

**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**  
**OCTOBER 20, 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 October 20, 2008.

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

**ALSO** Chris Beers and John Sears

**PRESENT:**

**ABSENT:** None

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

**MINUTES OF**  
**VILLAGE BOARD**  
**MEETING -**  
**SEPTEMBER 29, 2008**

A motion was made by Trustee Theobald and seconded by Trustee Champagne to accept the minutes of the September 29, 2008 Village Board Meeting as recorded. All in favor. Motion carried.

**MINUTES OF**  
**VILLAGE BOARD**  
**MEETING -**

A motion was made by Trustee Cronk and seconded by Trustee Champagne to accept the minutes of the October 6, 2008 Village Board Meeting as recorded. All in favor. Motion carried.

OCTOBER 6, 2008

**ENERGY  
CURTAILMENT  
SPECIALIST  
AGREEMENT –  
CANCELLED**

Mayor Donovan reported that the previously approved agreement on August 18, 2008 between the Village of Minoa and Energy Curtailment Specialist was cancelled at the request of Energy Curtailment Specialist because the electricity usage generated by the generators does not exceed the minimum threshold required for participation in the Demand Response Program.

**POMCO / FLEX  
HEALTH &  
DEPENDENT CARE  
REIMBURSEMENT  
ACCOUNT PLAN**

A motion was made by Trustee Brazill and seconded by Trustee Theobald authorizing Mayor Donovan to sign the 2009 POMCO Healthcare Reimbursement Account Plan and Dependent Care Reimbursement Account Plan annual document. All in favor. Motion carried.

**REQUEST  
PERMISSION TO  
ATTEND THE  
PUBLIC  
ASSISTANCE  
WORKSHOP**

A motion was made by Trustee Cronk and seconded by Trustee Brazill giving permission to Thomas Petterelli and Richard Greene to attend the Public Assistance Workshop offered by the New York State Emergency Management Office at the Solvay Fire Department, October 24, 2008 from 9:30 a.m. to 3:30 p.m. at no cost. All in favor. Motion carried.

**RATIFY PRIOR  
APPROVAL/  
CHANGE TO  
EMPLOYEE  
HANDBOOK/  
WORKERS'  
COMPENSATION**

A motion was made by Trustee Champagne and seconded by Trustee Cronk agreeing to a change in the Employees Handbook, page 23, Injured on the Job, effective October 17, 2008 to read as follows:

Full-time employees who are out of work as a result of a Village related Workers' Compensation injury or occupational disease may be eligible to receive supplemental compensation payments from the Village during such period of disability up to a maximum of three (3) months. Payments shall be in an amount representing the difference between 80% of the employee's average weekly wage (as established for Worker's Compensation purposes) and the higher of: (i) the Worker's Compensation payment the employee is actually receiving, or (ii) the Worker's Compensation payment the employee should rightfully be receiving based on his or her degree and period of disability. Eligibility for such payments and amount(s) to be paid based upon the foregoing criteria shall be solely within the Village's discretion. In a case where the employee's case has been controverted or the employee's period or degree of disability has been disputed by the carrier, and the Village has elected to make supplemental payments, the employee shall be required to assign to the Village such portion of any Worker's Compensation payments or additional payments the employee may later receive for the period during which supplemental compensation payments were paid by the Village, so as to reimburse the Village for any excess payments (i.e., in excess of 80% of the employee's average weekly wage) actually received by the employee.

Employees are allowed to use accrued Compensated Absences (sick, vacation, and/or personal) when the supplemental compensation benefit paid by the Village expires after three (3) months until accrued Compensated Absences are depleted.

Compensated Absences will not be accrued during periods when the employee is not working.

After the supplemental compensation payments period expires and all Compensated Absences have been exhausted, it is the responsibility of the employee to make payments to the Village for continued health insurance coverage at the current benefit rate.

All in favor. Motion carried.

**RATIFY PRIOR  
APPROVAL/  
CHANGE TO  
EMPLOYEE  
HANDBOOK/ SICK  
TIME POLICY**

A motion was made by Trustee Theobald and seconded by Trustee Cronk agreeing to a change in the Employees Handbook, page 28, Sick Leave, effective January 1, 2009 to read as follows:

On January 1<sup>st</sup> of each year, full time employees will be credited with two and a quarter (2.25) days of sick leave for each four full months of active service in the previous year. Each village employee shall be entitled to nine (9) days paid sick leave during each calendar year.

All in favor. Motion carried.

**RATIFY PRIOR  
APPROVAL/  
CHANGE TO  
EMPLOYEE  
HANDBOOK/  
SHORT TERM  
ILLNESS/  
DISABILITY AND  
LONG TERM  
ILLNESS/  
DISABILITY**

A motion was made by Trustee Champagne and seconded by Trustee Cronk agreeing to a change in the Employees Handbook, page 28, Short Term Illness/Disability and Long Term Illness/Disability, effective January 1, 2009 to read as follows:

***SHORT TERM ILLNESS/DISABILITY:***

A doctor's certificate is required, at the discretion of the supervisor, to substantiate periods of three (3) consecutive work days of sick leave usage or repeated one or two day absences.

Full time and part time employees are eligible for Short Term Disability benefits (90 days) effective January 1, 2009 and can use Compensated Absences available as a supplement to their disability benefit based on eligibility.

***LONG TERM ILLNESS/DISABILITY:***

An employee will be required to obtain a doctor's certificate that substantiates the severity of his illness and sets forth the expected duration of the illness. Sick days accumulated for long-term illnesses are not convertible into cash.

Full time employees are eligible for Long Term Disability benefits (After 90 days STD) effective January 1, 2009 and can use Compensated Absences available as a supplement to their disability benefit based on eligibility.

Compensated Absences will not be accrued during periods when the employee is not working.

After all Compensated Absences have been exhausted, it is the responsibility of the employee to make payments to the Village for continued health insurance coverage at the current benefit rate

All in favor. Motion carried.

#### **AMBULANCE**

##### ***RESIGNATION / JENNIFER SHERWOOD***

A motion was made by Trustee Brazill and seconded by Trustee Theobald accepting the resignation of Jennifer Sherwood as part-time Paramedic effective October 11, 2008. All in favor. Motion carried.

##### ***RATIFY REQUEST FROM SHARON ROMER TO CHANGE HER CLASS/STATUS FROM PARAMEDIC SUPERVISOR TO PARAMEDIC***

A motion was made by Trustee Brazill and seconded by Trustee Cronk ratifying a prior request from Sharon Romer to change her class/status from Paramedic Supervisor to Paramedic effective October 26, 2008 at the rate of \$16.33 per hour. All in favor. Motion carried.

#### **FIRE DEPARTMENT**

##### ***REQUEST PERMISSION TO ATTEND NYS WEEKEND NATIONAL FIRE ACADEMY / RICH SABIN***

A motion was made by Trustee Brazill and seconded by Trustee Champagne giving permission to Rich Sabin to attend the 24<sup>th</sup> Annual New York State Weekend National Fire Academy in Emmitsburg, MD, March 6-8, 2009 at a cost of \$200.00. All in favor. Motion carried.

##### ***REQUEST PERMISSION TO ATTEND THE FASNY FIRE SERVICE LEADERSHIP CONFERENCE***

A motion was made by Trustee Champagne and seconded by Trustee Brazill giving permission to Firefighters Dennis Erard, Jeremy Erard and Nick Erard to attend the FASNY Fire Service Leadership Conference, North Syracuse, NY, and November 15, 2008 at a cost of \$40.00 per person. All in favor. Motion carried.

#### **DPW**

##### ***REQUEST PERMISSION TO ATTEND THE FHWA EMERGENCY RELIEF PROGRAM MEETING / THOMAS PETTERELLI***

A motion was made by Trustee Cronk and seconded by Trustee Champagne giving

permission to Thomas Petterelli to attend the FHWA Emergency Relief Program Meeting at the Cayuga County Soil & Water Conservation District Office, Auburn, NY on October 29, 2008 from 9:00 a.m. to Noon at no cost. All in favor. Motion carried.

**WWTF**

***RESULTS OF QUOTES / DRY & LIQUID BIOSOLIDS REMOVAL***

Mayor Donovan reported on the quote results for the removal of dry and liquid biosolids as follows: Eggan Excavating: Dry biosolids - \$ 65.55/ton and Liquid biosolids - \$.155/gal and We Care Transportation LLC: Dry biosolids - \$63.50/ton and Liquid biosolids - \$.135/gal.

A motion was made by Trustee Cronk and seconded by Trustee Champagne to make the following bid award for October 1, 2008 through September 30, 2009 for the 2008-2009 Fiscal Year as follows: We Care Transportation LLC for Dry biosolids at \$63.50/ton and Liquid biosolids at \$.135/gal. All in favor. Motion carried.

**TRUSTEES' REPORT**

Trustee Theobald said the Halloween Party scheduled for October 31, 2008 is all set and that he and Trustee Champagne would be handing out popcorn.

Trustee Cronk said the DPW was in the process of picking up leaves and the recently approved stop signs on S. Main Street and Hulbert were installed. He said that he had received numerous appreciative comments regarding the new banners. Trustee Cronk said the snow plows have been prepared and are ready for the first snowfall.

Trustee Brazill said the Critical Response Committee met and they are scheduling the winter drill for either December 9<sup>th</sup> or 10<sup>th</sup>, 2008. He said the drill will include local officials and they have a new scenario planned for this year. Trustee Brazill said the committee will meet again on October 30, 2008 to confirm drill details. Trustee Brazill also reported that the newsletter was completed and the residents would be receiving a copy in their mailboxes by the end of the week.

Trustee Champagne had nothing to report.

**MAYOR'S REPORT**

Nothing to report.

**ATTORNEY'S  
REPORT**

Attorney Primo said the resolution for Minoa Farms that was adopted by the Board on September 29, 2008 and amended on October 6, 2008 had a provision that Elliot Lasky provide a surety bond to cover the construction requirements. He said that Mr. Lasky did not feel that he could meet the dates in the resolution and requested a meeting with Mayor Donovan, the attorneys and Paul Joynt to resolve the previously approved dates for Monday, October 27, 2008. Attorney Primo said procedurally the resolution has failed, the amended subdivision has failed and the property can only be developed as originally planned because the construction dates of the resolution had not been met.

Attorney Primo said that Mr. Lasky is requesting that the resolution be adjusted to realistic dates for completion.

Attorney Primo said he had concerns that as the provisions became less construction related the surety bond would be difficult to enforce and it was important that the updated surety bond be provided to the Village of Minoa. Attorney Primo said there was a condition that Mr. Lasky had to acknowledge in writing that he would abide by the conditions of the resolution. He said both the surety bond and the letter were not provided by the date required; therefore, the amended subdivision has failed at this point. Attorney Primo said the Village could waive the requirements, but as they have not satisfied the requirements, the Board would need to vote on another amended resolution.

Attorney Primo said the Village could have lived with the extended date of the park, but the Board wanted permanent drainage measures installed at Forest View Lane and Norbert Place as per the recommendation of Larry Roscini, Village Engineer.

Chris Beers said the Board is the only group that can protect the Minoa Farms residents and appreciates that they created a resolution but doesn't see anything changing. Mayor Donovan recognized his frustration and said that a resolution was created to hold them responsible for completion of Minoa Farms issues. Mr. Beers said that Mr. Lasky only wants to extend the dates and expressed concern that the asphalt companies would be closing down for the season, which would delay installing the top coat on the existing streets.

Mayor Donovan said it is vital that the existing streets include skirting, feathering, tapering and expansion/extension of turnaround areas so that the DPW can maintain the streets safely during the 2008-09 winter season. Attorney Primo said the roads currently have securities in place and would need to review the time periods of the agreement.

Chris Beers said he is unhappy with the resolution pertaining to the large vehicles damaging the roads in Minoa Farms during the construction of Ryan Homes. Mr. Beers said that Richard Greene, Codes Enforcement Officer, was ok with Ryan Homes moving heavy vehicles (bulldozers) because the top coat was not in place and they would repair the damage before they put down the second coat on the roads. He said the heavy equipment should not be moving on the streets and all loading, turns and unloading should be done on the grass. Mr. Beers said that they should place a stop work order to prevent further street damages. Mr. Beers said he has seen them do it correctly and knows that they can do it properly without damaging the roads any further. Attorney Primo said there wasn't currently anything in books that would allow the Codes Enforcement Officer to withhold building permits, issue stop orders or decline Certificates of Occupancies due to damage to roads.

The Board agreed that Mayor Donovan, Trustee Brazill and Attorney Primo would attend the meeting with Elliot Lasky, Dan Shulman and Paul Joynt.

**AUDIT CLAIMS**

A motion was made by Trustee Champagne and seconded by Trustee Cronk that claims on Abstract # 10 in the amounts of General Fund - \$75,380.11 (Vouchers 359-401); Sewer Fund - \$15,294.00 (Vouchers 131-140); Capital Fund H4 - \$89,340.00 (Vouchers 009-010); and Capital Fund HP - \$815.00 for a total of \$180,829.11 be audited and paid. All in favor. Motion carried.

**TREASURER'S  
REPORT**

A motion was made by Trustee Theobald and seconded by Trustee Brazill to accept the Treasurer's Report for the month of September 2008 as recorded. All in favor. Motion carried.

**PUBLIC COMMENTS**

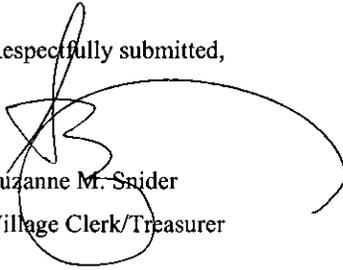
Chris Beers asked who was responsible for making sure the roads were installed correctly and Mayor Donovan said the Village Engineer was responsible for reviewing the work and providing a certificate of completion. Mr. Beers said there were drastic drops in the street binding and that the DPW would encounter problems during snow removal.

John Sears said he noticed that the Minoa Fire Department trucks were out of the building and asked if there was a fire. Mayor Donovan said the Minoa Fire Department was holding a drill that evening and there was also a fire call that evening. Trustee Brazill said the Minoa Fire Department met on the second and fourth Monday of each month, which meant that more vehicles were in the parking lot during that period. Mr. Sears said he would have more questions at the next meeting.

**ADJOURNMENT**

A motion was made by Trustee Champagne and seconded by Trustee Theobald that the Village Board Meeting be adjourned at 8:15 p.m. All in favor. Motion carried.

Respectfully submitted,



Suzanne M. Snider  
Village Clerk/Treasurer