

DISTRIBUTION LIST

**Richard Donovan, Mayor
Edmond Theobald, Trustee
Ronald Cronk, Trustee
William Brazill, Trustee
John Champagne, Trustee
Thomas Petteerelli, DPW Superintendent
Janet Stanley, Justice
Richard J. Greene, Codes Enforcement Officer
Chief Pat Flannery
Koegel & 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
DECEMBER 21, 2009**

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 December 21, 2009.

PRESENT: Mayor Donovan
Trustee Brazill
Trustee Champagne
Trustee Cronk
Trustee Theobald
Attorney Steve Primo
Clerk/Treasurer Snider
Attendant Mike Macko

ABSENT: None

ALSO PRESENT: Thomas Petteerelli, Chris Beers, Dan DeLucia, David Witmer, Taylor Donovan, Marc Donovan, John Donovan, and John Sears

Mayor Donovan opened the meeting at 7:40 p.m. with the Pledge of Allegiance led by his grandchildren, Taylor Donovan and Marc Donovan.

MINUTES OF VILLAGE BOARD MEETING – DECEMBER 7, 2009

A motion was made by Trustee Champagne and seconded by Trustee Cronk to accept the minutes of the December 7, 2009 Village Board Meeting as recorded. All in favor. Motion carried.

CENTRAL NEW YORK STORMWATER COALITION

Mayor Donovan said the agreement involves a countywide consortium that will eventually pick-up the legwork required to manage the MS4 Program. Mayor Donovan said the current agreement did not require any fees to participate because the Coalition is in the discovery phase, but could possibly include fees in future years and would require a new agreement. He

said that Tioga County is currently participating in an active Coalition and one engineer responds to all of the questions from the participating municipalities and helps to save costs. Trustee Champagne asked if Robert Wolf would still be involved and Mayor Donovan said that Steve Giarrusso, Thomas Petterelli and Richard Greene would remain active as the MS4 management team. Mayor Donovan said the goal is to reduce MS4 related costs for municipalities.

CENTRAL NEW YORK STORMWATER COALITION

A motion was made by Trustee Champagne and seconded by Trustee Theobald authorizing Mayor Donovan to sign the Central New York Stormwater Coalition agreement attached hereto as Schedule "A" for the purpose of exchanging information, identify and promote discussion of issues of mutual concern facing MS4 communities in Central New York. All in favor. Motion carried.

RESCHEDULE BOARD MEETINGS

A motion was made by Trustee Brazill and seconded by Trustee Cronk to reschedule the following Village Board Meetings: reschedule January 18, 2010 to January 19, 2010 and reschedule February 15, 2010 to February 16, 2010 because of holidays. All in favor. Motion carried.

SCHEDULE BUDGET WORKSHOP MEETINGS

A motion was made by Trustee Cronk and seconded by Trustee Brazill to schedule budget workshop meetings for Fiscal Year 2010-2011 for March 3, 10, and 17, 2010 at 6:00 p.m. All in favor. Motion carried.

CONDEMNATION PROCEEDINGS / 312 S. MAIN STREET / RICHARD F. HEMMERLEIN

Attorney Primo said that the Board had received notification from Richard Greene, Codes Enforcement Officer, requesting permission to move forward with Condemnation Proceedings for the property located at 312 S. Main Street and owned by Richard F. Hemmerlein. Attorney Primo said that proper notification for an unsafe building would need to be sent to the property owner and/or bank before proceedings can begin.

Clerk/Treasurer Snider said that notification has been sent to Dr. John F. Hemmerlein, Executor of the Estate, without any response from the owner. She said there were a few interested buyers of the property, but the bank, Homecomings Financial, has not discussed any of the proposed offers. Clerk/Treasurer Snider said that Mr. Greene does not want the building to be demolished because of the potential buyers; he just wants someone to take responsibility for the property and maintain it properly.

Attorney Primo said the request from Richard Greene, Codes Enforcement Officer, to place an unsafe building notification can be done without having the Board's approval. Attorney Primo said that his request for a Condemnation Proceeding needs to be noticed first and will provide him with previous proceeding information from the property located on Fay Lane. He said the unsafe building notification would need to be sent to the bank and the property owner before condemnation proceedings can begin.

INTERMUNICIPAL AGREEMENT / CODES ENFORCEMENT /

A motion was made by Trustee Brazill and seconded by Trustee Champagne authorizing Mayor Donovan to enter into an Intermunicipal Agreement for Codes Enforcement Services with the Village of Fayetteville contingent upon their approval in the amount of \$43,533.00

**VILLAGE OF
FAYETTEVILLE**

annually and paid at the end of each quarter in the amount of \$10,883.25 directly to the Village of Minoa. All in favor. Motion carried.

AMBULANCE

H1N1 VACCINATIONS FOR AMBULANCE AND FIRE DEPARTMENT STAFF

Mayor Donovan reported for informational purposes only that the New York State Department of Health will have H1N1 vaccinations available for the Minoa Ambulance and Minoa Fire Department staff on December 22 and 28, 2009 at no cost. Trustee Brazill said that Dr. Markham will be training advanced providers on the proper techniques for delivering the injections, as well as how to verify information collected. Trustee Brazill said that eventually the Village of Minoa will participate in offering the seasonal flu vaccine under Dr. Markham's supervision.

DALE BECHTEL / ACCRUED SICK DAYS

A motion was made by Trustee Brazill and seconded by Trustee Cronk authorizing Dale Bechtel to use twenty-four (24) hours of accrued sick time in 2009 for 2010 per employee's written request. All in favor. Motion carried.

RATIFY PRIOR APPROVAL FOR DALE BECHTEL TO ATTEND ACLS REFRESHER COURSE

A motion was made by Trustee Theobald and seconded by Trustee Champagne ratifying prior approval giving permission for Dale Bechtel to attend the ACLS Refresher Course on December 17, 2009, Manlius Fire Department, Manlius, NY at no cost. All in favor. Motion carried.

FIRE DEPARTMENT

MEMBERSHIP IN THE MINOA FIRE DEPARTMENT - SUPPORT

A motion was made by Trustee Champagne and seconded by Trustee Brazill accepting for support membership in the Minoa Fire Department the following individual: Timothy Bennett, 4107 Pine Hollow Drive, Liverpool, NY 13090. All in favor. Motion carried.

DPW

HOLIDAY DPW HELP – JOSHUA MARKO

A motion was made by Trustee Champagne and seconded by Trustee Cronk ratifying prior approval to authorize DPW Superintendent Petterelli to return summer DPW employee Joshua Marko to work on Tuesdays and Wednesdays to help with trash pick-up during the holiday season at his same summer hourly rate of \$8.50 per hour effective December 16, 2009. All in favor. Motion carried.

WWTF

Nothing to report.

TRUSTEES' REPORT

Trustee Champagne said he changed the sign at Lewis Park to reflect the no on-street parking rule.

RESIGNATION OF TRUSTEE THEOBALD EFFECTIVE 12/31/2009

Trustee Theobald provided his resignation effective December 31, 2009 to begin his position as Supervisor for the Town of Manlius. The Board accepted his resignation.

Trustee Champagne thanked Trustee Theobald for all of his help and support throughout the years. He wished him the best of luck in his new position as Town of Manlius Supervisor.

Trustee Theobald said that it's been an honor and a privilege to work with the Village of Minoa. He said that he has enjoyed working with the Board of Trustees, Department Heads, Village of Minoa staff members and Attorney Primo. Trustee Theobald said that he looks forward to continuing their working relationship and has had numerous meetings with different Village Board members. He said that his experience as a Trustee has built a tremendous foundation for the position he is about to undertake and values his experience with the Village of Minoa.

Trustee Cronk said that he was going to miss Trustee Theobald on the campaign trail and thanked him for all of his hard work. He wished him the best of luck in his new endeavor. Trustee Cronk wished everyone on the Board a Happy Holiday.

Trustee Brazill said that he has had a lot of pleasant history working with Trustee Theobald and wished him luck in his new position. He said that it's a first for a Village of Minoa Trustee to win the position of Supervisor and he looks forward to working with him.

Trustee Cronk said the ice rink at Rees Field has been installed and hopes that the residents are able to take advantage of the rink. Trustee Brazill said that the rink was completed in the basketball court at Rees Field. Mayor Donovan thanked Thomas Petterelli and the DPW employees for all of their hard work installing the ice skating rink.

Trustee Brazill read the following election results for the Minoa Fire Department:

- President – Dennis Erard
- Secretary – Wendy Czajak
- Board of Directors – Alan Archer, Ernie Green, Dave Matthes Jr., Matthew McGarrity, Rich Sabin, Al Tompkins and Dave VanMarter
- Chief – Patrick Flannery
- 1st Assistant Chief – Matthew McGarrity
- Captain Station I – Erich Schepp
- Captain Station II – Jim Taft
- Lieutenant Station I – Dave Hess and Nick Carulli
- Lieutenant Station II – Chuck Spratt and one open position

Trustee Brazill said the newly elected would be sworn in at the January 5, 2010 Village Board Meeting.

Trustee Brazill thanked everyone who participated in the Critical Response Committee drill and said that Minoa was represented well and they were impressed with the Village of Minoa's emergency plans.

MAYOR'S REPORT

Mayor Donovan said that the request for the turn signal for Fremont Road and North Central Avenue was approved by the Onondaga County Department of Transportation and funding is available with the project expected to begin in spring 2010.

Mayor Donovan reported that he had met with department heads and had instituted a restricted budget based on the uneasy financial climate with Onondaga County and New York State. Mayor Donovan said that he would be attending Onondaga County Legislature meetings regarding sales tax contract negotiations.

Mayor Donovan said that he was unable to attend the Critical Response Committee, but was impressed that Trustee Brazill, the Board, and employees attended the meeting and were well trained. He said that it was important that everyone be familiar with the emergency plan in the event of a disaster. Mayor Donovan said that he attended a NYCOM meeting that emphasized an intermunicipal agreement called WARN between municipalities that would enable DPW and Sewer Departments to reach out for help with equipment and/or labor.

Mayor Donovan said that he was impressed with the quick installation of the ice skating rink at Rees Field. Discussion ensued regarding the weather and the accessibility of the skating rink.

Mayor Donovan said that he enjoyed working with Trustee Theobald and said that he has a lot of hard work ahead of him as the new Town of Manlius Supervisor. Mayor Donovan said that he looks forward to working with Trustee Theobald in his new position and wished him good luck and told him that he appreciated working with him.

ATTORNEY'S REPORT Nothing to report.

TREASURER'S REPORT – NOVEMBER 2009 A motion was made by Trustee Brazill and seconded by Trustee Champagne to accept the Treasurer's Report for the month of November 2009 as recorded. All in favor. Motion carried.

AUDIT CLAIMS A motion was made by Trustee Champagne and seconded by Trustee Brazill that claims on Abstract #14 in the amounts of General Fund - \$73,314.41 (Vouchers 559-596); and Sewer Fund -- \$18,495.55 (Vouchers 235-251) for a total of \$91,809.96 be audited and paid. All in favor. Motion carried.

PUBLIC COMMENTS David Witmer said that he had attended the Planning Board Site Plan Application Public Hearing for Trappers II located at 101 & 107 N. Main Street and expressed concern that a few of the neighbors opposed the project, but that the Planning Board had approved the Site Plan Application anyway.

Attorney Primo said that the Planning Board's authority is limited because of the permitted use and the purpose of the Public Hearing, which is typically optional in other municipalities, is to take public comment into account when making accommodations on the Site Plan Application. He said the comments in this case pertained to the lighting and the fencing and the Board did not have authority to deny the application, but they did have authority to suggest reasonable accommodations with respect to the neighbors. Attorney Primo said that the uses permitted was already approved via the Zoning Code and the Public Hearing did not pertain to the use, but to the layout of the project.

Mr. Witmer said that there was a 10' fence around the property and thought that was not allowed in the Village of Minoa. Attorney Primo said that commercial properties are not limited to the 6' fence height in residential neighborhoods and it was approved for the 10' fence, as it was a commercial property. Attorney Primo said that though the fence is higher than normal, it would be a good filter for light and noise for the neighborhood.

Mr. Witmer said that he did not believe that the fence would prevent any noise and that visually the fence would be inappropriate in the middle of the village and out of place. He said that he would like to see a 6' fence and then mesh above that because it would be less noticeable.

Dan DeLucia, Planning Board Member, said that the Planning Board decided a 10' fence would act as a noise and light barrier, which would benefit the neighborhood. Mr. Witmer said that it would not cut down on the noise. Discussion ensued regarding fences and noise reduction.

Mr. Witmer asked if there was a noise ordinance for the Village of Minoa and Attorney Primo said that in Section 98 of the Village Code has a noise ordinance provision. Trustee Brazill suggested that Mr. Witmer contact the Village Office for a copy of the code and to talk to the Codes Enforcement Officer. Discussion ensued regarding decibel measurements and what is considered unnecessary noise. Mr. Witmer said he does want the restaurant; he just does not want the loud noise in his residential neighborhood. Attorney Primo asked that they include the hours of operation on the Site Plan in the event of codes enforcement issues. Attorney Primo said that Greg Rinaldi, owner of Trapper's II, was agreeable to limiting late evening hours and added it to the plan. Attorney Primo said that he did not need to limit business hours because of the permitted use of the property, but was agreeable to shortening the hours.

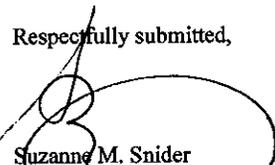
John Sears asked where the Hemmerlein property was located at and Mayor Donovan said it's located on 312 S. Main Street.

Mayor Donovan said again for the record that he would not appoint anyone for Trustee Theobald's vacated position and it would be included on the March 16, 2010 ballot for a two year slot. He said that if anyone is interested in running for the Trustee position, they should clarify if they are running for the four year or two year term on their petition.

ADJOURNMENT

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

Respectfully submitted,


Suzanne M. Snider
Village Clerk/Treasurer

RESOLUTION SUPPORTING THE
CREATION OF AND PARTICIPATION IN THE
CENTRAL NEW YORK
INTERMUNICIPAL STORMWATER COALITION

WHEREAS, the Village of Minoa has been designated a
Municipality

Municipal Separate Storm Sewer System (MS4) community and has filed for coverage under NYS Department of Environmental Conservation SPDES General Permit for Stormwater Discharges from MS4s (GP 0-02-002), and

WHEREAS, as a condition of obtaining coverage under the General Permit, the
Village of Minoa must develop and implement a
Municipality

stormwater management program which addresses six minimum control measures designed to protect the quality of stormwater runoff and which must also include a reduction of any pollutants of concern as specified in the 303(d) list and/or TMDL, and

WHEREAS, the Village of Minoa recognizes that,
Municipality

because watersheds and separate storm sewer systems cross municipal boundaries and because there are opportunities to reduce duplication of services, take advantage of economies of scale, better coordinate regulatory requirements and enforcement actions, secure state grants for regionally supported projects, improve water quality, and reduce flooding by working collaboratively, the Village of Minoa should work with
other Central New
Municipality

York (CNY) MS4 communities to identify and analyze options for meeting the requirements of the General Permit, and

WHEREAS, there has been proposed an intermunicipal organization entitled the Central New York Stormwater Coalition, (Coalition) and

WHEREAS, it is the intended purpose of the Coalition to foster the exchange of information, identify and promote discussion of issues of mutual concern facing MS4 communities in CNY, foster cooperation among participating MS4 communities in addressing issues that are of mutual concern, propose recommendations and make reports which identify mutually-beneficial solutions to the concerns facing the participating MS4 communities, and to seek funding sources and/or sustainable funding mechanisms which may help to accomplish the goals of the Coalition and the participating MS4 communities, and

WHEREAS, an intermunicipal stormwater coalition will provide a mechanism for coordinating the implementation of regional solutions by the participating MS4 communities,

NOW THEREFORE BE IT RESOLVED that the
Village of Minoa Municipality supports the creation of an intermunicipal stormwater coalition comprised of designated MS4 communities in CNY and that by adoption of this resolution acknowledges its participation in said Coalition as described in Attachment A, and

FURTHER BE IT RESOLVED that the Village of Minoa Municipality, having expressed its desire to participate in the intermunicipal stormwater coalition, will designate an official representative to the CNY Stormwater Coalition under separate cover.

ATTACHMENT A

1. The title of the intermunicipal organization shall be the Central New York Stormwater Coalition (Coalition).
2. As supported through this Resolution, the Coalition will be in effect through December 31, 2010. Any participating municipality can withdraw from the Coalition with thirty (30) days written notice to the other municipalities participating in the Coalition.
3. The Coalition will operate under the following temporary governing structure through December 31, 2010:
 - a. Each participating municipality will designate an official representative to serve on the Coalition. The designee shall be responsible to attend and participate in scheduled meetings of the Coalition and to transmit stormwater policy issue questions to his or her municipality. The designee shall also be responsible to obtain stormwater policy issues from their represented municipality and to share those issues for discussion with Coalition members. Each participating municipality may also designate additional representatives to participate in the work of the Coalition in cooperation and coordination with the official representative as appropriate.
 - b. Regular meetings of the Coalition will be scheduled at least two weeks in advance. No more than one regular meeting will be scheduled within a given month.
 - c. Special meetings may be called at the request of three or more Coalition members. Special meetings will require advance notification of five business days.
4. The Coalition will work toward developing an Intermunicipal Agreement outlining the long term roles and responsibilities of the participating members and a permanent organizational structure which will be ratified as organizational by-laws governing the election of officers, the conduct of its proceedings and other administrative matters as deemed appropriate by the membership.
3. The Central New York Regional Planning & Development Board (CNY RPDB) will serve as the coordinator/facilitator of the Coalition through December 31, 2010. CNY RPDB will serve in an advisory capacity by assisting the participating municipalities to: identify and frame issues for discussion; advance the development of a long-term organizational structure; advance the development and implementation of regionally based compliance strategies; develop sustainable funding mechanisms. CNY RPDB will provide staff support to the Coalition including preparing meeting notices, agendas and minutes.

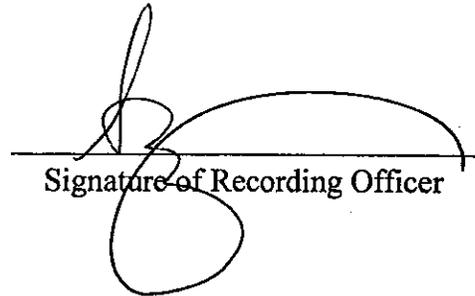
4. Existing grant funds will be used to support the CNY RPDB's role through December 31, 2010.

5. Each participating municipality shall retain sole responsibility for implementing their individual stormwater management programs and will hold harmless all other municipalities participating in the Coalition, for liability arising as a result of its own acts and omissions, or the acts and omissions of other participating municipalities regarding activities under this agreement.

CERTIFICATE OF RECORDING OFFICER

That the attached Resolution is a true and correct copy of the Resolution, as regularly adopted at a legally convened meeting of the Village of Minoa Board of Trustees (Name of Governing Body of Applicant) duly held on the 21 st day of December, 2009; and further that such Resolution has been fully recorded in the Minutes in my office. (Title of Record Book)

In witness thereof, I have hereunto set my hand this 21st day of December, 2009.


Signature of Recording Officer

If the Applicant has an Official Seal, Impress here.

Village Clerk-Treasurer
Title of Recording Officer

Central New York Stormwater Coalition
Municipal Representative Designation
Form

The Village of Minoa designates
Municipality

Mayor Richard J. Donovan to serve as its representative on the
Name of Designated Representative

Central New York Stormwater Coalition through December 31, 2010. Municipal representatives are responsible to attend and participate in scheduled meetings of the Coalition and to transmit stormwater policy issue questions to his or her municipality, to obtain stormwater policy issues from their represented municipality, and to share those issues for discussion with Coalition members.

Representative's Contact Information:

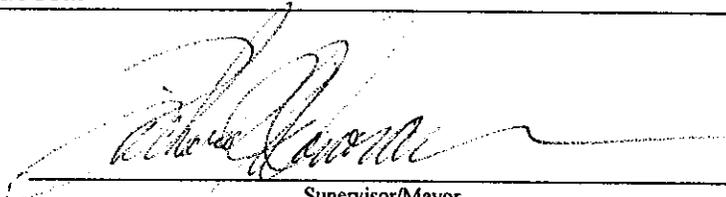
Designated Representative's Title: Mayor

Street or PO Box: 240 N. Main Street

City/Town: Minoa Zip Code: 13116

Telephone: (315) 656-3100

E-Mail: rdonovan@villag_ofminoa.com



Supervisor/Mayor

12/21/2009

Date