

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
May 21, 2007

May 21, 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 May 21, 2007.

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

ALSO PRESENT: Thomas Petterelli, Richard Greene, James Krusse, Mary Krusse, Dave Owens, Agnes Owens, and John Sears

Mayor Donovan opened the meeting at 7:31 p.m. with the Pledge of Allegiance led by Trustee Cronk.

MINUTES OF
VILLAGE BOARD
MEETING APRIL 16,
2007

A motion was made by Trustee Theobald and seconded by Trustee Champagne to accept the minutes of the April 16, 2007 Village Board Meeting as recorded. All in favor. Motion carried.

MINUTES OF
SPECIAL MEETING

A motion was made by Trustee Brazill and seconded by Trustee Cronk to accept the minutes of the April 30, 2007 Special Meeting as recorded. All in favor. Motion carried.

APRIL 30, 2007

**MINUTES OF
VILLAGE BOARD
MEETING MAY 7,
2007**

A motion was made by Trustee Brazill and seconded by Trustee Theobald to accept the minutes of the May 7, 2007 Village Board Meeting as recorded. All in favor. Motion carried.

**REQUEST WAIVER
OF REQUIREMENTS
/ SUBDIVISION /
JAMES AND MARY
KRUSSE / 346 S.
MAIN STREET AND
336 S. MAIN STREET**

Attorney Primo said the Board received a letter from James and Mary Krusse dated May 16, 2007 requesting a lot-line relocation between two properties owned by the Krusse's at 336 South Main Street (Tax Map # 004.-07-01.0) and 346 South Main Street (Tax Map # 004.-07-02.1). They are the sole owners of the properties. Attorney Primo said the Board has the authority per Village Code, Chapter 140-19 to proceed with the re-allotment of the lot-lines and avoid a subdivision plat approval procedure, which would require a public hearing.

James Krusse explained that he had submitted a survey and plans to deed a portion of the property to his son. Attorney Primo said if they decide to build on the lot they need to comply with the frontage requirements of the Village Code. Mr. Krusse said they do not plan on building on the property, but are just drawing a line down to split the property. Attorney Primo asked who the owner of the adjacent property was and Mr. Krusse said the adjacent property was owned by Chris Tardio.

Attorney Primo said that if the homes are ever demolished or there is new construction, they would need to meet code requirements. Attorney Primo said there was enough acreage on each parcel to allow for a subdivision per Chapter 140-19 and when the property splits up they will still have the necessary frontage. He suggested that Mr. Krusse record a deed with Onondaga County to recognize the subdivision, along with the attached survey. He said this was necessary should they decide to sell the property at a later date. Attorney Primo said that Mr. Krusse's attorney should contact him to verify that all forms are filed correctly, as this situation is above and beyond a normal transfer. Attorney Primo suggested that they include a copy of the Board resolution when the deed is filed with Onondaga County. Mr. Krusse confirmed that he and his son are using the same attorney and the filing should be fairly simple.

A motion was made by Trustee Brazill and seconded by Trustee Cronk that determine that this is a Type II action for SEQR purposes and therefore is exempt from review and does not need a declaration; regarding the re-subdivision of property located at 336 South Main Street, tax map # 004.-07-01.0 and the adjoining property located at 346 South Main Street, tax map # 004.-07-02.1; and

further agrees to waive the formal requirements of the Village of Minoa Municipal Code of the subdivision regulations pursuant to Chapter 140-19 in conjunction with the approving the relocation of the lot line of the lots tax map # 004.-07-01.0 and 004.-07-02.1. 1 in accordance with the letter from James and Mary Krusse dated May 16, 2007 and a survey by David H. Cooper dated 03/27/1984, attached hereto as Schedule "A". All in favor. Motion carried.

**DRAINAGE
COMPLAINT**

Mayor Donovan reported for the record that he had received a drainage complaint from Dave and Agnes Owens of 112 Fleetwood Lane and will forward the information to Thomas Petterelli for review.

**MINOA FIRE
DEPARTMENT**

FIELD DAY PARADE INVITATION

Brazill invited the Board to attend the parade and asked Mayor Donovan to speak at the parade. He said that if the Board was interested, he would find available cars for the parade. Trustee Cronk said the vehicle to be used in the Memorial Day Parade could possibly be used during the Field Days. Trustee Theobald said that he would ask the vehicle owner if they could extend the use of the car.

Trustee Brazill said the Fire Department had received the banner, it was beautiful and built correctly, however; it was only printed on one side. He said the banner was placed at the Pole Barn and not across Main Street.

**MINOA
AMBULANCE**

EMS WEEK RECOGNITION

A motion was made by Trustee Brazill and seconded by Trustee Champagne proclaiming the second week of May as EMS Week in the Village of Minoa. All in favor. Motion carried.

Mayor Donovan recognized an article in the Post Standard regarding Chuck Sawkins on May 21, 2007 and encouraged Board members to read the article.

***RATIFY PROVISIONAL F/T APPOINTMENT OF SHARON ROMER AS
PARAMEDIC SUPERVISOR***

A motion was made by Trustee Brazill and seconded by Trustee Champagne appointing Sharon Romer as full-time provisional Paramedic Supervisor effective May 21, 2007 at a rate of \$827.00 per week and \$43,004.00 annually with an increase based upon a six (6) month favorable review at the rate of \$865.00 per week and \$44,980.00 annually. All in favor. Motion carried.

P/T PARAMEDIC APPOINTMENT

A motion was made by Trustee Brazill and seconded by Trustee Theobald to provisionally appoint Steven Glauer to the position of part-time Paramedic

effective May 21, 2007 at a rate of \$11.50 per hour. All in favor. Motion carried.

RESIGNATION / JOHN WALTS

A motion was made by Trustee Brazill and seconded by Trustee Theobald accepting the resignation of John Walts as part-time Paramedic effective May 21, 2007. All in favor. Motion carried.

RATIFY PRIOR APPROVAL FOR AMBULANCE STANDBY

A motion was made by Trustee Brazill and seconded by Trustee Theobald ratifying prior approval for the 2nd Ambulance (A-2) to be stationed at the Race for the Cure on May 19, 2007 in Syracuse, NY. All in favor. Motion carried.

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

WWTF

REQUEST PERMISSION TO PLACE LEGAL NOTICE / SPDES PERMIT

A motion was made by Trustee Cronk and seconded by Trustee Theobald giving permission to Clerk Snider to place a legal notice in the Post Standard pertaining to the tentatively approved Waste Water Treatment Plant Discharge Permit, SPDES Permit No. NY 002 5461. All in favor. Motion carried.

DPW

REQUEST PERMISSION TO ATTEND THE PHASE II STORMWATER CONSTRUCTION REGULATIONS WORKSHOP

A motion was made by Trustee Cronk and seconded by Trustee Brazill giving permission to Thomas Petterelli to attend the Phase II Stormwater Construction Regulations Workshop on May 29, 2007 in Clay, NY at no cost. All in favor. Motion carried.

REQUEST PERMISSION TO ATTEND NTSI DRIVING COURSE

A motion was made by Trustee Brazill and seconded by Trustee Champagne giving permission for twelve (12) DPW and two (2) Sewer employees to attend the NTSI Driving Course that was previously held by the Town of Manlius in April, 2007 at a cost of \$22.00 per person. All in favor. Motion carried.

**NYSMEC /
MUNICIPAL
COOPERATION
AGREEMENT**

Mayor Donovan explained the agreement period for energy purchasing services as follows: Natural Gas – May 1, 2007 thru April 30, 2012 and Electricity – May 1, 2005 – April 30, 2010. He said the electricity agreement was previously approved and was included in the new agreement.

A motion was made by Trustee Brazill and seconded by Trustee Champagne that the Village of Minoa wishes to participate in the NYSMEC and authorizes Mayor

Donovan to sign the Agreement on its behalf and further adopts the resolution attached hereto as Schedule "B". All in favor. Motion carried.

TRUSTEES' REPORT

Trustee Champagne said the signs at Lewis Park were updated with the Memorial Day Parade and Firemen's Field Days information.

Trustee Theobald reported that the second meeting with the local business owners will be held on May 22, 2007 at 6:00 p.m. at the Golden Age Room in the Municipal Building. He invited the Board members to attend and said that a representative from the Greater Manlius Chamber of Commerce would be the guest speaker.

Trustee Theobald said the Memorial Parade was proceeding nicely and that he would need help with the sound system set-up. Trustee Cronk said the DPW would have the stage completed by Friday, May 25, 2007. The Board members agreed to meet at 9:00 a.m. before the parade to organize the set-up. Trustee Theobald said that he would meet with the Town of Manlius Police on May 22, 2007 to discuss the parade route.

Trustee Cronk said the Waste Water Treatment Facility is ready to go out for quote for the removal of the dry and liquid biosolids. Trustee Cronk reported that the WWTF is having problems with receiving a pump and generator for the WWTF and they will not arrive until June 2007. He said that he is working with Treasurer Curulla to make sure the expenses are recognized in FY 2006-2007.

Trustee Brazill said the chimes in the clock were set with patriotic songs and set to play at 11:00 a.m. during the Memorial Day Parade.

MAYOR'S REPORT

Mayor Donovan said that he attended the Wall of Honor Tribute, along with Trustee Theobald, held by the Town of Manlius Police on Saturday, May 19, 2007.

Mayor Donovan said that he was unable to attend the recent School-to-College & Career Program at ES-M High School, but looks forward to working with them, as they offer a great program for the students.

Mayor Donovan reported that he has documents available for the Board members from the NYCOM Main Street Conference that was held in Syracuse, NY. He said the theme of the meetings was a cooperative effort between all agencies with regard to planning and development. He said the topics included funding and planning, which he will discuss at the next meeting of local business owners.

**ATTORNEY'S
REPORT /
PROPOSED LOCAL
LAW #5 FOR 2007**

Attorney Primo presented the Board with proposed Local Law #5 for 2007 relating to the amendment of Chapter 113, Section 113-1 of the Village of Minoa Municipal Code regarding Code violations relating to the condition of real property and/or improvements thereon and providing for the Village to assess the cost of curing such violations where the property owner or responsible person has been duly notified and failed to cure the condition, and the condition is a danger to the public health and safety against the property, to be collected by levy and inclusion on the tax bill.

Attorney Primo said these items are often contested and the courts have enforced the Code, especially when it is a danger to the public health and safety. He said this would prevent hassles for the Codes Enforcement Officer and allow homeowners to be more compliant.

SCHEDULE PUBLIC HEARING

A motion was made by Trustee Brazill and seconded by Trustee Champagne to schedule a Public Hearing on Local Law #5 for 2007 amending Chapter 113, Section 113-1 of the Village of Minoa Municipal Code for June 4, 2007 at 7:20 p.m. All in favor. Motion Carried.

ASSOCIATED ARCHITECTS – FEASIBILITY STUDY OF STATION II

Attorney Primo reported that he had made a few comments on the agreement, specifically the cost of the project and the broad scope of work. He said the architects will provide a layout, but the environmental and hazardous material surveys were excluded from the work. Attorney Primo said the topography survey was not included in the scope of work and should be made available to the architects from the original building. He said it is important that the architects get the original survey and Trustee Brazill confirmed that these items were provided to Associated Architects. Attorney Primo said there was a provision for change orders requiring prior approvals be changed to written approval, liability insurance should name the Village of Minoa as an additional insured, and there is a provision not to use finished documents and if the village utilizes a different firm they would need the completed documents. Attorney Primo said that it was imperative that the Village be able to use the finished documents without any prohibitions. Attorney Primo said that he would contact Associated Architects to discuss and verify the changes.

AUDIT CLAIMS

A motion was made by Trustee Brazill and seconded by Trustee Cronk that claims on Abstract #23 in the amounts of General Fund - \$30,953.31 (Vouchers 1060-1094); Community Clock Project Fund - \$156.00 (Voucher 377); Water Fund - \$26.26 (Voucher 124); Sewer Fund - \$7,554.26 (Vouchers 365-378) for a

total of \$38,689.83 be audited and paid. 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 2007 as recorded. All in favor. Motion carried.

PUBLIC COMMENTS

Richard Greene, Codes Enforcement Officer, said that he has a situation with a property that has gone into foreclosure and there is excessive trash surrounding the property. Mr. Greene asked if the Code provides for the removal of trash by the Department of Public Works after a citation. Mr. Greene said the Village can currently violate someone for excessive grass, hire a contractor to cut the grass and then apply it towards their tax bill and he would like the ability to extend this procedure to trash removal and silt fences. Attorney Primo said that he would have to review the Code to see if it's covered. Mr. Greene said that it's difficult to track down homeowners and force them to clean up their property. Attorney Primo said the Village can remove vegetation, but is limited to trash removal from the sidewalk/curb only.

Mayor Donovan said that a stop work order can be used in the silt fence situation.

Attorney Primo said that homeowners could be violated under the Property Maintenance Code and said that the Town of Salina reworded their Code so that the Codes Enforcement Office does not need to get Board approval to remove the trash, but their Board does set fair prices and uses an outside contractor. Attorney Primo said he would review the Code and get back to Mr. Greene.

Trustee Cronk asked Mr. Greene what could be done to prevent residents from putting out their trash too early. Mr. Greene said a letter could be sent out or a violation could be given to the homeowner. Trustee Theobald said that he has seen properties where the trash is loaded against the building and is never moved to the curb for pick-up.

Mr. Greene encouraged the Board to file a complaint with the Village Office so that he could review each incident. Trustee Theobald thanked Mr. Greene with his help regarding a dumping situation that occurred on East Avenue.

Mr. Greene said that there is a problem with abandoned cars within the Village of Minoa and has asked the Town of Manlius Police to visit the properties and possibly remove the vehicles. He said the abandoned cars can be removed by the police, but the homeowners have to agree to pay the towing bill.

Attorney Primo said they had this discussion before and it's difficult to force the property owner to remove the vehicles. Mayor Donovan said that if it's the tenant's vehicle, it is still the owner's responsibility to remove the vehicle. Attorney Primo agreed and said there could be an agreement with a towing agency that would give proper notice to the vehicle owners and they would dispose of the vehicles.

Mr. Petterelli said the Village had considered doing the work in-house, but was not cost effective. Attorney Primo said that he would review the Town of Salina's contract and provide the Board with more details.

Mr. Greene requested that the Village Board consider updating the Code to include the ability for the Village to remove abandoned vehicles upon due notice.

Discussion ensued regarding the removal of abandoned cars, the paperwork involved and the associated costs.

John Sears asked Mayor Donovan for details of the upcoming meeting with local businesses. Mayor Donovan replied that a group of businesses meet occasionally in the Municipal Building to discuss economic issues and the next meeting is being hosted by the Greater Manlius Chamber of Commerce by invite only. Attorney Primo confirmed that the meeting was not a Village Board meeting and no village business would be discussed. Mr. Sears asked if he could attend the meeting and Attorney Primo said that he could show up and ask to attend. Trustee Theobald said the meeting was for local businesses that are usually members of the Chamber of Commerce. John Sears said that the community should know about open and closed meetings with the Village Board. Mayor Donovan reiterated that it was neither an open nor a closed meeting, as it was a meeting for local businesses to discuss future growth.

**EXECUTIVE
SESSION - IN**

A motion was made by Trustee Champagne and seconded by Trustee Cronk to go into Executive Session at 8:35 p.m. to discuss the medical, financial, credit, or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demolition, discipline, suspension, dismissal or removal of a particular person or corporation and the proposed sale of real property owned by the Village. All in favor. Motion carried.

**EXECUTIVE
SESSION - OUT**

A motion was made by Trustee Champagne and seconded by Trustee Brazill to come out of Executive Session at 9:55 p.m. All in favor. Motion carried.

ADJOURNMENT

A motion was made by Trustee Theobald and seconded by Trustee Brazill that the

Village Board Meeting be adjourned at 9:55 p.m. All in favor. Motion carried.

Respectfully submitted,

Suzanne M. Snider

Village Clerk