

**DISTRIBUTION LIST**

**Ronald Cronk, Trustee  
Koagel & Vincentini  
Minoa Library**

**EMAIL DISTRIBUTION LIST**

**Richard Donovan, Mayor  
William Brazill, Trustee  
John Champagne, Trustee  
Eric Christensen, Trustee  
Thomas Petterelli, DPW Superintendent  
Janet Stanley, Justice  
Richard J. Greene, Codes Enforcement Officer  
Chief Pat Flannery  
Steven Primo, Attorney  
Town of Manlius  
Village of Fayetteville  
Donna DeSiato, Superintendent ESM School District  
Manlius Historical Society  
John Regan**

**VILLAGE OF MINOA  
BOARD OF TRUSTEES  
JULY 18, 2011**

The regularly scheduled meeting of the Village Board of the Village of Minoa was held at the Municipal Building in the Village Board Room, 240 N. Main St, on July 18, 2011.

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

ALSO

PRESENT: Thomas Petterelli, Dennis Erard, Al Kalfass, John Sears, Robert Wolfe

Mayor Donovan opened the meeting at 7:00 p.m. with the Pledge of Allegiance led by Trustee Brazill.

**MS4 ANNUAL REPORT**

Robert Wolfe reported to the public the MS4 Annual Report for period ending March 9, 2011 has been completed. He stated that in 1969 when the Clean Water Act was passed it mandated that the Environmental Protection Agency would write and enforce National Pollution Elimination Regulations specific to various groups and organizations. The Village has completed the requirement of the first five years and has received permits. NYS DEC has added and changed some of their requirements and in the last three years and continues to make some changes. The Village is still using the services of the CNY Regional Planning and Development Board to meet the requirements. With the assistance of our Codes Enforcement Officer, our fine employees of the Department of Public Works and our citizens, Minoa is doing an excellent job of maintaining a clean community.

Mayor Donovan thanked Mr. Wolfe for all his hard work and expertise.

**MINUTES OF VILLAGE**

A motion was made by Trustee Brazill and seconded by Trustee Christensen to accept the

**BOARD MEETING  
MAY 2, 2011**

meeting minutes of May 2, 2011 Village Board Meeting as recorded. All in favor. Motion carried.

**MINUTES OF VILLAGE  
BOARD MEETING  
MAY 16, 2011**

A motion was made by Trustee Christensen and seconded by Trustee Brazill to accept the meeting minutes of May 16, 2011 Village Board Meeting as recorded. All in favor. Motion carried.

**MINUTES OF VILLAGE  
BOARD MEETING  
JUNE 20, 2011**

A motion was made by Trustee Cronk and seconded by Trustee Champagne to accept the meeting minutes of June 20, 2011 Village Board Meeting as recorded. All in favor. Motion carried.

**WORKERS  
COMPENSATION  
COVERAGE**

A motion was made by Trustee Champagne and seconded by Trustee Brazill ratifying prior approval to accept Worker's Compensation Insurance with PERMA effective July 1, 2011 through July 1, 2012 for a cost of \$98,022.00. All in favor. Motion carried.

**ANNUAL PLANNING  
SYMPOSIUM**

A motion was made by Trustee Champagne and seconded by Trustee Christensen granting approval for Richard Greene to attend the Annual Planning Symposium on August 18, 2011 in Syracuse at a cost of \$75.00. All in favor. Motion carried.

**CORRECTION TO 2011-  
2012 TAX ROLL**

A motion was made by Trustee Champagne and seconded by Trustee Christensen ratifying prior approval to correct the village tax roll in the amount of \$462.72 for tax map parcel #006.-03-22.0. All in favor. Motion carried

**CORRECTION TO 2011-  
2012 TAX ROLL**

A motion was made by Trustee Champagne and seconded by Trustee Brazill ratifying prior approval to correct the village tax roll in the amount of \$1,006.53 for tax map parcels #001.1-02-39 and #001.1.-02-39.0. All in favor. Motion carried

**REQUEST TO CARRY-  
OVER 2010 VACATION –  
BARBARA STURICK**

A motion was made by Trustee Christensen and seconded by Trustee Brazill ratifying prior approval allowing Barbara Sturick to carry over 6 hours of vacation to be used by July 7, 2011. All in favor. Motion carried.

**MINOA ESTATES STREET  
OWNERSHIP AND  
MAINTENANCE  
AGREEMENT**

Attorney Primo presented a draft agreement between Village of Minoa and Minoa Estates, LLC and Village Square Apts, LLC for the ownership of access road connecting Edgerton Street and Willard Street. For public safety purposes village snowplows will continue to plow the part of Edgerton Street which was intended to have been abandoned and transferred to the village. The village would assume maintenance, repair and control of the portion of Edgerton Street fronting Minoa Estates and Village Square's premises and shall be regarded as a public street of the village. Trustee Champagne asked about liability should the village damage any property. Attorney Primo stated section (4) on page 3 of the agreement refers to liability and the village, its employees, agents and the like for and from any and all liability, claims, actions and/or suits for property damage in or around the Access Road. Attorney Primo asked that the draft agreement be adopted substantially as written and he have the attorney for Minoa Estate, LLC and Village Square, Apts, LLC review the document. A motion was made by Trustee Brazill and seconded by Trustee Champagne to adopt the agreement as written and discussed so that Attorney Primo can present it to Minoa Estates, LLC and Village Square Apts., LLC. All in favor. Motion carried.

**PROPOSED LOCAL LAW  
# 3 OF 2011 - ACCESSORY  
USE, COMMERCIAL  
DISTRICTS AND SPECIAL  
PERMITS**

Attorney Primo presented a draft copy of Local Law #3 of 2011 and referenced Section Eight (8) Subparagraph "A" under §160-25.1 entitled "Accessory uses and structures; swimming pools" of the Village of Minoa Code is hereby deleted in its entirety and replaced with the following: Placement. In any residential-zoned districts, accessory structures and uses otherwise permitted in and subject to such other provisions of this Code governing such districts shall be permitted; however excepting Storage Sheds, the same shall be located no closer to the rear lot line than a distance of not less than 10% of the lot width, nor any closer to the side lot line than the nearest point of the principal building or use. No such structure or use shall be located within a front yard in any residential-zoned district. For purposes hereof, a swimming pool is deemed an accessory structure or use. A structure customarily attached to the principal building, such as an addition, garage, deck or porch, shall not be deemed an accessory structure or use that is permitted such placement allowance hereunder.

Relative to the placement of storage sheds, same may be located as follows:

- (1) Within either (but not both) corner(s) of the side and rear yard and permitted to encroach into applicable side and rear yard setbacks as long as placed within the area that is five (5) feet from each property line and as applicable, not within any drainage, water, sewer or public utility easement located on the subject lot, it being required that (subject to the foregoing restrictions) such structure shall be placed as close as possible to the corner representing the intersect of the side and rear yard lot lines; or
- (2) Anywhere within that area defined by two diagonal lines, each running from the rear corners of a lot to the nearest rear corner of the principal building (including any attached garage) located thereon.

A storage shed is defined as any structure used for storage, hobbies or a workshop. Storage Sheds located as permitted hereunder shall not be served by a paved, graveled or stone driveway and shall not be used for the storage of a motor vehicle that is registered and operable.

The rear corners of any lot having more than one rear lot line shall be the two corners furthest diagonally from the principal building.

Appendix 1 to the Zoning Code of the Village of Minoa illustrates the permissible locations of a storage shed.

Trustee Champagne stated he does not want to see sheds in the front yards, but does not want the code to be so specific that they are only allowed in side yards.

Mayor Donovan stated the applicant can still apply for a variance at first attempt to address the placement of shed in a side yard. A diagram was presented to the board to show a property with irregular property lines and the locations that are allowable under current code. Mayor Donovan asked the board to review the draft and give suggestions before the next meeting.

Attorney Primo stated this local law also addresses changing the zoning district designations of 105 East Avenue (#001.-09-29.0) and 109 East Avenue (001.-03-28.0) from present zoning district designation of Residential to a Commercial zoning district. Both parcels are substantially contiguous to a large Commercial district within Village Center. The current uses of the properties are more compatible and consistent with those uses permitted within the Commercial District. Regulations for Commercial Districts in §160-12 would be deleted in its entirety and replaced with the following:

- A. Principal uses. The following uses and no other principal uses, except as hereinafter provided, are permitted in Commercial Districts:
  - (1) All uses permitted in Residential B Districts upon the conditions specified for such districts, except as otherwise prescribed in this article.
  - (2) Retail stores, except as provided under subparagraph B(1) hereof.
  - (3) Banking or office buildings.
  - (4) Undertaking establishments.
  - (5) Schools.
  - (6) Churches or similar places of worship, including a parish house, rectory or convent.
  - (7) Libraries, municipal buildings, public parks or playgrounds, operated for the benefit of the public and not for gain.
  - (8) Restaurants.

- (9) Hospitals and nursing homes.
  - (10) Bakeries.
  - (11) Pet shops and veterinary hospitals.
  - (12) Personal service shops.
  - (13) Professional offices.
  - (14) Residential living units including apartments and condominiums (but not daily or weekly boarding, motel, hotel or similar units), on the second or other upper floors of any uses otherwise permitted herein as of right or by Special Permit.
- B. Special Permit uses. Special Permit uses are as follows:
- (1) Retail stores that include car wash, fuel pumps or any other commercial garage or filling station components, except as a minor incidental part thereof (such as, by way of example, the sale of vehicle care or maintenance products).
  - (2) Commercial garages, filling stations and used car lots, provided that:
    - (a) No work is performed out of doors except in case of an emergency;
    - (b) Pumps, lubricating equipment and other devices are located at least 15 feet from the nearest street right-of-way line and the nearest lot line;
    - (c) All fuel oil or similar substances are stored at least 25 feet from the nearest street right-of-way line and the nearest lot line; and
    - (d) All automobile parts, dismantled vehicles and similar articles are stored within a building.
  - (3) Indoor theaters or places of amusement not otherwise permitted, upon approval of the Village Board in accordance with the procedures set forth in this Chapter.
  - (4) Kennels.
  - (5) Any of the special permits uses authorized in Residential A, Residential A-1 or Residential B Districts under such terms and conditions for the issuance of a special permit in those districts as set forth, and in addition, any additional Special Permit terms and conditions (standards and criteria) described herein at Article XIV hereof.

Trustee Cronk asked if this “spot-zoning”. Attorney Primo stated that corner would probably never be used as residential and with the proposed Commercial Permitted Uses the properties would be transitional buffers going from the Commercial District to Residential District.

Attorney Primo suggested the draft be submitted to Onondaga County Planning Board for review.

A motion was made by Trustee Christensen and seconded by Trustee Cronk to submit draft Local Law #3 of 2011 to Onondaga County Planning Board. All in favor. Motion carried.

A motion was made by Trustee Brazill and seconded by Trustee Christensen declaring Lead Agency with Uncoordinated Review. All in favor. Motion carried.

**APPOINTMENT – DAN ENGELHARDT TO FIRE/EMS REVIEW COMMITTEE TOWN-WIDE FIRE/EMS REVIEW COMMITTEE UPDATE**

A motion was made by Trustee Brazill and seconded by Trustee Cronk ratifying prior appointment of Dan Engelhardt to Fire/EMS Review Committee. All in favor. Motion carried.

**MOA FOR THE CENTRAL NEW YORK STORMWATER COALITION**

Mayor Donovan announced the Town-Wide Fire/EMS Executive Committee will meet again on July 21, 2011 at 6:00pm in the Village of Manlius municipal building.

A motion was made by Trustee Brazill and seconded by Trustee Champagne to accept the Memorandum of Agreement for the Central New York Stormwater Coalition. All in favor. Motion carried.

**RESIGNATION – LISA DEVONA - PLANNING BOARD MEMBER**

A motion was made by Trustee Champagne and seconded by Trustee Christensen to accept the resignation of Lisa DeVona as Planning Board Member effective June 20, 2011. All in favor. Motion carried.

**APPOINTMENT – JOHN JARMACZ - PLANNING BOARD MEMBER**

A motion was made by Trustee Christensen and seconded by Trustee Brazill to accept the appointment of John Jarmacz, 224 Edgewood Place as Planning Board Member with a term to expire April 30, 2016. All in favor. Motion carried.

**NYCOM TRAINING SESSION AUGUST 5, 2011**

A motion was made by Trustee Brazill and seconded by Trustee Christensen authorizing Mayor, Board, Planning and Zoning Members, Code Enforcement Officer to attend NYCOM

training sessions at OCC on August 5, 2011 at a cost of \$70.00 per person. All in favor. Motion carried.

**NYCOM FALL TRAINING SCHOOL**

A motion was made by Trustee Champagne and seconded by Trustee Christensen Ggiving permission to any member of the Village Board and Clerk-Treasurer DeVona to attend NYCOM Fall School in Saratoga Springs, September 19 -22, 2011. All in favor. Motion carried.

**NYCOM EXECUTIVE COMMITTEE FALL RETREAT**

A motion was made by Trustee Christensen and seconded by Trustee Champagne authorizing Mayor to attend NYCOM Executive Committee Fall Retreat in Lake Placid, September 30 – October 1, 2011. All in favor. Motion carried.

**NYCOM PUBLIC WORKS TRAINING SCHOOL**

A motion was made by Trustee Cronk and seconded by Trustee Brazill authorizing Tom Petterelli, Steve Giarrusso, Mayor, and Board to attend NYCOM Public Works Training Session in Saratoga Springs, October 24-26, 2011. All in favor. Motion carried.

**INFORMATIONAL PURPOSE**

Mayor Donovan announced the Fire Department will be holding a Golf Tournament on October 8, 2011 at Poolsbrook Golf Course. If anyone is interested in participating please contact the Fire Department.

**DISCUSSION – SOCIAL MEDIA FOR GOVERNMENT**

Mayor Donovan presented the board with material relating to governments using social media to improve services to the community and asked that they review the material and offer suggestions and/or thoughts of using social media.

**FOR INFORMATION PURPOSES ONLY – VILLAGE CREDIT CARD**

Mayor Donovan stated that he and the Clerk-Treasurer were researching the use of a credit card for village purchases. A few situations have come up where the use of a credit card would have been advantageous and in some cases a cost savings would be realized. More information will follow as we continue to look into the possibilities.

**AMBULANCE**

***RATIFY PRIOR APPROVAL TO INCREASE CHRISTOPHER SMITH HOURLY RATE TO \$14.02 RETROACTIVE TO SIX MONTH ANNIVERSARY DATE***

A motion was made by Trustee Champagne and seconded by Trustee Brazill ratifying prior approval to increase Christopher Smith's hourly rate to \$14.02 retroactive to his six monthly anniversary date. All in favor. Motion carried.

***RATIFY PRIOR APPROVAL TO ENTER INTO CONTRACT WITH WAVES EFFECTIVE JULY 1, 2011 TO PROVIDE MANAGEMENT SERVICES FOR THE VILLAGE OF MINOA AMBULANCE***

A motion was made by Trustee Champagne and seconded by Trustee Brazill ratifying prior approval to enter into contract with WAVES effective July 1, 2011 to provide management services for the Village of Minoa Ambulance Department. All in favor. Motion carried.

**DPW**

Mayor Donovan introduced Al Kalfass, Executive Director of WAVES to the board,

***REQUEST PERMISSION TO BID FOR MUNICIPAL PARKS TRACTOR***

A motion was made by Trustee Brazill and seconded by Trustee Cronk to prepare specifications for a Municipal Parks Tractor with options of 60" angle plow, 50" snow blower and a 60" broom with a bid opening scheduled for Wednesday, August 10, 2011 at 12:00pm. All in favor. Motion carried.

**FIRE DEPARTMENT**

***REQUEST PERMISSION TO SEND MICHAEL NESCI TO TRAINING***

A motion was made by Trustee Champagne and seconded by Trustee Cronk authorizing Michael Nesci to attend Fire Service Instructor I Course on August 4-7, 2011 at a cost of \$212.00. All in favor. Motion carried.

***CHANGE IN MEMBERSHIP STATUS***

A motion was made by Trustee Brazill and seconded by Trustee Christensen accepting the change in status for Donald Greveling from active to life member.. All in favor. Motion carried.

***NEW MEMBERSHIPS***

A motion was made by Trustee Brazill and seconded by Trustee Christensen approving full membership for Rebecca Schermerhorn, 201 Ruth Street, Minoa. All in favor. Motion carried.

A motion was made by Trustee Christensen and seconded by Trustee Champagne approving full membership for Jerney DiBello, 5810 Acton Street, East Syracuse. All in favor. Motion carried.

***REQUEST FROM ESM TO USE FIRE STATION #2 FOR A CAR WASH***

A motion was made by Trustee Brazill and seconded by Trustee Cronk giving permission to ESM to use Fire Station #2 on August 13, 2011 from 11:00am – 2:00 pm for a car wash contingent upon Minoa Fire Department approval. All in favor. Motion carried.

***REQUEST FROM KATHY FLANNERY TO USE FIRE STATION #2 FOR A BABY SHOWER***

A motion was made by Trustee Champagne and seconded by Trustee Christensen giving permission to Kathy Flannery to use Fire Station #2 on October 1, 2011 from 8:00am – 6:00 pm for a baby shower contingent upon Minoa Fire Department approval. All in favor. Motion carried

***REQUEST AUTHORIZATION FOR MAYOR TO SIGN CONTRACT WITH OVERHEAD DOOR IN THE AMOUNT OF \$24,934.91***

Tabled.

**CERF**

Nothing to report.

**WWTF**

Nothing to report.

**TRUSTEES' REPORT**

Trustee Champagne reported he has been working on updating information on the website.

Trustee Christensen reported a meeting with NYS DOT on July 14, 2011 regarding the Fremont Road bridge project which is scheduled for Spring 2012 through November 2012. Notifications have been made to emergency services agencies.

Trustee Cronk noted some corrections he had found on Local Law #2 of 2011 and asked if the document had been filed with the state. Trustee Cronk asked if the Clerk-Treasurer was able to find more information regarding the Cold War Veterans Exemptions. Clerk-Treasurer DeVona said she is continuing to gather information. Trustee Cronk stated in regards to same sex marriages in the village, he would not like those ceremonies performed on village property. Mayor Donovan stated he cannot prohibit those ceremonies from village property. Attorney Primo stated that it is a state mandate and the decision to prohibit is not discretionary. Trustee Brazill stated as public officials these are civil ceremonies not religious ceremonies.

Trustee Cronk asked that the village board consider not allowing hydrofracking in the village. Attorney Primo stated the village may want to consider this in the future. There is a meeting on August 8<sup>th</sup> in Tully which is designed for local government and will speak to regulations. Trustee Cronk thanked Kinney Drugs for their Mac & Cheese donation to the Food Pantry. He stated the new location was approximately 340 sq ft whereas the space here in village building was 812 sq ft.

**MAYOR'S REPORT**

Mayor Donovan thanked Trustee Brazill for all his hard work on the Minoa Field Days and Minoa Days. He reminded the board to start looking ahead to the 100<sup>th</sup> Celebration in 2013. Mayor Donovan stated Deputy Clerk Treasurer Sturick has advised him of requisitions not being filled out thoroughly and asked the Trustees to be attentive in reviewing departmental requests.

**ATTORNEY'S REPORT**

Nothing new to report. Trustee Brazill thanked Primo, Primo & Kirwan, LLP for sponsoring the Guise Band at Lewis Park on July 19, 2011.

**AUDIT CLAIMS**

A motion was made by Trustee Christensen and seconded by Trustee Champagne that claims on Abstract #003 in the amounts of General Fund - \$76,661.28 (Vouchers 49-116) and Sewer Fund – \$10,400.37 (Vouchers 21-46) for a total of \$87,061.65 be audited and paid. All in favor. Motion carried.

**PUBLIC COMMENTS**

John Sears, 103 South Main Street asked if the Fire/EMS meeting was a public meeting. Mayor Donovan said no, the Executive Committee was meeting. Mr. Sears asked who was on the Executive Committee. Mayor Donovan stated the Mayor's of Fayetteville, Manlius and Minoa, Town Supervisor, and one appointed person from each of those municipalities. Mr. Sears asked if he attends the next village board meeting will you be able to tell me what was discussed at the meeting. Mayor Donovan stated that depends on what is discussed.

**EXECUTIVE SESSION  
IN**

A motion was made by Trustee Christensen and seconded by Trustee Champagne to enter into Executive Session at 8:47pm the medical, financial, credit, or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation. All in favor. Motion carried.

Mayor Donovan invited Al Kalfass into Executive Session.

**EXECUTIVE SESSION  
OUT**

A motion was made by Trustee Champagne and seconded by Trustee Christensen to come out of Executive Session at 10:00pm. All in favor. Motion carried.

**ADJOURNMENT**

A motion was made by Trustee Champagne and seconded by Trustee Christensen that the Village Board Meeting be adjourned at 10:01 p.m. All in favor. Motion carried.

Respectfully submitted,

Lisa L. DeVona  
Village Clerk/Treasurer