Active Members and Life Members appointed by the President and ratified by the Board of Directors elected each year from the Membership. All active Members are eligible for election. This Committee shall complete the following:”

24) Article XIV shall be deleted in its entirety and replaced with the following language:

Amendments

“1. Amendments. These Bylaws may be amended, altered or repealed and new Bylaws may be added (a “change”) only if one of the following occurs:he current Law changes;

- a) A Bylaw is not clear, or is in contradiction with another Bylaw or the law; and
- b) The Board of Directors ~~determines by majority vote it is~~ necessary or appropriate to make a change.

2. Changes. The procedure for submitting a change to a Bylaw will be as follows:

- a) Submit such change to the Bylaw Committee for review and their recommendation to the Board of Directors for approval or denial;

- b) If approved by the Board of Directors the change will be brought before the membership for approval. A (2/3) vote of the Members eligible to vote in such affairs shall be required for approval of a Bylaw change.
- c) All bylaw changes will be voted on once a year. All changes must be submitted to the Bylaw Committee by the end of January. This vote will take place on the 2nd meeting in March.

Note – See **Policies** for in depth procedures and forms necessary to submit a change to these Bylaws.

Such Vote may be taken at a regular meeting providing that the text of the proposed amendment shall have been included in the mailing to the Membership (not just the Active Voting Members) at least ten (10) days prior to the meeting. Any alteration to the proposed amendment which is proposed at the meeting at which the vote will be taken may be voted upon at the same meeting without further notice to the Membership. No amendment shall be made to these Bylaws which conflict with the Policies of a state agency with respect to the Corporation activities, unless, on advice of legal counsel and after vote of the Members, such policy is opined to be beyond the agency’s legal authority or is deemed morally repugnant by the Corporation. All amendments shall be submitted to the Village Board for approval and shall become effective when approved by the Village Board or if no action is taken by the Board within forty (40) days after submission to the Board. Any Bylaw amendment rejected by the Village Board shall not become effective.”

AND IT IS FURTHER RESOLVED, that the By-Laws of the Corporation shall be formally amended to reflect the foregoing.

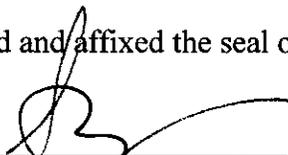
Upon motion made by Trustee Champagne, and seconded by Brazill, the question of adoption of the foregoing resolution was put to a roll call, which resulted as follows:

William Brazill, Trustee	<u>Aye</u>
John Champagne, Trustee	<u>Aye</u>
Edmond Theobald, Trustee	<u>Aye</u>
Ronald Cronk, Trustee	<u>Aye</u>
Resolution was adopted on	April 7, 2008

CERTIFICATION

I, the undersigned, Clerk of the Village of Minoa, Onondaga County, New York, do hereby certify: that the above is a true copy of the original resolution passed at a meeting of the Minoa Village Board on April 7, 2008.

IN WITNESS WHEREOF, I have set my hand and affixed the seal of said Village this 7th day of April, 2008.



Suzanne Shider, Village Clerk and
Treasurer of the Village of Minoa

PER BOARD RESOLUTION:
AS OF:

4/7/2008
2/29/2008

TRANSFER IN APPROPRIATIONS GENERAL FUND					
FROM	TITLE	AMOUNT	TO	TITLE	AMOUNT
A1325.10	Treasurer - Personal Services	\$ 800.00	A1325.41	Clerk/Treasurer - Newsletter Exp.	\$ 800.00
A1325.10	Treasurer - Personal Services	\$ 3,000.00	A8020.42	Planning - Annual Implement / MS4	\$ 3,000.00
A9010.81	State Retirement - EMI	\$ 6,806.50	A9010.80	State Retirement	\$ 6,806.50
A3410.20	Fire Dept - Fire/Rescue Equipment	\$ 1,000.00	A3410.43	Fire Dept - Vehicle Repairs	\$ 1,000.00
A3410.20	Fire Dept - Fire/Rescue Equipment	\$ 2,500.00	A3410.47	Fire Dept - Attorney Fees	\$ 2,500.00
A4540.49	Ambulance - Multimed Commissions	\$ 2,500.00	A4540.41	Ambulance - Oil, Lubes, Fuel	\$ 2,500.00
A1320.10	Internal Auditor	\$ 6,713.00	A1440.4	Engineer - Contractual Expense	\$ 6,713.00
A5142.20	Snow Removal - Equipment	\$ 3,000.00	A5142.1	Snow Removal - Personal Service	\$ 3,000.00
A1640.40	Central Garage - Misc Contractual	\$ 1,000.00	A1640.11	Central Garage - MEO/Mechanic OT	\$ 1,000.00
INCREASE THE FOLLOWING BUDGET LINES:					
A2260	Codes Enforcement (Fayetteville Codes Contract)	\$ 13,333.00	A3620.10	Safety & Bldg Inspector - Personal Svc.	\$ 13,333.00
A3389	Other Public Safety (Justice Grant)	\$ 2,099.48	A1110.2	Village Justice - Equipment	\$ 2,099.48
A2680	Insurance Recoveries (NYMIR Engine 24)	\$ 8,025.00	A3410.43	Fire Department - Vehicle Repairs	\$ 8,025.00
SCHEDULE "D"					