

**Public Hearing was held by the Village Board of Trustees for the Purpose of Hearing Comments Regarding the Adoption of the Budget for the Fiscal Year beginning March 1, 2006, and ending on February 28, 2007, at Village Hall on January 5, 2006 at 7:30 p.m.**

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

Also Present – J.C. Engelbrecht Attorney, for the Village; Daniel Warner, Chief of Police; Claude Sykes, Supt. of Public Works; Lynn Campbell, Treasurer; Erin Smith from the Messenger; a representative of the Public Access Channel; Thomas Leo, from The Post Standard, Sue Marino from Center for Municipal Solutions; and Mike Chemotti.

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

Mayor O’Hara stated that the purpose of this public hearing was to hear comments concerning the adoption of the budget for the fiscal year beginning March 1, 2006, and ending on February 28, 2007.

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

Mayor O’Hara asked if anyone wanted to speak in favor of the proposed budget for the fiscal year beginning March 1, 2006, and ending on February 28, 2007.

No one spoke.

Mayor O’Hara asked if anyone wanted to speak against the proposed budget for the fiscal year beginning March 1, 2006, and ending on February 28, 2007.

No one spoke.

**Motion #298 –**

Moved by Trustee Presley seconded by Trustee Stebbins that the public hearing be adjourned at 7:32 p.m.

**CARRIED.**

Respectfully submitted,

Village Clerk

**REGULAR MEETING OF THE VILLAGE BOARD OF TRUSTEES WAS HELD AT VILLAGE HALL ON JANUARY 5, 2006, AT 7:30 P.M.**

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

Also Present – J.C. Engelbrecht, Attorney for the Village; Daniel Warner, Chief of Police; Claude Sykes, Supt. of Public Works; Lynn Campbell, Treasurer; Erin Smith from the Messenger; a representative of the Public Access Channel; Thomas Leo, from The Post Standard, Sue Marino from Center for Municipal Solutions; and Mike Chemotti.

**Motion #299 –**

Moved by Trustee Presley seconded by Trustee J. Saraceni that the minutes of the meeting held December 15, 2005, 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 J. Saraceni requested that a discussion concerning Canton Woods Senior Center be added to the agenda under New Business.

The Village Board had no objections to this item being added to the agenda.

**Department Heads.**

J.C. Engelbrecht requested that a discussion/possible action in regards to an easement problem for property known as Lot 85, off Edgewood Drive in the Brown Estates, be added to the agenda.

Mayor O’Hara noted that this seems to be a pressing issue and he feels the Village Board should be aware of the issue.

The Village Board did not have an issue of adding this item to the agenda.

**Pending Business.**

***Discussion in regards to the \$50,000.00 Grant Funding from Assemblyman Magnarelli.***

The Village Clerk noted that she is waiting for the paperwork to be sent to her for the reimbursement.

Mayor O’Hara noted that he had spoken to Sue McSweeney and she said the paperwork should be coming soon. He also noted that Sue stated that Assemblyman Magnarelli would be reviewing the grant application for the proposed salt shed and sending a letter of recommendation.

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

Trustee J. Saraceni noted that the steering committee was meeting tonight for the last time, before EDR puts together a proposal for the Village Board. He recommended that copies of those proposals be given to the Village Board, Zoning Board, and Planning Board to review. He noted that the Village Board mentioned having the next public meeting with EDR at the January 19<sup>th</sup>, Village Board Meeting and he would like to invite members of the Zoning and Planning Boards to that meeting. He also feels the meeting should be held at Baker High School like the first public meeting.

The Village Board discussed the time frame that would be best to review the proposals and be informed for the next public meeting. Mayor O'Hara suggested that EDR come to the January 19<sup>th</sup> Village Board Meeting with their proposals, but not necessarily for public discussion. Then at the February 4<sup>th</sup> meeting invite the public and gather their input and the input from the steering committee. The Village Board agreed to the suggestion and noted that they would still like to have their copies of the proposals before the January 19<sup>th</sup> meeting.

***Discussion in regards to the Sergei Yevich Trail, Southeast Trail.***

Mayor O'Hara noted that there were three outstanding issues regarding the grant for the Sergei Yevich Trail, one being the mortgage subordination agreement from the bank for Eckerd Drugs. He noted that he has a letter from Eckerd Drugs' Attorney stating that an agreement is not needed.

He noted that the signed contract was received for the TEA 21 Grant for the Southeast Trail.

***Discussion/Action regarding the Request for Proposals for Engineering Services for the South Shore East Trail.***

Claude Sykes stated that he received eight requests for proposals for engineering services for the South Shore East Trail. He noted that there had been selected Village Board Members, who had reviewed the proposals. He noted that the next step would be to narrow the field and start the interview process.

The Village Board requested that Claude compile the list of recommendations from the Board Members and select the first four engineering firms that overlay, then set up the interview with those top four.

***Discussion concerning the Skate Zone Facility located on Lock Street.***

Nothing new to report.

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

Trustee A. Saraceni noted that he has been trying to set up a meeting with the other municipalities over the last couple of weeks. The next step in the process would be for the three municipalities to sit down and have a discussion to finalize the contract.

Mayor O'Hara stated that he would like to settle this contract within the next 30 to 60 days, with or without the town agreements. He noted that the issue of supporting PAC-B is a separate issue. He stated that he thinks the other two municipalities have included funds for PAC-B up to a certain amount in their budget, as the Village did in their budget.

***Discussion/Action in regards to giving the Mayor authorization to sign the NYMIR Renewal Questionnaire submitted by Dan Schmidt from Hills, Farnham and Hills for the Village's insurance policies that renewed November 25, 2005.***

Trustee A. Saraceni stated that he met with Dan Schmidt and everything seems to be in order with NYMIR and he would like to recommend that the Mayor be authorized to sign the NYMIR Renewal Questionnaire.

**Motion #300 -**

Moved by Trustee A. Saraceni seconded by Trustee J. Saraceni that the Mayor be given authorization to sign the NYMIR Renewal Questionnaire submitted by Dan Schmidt from Hills, Farnham and Hills for the Village's insurance policies that renewed November 25, 2005.

**CARRIED.**

***Discussion/Possible adoption of proposed budget for the Village of Baldwinsville for the fiscal year beginning March 1, 2006, and ending February 28, 2007 contingent upon the public hearing.***

Trustee Presley noted that he had reviewed the budget and found it to be a conservative budget, and a responsible budget. It keeps the tax rate within a reasonable limit and he recommends the adoption of the proposed budget.

Mayor O'Hara noted that the budget reflects a \$.35 reduction in the overall tax rate for the Town of Lysander and Town of Van Buren.

**Motion #301 -**

Moved by Trustee Presley seconded by Trustee Baker that the proposed budget for the Village of Baldwinsville for the fiscal year beginning March 1, 2006, and ending February 28, 2007, be adopted.

**CARRIED.**

***Discussion/Action in regards to improvements to Meigs Road and the east-west collector road.***

Claude Sykes stated that the DPW committee discussed this issue. He noted that something has to be decided as to how the Village is going to fix the substandard Meigs Road and get it up to par for the future developments that are taking place in that area both in and out of the Village. The DPW Committee feels the Village should look to the Town of Van Buren for help, since some of their constituents would benefit from the improvements to that road.

The Village Board discussed that there would be approximately \$100,000.00 worth of repairs that are needed to bring Meigs Road up to proper standards. It was noted that the Village needs to expedite this project in good faith, since the developer of the project in the Village has been coming to Village Planning Board Meetings for several months and has paid engineering fees to have his project approved. It was noted that a process could take place for the Village to collect a fee for the proposed collector road.

Mayor O'Hara asked Claude Sykes, who is also a Town of Van Buren Councilman to abstain and excuse himself from any discussions regarding this issue with the Town of Van Buren. He stated that he would sit down with Mary Crego, Town of Van Buren Supervisor, and the developers of both projects and discuss what they might be able to do to help with items on the \$100,000.00 repair list. Trustee Tupper offered to sit in on the proposed meeting.

Claude Sykes noted that the developer for the project within the Village side of Meigs Road was very positive about being willing to help the Village with some items on the repair list.

Mayor O'Hara asked Trustee Tupper to try to schedule a meeting with Mary Crego, one day next week either at 8:30 in the morning or 4:30 in the afternoon and let him know when.

**New Business.**

***Adoption of a resolution establishing that the 2006 General Election for the Village of Baldwinsville will be held on the 21st day of March 2006, and the Inspectors of Election to meet at the Village Hall, 16 West Genesee Street, Baldwinsville, New York, between the hours of 12:00 noon and 9:00 p.m. on March 21, 2006.***

**Motion #302 -**

Moved by Trustee Presley seconded by Trustee Baker that a resolution establishing that the 2006 General Election for the Village of Baldwinsville will be held on the 21st day of March 2006, and that the Inspectors of Election are to meet at the Village Hall, 16 West Genesee Street, Baldwinsville, New York, between the hours of 12:00 noon and 9:00 p.m. on March 21, 2006, be adopted.

**CARRIED.**

***Approval of the list of unpaid water and sewer bills in the amount of \$52,994.62 to be included on the Village Tax Roll for the year 2006-2007.***

**Motion #303 -**

Moved by Trustee J. Saraceni seconded by Trustee A. Saraceni that the list of unpaid water and sewer bills in the amount of \$52,994.62 be included on the Village Tax Roll for the year 2006-2007.

**CARRIED.**

**Discussion/Action regarding the extension of an interim application process concerning towers and wireless telecommunications.**

Claude Sykes noted that at the October 6, 2005, Village Board Meeting the Village approved a resolution for the interim application process concerning towers and wireless telecommunications with the Center for Municipal Solutions, which would carry the Village through until a formal local law would be adopted. He noted that the Village needs to approve an extension of that interim application process, since the original expires January 6, 2006.

There was a discussion regarding the language in the proposed contract concerning the charges that could be charged to the Village and the issue of the Village being indemnified from any financial obligation should an applicant not pay. Mayor O'Hara stated that it was his understanding that this process is not going to cost the Village a thing. The Village would be hiring a consultant to come in, who basically on a consensus basis that if the application goes through, the Center for Municipal Solutions gets paid; if it does not go through, there will be no obligation for payment by the Village of Baldwinsville.

Sue Marino stated that before an application is considered by the Center for Municipal Solutions, the applicant must put recommended funds in an escrow account by the Village and the applicant is paid from that escrow account. She discussed some of the items that could be removed or changed in the proposed contract, but noted they have never charged a municipality for any costs incurred by them.

Mayor O'Hara suggested that they amend the contract by not mentioning the 5 or 10 hours and stating that in good faith they will provide the service of drafting the local law and in the event that they feel the Village of Baldwinsville is not cooperating, they can cease and desist with the terms of the contract. He noted that he would also like a paragraph stating that the Village be indemnified from any financial obligation should an applicant not pay.

There was a discussion regarding the set up of the escrow account. It was noted that the funds for the escrows would be set up in a dedicated account and have a line item very similar to the way the professional fees are set up.

Trustee Stebbins stated that he has concerns that the Village is going to move forward and the two towns are not moving forward on this issue.

Sue Marino noted that she is on the agenda for the Town of Van Buren Meeting on January 17, 2006, to discuss this issue. She also noted that she has been in contact with Supervisor Bullis, who wanted to wait to see what the Village was going to do regarding this issue.

J.C. Engelbrecht stated that he understands that the Village Board wants the following changes to the contract.

- Takeout the language regarding the 5 to 10 hours and give CMS sole option at any time at their sole discretion to cease and desist and not do any further work and they could walk away.
- In regards to the escrow account and fees that are paid by the applicant, billed by CMS, that CMS is going to indemnify the Village for any disputes that may arise in regards to those fees.

**Motion #304 -**

Moved by Trustee Stebbins seconded by Trustee Baker that the 90 days extension of an interim application process concerning towers and wireless telecommunications be approved.

**CARRIED.**

***Discussion/Action in regards to giving the Supt. of Public Works permission to order a tractor, which is budgeted, with a 120 day delivery period.***

**Motion #305 -**

Moved by Trustee Stebbins seconded by Trustee Presley that the Supt. of Public Works be given permission to order a tractor, which is budgeted, with a 120 day delivery period.

**CARRIED.**

***Discussion/Action in regards to procedures, policies and management of the Paper Mill Island.***

Trustee Baker noted that she had met with Trustee Presley yesterday for 2 hours and they went over the current application. They plan to meet again next week and have a draft with the revisions to the Village Board prior to the next Village Board Meeting for discussion.

Mayor O'Hara asked Mike Chemotti, who was present, if he or anyone else, if they had any thoughts to get them to Trustee Baker or Trustee Presley as soon as possible.

***Discussion/Action in regards to changing the mileage expense to the current, IRS Rate, as of January 1, 2006, which is 44.5 cents, when on official village business. This is a decrease from the 48.5 cents per mile that was set in September of 2005.***

**Motion #306 -**

Moved by Trustee J. Saraceni seconded by Trustee A. Saraceni that the mileage expense be changed to the current, as of January 1, 2006 IRS Rate, which is 44.5 cents, when on official village business. This is a decrease from the 48.5 cents per mile that was set in September of 2005.

**CARRIED.**

***Discussion/Action giving authorization for Codes Enforcement Officer Rolf Beckhusen to have permission to attend the New York State Building Officials Training Conference from February 7th through February 10th, 2006, being held at the Turning Stone Resort in Verona, N.Y. at a cost not to exceed \$400.00.***

Mayor O'Hara noted that if this training is sponsored by the State of New York, he is very disappointed that it is being held at the Turning Stone Resort, since it is being paid by the taxpayers and it is his understanding that the Turning Stone Resort does not pay state taxes. He realizes that the training is required for the position; therefore the Village has to send him to the training.

**Motion #307 -**

Moved by Trustee J. Saraceni seconded by Trustee Presley that Codes Enforcement Officer Rolf Beckhusen be given permission to attend the New York State Building Officials Training Conference from February 7th through February 10th, 2006, being held at the Turning Stone Resort in Verona, N.Y. at a cost not to exceed \$400.00.

**CARRIED.**

***Discussion/Action regarding giving Police Officer James S. Cerankowski permission to attend an Interview & Interrogation Training Conference, sponsored by MAGOCLEN, in Binghamton, N.Y. from January 16 to January 19, 2006, at a cost not to exceed \$500.00.***

**Motion #308 -**

Moved by Trustee Presley seconded by Trustee J. Saraceni that Police Officer James S. Cerankowski be given permission to attend an Interview & Interrogation Training Conference, sponsored by MAGOCLEN, in Binghamton, N.Y. from January 16 to January 19, 2006, at a cost not to exceed \$500.00.

**CARRIED.**

***Discussion regarding Canton Woods Senior Center.***

Trustee J. Saraceni noted that Canton Woods Senior Center is going through their accreditation process, which has to be done every five years. As part of the process, an audit is required and he wanted to bring this issue to the Village Board.

There was a discussion regarding this issue. The Village fulfills their obligation of doing an audit of taxpayers' funds according to the bylaws by auditing the monthly bills that are presented to the Village Board. It was noted that the Village Board would like to see an independent audit done on any other funds that are collected by the Board of Directors of the Canton Woods Senior Center and that audit be paid for by the Board of Directors of the Canton Woods Senior Center. They feel the auditor should be independent from the three municipalities involved.

Trustee J. Saraceni noted that Canton Woods Senior Center noted that they would like to install a new sign. Trustee Sarah Baker stated that it would depend on what the zoning was of the property, if they were required to come before the ARB. It was noted that they would have to follow the building requirement for the sign under the Village Code.

Trustee J. Saraceni noted that Canton Woods Senior Center conducts a 50-50 raffle to raise funds and they asked if it would be permissible to sell their 50-50 raffle tickets at Paper Mill Island Events. The Village Board stated that they would not give permission for the tickets to be sold.

***Discussion/possible action regarding an easement for Lot 85 of Brown Estates.***

Mayor O'Hara stated that a building permit was issued with conditions and those conditions have not been met yet. The Village has a situation, where there is a family that is ready to move in and the Village cannot issue the Certificate of Occupancy, because it does not have an easement it needs. It is noted that approximately \$8,000.00 worth of work is needed to be done before the easement can be accepted. He noted that once again that "no building permit is to be issued in this community unless all conditions have been met or a letter of credit has been filed with the Village". He noted that any issue where the Village is accepting easements that the Village would be responsible for, the Supt of Public Works will be responsible for signing off. He noted that the Supt. of Public Works will discuss the language and description of that easement with legal council and the engineer when needed.

The Village Board discussed this issue and the Supt. of Public Works explained the situation and the work that is needed to be done. J.C. Engelbrecht recommends that the letter of credit is obtained in the amount of \$10,000.00, until the work has been completed. The Mayor reiterated that he wanted to solve this problem, so the family can move in.

**Motion #309 -**

Moved by Trustee Presley seconded by Trustee J. Saraceni that an easement be accepted by the Village contingent upon the developer posting a irrevocable one year letter of credit from a bank in the amount of \$10,000.00 and a certificate of occupancy not be issued until such time the Village has the letter of credit on file and the Mayor has given his approval.

**CARRIED.**

**Motion #310 -**

Moved by Trustee J. Saraceni seconded by Trustee Tupper that the bills be paid from their proper accounts, after audit. Gen.#240 (Cks 27737-27807)- \$77,499.11 Wa. #240 (Cks 21251-21256) - \$1,547.61, Sr. #240 (Cks 20793-20797) – \$6,290.90.

**CARRIED.**

**Motion # 311 -**

Moved by Trustee A. Saraceni seconded by Trustee J. Saraceni that the meeting be adjourned at 8:59 p.m., until the next Regular Meeting to be held on January 19, 2006, at 7:30 p.m., at Village Hall.

**CARRIED.**

Adjournment, Village Clerk

