

**REGULAR MEETING OF THE VILLAGE BOARD OF TRUSTEES WAS HELD AT VILLAGE HALL ON NOVEMBER 2, 2006, AT 7:30 P.M.**

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

Absent – Trustee A. Saraceni.

Also Present – J.C. Engelbrecht, Attorney for the Village; Dan Warner, Police Administrator; Claude Sykes, Supt. of Public Works; Tom Leo from the Syracuse Post Standard; Mr. Charles Elliott, a representative of the Public Access Channel; Frank Foster and Terri Stamp from Canton Woods Senior Center; Maysel and Peg Markham and Karen Mayo.

The Public Hearing was opened with the Pledge of Allegiance to the Flag.

**Motion #260 –**

Moved by Trustee Mott seconded by Trustee J. Saraceni that the minutes of the meeting held October 19, 2006, be approved and the Village Clerk dispense with the reading of said minutes.

**CARRIED.**

**Citizen’s Comments.**

No one spoke.

**Mayor’s Comments are as follows.**

- Requested that a general discussion regarding water and sewer infrastructure within the Village of Baldwinsville, be added to the agenda.
- Noted that the Village received a letter from the Syracuse office of the Attorney General’s Office regarding the CSX Railroad issue that took place on Sunday. He noted that CSX Officials have been very helpful in responding to some of the concerns down on the rail bed. He hopes that the property owner who had property damage will be made whole by CSX.

**Trustees’ Comments.**

Trustee Stebbins announced that the next DPW Committee Meeting will be held November 14, 2006, instead of its normally scheduled date of November 8, 2006.

**Department Heads.**

Village Attorney J. C. Engelbrecht gave the Village Board an update concerning the three separate Supreme Court cases involving Susan and Robert Weichert that were before Judge Carni. All of the cases filed have been dismissed, but the Judge did not award any sanctions for legal fees which he had asked for from the Judge.

Mayor O’Hara proposed that the Village Board authorize him, on their behalf, to send a letter to Assembly Members and, Senate Members that represent the Village, the Governor’s Office, Mr. Silver and Mr. Bruno, noting the cost in tax dollars that are spent by municipalities to represent themselves on frivolous court cases and the costs involved from taxpayers, when not receiving any sanctions for legal fees. He feels that there should be automatic sanctions when frivolous cases are brought before the court system. He noted that although the Village won, it really lost because of the legal fees it has to pay to the attorney to represent us.

**Motion #261 -**

Moved by Trustee Presley seconded by Trustee Mott that the Mayor be authorized to send a letter to Assembly and Senate Members who represent the Village, the Governor’s Office, Mr. Silver and Mr. Bruno, stating that sanctions automatically should be granted when frivolous cases are brought against a municipality. It costs the taxpayers money to have the municipality defend itself against these cases.

**CARRIED.**

Police Chief Warner noted that the village had an uneventful Halloween Celebration.

Claude Sykes noted that the village pulled out its docks with help from the Fire Department, and he wanted to thank them for the use of their watercraft.

**Pending Business.**

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

Trustee J. Saraceni noted that Peter Crissey from Crissey Architecture of Syracuse, who is a client of his, has been in contact with him and told him that he teaches a class at the school of interior design at Syracuse University. Mr. Crissey has a class of 24 students and he offered as a class project that these students help the village with a design of the area of the former Harrington Fire Station site. This would be a project for the next semester.

The Village Board felt this was something that should be looked into.

Mayor O'Hara requested that the Village Board think of what it would like to see done with the Village's Lock Street property. He would like to see this issue on the next meeting's agenda.

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

Trustee Mott stated that he had nothing new to report.

***Discussion/Action regarding the hours of operation, music, alcoholic beverages and fireworks, as they relate to Paper Mill Island.***

Trustee Presley noted some of the changes that were recommended at the last meeting.

Some of the trustees felt they had not had enough time to review the new changes to the contract; therefore the item was tabled until the next meeting.

Mayor O'Hara noted that he had received a call from someone who just wanted to get married on Paper Mill Island and the reception would be held someplace else. They said that they would be on the island for about one hour. He did not know how the village would handle that type of situation.

Trustee Presley noted that type of situation was brought up in a discussion in the Clerk's Office, and he felt that the only way the use of the island could be guaranteed is to pay the fees. If the parties involved want a waiver from the contract, they would have to make a request to the Village Board.

Frank Foster, Director from Canton Woods Senior Center, gave the Village Board an update of activities that have been taking place at the Center.

***Discussion/Action regarding the South Shore East Trail.***

Claude Sykes noted that QPK had contacted SHIPO, who does not feel the condition of the stone arch that exists on an area of the South Shore East Trail warrants trying to save it and reconstruct it. QPK's plan is to span that bridge with another bridge right over it and leave it in place. He noted that by utilizing that trail it will also require, where there is a washout, a second bridge. Claude thought the total cost for the two bridges would be approximately \$120,000.00. He noted a couple of other issues that would need to be addressed.

There was a discussion regarding the need for the second bridge over the washout area.

**New Business.**

*Discussion/Action in regards to a credit to be applied to the water and sewer billing for Building #1000 at Mercer Mill Apartments, in the amount of \$1,103.48, due to a meter register error.*

**Motion #262 -**

Moved by Trustee Stebbins seconded by Trustee Mott that approval be given for a credit to be applied to the water and sewer billing for Building #1000 at Mercer Mill Apartments, in the amount of \$1,103.48, due to a meter register error.

**CARRIED.**

*Discussion/Action in regards to the appointment of Robin Augello, 28 Echodale Avenue, to the Planning Board.*

**Motion #263 -**

Moved by Trustee Mott seconded by Trustee Presley that the appointment of Robin Augello, 28 Echodale Avenue, to the Planning Board, be approved.

Mayor O'Hara noted that when there is a vacancy, the mayor has authorization to make the appointment, but he would like to have Village Board approval if there are no objections.

**CARRIED.**

*Discussion/Action concerning the acceptance of the list of unpaid Village Taxes for the year 2006 to be turned over to the County of Onondaga for collection.*

**Motion #264 -**

Moved by Trustee Presley seconded by Trustee Stebbins that the list of unpaid Village Taxes for the year 2006, be accepted and authorization be given to turn them over to the County of Onondaga for collection.

**CARRIED.**

*Discussion/Action concerning the acceptance of the list of unpaid water/sewer bills for the residents of the Maple Road Water District for the year 2006 to be turned over to the County of Onondaga for collection.*

**Motion #265 -**

Moved by Trustee Presley seconded by Trustee Tupper that the list of unpaid water/sewer bills for the residents of the Maple Road Water District for the year 2006, be accepted and authorization be given to turn them over to the County of Onondaga for collection.

**CARRIED.**

*Discussion/Action that the list of water/sewer bills, within the Village of Baldwinsville, that remain unpaid as of November 30, 2006, be deemed as delinquent and that they be included on the Village Tax Rolls for the year 2007.*

**Motion #266 -**

Moved by Trustee Tupper seconded by Trustee Mott that the list of water/sewer bills, within the Village of Baldwinsville, that remain unpaid as of November 30, 2006, be deemed as delinquent and that they be included on the Village Tax Rolls for the year 2007.

**CARRIED.**

*Discussion/Action regarding the proposed Local Law for the water and sewer tap fees.*

**Motion #267 -**

Moved by Trustee Tupper seconded by Trustee Mott that the Local Law changing the sewer and water laws concerning fees be adopted.

**CARRIED.**

**Discussion regarding water and sewer infrastructure within the Village of Baldwinsville.**

Mayor O'Hara noted that there are issues that the village must start addressing going forward. He noted that with the He recently has been looking a maps and with development going on around the village and with water runs down hill, he does not believe that there are adequate retention basins that cover the amount of water entering the village. He also noted that the weather patterns have changed and this area has received a lot of rain over the past few years. He noted that a meeting has been set up with CSX, the Town of Lysander, and the Village of Baldwinsville to see what can be done by working together to solve some of these issues. He also noted that the village still has a large amount of the orange birch pipe in our sewer line system, which is about 50 to 60 years old. He feels that the village needs to contact Onondaga County, NYS DEC, the two towns and notify them that we want to work together and have a plan in place for the future. This issue will be added to the agenda for updated discussions.

There was a discussion regarding the cost to taxpayers for sewer repairs that have to be made with taxpayers who live across the street from the sewer main, it would cost that taxpayer more for their repairs than the resident that lives on the same side as the main. It was noted that some municipalities do not charge for the repairs within the village's right-of-way. The Mayor feels that this is something that the Village Board should look into.

Mayor O'Hara stated that the village should look into structures and debris that have been installed within the village's easement, and swale basins, which affects the water flow.

**Motion # 268-**

Moved by Trustee Mott seconded by Trustee J. Saraceni that the bills be paid from their proper accounts, after audit. General #262 (Cks #29115 - 29184) - \$74,035.34; Water #262 (Cks #21486 -21498) - \$5,009.91; Sewer #262 (Cks #20964-20968) - \$1,482.79.

**CARRIED.**

**Motion #269-**

Moved by Trustee Presley seconded by Trustee J. Saraceni that the meeting be adjourned at 8:15 p.m., until the next Regular Village Board meeting to be held on November 16, 2006, at 7:30 p.m., at Village Hall.

**CARRIED.**

Adjournment,

Village Clerk

