

**Richard Donovan, Mayor**  
**William Brazill, Trustee**  
**Ronald Cronk, Trustee**  
**John Champagne, Trustee**  
**Eric Christensen, Trustee**  
**Thomas Petterelli, DPW Superintendent**  
**Janet Stanley, Justice**  
**Richard J. Greene, Codes Enforcement Officer**  
**Chief Pat Flannery**  
**Koagel & Vincentini**  
**Minoa Library**

**EMAIL DISTRIBUTION LIST**  
**Steven Primo, Attorney**  
**Keith Brandis, Paramedic Supervisor**  
**Town of Manlius**  
**Village of Fayetteville**  
**Donna DeSiato, Superintendent ESM School District**  
**Manlius Historical Society**  
**John Regan**

November 1, 2010

**PUBLIC HEARING  
LOCAL LAW #4 FOR  
2010 – PARK &  
RECREATIONAL AREA  
RULES AND  
REGULATIONS**

Upon due notice to all members of the Village Board, a continuation of the Public Hearing was held on Monday, November 1, 2010 at 6:55 p.m. at the Municipal Building, 240 N. Main Street, Minoa, NY. The purpose was to consider the enactment of Local Law #4 for 2010 related to the addition of Chapter 108 entitled “Park & Recreational Area Rules and Regulations, Village of Minoa” to the Village of Minoa Municipal Code, regarding the rules and regulations relative to its public park and recreational areas for the purpose of providing comfortable, convenient, clean, attractive and safe places for the motoring public.

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

ABSENT: None

ALSO John Sears, Thomas Petterelli and Onondaga County Legislator  
PRESENT: Kevin Holquist

**PROOF OF  
PUBLICATION**

A motion was made by Trustee Christensen and seconded by Trustee Brazill agreeing to waive the reading of the Proof of Publication of Public Hearing. All in favor. Motion carried.

**PURPOSE OF PUBLIC  
HEARING**

Mayor Donovan called the Public Hearing to order 6:58 p.m. to consider the enactment of Local Law #4 for 2010 related to the addition of Chapter 108 entitled “Park & Recreational Area Rules and Regulations, Village of Minoa” to the Village of Minoa Municipal Code.

Mayor Donovan turned the Public Hearing over to Attorney Steven Primo to discuss Local Law #4 for 2010 as it pertains to Lewis Park, Rees Field and Minoa Farms Park as follows:

Village of Minoa

Local Law No. Four (4) of the year 2010.

A local law adding a new Chapter 108, entitled "Park & Recreational Area Rules and Regulations, Village of Minoa" to the Code of the Village of Minoa, setting forth the Village of Minoa's rules and regulations relative to its public park and recreational area for the purpose of providing comfortable, convenient, clean, attractive and safe places for the motoring public.

Be it enacted by the Village Board of the Village of Minoa as follows:

Section One. Chapter 108, entitled "Park and Recreational Area Rules and Regulations, Village of Minoa" is hereby added, reading in its entirety as follows:

CHAPTER 108

Park and Recreational Area Rules and Regulations, Village of Minoa

§108-1. Title.

This Chapter 108 shall be known as "Park and Recreation Area Rules and Regulations, Village of Minoa."

§108-2. Legislative Intent and Purpose.

These rules and regulations set forth the Village's policies regarding its public park and recreational area for the purpose of providing comfortable, convenient, clean, attractive and safe places for the motoring public.

§108-3. Establishment, Effect of.

- A. The establishment of these rules and regulations, applicable parts thereof, and enforcement thereof shall only apply and be enforceable to the extent that signage specifically advising of the provisions of this Chapter 108 (and of any excluded or exempted provisions, as provided at §108-4) is prominently posted at the main entranceway to a park or recreation area subject hereof.
- B. As provided at §108-4, one time/event exemptions may be issued by, or in connection with, an Event Permit duly issued by resolution of the Village Board and which permit shall be possessed at all times by the Permittee and posted in the park or recreation area at the time of the event.
- C. The establishment of these Rules and Regulations and/or applicability to a certain area or areas, whether or not designated as a "park" or similar area, shall not in and of itself, be evidence of the alienation of same by the Village of Minoa as parklands or for park purposes.

§108-4. Rules and Regulations.

Except as may be otherwise specifically permitted by duly issued Event Permit from the Village Board of Trustees or by duly adopted resolution excluding or excepting (a) certain area(s) from a rule or regulation hereunder (and which exclusion or exception is duly noted (affirmatively or by omission) on the appropriate signage), the following specified activities or actions are prohibited or regulated as described in all Village of Minoa park and recreation areas:

- A. Driving or parking of any motorcycle or passenger vehicle in areas other than those specifically provided.
- B. Driving, parking, operating of any passenger bus or motorized cycle, mini-bike, scooter, moped, go-cart, all terrain or similar vehicle.
- C. Parking or standing of any vehicle in excess of a posted time limit or in any event from dusk to sun-up the following day.
- D. Defacing or damaging of buildings or other facilities, including writing, cutting, painting, breaking, or any other destructive act.
- E. Igniting or maintaining fires for heating or cooking equipment, except in areas or facilities designated for that purpose.
- F. Depositing or disposing of refuse or waste of any kind, except picnic waste which shall be deposited only in areas and containers provided for such purposes and denoted as such by the Village. If no such refuse containers are provided, or if those provided are filled, all such waste or refuse shall be disposed of off site. In addition, and notwithstanding the availability of

containers, all refuse and waste resulting from special events authorized by Event Permit shall be removed entirely from, and disposed off site.

- G. Consumption of alcoholic beverages of any kind.
- H. Discharging or shooting firearms, bow and arrows, or any hunting or fishing.
- I. Maintenance or repairing of vehicles (including without limitation, oil change, filter replacement, draining of coolant and other fluids, motor disassembly or assembly and the like).
- J. Release of any animals. Canines shall be permitted only on leashes of lengths intended to enable close control at all times. Regardless of same, no canine shall be maintained that incessantly barks, growls or appears in any similar way menacing or threatening to humans or other animals. All pet waste shall be promptly removed, contained in an air and water tight bag or other container and disposed of as provided under §108-4F (above).
- K. Picking, breaking, damaging or abusing of any plants or vegetation or parts thereof, including any wetland or other legally or environmentally protected vegetation.
- L. Use of area or facilities for swimming, bathing, boating, or for washing of garments or clothing of any kind.
- M. Sale of any product or service, or conduct of any other commercial enterprise.
- N. Driving of any motor vehicle in excess of five (5) miles per hour.
- O. Use of such area or facilities when posted as closed for season or otherwise.
- P. Engaging in any loud, boisterous or abusive conduct or engaging in or soliciting lewd or lascivious conduct, including but not limited to sexual, sexually provocative, indecent exposure or similar.
- Q. The foregoing rules and regulations shall be in addition to any other provision of the Village Code, Town of Manlius, Onondaga County or New York State laws which prohibit or restrict such or similar conduct and which impose penalties for the violation or other commission of same.

#### §108-5. Penalties.

Any person violating any of these specified rules and regulations shall in addition to any other violation and penalty under Village Code, Town of Manlius, Onondaga County or New York State law, pertaining to such conduct, be guilty of a misdemeanor and subject to a penalty of not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500.00) and costs, together with any amount necessary to reimburse the Village of Minoa for expense of repairing any damage.

Attorney Primo said that the appropriate signage would be needed for each park and signage for Minoa Farms Park should be recognized as a recreational area and not as a park, so that if a utility franchise needs to run lines through the area it won't be considered a dedicated park land and considered public property.

#### **COMMENTS FROM THE VILLAGE BOARD**

Let the record show that there were no comments from the Village Board.

#### **PUBLIC COMMENTS**

John Sears, 103 S. Main Street, Minoa, said it was unfortunate that he was the only resident in the audience again. He asked the Board if it was ok to fish in the ponds located at Minoa Farms. Attorney Primo said fishing was not allowed, but the Board could choose to exempt that rule.

John Sears asked if it was ok to ice skate or boat on the ponds and Attorney Primo said ice skating could be done by Board approval at Village parks. Mayor Donovan said the Village of Minoa does not want the liability associated with ice skating and boating, so would not be approved. Mayor Donovan said the Village of Minoa does not have the right to decide how the property owners are allowed to use the ponds located on their property lines. Mr. Sears said that he has seen motor boats on the ponds in Minoa Farms and asked if they were legal. Mayor Donovan said the property owners can do whatever they want on the ponds located in Minoa Farms that are owned by the property owners.

**PUBLIC HEARING  
CLOSED**

A motion was made by Trustee Brazill and seconded by Trustee Champagne to close the Public Hearing for Local Law #4 for 2010 at 7:15 p.m. All in favor. Motion carried.

Respectfully submitted,

*Suzanne M. Snider*

Suzanne M. Snider

Village Clerk/Treasurer