

DISTRIBUTION LIST

**Richard Donovan, Mayor
Edmond Theobald, Trustee
Ronald Cronk, Trustee
William Brazill, Trustee
John Champagne, 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**

**VILLAGE OF MINOA
BOARD OF TRUSTEES
OCTOBER 5, 2009**

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 5, 2009.

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

ABSENT: None

ALSO PRESENT: Dan DeLucia, John Sears, Chris Beers, Eric Christensen and Thomas Petterelli

Mayor Donovan opened the meeting at 7:41 p.m. with the Pledge of Allegiance led by Trustee Brazill.

**MINUTES OF
VILLAGE BOARD
MEETING -
SEPTEMBER 14, 2009**

A motion was made by Trustee Cronk and seconded by Trustee Champagne to accept the minutes of the September 14, 2009 Village Board Meeting as recorded. All in favor. Motion carried.

MINUTES OF

A motion was made by Trustee Theobald and seconded by Trustee Champagne to

**VILLAGE BOARD
MEETING -
SEPTEMBER 30, 2009**

accept the minutes of the September 30, 2009 Village Board Meeting as recorded. All in favor. Motion carried.

**MULTIMED -
CERTIFICATION
STATEMENT**

A motion was made by Trustee Brazill and seconded by Trustee Cronk giving permission for Mayor Donovan to sign the Certification Statement for electronic billing for Medicaid through MultiMed. All in favor. Motion carried.

**BID RESULTS /
BYLIN HEAT TRACE
SYSTEM**

Clerk/Treasurer Snider reported the results of the bid opening for the purchase and installation of a Bylin Heat Trace System on the Municipal Building roof that were received and opened on October 1, 2009 at Noon as follows: Huen New York (low bidder) - \$37,900.00 and Patricia Electric Inc. - \$64,157.00.

A motion was made by Trustee Champagne and seconded by Trustee Theobald awarding the bid for the purchase and installation of a Bylin Heat Trace System on the Municipal Building roof to Huen New York in the amount of \$37,900.00 per their bid, our specifications and the recommendation of Trustee Champagne. All in favor. Motion carried.

**BID RESULTS /
LADDER TRUCK**

Mayor Donovan reported the results of the bid opening for the purchase of a one hundred foot aerial apparatus ladder truck for the Minoa Fire Department that were received and opened on October 2, 2009 at noon as follows:

COMPANY	AMOUNT	PREPAY AMOUNT
Tyler Fire Equipment (low bidder)	\$738,554.00	\$706,053.00
Custom Emergency Vehicles, Inc.	\$752,807.09	-0-
E-One, Inc.	\$760,241.00	\$731,609.00

There were no demos and/or trade-in options available for any of the bids. Mayor Donovan said the Minoa Fire Department, Lance Stolp, and Trustee Brazill would review the bid packages and the decision to move forward with the purchase of the ladder truck was tabled until further review.

**DEVERONICA
FAMILY TRUST
SUBDIVISION/
SECURITY
AGREEMENT &
INSURANCE
WAIVER**

Attorney Primo said the standard security agreement policy requires during a one year warranty period for security and an insurance policy to be in place. Due to the nature of the improvements, he did not see the need for the continuation of an insurance policy because there aren't any punch list items remaining and only one inspection would probably be required at the end of the year. Attorney Primo said that the security agreement could be modified so that insurance would only need to be placed in the event that repairs are required at the final inspection. Attorney Primo recommended that the security agreement be in the amount of 15% of the project cost, (\$1,600.00) and be held for one year in the Trust and Agency account. He said that the Village Engineer, Alex Wisniewski, had reviewed the completed project and the only

outstanding items were the seeding and maintenance of the area. Attorney Primo said the one year warranty would commence on the completion date of Alex Wisniewski's final inspection. He said he was asking for Board approval to authorize the execution of the Security Agreement with the modified provisions listed above and to insert the proper filing easement and restrictive covenants, and include the outstanding professional fees and potential fees to be paid in escrow.

A motion was made by Trustee Champagne and seconded by Trustee Brazill authorizing Mayor Donovan to sign the Security Agreement for the DeVeronica Family Trust Subdivision in the amount of \$1,600.00 representing 15% of the cost of the project, and to modify and/or insert into the agreement that insurance be in place only for necessary repairs based on the final inspection, insertion of the proper filing easement and restrictive covenants, and include the outstanding engineering and legal fees and potential fees to be placed in escrow. All in favor. Motion carried.

**STORMWATER
MODULE
WORKSHOP**

A motion was made by Trustee Cronk and seconded by Trustee Champagne giving permission for Robert Wolf to attend the Stormwater Module Workshop on October 20, 2009, Syracuse, NY at no cost. All in favor. Motion carried.

**NATIONAL GRID/
REQUEST FOR
REIMBURSEMENT
OF OVERPAYMENT
FOR UTILITY
GROSS RECEIPTS
TAX/NYCOM
UPDATE**

Mayor Donovan reported that the Village had received an update from NYCOM stating that municipalities had received a favorable advisory opinion from the NYS Department of Taxation and Finance. NYCOM has contacted National Grid and urged them to abide by the opinion, which states that they abandon their attempts to recover supposed overpayments of Gross Receipts Tax to municipalities, collect and remit the proper tax based on the opinion, and make supplemental Gross Receipts Tax payments to municipalities for underpayment since November 2008.

**STORMWATER
WORKSHOP FOR
MUNICIPAL
HIGHWAY AND
DPW STAFF**

A motion was made by Trustee Cronk and seconded by Trustee Theobald giving permission for Thomas Petterelli, Steven Giarrusso, and Richard Greene to attend the Stormwater Workshop for Municipal Highway and Department of Public Works Staff on November 5, 2008, Salina Town Hall, Liverpool, NY at no cost.

**2010 FIRE
PROTECTION AND
EMS CONTRACT**

A motion was made by Trustee Theobald and seconded by Trustee Cronk to submit the 2010 Fire Protection and EMS Contract to the Town of Manlius for their Budget review and approval in the amount of \$681,247.00. All in favor. Motion carried.

Attorney Primo asked if the payment to the Minoa Fire Department, Inc. should be sent to the Village of Minoa first and then forwarded to the corporation. Discussion ensued regarding the payment requirements and Attorney Primo said that he would review the law.

ANNUAL FINANCIAL REPORT For informational purposes only, Clerk/Treasurer Snider reported that the Annual Financial Report for FY 2008-2009 was filed with the New York State Comptroller and was available in her office for review.

ANNUAL AUDIT For informational purposes only, Mayor Donovan reported that the 2008-2009 Annual Audit reports were completed and given to the Village Board for their review. Mayor Donovan said that this was Clerk/Treasurer Snider's second successful annual audit and thanked her for her hard work.

AMBULANCE Nothing to report.

FIRE DEPARTMENT ***PERMISSION FOR STEVE KALMBACH JR., CLAY FIRE DEPARTMENT, TO RESPOND TO CALLS AND DRILLS WHEN AVAILABLE***
Tabled until Trustee Brazill has had a chance to review the paperwork submitted and discuss with Chief Patrick Flannery.

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

A motion was made by Trustee Champagne and seconded by Trustee Brazill giving permission to Rich Sabin to attend the 25th Annual New York State Weekend National Fire Academy in Emmitsburg, MD, March 19-21, 2010 at a cost of \$200.00. All in favor. Motion carried.

RESTRICTED MEMBERSHIP IN THE MINOA FIRE DEPARTMENT

A motion was made by Trustee Brazill and seconded by Trustee Cronk accepting for restricted membership in the Minoa Fire Department the following individual: Randy Capriotti, Jr., 7681 Myers Road, Kirkville, New York. All in favor. Motion carried

MEMBERSHIP IN THE MINOA FIRE DEPARTMENT - SUPPORT

A motion was made by Trustee Brazill and seconded by Trustee Champagne accepting for support membership in the Minoa Fire Department the following individual: Rick Sabin, 622 Vine Street, Syracuse, New York. All in favor. Motion carried.

MEMBERSHIP IN THE MINOA FIRE DEPARTMENT - SUPPORT

A motion was made by Trustee Cronk and seconded by Trustee Theobald accepting for support membership in the Minoa Fire Department the following individual: Jennifer Sessler, 409 Ripplebrook Lane, Minoa, New York. All in favor. Motion carried.

DPW Nothing to report.

WWTF

REQUEST PERMISSION TO ATTEND SUNY ESF SEMINARS

A motion was made by Trustee Champagne and seconded by Trustee Cronk giving permission for Steven Giarrusso to attend various seminars offered by SUNY ESF on Wednesdays throughout the months of October and November 2009 from 3:00 pm – 4:30 pm, Syracuse, NY at no cost. All in favor. Motion carried.

TRUSTEES' REPORT

Trustee Champagne reported that he is still working with the electrician, Rise Engineering, and National Grid on the lighting project to iron out a few material problems.

Trustee Theobald said that the Town of Manlius Police is waiting for a student count for the International Walk to School Day from Minoa Elementary.

Trustee Theobald said the Halloween Party was moving along smoothly and all of the items have been ordered by Barbara Sturick. Trustee Champagne said that the party is scheduled to begin at 5:00 pm because Halloween falls on a Saturday this year.

Trustee Cronk said that the Town of Manlius Triad was dissolved for the time being until there was more interest from Onondaga County.

Trustee Brazill had nothing to report.

MAYOR'S REPORT

Mayor Donovan reported that he had attended the NYCOM Committee Meeting in preparation for the Legislative Priorities Meeting scheduled for November 9, 2009. He said the focus was on unfunded mandates, specifically DEC enforcement requirements.

**NYCOM
LEGISLATIVE
PRIORITIES
MEETING**

A motion was made by Trustee Brazill and seconded by Trustee Champagne giving the Village Board permission to attend the NYCOM Legislative Priorities Meeting on November 9, 2009 in Albany, NY at no cost and permission for Mayor Donovan to arrive on November 8, 2009 at the cost of hotel and travel expenses. All in favor. Motion carried.

**ATTORNEY'S
REPORT**

Attorney Primo said that he had met with Clerk/Treasurer Snider to discuss final matters with the Collective Bargaining Agreement and changes to the employee handbook.

Attorney Primo said that he is working on an updated law relevant to sheds and setbacks, which should be available for preview at the next meeting.

Attorney Primo said there was a Public Hearing held by the Planning Board for a Site Plan Application submitted by Mark Oot for a sixteen (16) car garage to be built at the Village Square Apartments. He said the application was approved with a few

alterations required and would be built this fall.

AUDIT CLAIMS

A motion was made by Trustee Champagne and seconded by Trustee Theobald that claims on Abstract #09 in the amounts of General Fund - \$16,269.66 (Vouchers 349-367); Sewer Fund – \$4,276.35 (Vouchers 146-157); and Capital Fund (H4-) - \$1,581.47) for a total of \$22,127.48 be audited and paid. All in favor. Motion carried.

PUBLIC COMMENTS

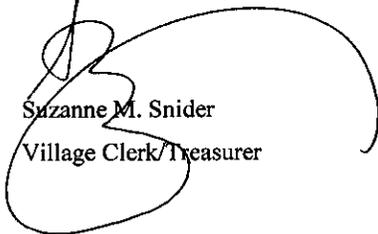
Dan DeLucia asked if the purchase of a new ladder truck would replace any existing trucks. Trustee Brazill said the current ladder truck is twenty years old and no longer works and if they purchase the new truck, the old truck would go out to auction. Mayor Donovan said there was a New York State auction that has a higher visibility rate, especially for overseas buyers. Mayor Donovan said there were expensive repairs needed for the aerial device and is not sure how much the Village will get for the older truck. Trustee Brazill said that the new truck could possibly take the place of another vehicle as well and would help in the vehicle consolidation process.

Chris Beers asked if an engineering firm prepared the specifications. Trustee Brazill said the Village mechanic, the Minoa Fire Department and various vendors contributed to the specifications. Discussion ensued regarding the process of fine tuning the generic specifications.

ADJOURNMENT

A motion was made by Trustee Theobald and seconded by Trustee Champagne that the Village Board Meeting be adjourned at 8:13 p.m. All in favor. Motion carried.

Respectfully submitted,


Suzanne M. Snider
Village Clerk/Treasurer