

**REGULAR MEETING OF THE VILLAGE BOARD OF TRUSTEES WAS HELD AT VILLAGE HALL ON SEPTEMBER 21, 2006, AT 7:30 P.M.**

Present – Mayor O’Hara, Trustees Presley, Stebbins, Mott, Tupper, A. Saraceni, and J. Saraceni.

Also Present – Dan Warner, Chief of Police; Claude Sykes, Supt. of Public Works; J.C Engelbrecht, Attorney for the Village; a representative of the Public Access Channel; Tom Leo, Syracuse Newspapers; Erin Smith, The Messenger, and Joe Trionfero.

The meeting was opened with the Pledge of Allegiance to the Flag.

**Motion #229 –**

Moved by Trustee Stebbins seconded by Trustee J. Saraceni that the minutes of the meeting held September 7, 2006, be approved and the Village Clerk dispense with the reading of said minutes.

**CARRIED.**

**Citizen’s Comments.**

No Comments

**Mayor’s Comments.**

No Comments

**Trustees’ Comments.**

**Trustee Presley’s comments are as follows:**

- Noted that at the July 20, 2006, meeting the Village Board set a not-for-profit rate for the use of Paper Mill Island, but it’s not stated in the Paper Mill Island Contract. He noted that he will take a look at the contract again and see what changes are needed, then bring it back to the Village Board.
- Stated that the Public Safety Committee recommended that the fire horn that was used by the fire department be publicly displayed at Village Hall in public space, since it has historical value and fits in the theme of the Village Hall Lobby.

Mayor O’Hara asked the Village Clerk and Supt. of Public Works to work together to solicit prices to have a fire horn equipment display in the Village Hall lobby.

- Noted that the Police Department has an electric GEM car, which was received with grant funds 4 or 5 years ago, and that it would be given to the DPW. The Public Safety Committee feels the vehicle will be better utilized by the DPW for their trail system.

Trustee Stebbins noted that Beaver Lake has an electric GEM car and they find lots of value for it with their trail system. He announced that the DPW Committee Meeting set for Wednesday, September 27, 2006, will be at 8:00 a.m. instead of the normal 5:15p.m. The DPW Committee will be looking at some things that require daylight.

**Department Heads.**

J.C. Engelbrecht gave the Village Board an update on the litigation regarding the case filed by Robert and Susan Weichert against Village Justice Huling and Rolf Beckhusen. He noted that the case was dismissed by the Supreme Court. He noted that new charges were filed almost immediately. He noted that as he was working on the papers and reviewing them, it appeared to him that Mr. Weichert had committed perjury in writing on the papers. He spoke informally to Pat Quinn, Senior DA, who heads the white collar crime unit in the District Attorney’s Office and through the process Mr. Weichert was arrested September 6<sup>th</sup> on felony perjury charges in regards to his written paperwork.

Mayor O’Hara thanked the Village Attorney, Police Chief and the Village Justice for their work in this case. He requested the Village Attorney to pass on his thanks and his appreciation to the District Attorney’s office for their help in this case.

Claude Sykes stated that he filed a small claim in the maximum amount of \$5,000.00 against Ronald Churchill, QES/Churchill Environmental. The court date has been set for March 6, 2007. He noted that there were areas of asbestos that should have been found by the contractor.

### **Pending Business.**

#### ***Discussion/Possible Action in regards to Village Owned Facilities/Business District Study.***

Trustee J. Saraceni stated that he would like the Village Board to take a serious look at EDR's plan for the former Harrington Fire House site. He feels they must have a plan in place before the building is taken down.

Mayor O'Hara suggested that the Village Board consider EDR's Plan or think of what they would like to see for the site and have a discussion regarding this matter at the next meeting.

#### ***Discussion in regards to the Sergei Yevich Trail, South Shore East Trail.***

Claude Sykes stated that the Sergei Yevich Trail is complete with the exception of the 3 large trees that will be planted when the Village does its fall planting and some guard railing that needs to be installed down by the Town of Lysander parking lot.

Trustee Stebbins suggested some memorial tree plantings, where someone could donate funds for trees planted in the name of someone who has died.

Claude Sykes noted that the village would have to come up with a planting plan for the scheme of the Sergei Yevich Trail in the Spring. He noted that the DPW Committee will be going to the South Shore East Trail to investigate a path that will link from the stone arch bridge and see how to get back to Meadow Street. He also noted that the Village has to secure an easement to go over the stone arch bridge from National Grid.

#### ***Discussion concerning the Cable Franchise Agreement.***

Trustee A. Saraceni noted that he has given the Village Board Members a copy of the contract with Time Warner. He noted that the village will be holding their Public Hearing on October 5, 2006. The Town of Van Buren has approved their contract.

#### ***Discussion in regards to updating the Village Code.***

Trustee Mott stated that there wasn't anything new to report, other than the committee is still working on the code changes. There was a discussion regarding the next step. The committee will present the Village Board with their recommended changes for them to review. Once changes are reviewed, Trustee Mott will work with the Village Clerk to put them in final form.

### **New Business.**

Mayor O'Hara asked if the Village Board had any objections to moving the agenda item regarding a request for a zone change for property located at 12 Elizabeth Street to the front of the agenda as Mr. Trionfero had another meeting to attend.

#### ***Discussion/Action regarding a request received from Joe Trionfero for a zone change for the property located at 12 Elizabeth Street (currently owned by the Knights of Columbus). The request is for a zone change from Residential R-1 to Business B-1.***

Joe Trionfero stated that he is considering purchasing the Knights of Columbus property at 12 Elizabeth Street. He would like to propose a combination of a Performing Arts Center and a school "after care" alternative, but it would require a zone change. He further discussed his proposed plans. He noted that he has to put a purchase offer on the property by September 29, 2006, because the Knights of Columbus have another offer. He was present tonight to get a feel from the Village Board.

Mayor O'Hara noted that village could not move this request through the process by September 29, 2006, and the Village Board relies on the recommendations of the Village Planning Board and the Onondaga County Planning Agency. The Village Board discussed this issue with Mr. Trionfero and informed him that they could not be making a commitment as to whether they would approve or disapprove his request for a zone change at this time. The Village Board also stated their concerns with allowing zoning changes.

Mr. Trionfero thanked the Village Board for their time and noted he would have to decide if he would make a purchase offer and move forward with the request for a zone change.

***Discussion/Action to authorize the Superintendent of Public Works to set the tree work bid date of October 13, 2006, at 3:00 p.m., at Village Hall.***

**Motion #230 -**

Moved by Trustee Mott seconded by Trustee J. Saraceni that the authorization be given to the Superintendent of Public Works to set the tree work bid date of October 13, 2006, at 3:00 p.m., at Village Hall.

**CARRIED.**

***Discussion on the village reviewing development plans within the towns that could have an impact on the village.***

Claude Sykes stated that recently the DPW Committee and the Village Board had discussed with residents regarding sewer and drainage issues that may have been caused by projects done outside the village. He feels the village needs to take a more in-depth look as to what is going on in the towns. He feels the village should have the Village Engineers look at the projects that the towns are proposing and see if they are going to have a future impact on the village.

Trustee Stebbins suggested that the towns, on a volunteer basis, start to notify the village about a particular project within a certain distance from the village.

Trustee A. Saraceni stated that this issue could be addressed with the Intermunicipal Committee.

Claude Sykes stated that he could request an agenda from the Town of Lysander's Planning Board and the Town of Van Buren's Planning Board to see if there is an item on their agenda that might impact the village.

Mayor O'Hara noted that the village would not have legal jurisdiction on an issue going on in the town. The village would have to have a basis to say the issue would have a direct impact on a particular area or not.

***Discussion/Action authorizing the Village Engineer to prepare a drainage basin map for the entire village.***

**Motion #231 -**

Moved by Trustee Presley seconded by Trustee Mott that the Village Engineer be given authorization to prepare a drainage basin map for the entire village.

**CARRIED.**

***Discussion/Action regarding the award of survey work for the River Street walkway project to Applied Earth Technologies in the amount of \$3,500.00.***

**Motion #232 -**

Moved by Stebbins seconded by Trustee Mott that the survey work for the River Street walkway project be awarded to Applied Earth Technologies in the amount of \$3,500.00.

**CARRIED.**

***Discussion on village policy regarding tree/sidewalk conflicts.***

Trustee Stebbins stated that the DPW Committee does not have a recommendation at this time regarding a village policy regarding trees/sidewalks. He noted that a lot of the codes in the village were adopted when the village was smaller, since that time 50% of the village does not have sidewalks and it makes it unfair to the overall number of property owners.

It was noted that it seems unfair for the homeowner to have to pay to have their sidewalk repaired, when a village tree might have been the cause of the damage. Trustee Stebbins noted that the DPW Committee will continue to discuss this issue and bring it back to the board with their recommendation.

***Discussion on the South Shore East Trail regarding obtaining right-of-way from National Grid and an archeological investigation. (Phase 1A and possibly Phase 1B).***

Mayor O'Hara stated that he will contact Claude Sykes in the morning and they can further research this issue.

***Discussion/Action on the Public Works Committee recommendation on water and sewer taps.***

Claude Sykes noted the following DPW Committee's recommendations regarding the increase in the water and sewer taps.

**Water Tap Fees:**

**Developer Installed** - \$400.00

**Village Installed:** Equipment, materials and labor at union rate.

**Outside Village:** Equipment, materials and labor rates set at annual meeting.

**Sewer Tap Fees:**

**Developer Installed:** \$400.00

**Village Installed:** Equipment, materials and labor at union rate.

**Outside Village:** Equipment, materials and labor rates set at annual meeting.

**Motion #233 -**

Moved by Trustee Presley seconded by Trustee Stebbins that a Public Hearing date be set for October 19, 2006, at 7:30 p.m. to hear comments regarding changes in the fees for water and sewer taps.

**CARRIED.**

***Discussion on drainage west of Brown Street between Mott Road and Smallwood Street.***

Claude Sykes noted that this problem regarding the drainage west of Brown Street between Mott Road and Smallwood Street has been an on going issue for several years. The DPW Committee suggested that if the residents could get together and agree to give the village an easement that the village could possibly put in a swale to help with the drainage problem. There was a question brought up as to whether this action would be a gift of services and the Village Board decided that the village would need to do more research before any further action was taken.

***Discussion/Action regarding the appointment of Brandon J. Merritt to a position of part-time Communications Officer for the Baldwinsville Police Department at the entry-level rate of \$8.00 per hour.***

**Motion #234 -**

Moved by Trustee Presley seconded by Trustee Tupper that the appointment of Brandon J. Merritt as a part-time Communications Officer for the Baldwinsville Police Department be approved at the entry-level rate of \$8.00 per hour.

**CARRIED.**

**Motion #235 -**

Moved by Trustee Mott seconded by Trustee Saraceni that the bills be paid from their proper accounts, after audit. General #259 (Cks #28936 - 28997) - \$24,984.24; Water #259 (Cks #21444 - 21461) - \$8,815.56; Sewer #259 (Cks #20935-20946) - \$1,019.50.

**CARRIED.**

**Motion #236 -**

Moved by Trustee A. Saraceni seconded by Trustee J. Saraceni that the meeting be adjourned at 8:36 p.m., until the Public Hearing and Regular Village Board meeting to be held on October 5, 2006, at 7:30 p.m., at Village Hall.

**CARRIED.**

Adjournment,

Village Clerk

