

**Minutes of the Meeting of the Village Board of Trustees held at 7:30 p.m. at Village Hall,
16 West Genesee Street, Baldwinsville, NY.
July 16, 2015**

Members Present: Mayor Dick Clarke
Trustee Bruce Stebbins
Trustee Rick Presley
Trustee Ruth Cico
Trustee Megan O'Donnell
Trustee Mike Shepard
Trustee Mark Wilder

Others Attending – Attorneys Jamie Sutphen & Bob Baldwin; Codes Officer Gregg Humphrey; Village Clerk Maureen Butler; Treasurer Anna Custer; Police Chief Mike Lefancheck; Crew Leader Chuck McAuliffe; Ashley Casey; Schuyler Burke; Brian Corrigan; Joyce Ramseyer; Jeff Budrow; Louise Rutherford; Rebecca Wasielewski; Douglas Zamelis; Tom Ritzenthaler; Larry Schuler; Jack Kline; Nancy & BJ Hartnett; Betsy & Rich Bernardin; Amanda & Nick Delcostello; Dan Quirino; Eric Binion; B. Coyle; F. Papalia and Sam Pandossi, a representative of the Public Access Channel.

The Pledge of Allegiance was recited.

Resolution #93/2015 Moved by Trustee Presley, second by Trustee Cico
Resolved that the minutes from the Village Board meeting of July 2, 2015, be approved.

Carried

Citizen's Comments

Eric Binion, from Creative Concerts, asked to be added to the agenda for his request of the waiver of the open container law for his upcoming concerts on Saturday, August 8th and Tuesday, August 18th.

Trustee's Comments

Trustee Presley happily spoke of an article that he read about the Baldwinsville community being the 29th safest community in New York State and in the 62nd percentile of the United States.

Mayor's Comments

Mayor Clarke reminded everyone of the Rotary Senior picnic that will be held on July 30th. This replaces the Christmas luncheon. Also on the Canton Woods event calendar is the upcoming annual classic car show on August 3rd.

The mayor mentioned a news article that was published in this week's Messenger regarding the state of Canton Woods Senior Center's financial situation. The mayor stressed that the Center is not in as bad shape as the article may have portrayed. Canton Woods did dip into their reserve fund last year but this is why the fund (overage from past years) exists. Fundraisers are held throughout the year to benefit the Senior Center. One such benefit is this evening at the B'Ville Diner's Classic Car Show where Senior Center Coordinator Ruth Troy is selling 50/50 tickets. Trustee Presley noted that Canton Woods Senior Center is "Alive and Well"!

Mayor Clarke requested that an executive session regarding the sale of property be added to the agenda.

Department Heads

Village Clerk Maureen Butler updated the board on the amount of Mercer Park reservations. There has been both gazebo and pavilion reservations totaling approximately \$450.00 in revenue since May. There is a charge of \$30.00 for each area.

Treasurer Anna Custer updated the board on the monthly financials which have been edited due to an issue with the software program.

DPW representative Chuck McAuliffe stated that the Aspen Springs street lights have all been installed. He updated the board that *No Parking* signs have been placed on Lock Street on the side in which the homes are.

Pending Business

- **Parks Committee Update**

Trustee Shepard noted that the committee met and recommended a baseline security deposit amount of \$100.00 plus an additional amount equal to 100% of the predetermined impact fee amount for the use of Baldwin Canal Square.

Resolution #94/2015 Moved by Trustee Shepard, second by Trustee Stebbins

Resolved to approve the baseline refundable security deposit of \$100.00 for the use of Baldwin Canal Square except for large events which include a non-refundable predetermined impact fee (predetermined by the Village Engineer). The security deposit for these events would be \$100 plus an additional amount equal to 100% of the predetermined impact fee amount.

Carried

Shepard noted that if the impact of the event is greater than what was predetermined that an additional fee will be charged. Trustee Wilder asked if the impact was less than anticipated would a refund be given. The committee said no, a refund would not be given.

- **PMI Request – 2016 Wedding**

Resolution #95/2015 Moved by Trustee Wilder, second by Trustee O'Donnell

Resolved to approve Schuyler Burke's request to waive the requirement that an individual could not reserve Paper Mill Island until May of the event year and also that she would be able to reserve Paper Mill Island for her wedding on Sunday, July 17, 2016, from 12:00 p.m. – 8:00 p.m.

Carried

- **Update – North West Fire District Proposal for 104 Smokey Hollow Road**

Mayor Clarke stated that he, Trustee Stebbins, Village engineer Steve Darcangelo and Village attorney Bob Baldwin met with representatives of the North West Fire District, including the District's attorney Doug Zemelis, Weston & Sampson engineer Jeff Budrow, Jack Kline, Rebecca Wasielewski and State marshal Rich Barletti to discuss the proposal to construct a fire station at 104 Smokey Hollow Road. Many questions were answered and statements clarified for the village. The village reps were given a better picture about the plans. The NWFD sent informational packets to each village board member for their review prior to the July 16th village board meeting.

A power point presentation by Jeff Budrow followed. The eight slides detailed the purpose and need for proposed fire station #3; the ISO rating; response times; use of sirens; the size and scope of proposed fire station #3; alternate sites; the site plan and the district map. Questions were asked by the board and the residents with answers given by the district.

The mayor stressed to the audience that the board did not drag their feet or take this decision lightly. After the meeting earlier in the week and reviewing all the information the board feels that they are able to make an informed decision.

Resolution #96/2015 Moved by Mayor Clarke, second by Trustee Presley

Motion to Approve Request to proceed with planning for a Fire Station at 104 Smokey Hollow Road:

WHEREAS, the North West Fire District has made application to construct a Fire Station at 104 Smokey Hollow Road in the Village of Baldwinsville; and

WHEREAS, the application is to construct the Station on a 6.75 acre lot in a Planned Development District (PDD) within the Village that does not allow for the suggested use; and

WHEREAS, the North West Fire District is a fire district created pursuant to Article 11 of the Town Law and has the legal authority to acquire and utilize real property; and

WHEREAS, the Fire Station to be constructed is to be utilized as a response-only site with no social events to take place on the site nor training facilities/outbuildings to be constructed on the site; and

WHEREAS, this Board of Trustees must make a determination as to whether the public interests of the North West Fire District outweigh the public interests of the Village of Baldwinsville with respect to the uses allowed in this PDD,

NOW, THEREFORE, after due consideration of the various factors involved in this decision and after a public hearing which has taken place on May 21, 2015, and June 4, 2015, the Village Board of Trustees finds as follows:

1. The Fire Station to be constructed is a station to be used for responders-only -- and their equipment for response and for minimal training -- to be constructed on a 6.75 acre lot located in a Planned Development District within the Village, which does not provide for such use. The response-only station must be of a size and style consistent with the lot and the location, as approved by the Village Planning Board.
2. Per specific information in the form of a response time study provided by the Fire District, the location of the proposed Fire Station provides enhanced response capabilities for the Fire District which is in the best interest of public safety.
3. Any possible negative impacts on legitimate local interests of the Village from the day-to-day operations of the Fire Station, such as drainage, traffic, noise levels and buffering for aesthetic purposes can be mitigated through site-plan review.
4. Although it has been suggested that there might be a negative effect on fair market values of surrounding residential properties, there has been no independent evidence of such effect.
5. Based on Fire District traffic study information, the proposed station is better suited for response in much of the village north of the river – better than the current site as far as traffic limitations during specific portions of the day (specifically rush hour and school traffic). The current location is also on a dead-end street which the NFPA lists as undesirable for a Fire Station. The proposed station is also better suited to provide protection for that portion of the Fire District outside of and adjacent to the village to the north.
6. The existing station at 59 Elizabeth Street within the Village of Baldwinsville is insufficient to meet the needs of the community as presently constructed and cannot be sufficiently improved to provide the needed service. The Fire District does not own the current building – which has limitations.
Based on statements from representatives of the Fire District, they have without success attempted to find suitable alternative locations. No specific suitable alternate locations have been mentioned or suggested, although specific possible locations were discussed and found to be unsuitable for various reasons; therefore we find that there are no specific reasonable alternate locations for the Fire Station.
7. It is in the best interests of the Village of Baldwinsville to exempt the proposed use as a Fire Station from the rules of the PDD in which it is to be located, since the public safety and the other factors found by the Village Board outweigh the need to require strict compliance with the zoning rules for this site, therefore the application of the North West Fire District to be exempted from the strict zoning requirements of the Village and the PDD District in which the Fire Station is to be located is granted, subject to approval of the proposed site plan by the Village Planning Board.
8. Notwithstanding the exemption from zoning regulations, the matter should be and hereby is referred to the Planning Board of the Village of Baldwinsville for site plan review and decision pursuant to Section 345-34 of the Baldwinsville Village Code.

Carried

New Business

• **Agreement – NBT Bank Third party custody accounts**

Resolution #97/2015 Moved by Trustee Stebbins, second by Trustee Presley
Resolved to authorize NBT Bank to transfer the village’s third-party custody accounts from M&T Bank to the Bank of New York Mellon (BNYM), and to authorize the mayor to sign the Third Party Custodian Agreement governing the arrangement, as required under NYS General Municipal Law.

Carried

Treasurer Custer explained that this is a common transfer that takes place in the banking world.

• **Waiver of Open Container Law – August 8th Block Party**

Resolution #98/2015 Moved by Trustee Presley, second by Trustee O’Donnell
Resolved to approve Jeffrey Rogers’ request for a waiver of the open container law for a block party to be located at 1 Echodale Avenue to 17 Echodale Avenue on Saturday, August 8th from 10:00 a.m. – 7:00 p.m. Barricades from the DPW are also requested.

Carried

• **Waivers of the Open Container Law – August 8 & August 18, 2015**

Resolution #99/2015 Moved by Trustee O’Donnell, second by Trustee Shepard
Resolved to approve Eric Binion’s request for waivers of the open container law for his Paper Mill Island events on Saturday, August 8, 2015, from 6:00 p.m. – 11:00 p.m. and Tuesday, August 18, 2015, from 5:00 – 10:00 p.m.

Carried

• **Executive Session with no anticipated action**

Resolution #100/2015 Moved by Mayor Clarke, second by Trustee Wilder
Resolved that the board retire into executive session at 9:04 p.m.

Carried

Resolution #101/2015 Moved by Trustee Shepard, second by Trustee O’Donnell
Resolved that the board return from executive session at 10:00 p.m.

Carried

• **Motion to pay bills as audited**

Resolution #102/2015 Moved by Trustee Cico, second by Trustee O’Donnell
Resolved to pay the bills from their proper accounts, after audit.

Abstract #9

- General Fund Checks #40689 - #40741 \$ 237,989.14
- Water Fund Checks #23680 - #23686 \$ 5,063.87
- Sewer Fund Checks #23171 - #23176 \$ 1,677.88

Carried

- **Adjournment**

Resolution #103/2015 Moved by Trustee Shepard, second by Trustee Cico
Resolved that the meeting be adjourned at 10:02 p.m., until the next Village Board meeting at 7:30 p.m., at Village Hall on Thursday, August 6, 2015.

Carried

Respectfully submitted,

Maureen Butler

Maureen Butler, Village Clerk