

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 Manlius
Village of Fayetteville
Donna DeSiato, Superintendent ESM School District
Manlius Historical Society
Minoa Library
John Regan

VILLAGE OF MINOA
BOARD OF TRUSTEES
July 16, 2007

July 16, 2007

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 July 16, 2007.

PRESENT: Mayor Donovan
Trustee Cronk
Trustee Brazill
Trustee Theobald
Trustee Champagne
Attorney Primo
Deputy Clerk-Treasurer Barbara Sturick

ABSENT: Clerk Snider

ALSO PRESENT: Thomas Petterelli, John Sears, and Minoa Fire Department
Members: Dave Matthes, Jr., Dave Matthes, Sr., Ray Matthes, and Brad Cretaro

Mayor Donovan opened the meeting at 7:35 p.m. with the Pledge of Allegiance led by Trustee Theobald.

MINUTES OF
CONDEMNATION
PROCEEDINGS -
JUNE 18, 2007

A motion was made by Trustee Brazill and seconded by Trustee Cronk to accept the minutes of the June 18, 2007 Public Hearing on Condemnation Proceedings as recorded. All in favor. Motion carried.

**MINUTES OF
VILLAGE BOARD
MEETING - JUNE 18,
2007**

A motion was made by Trustee Brazill and seconded by Trustee Theobald to accept the minutes of the June 18, 2007 Village Board Meeting as recorded. All in favor. Motion carried.

DPW

REQUEST PERMISSION TO ATTEND NYS ASSOCIATION OF SAFETY OFFICER TRAINING COURSES

A motion was made by Trustee Cronk and seconded by Trustee Champagne giving approval for Thomas Petterelli to attend the various NYS Association of Safety Officers Training Courses offered throughout the year at an annual rate of \$50.00. All in favor. Motion carried.

REQUEST PERMISSION TO ATTEND THE PLAYGROUND EQUIPMENT INSPECTION AND MAINTENANCE SEMINAR

A motion was made by Trustee Champagne and seconded by Trustee Theobald giving approval for Thomas Petterelli to attend the Playground Equipment Inspection and Maintenance Seminar held by NYMIR on July 25, 2007 in Phoenix, NY at no cost. All in favor. Motion carried.

PERMISSION TO BID FOR A HEAVY DUTY MOBILE LIFTING SYSTEM

A motion was made by Trustee Cronk and seconded by Trustee Theobald to go out for bid for one (1) heavy duty mobile lifting system to be split by departments as follows: Fire 50%, DPW 25%, Ambulance 15%, and Sewer 10%. All in favor. Motion carried.

ANIMAL CONTROL

FAYETTEVILLE VETERINARY HOSPITAL AGREEMENT

A motion was made by Trustee Brazill and seconded by Trustee Cronk authorizing Mayor Donovan to sign the Fayetteville Veterinary Hospital Agreement establishing a shelter at 8122 E. Genesee Street, Fayetteville, NY for dogs and cats seized by the Animal Control Officer. All in favor. Motion carried.

**MINOA FIRE
DEPARTMENT**

REQUEST PERMISSION TO ATTEND VIOLENT PATIENT MANAGEMENT COURSE

A motion was made by Trustee Brazill and seconded by Trustee Cronk ratifying prior approval for Ken D'Angelo to attend the Violent Patient Management Course offered by WAVES Ambulance on July 18 and July 25, 2007 at a total cost of \$75.00. All in favor. Motion carried.

REQUEST PERMISSION TO ATTEND FDNY "BLACK SUNDAY" SEMINAR

A motion was made by Trustee Brazill and seconded by Trustee Champagne giving

approval to Patrick Flannery, Fire Chief; to attend the FDNY “Black Sunday” Seminar offered by Taunton Fire Department on July 21, 2007 a total cost of \$20.00. All in favor. Motion carried.

PERMISSION TO BID FOR EPOXY FLOORING SYSTEM AT STATION II

A motion was made by Trustee Brazill and seconded by Trustee Cronk to go out for bid for an epoxy flooring system at Station II. All in favor. Motion carried.

POLE BARN REPAIRS

Trustee Brazill said that members of the Minoa Fire Department were in the audience to discuss the previously proposed Pole Barn repairs. Mayor Donovan said a committee meeting should be scheduled to discuss the pole barn, as the minutes and deed were located. Mayor Donovan said that each side needs to discuss the amount of money available and the approximate cost for repairs. It was agreed that they would meet on July 23, 2007 to discuss the Pole Barn before the next Minoa Fire Department meeting.

**MINOA
AMBULANCE**

CAPITAL LIVING AND REHABILITATION CENTRE AGREEMENT

Mayor Donovan reported that The Crossings Nursing Home & Rehabilitation Center would like an ambulance transfer agreement with the Village of Minoa for their emergency preparedness procedures to maintain their license. Mayor Donovan said he had spoken with Sharon Romer and the agreement in its current form is unacceptable, as it requires the Village to provide transfers to and from facilities. Mayor Donovan asked Trustee Brazill to review the agreement and work with Sharon Romer to adjust the agreement accordingly.

RATIFY PRIOR APPROVAL FOR ASSISTANT SUPERVISOR / NARCOTICS CONTROL OFFICER SALARY INCREASE FOR PATRICK HERRICK

A motion was made by Trustee Brazill and seconded by Trustee Champagne ratifying prior approval to increase Paramedic Patrick Herrick’s hourly salary by \$.50 for his additional duties as Assistant Supervisor / Narcotics Control Officer, thus increasing his hourly rate from \$13.00 to \$13.50 effective July 1, 2007. All in favor. Motion carried.

**RATIFY PRIOR
REQUEST FOR
PERMISSION TO
ATTEND ONEIDA
LAKE WATERSHED
CONFERENCE**

A motion was made by Trustee Champagne and seconded by Trustee Cronk ratifying prior approval given to Bob Wolf to attend the Oneida Lake Watershed Conference on July 26, 2007 in Brewerton, NY at a cost of \$25.00 per person. All in favor. Motion carried.

JUSTICE COURT

2007 JUSTICE COURT ASSISTANCE PROGRAM GRANT APPLICATION

Mayor Donovan reported that Judge Janet Stanley requested permission to write a grant application for office equipment, robes and a metal detector (walk through or handheld device) for security reasons. He said the grant request is for \$20,000 and does not require a financial match by the Village of Minoa. Mayor Donovan said that New York State would access the application and complete a walkthrough to evaluate the need before deciding on the amount to approve.

A motion was made by Trustee Brazill and seconded by Trustee Theobald empowering Mayor Donovan to execute the 2007 Justice Court Assistance Program Grant Application upon completion. All in favor. Motion carried.

RESOLUTION SUPPORTING VILLAGE JUSTICE COURTS

Mayor Donovan said the resolution supports both attorney and non-attorney justices within Towns and Villages and opposes a centralized court system, which would create delays in administration. He reported that over seventy (70) Towns and Villages have approved the resolution and feels that it's imperative that the Village of Minoa support the resolution. Discussion ensued regarding the stiff requirements and training required for judges and the successful court system within the Village of Minoa.

A motion was made by Trustee Theobald and seconded by Trustee Champagne adopting the following resolution in support of Village Justice Courts. All in favor. Motion carried.

RESOLUTION

At this regular meeting of the Village of Minoa, New York held on July 16, 2007 the following Resolution was adopted by the Village Board of Village of Minoa.

WHEREAS, there has recently been negative press coverage by the *New York Times* and some local newspapers within Onondaga County suggesting that the Village court system is flawed and more specifically, alleging that the three (300) hundred year tradition of non-lawyer judges presiding over and within the local municipalities should be eliminated; and

WHEREAS, there has always been a Village Court within the Village of Minoa conveniently located and accessible to our citizens; and

WHEREAS, there are two (2) Village Judgeships established within the Village of Minoa; and

WHEREAS, there are presently two (2) non-attorney Village Justices within the Village of Minoa; and

WHEREAS, with their civil and criminal jurisdiction, the Village Justices in the

Village of Minoa handled many hundreds of cases in the past year; and

WHEREAS, the Village Court of Minoa in 2006 collected \$45,444.00 in statutory fines, fees and surcharges on behalf of the State of New York, the County of Onondaga and the Village of Minoa, to help fund essential public services; and

WHEREAS, the Village Board of Trustees recognizes and appreciates the professionalism, diligence, intelligence and integrity of both the attorney and non-attorney or lay justices within our Village who bring a specialized experience to the bench particularly with issues unique to our community who elected them; and

NOW, THEREFORE, be it:

RESOLVED, that the members of the Village Board of Trustees support the continuation of the three (300) hundred year tradition of both lawyer and non-lawyer or lay justices presiding in Village Courts, and it is further;

RESOLVED, that the members of the Village Board of Trustees hereby oppose any requirement that Village Justices be attorneys, and it is further;

RESOLVED, that the members of the Village Board of Trustees oppose any efforts to eliminate local and convenient access to justice by our citizens; and find that the local presence of the Village Court of Minoa provides a meaningful and necessary presence within our community for judicial resolution of conflicts, continued public safety of our citizens and the protection of constitutional guarantees for all of our citizens.

TRUSTEES' REPORT

Trustee Champagne thanked Trustees Brazill and Theobald for their hard work at the Minoa Days Festival that was held on July 14, 2007. He said there were a few bumps in the road, but they can be worked through before the next festival.

Trustee Champagne reminded the Board that the Concert in the Park and the Community Watch Meeting were both scheduled for July 23, 2007 at 7:00 PM.

Trustee Champagne said he is still receiving quotes to update the website and will review their work before giving the Board a report.

Trustee Theobald reported that the Minoa Days Festival was successful and there was great representation by the Minoa Fire Department, Minoa Ambulance and the Town of Manlius Police Department. He said the music was entertaining and there were a few items to be discussed to improve it next year and/or if the Board wanted to continue with the festival. He thanked the Board, Clerk's Office and the DPW for their help in making a successful festival.

Trustee Cronk thanked everyone for their hard work and felt it was well done. He said the festivals will get bigger and better over time.

Trustee Cronk said the well at the WWTF needed to be pumped and would produce an odor on East Avenue and it was delayed until July 16, 2007 in respect for the ongoing graduation parties.

Trustee Brazill thanked the Board and the departments involved in the Minoa Days Festival.

Trustee Brazill asked the Board if they had ever addressed the New York State Property Taxpayer Protection Act with a resolution. He said that it was a good idea and would forward a copy to the Board for their review. Attorney Primo said that it might be something the Board would be receptive to, but would need a copy of the resolution for review.

MAYOR'S REPORT

Mayor Donovan said he received a letter from Assemblyman Al Stirpe regarding the Collateral Source Bill, which the Village has sent numerous resolutions in support of the proposed Bill, stating that the proposed Bill never came out of committee.

Mayor Donovan said that he and Thomas Petterelli met with a representative from the Onondaga County Board of Elections at Station II regarding the proposed changes requested. He said they requested ramps and white striping, but they were unable to verify exactly where the changes were needed at Station II.

Mayor Donovan reported that the Town of Manlius PBA's First Annual Golf Benefit is scheduled for August 22, 2007 at 9:00 AM.

Mayor Donovan thanked the Board and the Village Departments for their hard work with the Minoa Days Festival. He said that it wasn't perfect and the Board needed to decide if they want to continue the Minoa Days Festival. Mayor Donovan said if they plan to move forward that planning should begin immediately. Trustee Champagne said there were a few bumps in the road, but felt that it could be successful in the future. Trustee Theobald said advertising could be different and possibly adjust the festival schedule to accommodate the garage sales. Mayor Donovan suggested a work session to review changes needed for the next year. He said the format went well and will get input from the vendors. Trustee Champagne said the festival was a great benefit for local businesses.

Mayor Donovan reminded the Board that the Community Watch Meeting was scheduled for July 23, 2007 at 7:00 PM in the Golden Age Room. Mayor Donovan asked Trustee Brazill to speak with the Fire and Ambulance Department to use their bays if they are needed for additional space. Mayor Donovan said the Town of Manlius Police has done a great job by responding to the Village of Minoa's request for more support.

**ATTORNEY'S
REPORT**

Attorney Primo said he had discussed the proposed local law for "Registration and Inspection of Rental Properties Law" with Mayor Donovan and they both agreed that before a Public Hearing is held, a Public Information Forum should be scheduled. He said the advertisement should be above and beyond the traditional legal notice for landlords. Attorney Primo said the proposed local law was based on a law recently passed by Syracuse and was still a work in progress.

Mayor Donovan said he had spoken to a landlord and the landlord was very interested in the proposed law. He said the landlords will understand that adopting the law will allow for increased property values and support the landlord with documentation for problem tenants. Mayor Donovan asked the Board to consider a date for a Public Information Forum.

Attorney Primo suggested that the Board review the law and possibly schedule the Forum in the fall to allot for advertising and alerting landlords. He suggested that an ad be placed in the Neighbors East section of the Post-Standard and allow enough time for discussion at the forum. Attorney Primo said the Public Information Forum would give the residents and landlords the opportunity to review the law, address concerns and provide their input.

Mayor Donovan said the law provides protection for both the tenant and the landlord. He said if it was approached correctly it could benefit the whole municipality. Mayor Donovan said it is important to be consistent with surrounding areas.

It was agreed that they would schedule the Public Information Forum at the July 31, 2007 regularly scheduled Board Meeting.

Attorney Primo said he had updated the Village's Property Maintenance Law and will provide a copy for the Board to consider scheduling a Public Hearing to coincide with the Rental Properties Law. Attorney Primo said the Board needs to know the options available when dealing with difficult properties.

**TREASURER'S
REPORT**

A motion was made by Trustee Brazill and seconded by Trustee Theobald to accept the Treasurer's Report for the month of June 2007 and the amended May 2007 Treasurer's Report as recorded. All in favor. Motion carried.

AUDIT CLAIMS

A motion was made by Trustee Cronk and seconded by Trustee Brazill that claims on Abstract #3 in the amounts of General Fund - \$134,988.84 (Vouchers 044-140) and Sewer Fund - \$18,774.58 (Vouchers 019-049) for a total of

\$153,763.42 be audited and paid. All in favor. Motion carried.

PUBLIC COMMENTS John Sears asked for details about the Condemnation Proceedings at 123 South Main Street. Attorney Primo said the unsafe building proceedings began because of broken windows and unsafe conditions in December 2006. Attorney Primo said the property was owned by the estate of Regina Gallery, the first offer fell through and the property was recently sold to Patrick Oot. He said the new owners have renovated the property and the Condemnation Proceedings were discontinued that evening.

EXECUTIVE SESSION - IN A motion was made by Trustee Champagne and seconded by Trustee Brazill to go into Executive Session at 8:30 p.m. for the purpose of discussing proposed, pending or current litigation. All in favor. Motion carried.

EXECUTIVE SESSION - OUT A motion was made by Trustee Champagne and seconded by Trustee Theobald to come out of Executive Session at 10:03 p.m. All in favor. Motion carried.

ADJOURNMENT A motion was made by Trustee Brazill and seconded by Trustee Cronk that the Village Board Meeting be adjourned at 10:04 p.m. All in favor. Motion carried.

Respectfully submitted,

Barbara Sturick
Deputy Clerk-Treasurer