

**DISTRIBUTION LIST**

**Richard Donovan, Mayor**  
**Edmond Theobald, Trustee**  
**Ronald Cronk, Trustee**  
**William Brazill, Trustee**  
**John Champagne, Trustee**  
**Steven Primo, Attorney**  
**Thomas Petterelli, DPW Superintendent**  
**Keith Brandis, Paramedic Supervisor**  
**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**

June 15, 2009

**PUBLIC HEARING**  
**LOCAL LAW #4 FOR**  
**2009 –**  
**CONSTRUCTION**  
**SITE MAINTENANCE**

Upon due notice to all members of the Village Board, a continuation of the Public Hearing was held on Monday, June 15, 2009 at 7:15 p.m. at the Municipal Building, 240 N. Main Street, Minoa, NY. The purpose was to consider the enactment of Local Law #4 for 2009 related to establishing a new Chapter 59 of the Village of Minoa Municipal Code entitled “Construction Site Maintenance” whereby the builder and/or owner of a construction site or building is responsible for maintaining their operations at construction sites, buildings under construction and areas, streets, roads and highways abutting or adjacent to the construction site.

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

ABSENT: None

ALSO PRESENT: Dennis Erard, Chris Beers, Dan DeLucia, Maria DeMonte, John Sears, and Thomas Petterelli

**CONTINUATION OF**  
**PUBLIC HEARING**

Mayor Donovan called the Public Hearing to order at 7:17 p.m. for Local Law #4 for 2009 for the Village of Minoa related to establishing a new Chapter 59 of the Village of Minoa Municipal Code entitled “Construction Site Maintenance” whereby the builder and/or owner of a construction site or building is responsible for maintaining their operations at construction sites, buildings under construction and areas, streets, roads and highways abutting or adjacent to the construction site.

Mayor Donovan turned the Public Hearing over to Attorney Primo to discuss the proposed adjustments to Local Law #4 for 2009.

Attorney Primo provided the Board with an updated proposed Local Law #4 for 2009 with items that were recommended to keep consistent with other portions of the Village Code by Richard Greene, Codes Enforcement Officer, and described the changes.

Attorney Primo said the defined terms would mirror terms in the Property Maintenance Law, Unsafe Building Law, and NYS Code implementation section of the Village Code, with respect to including recyclables, construction debris, waste materials, and that these items would be covered and removed from the construction site within 24 hours. Attorney Primo said that Mr. Greene had requested a change that would require the contractor to remove waste material by 3:00 pm on Friday of each week. He said that the contractor would be required to maintain a receptacle at construction sites and buildings, which would be maintained by the contractor, owner, or builder.

Attorney Primo said that a requirement was included that would require sufficient parking for construction equipment that would be staged, loaded, unloaded and maintained on the actual construction site.

Attorney Primo said the provisions were updated to include maintenance of streets if dirt, gravel or sediment were tracked onto the streets. He said the contractor would be required to ask permission from the Codes Enforcement Officer or the Village Board for use of construction equipment through any public place.

Attorney Primo said the Site Restoration §59-4 included an option for application security for site maintenance and restoration that was to be determined the Codes Enforcement Officer if required. He said the security could be requested at issuance of the permit or throughout the project if the contractor is not prudent in their maintenance.

Attorney Primo said the Forfeiture of Security §59-5 requirement was included if the contractor fails to maintain the property after given ten days written notice and be penalized additionally by fines.

Mayor Donovan said that he would review the changes with Mr. Greene. Attorney Primo said that they would implement the Code, but provide a provision that the Board could change common situations that might occur by resolution and avoid

creating new local laws.

**COMMENTS FROM  
THE VILLAGE  
BOARD**

Trustee Champagne said that Mr. Greene could make the call to have a receptacle bin removed within 24 hours, but it is usually out of the control of the contractor about the removal because they are dependent on the removal company. Mayor Donovan agreed that 24 hours might not be enough time to mandate removal of construction site materials and would appreciate the opportunity to grant leniency when necessary if it's a hauler issue.

Attorney Primo said that it might be difficult for the contractor to haul out materials by 3:00 pm on Fridays if the contractor doesn't know how much debris will be there at the beginning of the day. Mayor Donovan said that he would discuss their concerns with Mr. Greene. Attorney Primo advised the Board to review the law carefully and provide him with any suggestions.

Trustee Champagne and Trustee Cronk said that the Village of Minoa is often held over with sludge removal by the hauler and can understand removal being delayed.

**PUBLIC COMMENTS**

Let the record show that there were no comments or questions from the public.

**PUBLIC HEARING  
CLOSED**

A motion was made by Trustee Brazill and seconded by Trustee Cronk to close the Public Hearing for Local Law #4 for 2009 at 7:33 p.m. All in favor. Motion carried.

Respectfully submitted,

*Suzanne M. Snider*

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Village Clerk/Treasurer