

**A Public Hearing was held by the Village Board of Trustees on May 5, 2022**, to consider a proposed Local Law to enact Section 345-45 of the Village Code which would allow the construction of permanent or temporary handicapped ramps in any yard, provided that they are 10 feet from the front yard lot line and 5 feet from any side or rear yard lot line upon the issuance of a building permit.

Members Present: Mayor Dick Clarke via zoom  
Trustee Eric Reinagel  
Trustee Ruth Cico  
Trustee Bruce Stebbins  
Trustee Megan O'Donnell  
Trustee Michael Shepard  
Trustee Nate Collins

Others Attending – Attorney Bob Baldwin; Village Clerk Maureen Butler; Treasurer Mark Baker, Code Enforcement Officer Gregg Humphrey; Superintendent of Public Works Chuck McAuliffe; Police Lt. Mike Lockwood; Ruth Troy, Canton Woods Senior Center Coordinator, Lions Club rep John Osinski, Rotary rep Scott Northrup and Promoter Chuck Chao.

The Pledge of Allegiance was recited.

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 Proof of Publication.

Comments in favor of the proposal: There were none.

Comments against the proposal: There were none.

**Resolution #28/2022** Motion by Trustee Stebbins, second by Trustee Cico  
Resolved that the Public Hearing be adjourned and closed at 7:31 p.m.

**Carried**

**A Public Hearing was held by the Village Board of Trustees on May 5, 2022**, to consider a proposed Local Law to repeal and restate Chapter 292 of the Village Code to institute particular regulations regarding defective sidewalks and to allow the Superintendent of Public Works or the Code Enforcement Officer to order such repairs or replacements and enforce the regulations which are adopted.

The Public Hearing was called to order at 7:35 p.m. by Mayor Clarke.

The Village Clerk read the Proof of Publication.

Comments in favor of the proposal: There were none.

Comments against the proposal: There were none.

**Resolution #29/2022** Motion by Trustee Collins, second by Trustee O'Donnell  
Resolved that the Public Hearing be adjourned and closed at 7:36 p.m.

**Carried**

**A Public Hearing was held by the Village Board of Trustees on May 5, 2022**, to consider a proposed Local Law to provide for the regulation of the seasonal sale of food from fixed outdoor locations by use of a temporary or movable structure or use of a motor vehicle.

The Public Hearing was called to order at 7:37 p.m. by Mayor Clarke.

The Village Clerk read the Proof of Publication.

Comments in favor of the proposal: There were none.

Comments against the proposal: On behalf of WT Brews owner Mike Johnson, Trustee Reinagel read Johnson's comments regarding the local law. Johnson noted that some elements in the ordinance seemed excessive and impractical; section 242-35 J implies that a codes officer needs to inspect for every visit. The provision for criminal background checks/driver license copies and fees outlined in 242-26 (7) and 242-33 B for just not the operator but all people working on the truck seems completely impractical. Johnson feels that running a criminal background check on someone under 18 seems overly invasive. His email is attached in its entirety.

**Resolution #30/2022** Motion by Trustee Reinagel, second by Trustee Cico  
Resolved that the Public Hearing be adjourned and closed at 7:43 p.m.

**Carried**

**Respectfully submitted,**

*Maureen Butler*  
*Village Clerk*

**Minutes of the Meeting of the Village Board of Trustees held at 7: p.m. at Village Hall,  
16 West Genesee Street, Baldwinsville, NY.  
May 5, 2022**

**Resolution #31/2022** Moved by Trustee Stebbins, second by Trustee O'Donnell  
Resolved that the minutes from the Village Board meeting of April 21, 2022, be approved.

**Carried**

**Citizen's Comments**

- **Lions Club**

Lions Club representative John Osinski spoke about the swing set that was purchased with 2020 grant funds and to be placed in Community Park. The past Village Engineer told him that the DPW could assist in the site work and determine an agreed upon location for the set. A discussion ensued about who is to do what. The village offered to do the site work when the DPW does it for the village's new set. Osinski said that the Lions Club had members that were planning on putting it together and setting it up. The biggest issue is the time constraint. Osinski noted that since it is a grant there is a deadline and the village's set won't be in until July. Osinski offered a suggestion that it be put up at McHarrie Park where no site work would be needed. The mayor asked that Osinski and Superintendent of Public Works Chuck McAuliffe meet to discuss and write down a plan.

- **Rotary Club – Seneca River Days**

Rotary Club representative Scott Northrup requested waivers for Seneca River Days. Clerk Maureen Butler stated that all required paperwork has been submitted and one change in the insurance has been requested and being done.

**Resolution #32/2022** Moved by Trustee Collins, second by Trustee Reinagel  
Resolved to waive the Paper Mill Island rental fee for Rotary's Seneca River Days on Friday, June 10<sup>th</sup> and Saturday, June 11<sup>th</sup>.

**Carried**

**Resolution #33/2022** Moved by Trustee O'Donnell, second by Trustee Collins

Resolved to waive the Open Container law for Rotary's Seneca River Days on Friday, June 10<sup>th</sup> from 4:30 p.m. – 11:00 p.m.

**Carried**

- **Creative Concerts – Waiver of the Open Container**

**Resolution #34/2022** Moved by Trustee Shepard, second by Trustee Reinagel

Resolved to approve waivers of the open container law for the following *Creative Concert* events on Paper Mill Island: Friday, June 17 from 6 – 11 p.m., Wednesday, June 29 from 5 – 10 p.m., Friday, July 1 from 6 – 11 p.m., Friday, July 8 from 6 – 11 p.m., Saturday, July 23 from 6 – 11 p.m., Saturday, July 30 from 6 – 11 p.m., Friday, August 5 from 6 – 11 p.m., Thursday, August 11 from 5 – 10 p.m. and Friday, September 2 from 6 – 11 p.m. contingent upon his insurance submittal.

**Carried**

Chuck Chao informed the board that the village won't be getting his insurance until the May 24<sup>th</sup> renewal date for the above dates. Chao asked if he could submit a variation of the workers compensation insurance and the mayor asked Attorney Baldwin to research his request.

### **Trustee's Comments**

**Trustee Collins** informed the audience of the upcoming school budget vote and board elections on May 17<sup>th</sup> and asked them to support their schools. Trustee Stebbins mentioned that on May 10<sup>th</sup> a *Meet the Board Candidates & Public Hearing on Budget and Capital Project* will be held.

### **Mayor's Comments**

**Mayor Clarke:**

- reiterated that the Memorial Day parade will be held on May 30<sup>th</sup> at 10 a.m.
- reminded everyone that the Women's Garden Club once again have hanging baskets to purchase for the beautification of downtown. Order forms are available on the village's website.
- commented how nice the sidewalks are looking, especially the one adjacent to Grace Church.
- reported that Attorney Baldwin has been in contact with NY Canals requiring permits for canal lands in the village. Baldwin recommends that the village gets one Use Permit for all the sites. He was told it would be at a lower rate.
- noted that on May 21 there is a village wide garage sale at Baldwin Canal Square and at various homes throughout the village. Contact the Chamber if interested in participating.

### **Department Heads**

**Village Clerk Maureen Butler** informed residents that if they are interested in reserving one of the pavilions in the various parks to stop by the Clerk's office for an application. Rates have changed since last year – village residents pay a rental fee of \$30.00 while non-residents pay a \$55.00 rental fee.

**Ruth Troy, Canton Woods Senior Center Coordinator** said that May is Older Americans month so there are many activities at the Center, including a concert on May 16<sup>th</sup> and a health and wellness event on the 18<sup>th</sup>.

**Superintendent of Public Works Chuck McAuliffe** told of the walk through he had done earlier with the village's workers' comp carrier with little to no issues. McAuliffe reminded the residents that the brush pick-up program is strictly for yard waste not for large tree takedowns. The sidewalk project is winding down and the DPW is now doing yard repair that was caused by the sidewalk replacement program. He noted that the Mercer Park restrooms are open for the season.

**Police Lt. Mike Lockwood** thanked the Onondaga County Sheriff's department dive team for the recovery of a vehicle in the river at Community Park.

### **Pending Business**

- **Local Law 3/2022 – Handicapped Ramps**

**Resolution #35/2022** Moved by Trustee Reinagel, second by Trustee O'Donnell, Resolved to enact Section 345-45 of the Village Code which would allow the construction of permanent or temporary handicapped ramps in any yard, provided that they are 10 feet from the front yard lot line and 5 feet from any side or rear yard lot line upon the issuance of a building permit.

**Carried**

Trustee Reinagel commented that ZBA Chairman James Zuccoloto pushed for this as to make it easier for a resident to construct a temporary handicapped ramp.

- **Local Law 4/2022 – Regulations for Defective Sidewalks**

**Resolution #36/2022** Moved by Trustee O'Donnell, second by Trustee Collins Resolved to repeal and restate Chapter 292 of the Village Code to institute particular regulations regarding defective sidewalks and to allow the Superintendent of Public Works or the Code Enforcement Officer to order such repairs or replacements and enforce the regulations which are adopted.

**Carried with one against – Trustee Reinagel**

A discussion ensued regarding the 30-day deadline to fix defective sidewalks. Trustee Shepard conveyed his opinion that it may be quite difficult for someone on a fixed income to come up with money to fix a defective sidewalk within the 30-day requirement. Shepard wondered if the 30-day deadline could be extended in the law or if a program could be set up to aid such individuals. McAuliffe also brought up an issue about when a village tree has uprooted and broken the resident's sidewalk. It is then the resident's responsibility to repair it. Trustee Reinagel feels that the local law should be cleaned up for it to be easier to interpret.

- **Local Law 5/2022 – Seasonal Food Trucks**

**Resolution #37/2022** Moved by Trustee Stebbins, second by Trustee O'Donnell, Resolved to provide for the regulation of the seasonal sale of food from fixed outdoor locations by use of a temporary or movable structure or use of a motor vehicle.

**Tabled**

The issues that were brought up by Mike Johnson's email gave the board a few things to think about as it regards to the possible impractical scrutiny of the food truck employees. The board decided to table this and Attorney Baldwin will look into revising some of the language.

### **New Business**

- **Surplus Declaration – Canton Woods**

**Resolution #38/2022** Moved by Trustee Cico, second by Trustee O'Donnell Resolved to declare the following as surplus at Canton Woods Senior Center: 18 window blinds.

**Carried**

**Resolution #39/2022** Moved by Trustee Reinagel, second by Trustee Cico Resolved to accept the following gifts from the Canton Woods Inc. 501c board: 18 new window blinds and a Dayton walk behind floor scrubber.

**Carried**

- **Appointment – DPW**

**Resolution #40/2022** Moved by Trustee Collins, second by Trustee Stebbins

Resolved to appoint Michelle Hamilton as a seasonal laborer at a rate of \$17.00/hour in the Parks department with an effective date to be determined by the Superintendent of Public Works.

**Carried**

The mayor noted that there is one additional seasonal laborer that needs to be hired.

- **Set Bid Opening – Tannery Creek Box Culvert**

**Resolution #41/2022** Moved by Trustee Stebbins, second by Trustee Reinagel

Resolved to set a bid date of Tuesday, June 14, 2022, at 2:00 p.m. for the Tannery Creek Box Culvert Replacement and Stream Debris and Sediment Removal project.

**Carried**

- **Set Public Hearing – Local Law 8 Videoconferencing**

**Resolution #42/2022** Moved by Trustee Reinagel, second by Trustee Collins

Resolved to set a public hearing on June 2, 2022, at 7:30 p.m. to consider a local law authorizing the Village Board and other Village public bodies to use videoconferencing technology to participate in public meetings.

**Carried**

- **Motion to pay bills as audited**

**Resolution #43/2022** Moved by Trustee O'Donnell, second by Trustee Shepard

Resolved to pay the bills from their proper accounts, after audit.

**Abstract # 005**

- General Fund Checks #47935 - #47980 \$ 185,010.01
- Water Fund Checks #25206 - #25214 \$ 4,686.20
- Sewer Fund Checks #24079 - #24080 \$ 614.25

**Carried**

- **Adjournment**

**Resolution #44/2022** Moved by Trustee Collins, second by Trustee Cico

Resolved that the meeting be adjourned at 8:58 p.m., until the next Public Hearings and Village Board meeting on Thursday, May 19, 2022, beginning at 7:30 p.m. at Village Hall, 16 West Genesee Street.

**Carried**

Respectfully submitted,

*Maureen Butler*  
*Village Clerk*

**From:** ereinagel@baldwinsville.org  
**Sent:** Thursday, May 5, 2022 6:27 PM  
**To:** mbutler@baldwinsville.org  
**Subject:** FW: Re: Tomorrow's meeting food truck vote

Please add this to public comments on the food truck public hearing.

-----Original Message-----

From: "Michael Johnson" <mjohnson@wtbrews.com>  
Sent: Thursday, May 5, 2022 2:58pm  
To: "ereinagel@baldwinsville.org" <ereinagel@baldwinsville.org>  
Subject: Re: Tomorrow's meeting food truck vote

Eric,  
I really appreciate you keeping me in the loop on something that could have an impact on us. In reading the ordinance it is fortunate that I am in the process of putting a kitchen addition on since it appears the intent is to stop food trucks in the village. I can absolutely see no issue with a permitting process that requires a nominal fee for the season and proof that the truck meets health codes. However, there are elements in the ordinance that seem excessive and impractical; section 242-35 J implies that a codes officer needs to inspect for every visit. Given food trucks are on the evenings and weekends it does not seem practical for a single codes officer to handle this in off hours. The provision for criminal background checks/driver license copies and fees outlined in 242-26 (7) and 242-33 B for just not the operator but all people working on the truck seems completely impractical. Many of the helpers on food trucks are young kids who may not even have a driver license and running a criminal background check on someone under 18 I would imagine requires parental consent and seems overly invasive. This clause in fact is discrimination in my opinion. This same requirement is not required of workers in a brick and mortar food establishment. I can only infer that the true agenda is to remove food trucks from the village in favor of brick and mortar establishments. It is a shame because I see this really affecting churches, nonprofits and other organizations that use food trucks as part of fundraising events. I doubt I will offer any input or attend the meeting since I feel it will have no impact on the intent to stop food trucks and I am fortunately in a position to avoid dealing with this ordinance next year. I do really appreciate you thinking of how this would impact us and bringing it to my attention. Thank you.

Thanks  
Mike Johnson  
WT Brews  
315-430-2390  
[www.wtbrews.com](http://www.wtbrews.com)

On Wed, May 4, 2022 at 8:55 PM [ereinagel@baldwinsville.org](mailto:ereinagel@baldwinsville.org) <[ereinagel@baldwinsville.org](mailto:ereinagel@baldwinsville.org)> wrote:  
Hi Mike,

I just wanted to make you aware that we plan to vote on the food truck resolution tomorrow night. Meeting is at 7:30 at Village Hall.

Sincerely,

Trustee Eric Reinagel