

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

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

Also Present – J.C. Engelbrecht, Attorney for the Village; Lieutenant Mike Lefancheck; Claude Sykes, Supt. of Public Works, Tom Leo from the Syracuse Post Standard; Mr. Charles Elliott, a representative of the Public Access Channel; Dan Schmidt from Hills, Farnham and Hills; Clare Merrick, Jack Baker, Mark Porter, Karen Gates and Karen Mayo.

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

Motion #281 –

Moved by Trustee Stebbins seconded by Trustee Presley that the minutes of the meeting held November 16, 2006, be approved and the Village Clerk dispense with the reading of said minutes.

CARRIED.

Citizen’s Comments.

Dan Schmidt from Hills, Farnham and Hills, who is currently the village’s Insurance Agent, submitted a summary of the village’s current liability insurance coverage. He noted the increases and decreases in the rates over the last 4 years. He noted that he would attend the next board meeting to answer any questions the Village Board might have on the summary he submitted. It was noted that NYMIR offers risk management information, of which the Police Department has taken advantage of. Mayor O’Hara requested that Mr. Schmidt submit a list of outstanding claims on a quarterly basis.

Mayor’s Comments.

Mayor O’Hara requested that an Executive Session for Personnel/Litigation Matter be added to the agenda.

He also noted that he would like to hold a budget work session with the Village Trustees on December 19, 2006, at 5:00 p.m. at Village Hall.

Trustees’ Comments.

Trustee A. Saraceni requested that an Executive Session for Labor Contract Negotiations be added to the agenda.

Trustee Mott stated that he would like to have a discussion regarding ARB differences with the Planning Board and Zoning Board. He would like to get the Village Board’s comments regarding that issue.

Mayor O’Hara suggested that this issue be added to the January 4, 2007, Village Board Meeting for discussion with all of the Zoning Board, ARB Board and Planning Board members attending.

Trustee Presley’s comments are as follows:

- Public Safety Committee will be meeting on December 13, 2006, at 5:00 p.m. instead of their scheduled date of December 20, 2006. It is being changed because of vacations and the Christmas Season.
- Suggested that a Capital Reserve Fund be set up for Paper Mill Island. He reminded the Village Board that the amphitheater is almost 10 years old and in the near future it will need expensive maintenance.
- Noted that the East Genesee Street crosswalk in front of the library is not handicap accessible on the north side of the street.

Claude Sykes noted that the State of New York installed that crosswalk and he would contact them regarding the lack of handicap accessibility.

Department Heads

J.C. Engelbrecht updated the Village Board in regards to the Susan and Robert Weichert case. He noted that the Rochester Appellate Division dismissed Weichert's motion and also dismissed the Village's request for sanctions.

Michael Lefancheck noted that the Village of Baldwinsville Police Department will be honored with the AAA Platinum Award for Traffic Safety, which is the highest award given out by AAA. They will be given the award on January 9, 2007, at 8:30 a.m. at the Marks Hotel. The Village Police Department has previously been awarded 2 silver awards and 4 gold awards.

Claude Sykes stated that he had received a call from Maurice O'Connell, Public Affairs Representative for CSX Railroad. Mr. O'Connell will schedule a meeting with the village to discuss their plans on what they are going to do on the railroad to alleviate the flooding problem and the clean up that is needed there.

Claude Sykes noted that he had a request from Wave Hydro to use the Village's Bridge to fix some serious problems with their electric generation equipment and they need to drain the mill pond upstream of their power plant. They would like to use the bridge like they did before to erect shoring off from on the canal side of the bridge. He would like the village to give them their permission if they so desire. He noted that the village has some problems with some gabions on the east of Paper Mill Island where it meets the mill pond, while Wave Hydro has the pond drained, he would like to request them to repair those gabions in exchange for the use of the village's bridge.

Mayor O'Hara requested the issue be added to the agenda.

Pending Business.

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

Trustee J. Saraceni noted that he had nothing new to report. Mayor O'Hara stated that the Village Engineer was going to meet with the asbestos contractor to go over what it will cost to remove the remaining asbestos at the former Harrington Fire Station. Mayor O'Hara noted that the village has a small claims court date of March 6, 2007, to testify against the contractor that failed to identify the additional asbestos. He thanked Trustee Tupper for giving him his thoughts in regards to Lock Street. He asked the rest of the Village Board members to submit their suggestions.

Discussion in regards to updating the Village Code.

Trustee Mott noted that he gave the Village Board, 49 pages of recommended changes to the Village Code Book. He asked if the Village Board wanted to discuss the draft. Mayor O'Hara suggested that the Village Board set a date of February 1, 2007, to meet to discuss the draft. He asked Trustee Mott to invite members of the ARB, Zoning Board and Planning Board to the meeting.

Trustee Presley recommended that the Village Department Heads also receive a copy to review.

Discussion/Action regarding the South Shore East Trail.

Mayor O'Hara stated that he had a discussion with National Grid and he does not believe there will be an issue in obtaining an easement from them for the trail.

Discussion concerning the Village's infrastructure.

Mayor O'Hara stated that one of the things the Village Board will discuss in regards to the budget will be some increases in the engineering costs from the previous years. Plumley Engineering has prepared a detailed cost estimate to do the inflow and infiltration study. The study will take from 2 to 3 years to do and there will be other costs associated with that that will not be included in the engineering costs. He noted that he met with DOT in Syracuse on Tuesday, and they discussed issues on East Genesee Street, but currently since there is no water running across the road, where in other areas in the local region there is, those areas will take a priority, and the State will look at the East Genesee Street issues, in the future, which they are aware of.

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

Motion #282 -

Moved by Trustee Mott seconded by Trustee J. Saraceni that the Local Law for the water and sewer tap fees be adopted.

Mayor O'Hara stated that this Local Law will allow the Village Board to make changes in the fees by Board Resolution, instead of by Local Law.

CARRIED.

New Business.

Discussion/Action in regards to setting the fees for water taps and sewer taps.

Mayor O'Hara noted that several months ago, the Village Board discussed that what ever fees the Village charged would be fair and reasonable fees. He asked Claude Sykes to have a procedure in place by December 31, 2006, that will clearly detail how the village will charge the cost of any service the village provides for the taxpayers to pay. The village will charge actual costs and have an invoice for the taxpayer to review the cost charged.

Claude Sykes and the Village Board discussed the actual cost of the work involved for water and sewer taps.

Motion #283

Moved by Trustee Tupper seconded by Trustee Presley that the fees for water taps be set at \$344.00 and \$51.00 for Sewer Taps. These fees are for developers only. If a water or sewer tap is done by the village for an individual they will be billed for the work that was completed.

CARRIED.

Discussion concerning the proposed Local Law regulating the siting of wireless telecommunications facilities.

Claude Sykes stated that he went over the comments from the Planning Board regarding the proposed Local Law with Sue Marino and they had resolved all but a couple of concerns from the Planning Board. Sue Marino was going to contact the Planning Board to go over the remaining concerns.

Discussion concerning the 457 State of New York Deferred Compensation Plan for Village of Baldwinsville's employees.

The Village Clerk filled in the Village Board on what had been taking place to obtain a 457 State of New York Deferred Compensation Plan for Village Employees. She noted that after employees had spoken to the Mayor regarding an interest they had in a 457 Deferred Compensation Plan; the Mayor had her contact a representative from Brown and Brown. Jeffery Keyes from Brown and Brown explained the process that had to take place. The Village Clerk noted that she advertised in the New York State Register for 30 days and received three plans, which were New York State Deferred Compensation Plan, The Hartford and Security Benefit. Mr. Keyes recommended that the Village go with the 457 State of New York Plan, since the plan would not have to be re-bid every 5 years and does not require an annual audit as would be required if the village went with one of the other plans. She noted that the villages of Camillus, Chittenango, Jordan, Phoenix, Skaneateles, and Mexico have gone with this plan.

Mayor O'Hara noted that only the employee would contribute to this plan, the village would not be making any matching funds. The Village Board was in favor of offering this to the employees and wanted to proceed with the adoption of the resolution for the 457 State of New York Deferred Compensation Plan.

Motion #284 -

Moved by A. Saraceni seconded by Trustee Tupper that the Village adopt the resolution for the 457 State of New York Deferred Compensation Plan, which is as follows:

Village of Baldwinsville Adoption Of
The State of New York Deferred Compensation Plan

WHEREAS, the Village of Baldwinsville wishes to adopt the Deferred Compensation Plan for Employees of the State of New York and Other Participating Public Jurisdictions (the "Plan") for the voluntary participation of all eligible employees; and

WHEREAS, the Village of Baldwinsville is a local public employer eligible to adopt the Plan pursuant to Section 5 of the State Finance Law;* and

WHEREAS, the Village of Baldwinsville has reviewed the Plan established in accordance with Section 457 of the Internal Revenue Code and Section 5 of the State Finance Law of the State of New York; and

WHEREAS, the purpose of the Plan is to encourage employees to make and continue careers with the Village of Baldwinsville by providing eligible employees with a convenient and tax-favored method of saving on a regular and long-term basis and thereby provide for their retirement;

NOW, THEREFORE, it is hereby:

RESOLVED, that the Village of Baldwinsville hereby adopts the Plan for the voluntary participation of all eligible employees; and it is further

RESOLVED, that the appropriate officials of the Village of Baldwinsville are hereby authorized to take such actions and enter such agreements as are required or necessary for the adoption, implementation, and maintenance of the Plan; and it is further

RESOLVED, that the Administrative Services Agency is hereby authorized to file copies of these resolutions and other required documents with the Present of the State of New York Civil Service Commission.

Adopted the 7th day of December, 2006, at a meeting of the Board of Trustees.

I hereby certify that the Village of Baldwinsville is a local public employer within the meaning of Section 5 of the State Finance Law and that the adoption of the Plan has received all required approvals of any local governing body or officer and otherwise complies with local law.

*A local public employer eligible to adopt the Plan pursuant to Section 5 of the State Finance Law includes: a county, city, town, village or other political subdivision as defined in Section 131 of the retirement and Social Security law or civil division of the State; a school district or other governmental entity operating a public school, college, or university; a public improvement or special district, a public authority, commission, or public benefit corporation; or any other public corporation, agency or instrumentality or unit of government which exercises governmental powers under the laws of the State.

CARRIED.

Discussion/Action in regards to setting a date of January 17, 2007 at 3:00 p.m. to receive bids for Canton Woods Senior Center Travel for Day Trips and Overnight Trips for the years 2008-2012.

Frank Foster stated that they had started this program 5 years ago and it is time to re-bid. He noted that the service has been great from the current travel agent. He noted that they used the previous bid document and just updated certain information.

Mayor O'Hara asked who was sending out the bid documents and who was responsible for receiving them.

The Village Clerk noted that she was sending out the bid documents and she would be receiving and opening them at 3:00 p.m. on January 17, 2007.

Motion #285 -

Moved by Trustee Presley seconded by Trustee J. Saraceni that the date of January 17, 2007, at 3:00 p.m., be set to receive bids for Canton Woods Senior Center Travel for Day Trips and Overnight Trips for the years 2008-2012, contingent upon the Mayor reviewing the bid process and understanding how many bid documents are going out.

CARRIED.

Discussion/Action in regards to giving permission to Wave Hydro to make use of the village's bridge on Paper Mill Island to drain the water at their site to do work on their electric generators.

Claude Sykes explained the work Wave Hydro had to do and suggested that while the mill pond was drained he would ask Wave Hydro, in exchange of using the Village's bridge, if they could put the existing gabions back in place; over time they have moved out of place.

Motion #286 -

Moved by Trustee Mott seconded by Trustee Presley that permission be given to Wave Hydro to make use of the Village's bridge on Paper Mill Island and in exchange they could put the existing gabions back in place, while the mill pond was drained.

CARRIED.

Motion #287 -

Moved by Trustee Tupper seconded by Trustee Presley to retire into two Executive Sessions, one for personnel matter/litigation and one for contract negotiations at 8:15 p.m.

CARRIED.

Motion #288 -

Moved by Trustee Stebbins seconded by Trustee Presley that the Board Members returned from Executive Session at 9:14 p.m.

CARRIED.

Motion #289 -

Moved by Trustee Stebbins seconded by Trustee Presley that the bills be paid from their proper accounts, after audit. General #264 (Cks #29255 -#29326) - \$299,627.63; Water #264 (Cks #21509 -#21519) - \$1,489.54; Sewer #264 (Cks #20980-#20982) - \$691.42.

CARRIED.

Motion #290 -

Moved by Trustee Stebbins seconded by Trustee Presley that the meeting be adjourned at 9:15 p.m., until the next Regular Village Board meeting to be held on December 21, 2006, at 7:30 p.m., at Village Hall.

CARRIED.

Adjournment,

Village Clerk