

**A Public Hearing was held by the Village Board of Trustees on January 21, 2016, to consider a proposed Local Law to repeal Local Law #5 of 2015 and to reinstate the property tax cap for the coming fiscal year pursuant to the authority granted in subdivision 5 of General Municipal Law §3-c.**

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

Others Attending – Attorneys Bob Baldwin and Jamie Sutphen; Codes Enforcement Officer Gregg Humphrey; Treasurer Anna Custer; Village Clerk Maureen Butler; Police Chief Michael Lefancheck; Engineer Steve Darcangelo; Senior Center Coordinator Ruth Troy; Tammy Panebianco; Krista Wharton; Diane Trimble and Joe Loffredo, representative of the Public Access Channel.

The Public Hearing was called to order at 7:30 p.m. by Mayor Clarke and the Pledge of Allegiance was recited.

The Village Clerk read the legal notice that was published in the Messenger.

Comments in favor of the proposal:

None

Comments against the proposal:

None

**Resolution #239/2015** Motion by Trustee Stebbins, second by Trustee Wilder  
Resolved that the Public Hearing be adjourned and closed at 7:35 p.m.

**Carried**

**Respectfully submitted,**

*Maureen Butler*

**Village Clerk**

**Minutes of the Meeting of the Village Board of Trustees held at 7:35 p.m. at Village Hall,  
16 West Genesee Street, Baldwinsville, New York  
January 21, 2016**

**Resolution #240/2015** Moved by Trustee Presley, second by Trustee Cico  
Resolved that the minutes from the Village Board meeting of January 7, 2016, be approved.

**Carried**

**Citizen's Comments**

Tammy Panebianco and Krista Wharton approached the board for permission to lease the property at 58 Oswego Street for a wine and dessert bar. They needed a favorable response from the municipality due to New York State's 500 Foot Rule (Alcoholic Beverage Control Law) which contains restrictions on the approval of certain on-premises liquor licenses if the location is within a 500 foot radius of certain other establishments with on-premises liquor licenses. Panebianco also requested a waiver for the 30 day notification period. The board had no concerns regarding the proximity to other locations.

- **Waiver of the 30 Day Notification – NYS Liquor Authority**

**Resolution #241/2015** Moved by Trustee Presley, second by Trustee Cico  
Resolved to approve the waiver of the 30 day notification period regarding the liquor license for the future wine and dessert bar named Dani's at 58 Oswego Street. This waiver was requested by owner Tammy Panebianco.

**Carried**

**Trustee's Comments**

Trustee O'Donnell sent condolences to the family of Colin Kahl. Colin was a volunteer for Pac-B and was the Village's videographer for our board meetings for many years. He was a special man and will be deeply missed.

**Mayor's Comments**

- He also spoke of the death of Colin Kahl and reiterated what a great guy he was. Much sympathy to the family.
- He informed the residents that Stewart Shops on Smokey Hollow Road has a deadline of March 1<sup>st</sup> and have begun the process by obtaining permits.
- He told of an Inter-municipal breakfast that will be held on Saturday for mayors, supervisors, board members, etc. to express their concerns. The speaker will be giving a presentation on the Consensus Study about the proposed future County consolidation. Dick plans on attending as well as Mike Shepard, Chief Lefancheck and Gregg Humphrey.
- He will be attending Lobby Day in Albany on February 9<sup>th</sup>. This will give him an opportunity to discuss issues with our State representatives.
- Reminded the viewing audience that there is odd/even overnight parking in the municipal lots.
- The Mayor praised Codes Officer Gregg Humphrey for taking care of a trash situation that had gone on for quite awhile.

**Department Heads**

Attorney Bob Baldwin stated that the Onondaga County Planning Federation has their Annual Symposium in March and the Federation requested that a presentation be made on the Four Corners Overlay District. Planning Board member Joe Saraceni and a couple other members will be present as well as both attorneys, Bob Baldwin and Jamie Sutphen. Baldwin noted that this will give other municipalities a chance to see what the Village boards have done to protect the architecture,

looks and development of the most important part of the village, the Four Corners. The Mayor noted that if any village board members would like to attend that they are welcome to do so. The symposium consists of classes/presentations throughout the day.

Code Officer Gregg Humphrey noted that within the next couple of weeks the dilapidated structure at 26 Mechanic Street will be removed. He also reminded residents that snow needs to be removed from sidewalks within 24 hours after a snowfall.

Clerk Maureen Butler informed the board that the Empire Bike Tour would like to use Mercer Park as a water stop on Wednesday, August 4<sup>th</sup> from 1-4 p.m. This group of bikers raise funds for cancer research at Roswell Park Cancer Institute of Buffalo, NY. This will be the second year that they are requesting the park.

Treasurer Anna Custer distributed the monthly financials for review.

Canton Woods Senior Center Coordinator Ruth Troy reminded that B'ville Express follows the school district's decision when it comes to closing due to the weather. Therefore, if schools are closed B'ville Express does not operate. Canton Woods remains open unless the Village of Baldwinsville offices are closed.

Chief Lefancheck reminded everyone that there is a secure prescription drug drop off collection box for any unused prescription drugs in Village Hall.

Village Engineer Steve Darcangelo spoke of the water contamination headlines in Flint, Michigan. He wanted to reassure all of the Village's water customers that the Village takes every safeguard with the Village's water distribution. The Village has no plan to switch water sources as they did in Flint.

### **Pending Business**

- **Parks Committee Recommendations**

Trustee Shepard distributed the Parks Committee meeting notes regarding the Paper Mill Island Agreement to the board. The fee structure is still being discussed at the committee level but the preliminary rates are listed in the minutes. An issue that the Clerk's office has is the timeframe in which the required paperwork comes in from the promoters. One option to avoid the last minute chasing of paperwork is for the board not to issue a waiver for the open container until all requirements are met. Also, the committee is recommending that the board increase the reservation time allowed for private events on PMI to 364 days instead of using the May 1<sup>st</sup> calendar year date. The May 1<sup>st</sup> date does not allow enough time for individuals to secure the venue for a wedding.

**Resolution #242/2015** Moved by Trustee Shepard, second by Trustee O'Donnell

Resolved to allow private events to be booked (like public events) on a revolving basis up to 364 days in advance.

### **Tabled**

Trustee Stebbins questioned the lower rate proposed for private events versus public events. Trustee Shepard noted that these rates are just proposed and will be discussed further before recommended to the board. Trustee Presley stressed that all this motion does is to give someone requesting a private event the same amount of time that a promoter gets for a public event to reserve PMI. Trustee Wilder suggested that some holiday weekends for example 4<sup>th</sup> of July and Seneca River Days be blocked out for promoters only. Wilder was wondering why the Village feels a need to give private events more time to secure a date. He noted that PMI was designed with an amphitheater to encourage use of the amphitheater attracting the entire community to the event. Trustee Wilder would prefer to have public events rather than private events giving a better chance for more people to participate. Engineer Darcangelo commented that the number of concerts has dropped significantly a couple of years ago and the number of requests for private events has increased. In addition, local business owners have stated that they don't see an economic return from concert/public events. If a wedding was taking place it is likely that there would be an increase in business due to a need for accommodations, restaurants, bars and local shopping.

- **Local Law # 1/2016**

**Resolution #243/2015** Moved by Trustee O'Donnell, second by Trustee Wilder

Resolved to approve Local Law # 1 of 2016 to repeal Local Law #5 of 2015 and to reinstate the property tax cap for the coming fiscal year pursuant to the authority granted in subdivision 5 of General Municipal Law §3-c.

**Carried**

While in the budget process the Village had previously approved Local Law 5/2015 (Resolution 221/2015) waiving the tax cap in case we needed to go over. Since this was not the case and we did not have to go over the tax cap, the waiver was not needed. By rescinding the waiver residents are now eligible to receive property rebates from the State.

- **Water Charge – Multi-family Dwellings**

The Mayor recounted this discussion from the last board meeting explaining that the Village has been under charging many multi-family dwellings per the Village Code. Some complexes have one meter pit that service many apartments and are being charged for the one meter where another dwelling with three apartments has a meter for each apartment therefore being charged for each one. He noted that it is in our code that we can charge per unit in each building. For example, if a dwelling has ten apartments the village can charge for ten meters even if there is only one. Since it is already in the Village Code a resolution is not necessary. The village is just enforcing a current policy. A letter will be going out next week to large apartment complexes that this will affect.

**New Business**

- **2016-2017 Budget Amendment**

**Resolution #244/2015** Moved by Trustee O'Donnell, second by Trustee Shepard

Resolved to amend the 2016-2017 Village budget to accommodate new Village Court line items: Revenue line item A3021 - JCAP Grant (Justice Court Assistance Program) - \$7,715.00 and Expense line item A1110.5 – Village Court Projects - \$7,715.00. These additions increase the total budget to \$4,375,735.03.

**Carried**

This project was listed in the 2016-2017 Village Court budget but was incorrectly not added to the Village budget.

- **2016 Canton Woods Senior Center Agreement**

**Resolution #245/2015** Moved by Trustee Cico, second by Trustee Stebbins

Resolved to authorize the Mayor to sign the 2016 Canton Woods Senior Center Agreement.

**Carried**

This agreement is the same as last year except for paragraph #17 which allows for counterparts. Allowing for counterparts lessens the risk of the original getting lost.

- **2016 Hauler Agreement with OCRRA**

**Resolution #246/2015** Moved by Trustee Wilder, second by Trustee Stebbins

Resolved to authorize the Mayor to sign the 2016 Hauler Agreement for the use of the OCRRA Solid Waste Management System. The term of this agreement is from January 1, 2016 – December 31, 2016.

**Carried**

- **Election Inspector Appointment**

**Resolution #247/2015** Moved by Trustee Presley, second by Trustee Wilder

Resolved to appoint Carolyn Wallace as an election inspector for the 2016 General Election for the Village of Baldwinsville that will be held on Tuesday, March 15, 2016, at Village Hall, 16 West Genesee Street, Baldwinsville, New York, between the hours of 12:00 noon and 9:00 p.m.

**Carried**

- **Fobes Island Properties Sale - \$488,000.00**

**Resolution #248/2015** Moved by Trustee Wilder, second by Trustee Cico

Resolved to authorize the Mayor to sign all documents required to transfer the Village's interest in Fobes Island Properties for the purchase price of \$488,000.00, including a quitclaim deed and related transfer documents.

**Carried**

Trustee Wilder stated that this process has been going on for close to ten years. This is good news since it will help the appearance of Lock Street. Many thanks went out to Trustee Wilder on his participation and perseverance in this long process.

Mayor Clarke and Engineer Darcangelo would like to chronicle the life of Lock Street. He has reached out to Village Historian Bonnie Kesselstein and Sue McManus and now the residents to give the Village office a call if they have anything to contribute to this venture. Clarke is looking for old pictures and newspaper articles about the Lock Street area.

- **Seneca Avenue Sale - \$10,550.00**

**Resolution #249/2015** Moved by Trustee Wilder, second by Trustee O'Donnell

Resolved to authorize the Mayor to sign all documents required to transfer the Village's interest in Seneca Avenue, tax map number 029.-05-03.0, for the purchase price of \$10,550.00, including a quitclaim deed and related transfer documents.

**Carried**

Darcangelo explained that this was a Village-owned parcel of land located outside of the Village on Seneca Avenue. No one is sure how the Village acquired it but possibly it was during the time that Community Park was developed. The Village has not utilized this property so it was declared surplus and now sold.

- **Mercer Park Waterfront Improvements Bid – Receive and Award**

**Resolution #250/2015** Moved by Trustee O'Donnell, second by Trustee Wilder

Resolved to receive the bids for the Mercer Park Waterfront Improvements project on Wednesday, January 20, 2016, at 2:00 p.m. (Bid tabulation sheet is attached)

**Carried**

**Resolution #251/2015** Moved by Trustee Wilder, second by Trustee O'Donnell

Resolved to award the Mercer Park Waterfront Improvements bid to J&J Landscaping, LLC. for a bid price of \$68,800.00, as bid on Wednesday, January 20, 2016.

**Carried**

- **Police Training**

**Resolution #252/2015** Moved by Trustee Presley, second by Trustee Cico  
Resolved to authorize Officers Martin Knaul and Jenna Quattrini to attend the Response to Active Shooter training to be held at the Homeland Preparedness Center in Oriskany, NY from 1/27/2016 – 1/28/2016 at a cost not to exceed \$400.00. This is a budgeted item.

**Carried**

**Resolution #253/2015** Moved by Trustee Presley, second by Trustee Cico  
Resolved to authorize Agt. James Cerankowski to attend the Leadership & Mastering Performance training to be held in Erie County from 2/8/2016 – 2/12/2016 at a cost not to exceed \$900.00. This is a budgeted item.

**Carried**

Trustee Stebbins commended the Chief and his officers for finding and participating in these trainings.

- **Motion to pay bills as audited**

**Resolution #254/2015** Moved by Trustee O'Donnell, second by Trustee Wilder  
Resolved to pay the bills from their proper accounts, after audit.

**Abstract #21**

- General Fund Checks #41252 - #41311 \$ 77,569.04
- Water Fund Checks #23807 - #23818 \$ 6,426.69
- Sewer Fund Checks #23237 - #23242 \$ 1,878.54

**Carried**

**Resolution #255/2015** Moved by Trustee Presley, second by Trustee O'Donnell  
Resolved that the meeting be adjourned at 8:33 p.m., until the next village board meeting to be held February 4, 2016, at 7:30 p.m., at Village Hall.

**Carried**

**Adjournment.**

*Maureen Butler*

Village Clerk