

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

VILLAGE OF MINOA
BOARD OF TRUSTEES
May 19, 2008

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 May 19, 2008.

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

ABSENT: None

ALSO PRESENT: John Sears, John Risley, and Michelle Brandt

Mayor Donovan opened the meeting at 7:30 p.m. with the Pledge of Allegiance led by Trustee Brazill.

MINUTES OF
PUBLIC HEARING -
LOCAL LAW #3 FOR
2008 - FIRE LANES -
APRIL 21, 2008

A motion was made by Trustee Brazill and seconded by Trustee Cronk to accept the minutes of the April 21, 2008 Public Hearing on the Local Law #3 for 2008 pertaining to Fire Lanes. AYES: Mayor Donovan, Trustee Cronk and Trustee Brazill. NAYES: 0. Motion Carried.

Trustee Champagne and Trustee Theobald abstained from voting, as they were absent from the April 21, 2008 meeting.

**MINUTES OF
VILLAGE BOARD
MEETING - APRIL
21, 2008**

A motion was made by Trustee Cronk and seconded by Trustee Brazill to accept the minutes of the April 21, 2008 Village Board Meeting as recorded. AYES: Mayor Donovan, Trustee Cronk and Trustee Brazill. NAYES: 0. Motion Carried.

Trustee Champagne and Trustee Theobald abstained from voting, as they were absent from the April 21, 2008 meeting.

**MINUTES OF
PUBLIC HEARING
MAY 5, 2008**

A motion was made by Trustee Champagne and seconded by Trustee Theobald to accept the minutes of the May 5, 2008 Public Hearing on the Amended Preliminary Plat for Minoa Farms. All in favor. Motion carried.

**MINUTES OF
VILLAGE BOARD
MEETING - MAY 5,
2008**

A motion was made by Trustee Theobald and seconded by Trustee Champagne to accept the minutes of the May 5, 2008 Village Board Meeting as recorded. All in favor. Motion Carried.

**MINOA FARMS -
(AMENDED)
PRELIMINARY PLAT
SUBDIVISION
APPROVAL**

Tabled

**MS4 YEAR 5
ANNUAL REPORT -
INFORMATIONAL
MEETING
CANCELLED**

Clerk/Treasurer Snider reported that Robert Wolf, Stormwater Management Officer, cancelled the informational meeting scheduled for May 19, 2008 at 7:00 p.m. due to illness. She said that she spoke with Kathy Bertuch of the Central New York Regional Planning & Development Board and was informed that the new SPDES permit no longer requires informational meetings if the Annual Report is posted on the village website, which is located at <http://www.villageofminoa.com/stormwater.html> . Clerk/Treasurer Snider said the report would be available on the website by May 21, 2008.

**SPDES GENERAL
PERMIT RENEWAL
5/1/08 - 4/30/10**

Mayor Donovan reported that the NYS DEC had renewed the SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems retitled GP-0-08-002 and will be effective from May 1, 2008, to April 30, 2010.

**REQUEST
PERMISSION TO
ATTEND THE NYS
ENERGY
CONSERVATION
CODE COURSES**

A motion was made by Trustee Brazill and seconded by Trustee Champagne giving permission to Richard Greene to attend the NYS Energy Conservation Code Accredited Courses for Building Professionals for the following courses Commercial Electrical Lighting, Commercial Mechanical, HVAC & Residential Energy Code on June 18-19, 2008 in Syracuse, NY at no cost. All in favor. Motion carried.

AMBULANCE

PERMANENT APPOINTMENT OF MATTHEW MCGARRITY FROM PART-TIME TO FULL-TIME EMERGENCY MEDICAL TECHNICIAN

A motion was made by Trustee Brazill and seconded by Trustee Champagne permanently appointing Matthew McGarrity from part-time to full-time status as an Emergency Medical Technician effective May 20, 2008 at his current rate of \$10.35 per hour. All in favor. Motion carried.

REQUEST PERMISSION FOR AN ADDITIONAL PARAMEDIC AT THE FIREMEN'S FIELD DAYS

A motion was made by Trustee Champagne and seconded by Trustee Theobald approving the request from the Minoa Fire Department for an additional Paramedic to be on call at the Firemen's Field Days on May 29, 2008 between the hours of 6:00 p.m. and midnight. All in favor. Motion carried.

RATIFY PRIOR APPROVAL FOR AMBULANCE STANDBY

A motion was made by Trustee Brazill and seconded by Trustee Cronk ratifying prior approval for the 2nd Ambulance (A-2) to be stationed at the Race for the Cure on May 17, 2008 in Syracuse, NY. All in favor. Motion carried.

Trustee Brazill confirmed that the second ambulance would be staffed with volunteers.

REQUEST PERMISSION FOR AMBULANCE STANDBY / FIREMEN'S FIELD DAYS

A motion was made by Trustee Brazill and seconded by Trustee Champagne approving the request from the Minoa Fire Department for the 2nd Ambulance (A-2) to be stationed at the Minoa Firemen's Field Days from May 29-31, 2008. All in favor. Motion carried.

FIRE DEPARTMENT

MEMBERSHIP IN THE MINOA FIRE DEPARTMENT - SUPPORT

A motion was made by Trustee Brazil and seconded by Trustee Champagne, accepting for support membership in the Minoa Fire Department the following individuals:

- Timothy Ezzo, 514 Fremont Road, East Syracuse, New York
- Kim Ezzo, 514 Fremont Road, East Syracuse, New York

All in favor. Motion carried.

DPW

RATIFYING PRIOR PERMISSION TO HIRE DPW SUMMER HELP - HYDE

A motion was made by Trustee Cronk and seconded by Trustee Brazill ratifying prior approval agreeing to hire Bradley Hyde, 505 Ferndale Lane, Minoa, NY at a rate of \$8.50/hr effective May 12, 2008 and increase to \$9.00/hr effective June 1, 2008 as summer help for the DPW for the 2008-09 Fiscal Year. All in favor. Motion carried.

WWTF

REQUEST PERMISSION FOR STEVEN STURICK TO WORK AS AN UNPAID INTERN

A motion was made by Trustee Theobald and seconded by Trustee Champagne giving approval for Steven Sturick to work as an unpaid intern at the Waste Water Treatment Facility during school summer break (July – August) for educational purposes and contingent upon receipt of an Acknowledgment and Release Form prepared by Attorney Primo to be signed by Steven Sturick and his parents. All in favor. Motion carried.

TRUSTEES' REPORT

Trustee Champagne said that he met with Steve Giarrusso regarding a failed actuator and separator that broke recently. Trustee Champagne said they do not have a back-up actuator and he asked Mr. Giarrusso to research the length of time it would take to build a back-up actuator for the pump station and they learned that it would take 4-8 weeks to build a spare. Trustee Champagne said the actuator is an individualized item and cannot be purchased at a local hardware store. He said the cost of the actuator is \$1,200.00 plus shipping and would like permission for Steve Giarrusso to move forward with researching the item and order it in the FY 2008-2009 as it was not a budgeted line item.

Trustee Cronk said they can continue to operate without the actuator by bypassing it, but the current part is over ten years old and they should have a second actuator on hand. Trustee Champagne said they would install the new actuator and refurbish the old one to use as a back-up. Clerk/Treasurer Snider said that they should follow the current Purchase Policy by requesting quotes and completing the necessary requisition forms when they are ready to order the actuator.

Trustee Theobald asked about the lifetime of the equipment and Trustee Cronk said that it was difficult to judge because some actuators will last for 20 years and some have lasted only 10 years. He said the lifetime of the actuator pump depends on the run length because some of the pumps run 24 hours a day, 7 days a week and others alternate between 8 hours on, 8 hours off.

REQUEST PERMISSION TO PURCHASE AN ACTUATOR FOR THE WWTF

A motion was made by Trustee Champagne and seconded by Trustee Cronk giving permission for Steve Giarrusso to research and order an actuator for the Waste Water Treatment Facility at approximately \$1,200.00 in the 2008-2009 Fiscal Year. All in favor. Motion carried.

Trustee Champagne said he would update the Board when Barry Carr will provide the compressed natural gas packer that's to be loaned to the Village of Minoa for review and testing.

Trustee Theobald said the preparations for the Memorial Day Parade are running smoothly and the lineup is scheduled for 8:30 a.m. on Monday, May 26, 2008. Trustee Theobald and Mayor Donovan said they would meet at 7:30 a.m. to set-up the sound system and that the Boy Scouts were scheduled to arrive at 8:00 a.m. to distribute flags. Trustee Theobald said that three golf carts were ordered and that he would provide the

lineup list to the Board to help him lineup everyone in the proper location.

Trustee Cronk said the sludge has been transferred from the past 6 month's usage and was done with the least amount of problems with regard to odors and they did not receive any complaints.

Trustee Cronk said that he was pleased to see that there were a lot of people utilizing the pavilion at Lewis Park for prom pictures. Trustee Cronk said his son, Ronald Cronk Jr., would be available for the Memorial Day Parade to take photographs.

Trustee Brazill had nothing to report

MAYOR'S REPORT

Mayor Donovan said that Bob Kinsella and John Curtis had presented a photo album to the Village Board on May 7, 2007, that included photos from 1996-2006 of Minoa. He said he had taken the photo album back to make a few adjustments and they are searching for a photo of the Village Board from 1996. Mayor Donovan said he would like to thank them for their hard work and they made an extra copy of the photo album for the Minoa Historical Society.

Mayor Donovan said he had the opportunity to meet Mikaela Law, Edgerton Street, Minoa, is the Miss New York State Preteen National Teenager. He said she is scheduled to compete in the Nationals in Nashville, TN and as a municipality, the Village of Minoa cannot help fund her trip, but he was going to help her out by finding publicity for their fundraising and including her in the Memorial Day Parade. Mayor Donovan said the competition is based on academic achievement and community involvement.

Mayor Donovan reported that the Board had received an invitation from the Village of Manlius to participate in their 4th of July Parade. He asked the Board to let Clerk/Treasurer Snider know if they were able to attend and she would forward their responses.

ATTORNEY'S REPORT

Attorney Primo had previously provided the Board with copies of proposed Local Law #4 for 2008 for their review. Attorney Primo said that the current general code is slightly antiquated and doesn't address how to treat outside vendors. He said the Board has expressed concern over the years that village businesses be protected from outside vendors that temporarily set-up business. Attorney Primo said the current code does not address how to handle these vendor applications and is not clear enough. He said Section 104 would specifically handle outdoor food service, both in the context of a hotdog vendor and also outdoor arrangements for restaurants. Attorney Primo said there would have to be a relationship between the vendor and an existing restaurant establishment to avoid a situation where an outside vendor would come in and compete with existing establishment.

Attorney Primo asked the Board to review the law and schedule a Public Hearing.

Trustee Brazill asked if Section 104-4 means that an outside vendor who does not own a business within the Village of Minoa cannot sell their food if they do not have an existing relationship? Attorney Primo said that is what it meant, but Chapter 104 provides for exemptions for occasional use such as Minoa Days Festival vendors, Firemen's Field Days, church bazaars and not for profit organizations.

Mayor Donovan said the intent of the law is to protect the taxpaying businesses in the village and allow the churches and fundraising activities to have their own vendors on a temporary basis. He said that he doesn't want fundraising opportunities to be lost for the Minoa Fire Department and/or churches by competing businesses. Mayor Donovan said they have the ability to control the vendors involved in their fundraising activities.

Trustee Champagne asked if Brad's or Parkway Pizza would be able to sell outside or at the event. Attorney Primo said that if they are invited to sell at the events they can do so, but the law is specifically designed for the occasional hotdog cart vendor who wants to place a cart anywhere in the Village of Minoa because there isn't anything regulated in the current code. Attorney Primo said the law regulates it and ties the business in with an existing operation.

Minoa Farms Update

Attorney Primo said the traffic report was completed, but still needed to be analyzed before the June 16, 2008 meeting. Attorney Primo said that Elliot Lasky should forward the completed report to Chris Beers before the next meeting so the Minoa Farms residents would have the report beforehand.

Attorney Primo said he sent a letter to Attorney Daniel Shulman requesting a copy of the agreed upon restrictive covenants between the Developer and Ryan Homes for the Phase II of the development and something in writing detailing their inability to file covenants in Phase I. Attorney Primo said he received a copy of the agreed to restrictive covenants from Ryan Thompson, Ryan Homes, and they were basically the same but with a minor change regarding above ground pools. Attorney Primo said they had originally prohibited above ground pools, but they have now agreed to allow the pools if they are not visual from the road. He said that he asked them to submit these items to the Board within a week before the June 16, 2008 meeting for review.

Trustee Theobald asked if the property owners had been sent copies of the proposed covenants and Attorney Primo said that he doesn't believe they have received a copy yet. Attorney Primo said that it was the responsibility of Elliot Lasky and Ryan Homes to communicate the covenants to the homeowners.

Mayor Donovan agreed and said that he would like to know that they have done their job and that it was Elliot Lasky's responsibility to notify the residents.

Trustee Brazill said that the Village of Minoa does not govern the covenants; therefore it's not the Village's responsibility to mail out their covenants.

Attorney Primo said he would send a letter to Ryan Homes and Attorney Daniel Shulman requesting documentation that they had forwarded the covenants to the Minoa Farms residents.

**SCHEDULE PUBLIC
HEARING - LOCAL
LAW #4 FOR 2008 -
REGULATION OF
PEDDLERS,
SOLICITORS AND
OUTDOOR FOOD
SERVICE**

A motion was made by Trustee Champagne and seconded by Trustee Theobald to schedule a Public Hearing for Local Law #4 for 2008 amending the Village of Minoa Municipal Code relating to the amendment of Chapter 110 relative to the regulation of peddlers and solicitors, and the establishment of a new Chapter 104 relative to the regulation of outdoor food service for June 16, 2008 at 6:35 p.m. or shortly thereafter. All in favor. Motion carried.

**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 April 2008 as recorded. All in favor. Motion carried.

AUDIT CLAIMS

A motion was made by Trustee Brazill and seconded by Trustee Theobald that claims on Abstract #24 in the amounts of General Fund - \$33,267.33 (Vouchers 1045-1078); and Sewer Fund - \$10,995.99 (Vouchers 342-354) for a total of \$44,263.32 be audited and paid. All in favor. Motion carried.

PUBLIC COMMENTS

Mayor Donovan asked if there was anyone in the audience who had any questions or comments. Let the record show that no one from the audience had any questions or comments.

ADJOURNMENT

A motion was made by Trustee Champagne and seconded by Trustee Brazill that the Village Board Meeting be adjourned at 8:06 p.m. All in favor. Motion carried

Respectfully submitted,

Suzanne M. Snider
Village Clerk/Treasurer