

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 DeSiato, Superintendent ESM School District
Manlius Historical Society
Minoa Library
John Regan

July 14, 2008

PUBLIC HEARING LOCAL LAW #4 FOR 2008 – PEDDLERS, SOLICITORS, & OUTDOOR FOOD SERVICE REGULATIONS Upon due notice to all members of the Village Board, the continuation of the Public Hearing was held on Monday, July 14, 2008 at 7:00 p.m. at the Municipal Building, 240 N. Main Street, Minoa, NY. The purpose was to consider the enactment of Local Law #4 for 2008 for the Village of Minoa relating to the amendment of the Village of Minoa Municipal Code relative to the regulation of peddlers and solicitors, and the establishment of a new Chapter 104 relative to the regulation of outdoor food service.

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

ALSO PRESENT: Minoa Fire Department Members: Ray Matthes, Peter Cipriano, Brad Cretaro (owner of Brad's Ice Cream Shoppe), Dennis Erard, Frank Greiner III, John Sears, and Thomas Petterelli

ABSENT: Mayor Donovan

CONTINUATION OF PUBLIC HEARING Deputy Mayor Brazill reconvened the Public Hearing to order at 7:03 p.m. for Local Law #4 for 2008 for the Village of Minoa relating to the amendment of the Village of Minoa Municipal Code relative to the regulation of peddlers and solicitors, and the establishment of a new Chapter 104 relative to the regulation of outdoor food service.

PUBLIC COMMENTS Peter Cipriano, Minoa Fire Department member, said that he was the treasurer since 1996 up until a year ago. He said the Minoa Field Days is their major fundraiser and as

they are an all volunteer fire department, the Field Days raises approximately \$25,000.00 for the incorporated side. Mr. Cipriano said they have a contract with Hawkins Amusement Rides that states they cannot have outside food vendors on the field selling similar items. Mr. Cipriano said that he feels it would be detrimental to the Minoa Fire Department to allow outside food vendors at the Field Days because they would lose their contract with Hawkins Amusement Rides, which would result in the need for additional financial support from the Village of Minoa. He said the Minoa Fire Department sent him as a representative to oppose outside food vendors.

Ray Matthes, former President of the Minoa Fire Department, said if they lose their rides they will be out of business and they use the fundraiser as a way to show appreciation to their firefighters by providing an annual clambake, t-shirts, annual dinner, etc.

Mr. Cipriano said that Hawkins Amusement Rides is a clean and reputable operation. He said they do not use any taxpayer funds for the corporate side of the Minoa Fire Department and fundraising efforts go towards retaining firefighters.

Brad Cretaro, Brad's Ice Cream Shoppe and member of the Minoa Fire Department, said that it was not a good idea for outside food vendors to come in and he has spoken to other food providers in the Village who all agree that it's difficult to survive in the village as it is. He said that he does not own his property or pay Village taxes, but he does contribute by paying rent. Mr. Cretaro said he was concerned that outside food vendors will take away business from the current owners and not contribute back to the Village of Minoa.

Trustee Theobald said that he was sorry that the other businesses could not attend the meeting and agreed with Mr. Cretaro. He said he encourages outside vendors to establish their business in the Village of Minoa first before allowing them to run outside vending food carts..

Deputy Mayor Brazill said the proposed law was written to protect existing businesses and that allowing outside vendors would hurt existing businesses. He said that it would be impossible to allow outside vendors at the Minoa Field Days.

Mr. Cretaro asked if established businesses in the Village of Minoa would be able to work as outside vendors and Deputy Mayor Brazill said the proposed law would give them the ability to have outside food carts.

Attorney Primo said the current law only addresses hawkers and solicitors, the new law would address outside food services, such as food carts. Attorney Primo said that

established businesses have the ability to contract with food vendors to sell food, but they must have a contract in place.

Attorney Primo said there are regulations in place for larger cities that don't necessarily apply to the Village of Minoa. Attorney Primo asked Mr. Cretaro what the requirements were by the Onondaga County Health Department to operate a food cart. Mr. Cretaro said the Onondaga County Health Department monitors his ability to clean utensils with a water supply and the ability to keep food heated or cold by generators. He said that he is required to have a three bay wash sink, generator with electricity, and that food has to be maintained at a specific temperature, etc. Discussion ensued regarding the requirements of the Onondaga County Health Department.

Attorney Primo said the Village cannot implement statutes above and beyond what the Onondaga County Health Department currently requires.

Trustee Champagne said that he would like to see established businesses or the Minoa Fire Department to provide food services at the concerts and movies in the parks. He said he would like them to have the ability to sell their products without competition and does not want the law to affect established businesses. Attorney Primo said the law would create exemptions for Village sponsored events and not for profit organizations.

Trustee Cronk asked what the requirements were for other Villages and Clerk/Treasurer Snider said she would call East Syracuse and request a copy of their approved law regarding outside food vendors.

Attorney Primo said that should they approve permits in the Local Law the fee would need to be analyzed and not cost prohibitive and the time period could be seasonal, six months, or on an annual basis.

Mr. Matthes said that for every concession that Hawkins Amusement Rides brings into the field they give a percentage to the Minoa Fire Department. Attorney Primo said that under any scenario the Minoa Field Days activities would be safe due to exclusivity and subject to reasonable regulation that outside vendors could not interfere with Village business.

Frank Greiner III arrived at 7:23 p.m. and Attorney Primo asked if he any comments.

Frank J. Greiner, 109 Creekview Path, Kirkville, read the following statement and submitted it to the Board along with a signed petition attached hereto as Schedule "A":

"The Village Board is changing the current Village policy that will not allow street

vendors to sell any food product with in the village limits unless they currently have a food establishment. I own a company called Frank's Franks. We currently operate at Dewitt Home Depot seven days a week. We also have permits to operate in the towns of Clay, Camillus, Cicero, Dewitt and East Syracuse. It is the Boards reasoning that they are protecting the other food establishments from other competition. We had applied for and were told that we could get a permit for the Village. Two weeks later they told us that we couldn't. They called a public hearing and I was the only person that showed up against the new law and there was not one single person there to support the changes being considered by the board.

We are asking the village to allow us to set up and offer our products to the village residents in front of the "New Village Office Building" for one night a week. We had hoped that on every Wednesday evening we could offer our full menu of Hofmann's Hot Dogs, Coneys, and Gianelli Sausage with peppers and onions, sauerkraut, chili, Texas hot meat sauce, chips, and a variety of cold drinks.

We felt that this would get the village residence to come down to the village center area and visit with friends and neighbors and get a nice hot meal at affordable prices.

We hope you will sign the petition in favor of not changing the law to prohibit the sale and the use of vending cart in the Village limits. Instead have them change the law to allow vendors such as myself to operate on a permit basis in the village limits.

Thank You."

Attorney Primo asked Mr. Greiner if the Board were to approve outside food vendors, where would he want to be situated within the Village? Mr. Greiner said he would like to park outside the Village Municipal Building.

Clerk/Treasurer Snider stated for the record that she did not tell Mr. Greiner that he would be approved for a permit and that she suggested that he submit his request in writing so that it could be reviewed and that the current requirements needed clarification by Attorney Primo and the Village Board.

John Sears asked what the reason was behind the proposed law. Attorney Primo said this issue presents itself every year and Clerk/Treasurer Snider contacted him for clarification, as it's a repetitive request that is not included in the Village Code. Attorney Primo said the Code only pertains to Peddlers and is an antiquated section. He said the Village Code did not cover the type of application that Mr. Greiner was applying for, and based on his interpretation of the Code and the Board's wishes, he advised Mayor Donovan not to approve the request.

Mr. Sears said that he's a fussy eater and has been to NYC, Chicago, Vancouver, and California. He said food vendors add to the community and it made his day. Mr. Sears said again that the Board runs on exclusion and not inclusion. He said he would like to see more than two bars in Minoa.

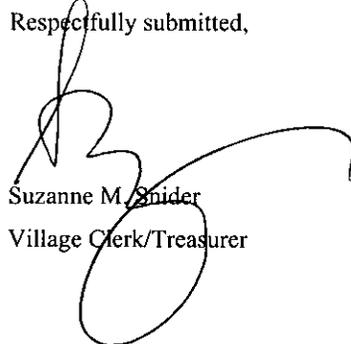
Mr. Greiner said that he had spoken to the owner of Parkway Pizza and they did not have any issues with him selling food from his hotdog cart.

Attorney Primo reiterated earlier comments made by audience members for Mr. Greiner's benefit and that the Minoa Fire Department would not be open to outside food vendors during the Minoa Field Days.

**PUBLIC HEARING
CLOSED**

A motion was made by Trustee Champagne and seconded by Trustee Cronk to close the Public Hearing for Local Law #4 for 2008 at 7:43 p.m. All in favor. Motion carried.

Respectfully submitted,



Suzanne M. Snider
Village Clerk/Treasurer

RECEIVED

JUL 1 2008

VILLAGE OF MINOA

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We are asking the village to allow us to set up and offer our products to the village residents in front of the "New Village Office

PETITION TO ALLOW VENDORS IN THE VILLAGE OF MINOA

NAME

ADDRESS

6/26/08	Francis R. Kinsella	448 East Ave Minoa NY 13116
6/26/08	Yvonne Perish	419 East Ave Minoa NY 13116
6/26	Nancy DORTBACH	405 East Ave Minoa NY 13116
6/26	Ruth S. Jones	405 East Ave Minoa NY 13116
6/26	J. David Smith	412 East Ave, Minoa, NY 13116
6/26	J. McWilliam	316 East Ave
6/26	Daphne Lang	211 East Ave
6/26	Robert E. Green	309 East Avenue Minoa NY 13116
6/26	Debbie Temple	233 East Ave Minoa NY 13116
6/26/08	Elizabeth H GURNIAR	207 Windbank Lane Minoa NY 13116
6/27	MISSARD	Central Square, NY
	Stephanie Baldwin	9424 Woods Rd. Bridgeport NY
	Virginia Costello	123 East Ave. Minoa NY 13116
	Agnes Howe	139 East Ave Minoa 13116

PETITION TO ALLOW VENDORS IN THE VILLAGE OF MINOA

NAME

ADDRESS

6/27/97

James Russo	403 Ferndale Ln Minoa, NY
Danny Bourgeois	405 Ferndale Ln Minoa
Chet R	501 Ferndale Ln. Minoa, NY
Kathleen Puchonis	503 Ferndale Lane Minoa NY
Bradley Hyde	505 Ferndale Lane Minoa NY
Kathy Jones	507 Ferndale Ln Minoa NY
Gretchen Goldstein	606 Ferndale Lane Minoa NY 13116
Stacey Messina	100 Fleetwood Ln Minoa 13116
Donna Clark	104 Fleetwood Ln. Minoa 13116
Rob Bell	106 Fleetwood
Richard	107 Fleetwood Lane Minoa, NY
Ross R Dwendorf	110 Fleetwood Ln Minoa NY 13116
Lynda	111 Fleetwood Lane Minoa NY 13116
Shirley Mungler	113 Fleetwood Ln Minoa 13

PETITION TO ALLOW VENDORS IN THE VILLAGE OF MINOA

NAME

ADDRESS

6/27/08

Sean O'Hearn	112 East Ave.
David Inm	410 Fay Lane
Betty Page	200 Elm St
Charles Page	200 Elm St
Fale Park	116 Willard St
Margaret Phillips	109 Willard St
Barbara Cretano	115 Willard St.
MT Rydell	119 W. 1102 St
Dawn Dailay	125 Elm
Thermal Fehr	113.5 Elm Street
Paul VFA	213 Elm St
Henry Albert	217 Elm St
Nancy Piro	225 Elm St.
Charles Long	109 S MAIAR St

PETITION TO ALLOW VENDORS IN THE VILLAGE OF MINOA ^{2m}

NAME

ADDRESS

6/27/01

Eileen Archer	121 Edgerton St
Alan Archer	121 Edgerton St
Lisa Abbott	108 Edgerton St.
April Abbott	108 Edgerton St.
Kathy Abbott	108 Edgerton St.
June Abbott	108 Edgerton St.
Mandy	107 Edgerton St
Eiji Bus	5202 Caughdenoy Rd
Paula Rose Wilson	5969 Clemens Rd.
LOUIS CRETANO	237 North Main St.
Orville Hornig	413 N. Main St.
Josh Marder	204 WOOD AVE
Rene H. Suppman	136 Dorely St Ave
Michelle Williams	144 Dorothy St Minoa

PETITION TO ALLOW VENDORS IN THE VILLAGE OF MINOA

NAME

ADDRESS

6/27/08

SILBEN DOT	301 N. MAIN ST MINOA NY
Kim Abbott	305 N. Main St. Minoa, NY
Anthony Froie	129 DOROTHY - ST
Vernon Stur	137 Dorothy St. Minoa, NY
Mary Joe	141 Dorothy St
Sally Cummings	505 Cheryl Lane Minoa
Ed Cummings	" " " "
Kathleen Khouri	507 Cheryl Lane, Minoa, N.Y.
Jessie Carriaglini	205 Helfer Lane, Minoa, NY
James C Crane	100 Teakwood Lane - Minoa NY
Betty Crane	" " " "
Kelle, F. Kelle	211 Helfer Lane
Joseph DiNatale	215 Helfer Lane
John W. Cello	217 Helfer Lane Minoa NY

PETITION TO ALLOW VENDORS IN THE VILLAGE OF MINOA

NAME

ADDRESS

Chris Ashe

6/27/08

Chris Ashe

224 Dorothy St

Angelo Di Natale

504 CHERYL LN, MINOA

Beth Borcia

200 Helfer Lane Minoa NY

Jackie Beebe

202 Helfer Lane

Mary E. Jannetti

214 Helfer Lane

Luby Kirsch

218 Helfer Lane

Guy George

220 Helfer Lane

John H. Riley

222 HELPER LN.

Mike Butterfeld

144 Helfer Ln

Maithlyn Stoughnessy

142 Helfer Lane

Roger

140 Helfer Lane

Lawrence

113 Johnson St

Michelle Parks

132 Osborne St.

Lillian Heffner

144 Osborne St

PETITION TO ALLOW VENDORS IN THE VILLAGE OF MINOA

NAME

ADDRESS

6-27-08 Chris Benz	145 Helfer Ln. Minoa
Elaine Chappell	143 Helfer Ln Minoa
Jan Inook	140 Helfer Lane Minoa
Leo & McEnty	131 Helfer Ln. Minoa
John Johnson	129 Helfer Lane Minoa
Kathy Casner	121 Helfer Lane Minoa
Allen Mullone	146 Osborne St
William Hynes	217 Osborne St.
Jim LARRY	225 OSBORNE ST.
Jeri Keyes	209 Edgerton St
Beatrice Brendell	212 Edgerton St.
Judy [unclear]	217 Edgerton St.
Janet [unclear]	308 Edgerton St
Jim [unclear]	316 PROCTOR ST

PETITION TO ALLOW VENDORS IN THE VILLAGE OF MINOA

NAME

ADDRESS

6/27/08

Dee Cooper	232 Edgewood Pl.
Jan Mapstone	228 Edgewood Pl.
Stanley W Kellich	400 Edgerton St.
CJ Washburn	415 Edgerton St.
Dorene Wright	309 Cheryl Ln.
Eleonore Pauline Smith	209 Fay Lane
James F Lawler	152 Fay Ln
Christine Mohrman	135 Fay Lane
Bill DeForge	212 Willard St.
Susan Stettin	201 Willard St.
Dawn McAlister	318 Willard St.
Heather England	113 Edgewood Pl
Herbert C. Smith	221 EDGEWOOD Pl.
Scott D. Smith	104 Teakwood Ln.