

**Public Hearing was held by the Village Board of Trustees at Village Hall on August 18, 2005, at 7:30 p.m. for the purpose of hearing comments concerning a request for a zone change for the property known as 134 East Genesee Street.**

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

Absent – Trustees Presley and Stebbins.

Also Present – J.C. Engelbrecht, Attorney for the Village; J.C. Merritt, Police Agent; Claude Sykes, Supt of Public Works; Jerry Elliott of the Public Access Channel; Thomas Leo, from Syracuse Newspaper; Cliff Drought from Baldwinsville Daily News; Tim Colton, Barbara Godfrey, Maysel and Peg Markham, Nelli Champion, Clayton W. Aitchison, and Robert Falcone.

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 a request for a zone change for the property known as 134 East Genesee Street.

The Village Clerk read the legal notice.

**Motion #190 -**

Moved by Trustee Baker seconded by Trustee J. Saraceni that letters submitted for this Public Hearing be incorporated into the minutes along with the letter of recommendation dated August 1, 2005, from the Village of Baldwinsville Planning Board, minutes of the Baldwinsville Planning Board dated July 16, 2005, and the letter of recommendation from the Onondaga County Planning Board dated July 26, 2005.

**CARRIED.**

Mayor O’Hara asked if anyone wanted to speak in favor of the request for a zone change for the property known as 134 East Genesee Street.

Robert Falcone explained that he owns 134 E. Genesee Street, which has the Cape Cod style home and because of the condition of the home and where the property is located, he feels that he would not be able to get his return on the sale of the property unless the zoning is changed to a business district. The property currently is located next to a business district on one side. He would be willing to consider a change of zoning with conditions, if the Village Board was willing to consider that option.

Mayor O’Hara asked if anyone wanted to speak against the request for a zone change for the property known as 134 East Genesee Street.

Clayton W. Aitchison from 129 East Genesee Street stated that he lived across the street from 134 East Genesee Street and was against the zone change. He feels that the lot would be a desirable location for residential use.

Nelli Champion from 132 E. Genesee Street, noted she has lived next door to 134 E. Genesee Street, since 1973 and she does not want to live next door to a business. She noted that they currently have traffic problems getting out of their driveway and it will become worse if there is a business next door.

Mr. Aitchison submitted a letter against the zone change that was signed by neighbors in the area of 134 E. Genesee Street, which will become part of the record for this public hearing.

**Motion #191 –**

Moved by Trustee J. Saraceni seconded by Trustee Tupper that the public hearing be adjourned at 7:36 p.m.

**CARRIED.**

**REGULAR MEETING OF THE VILLAGE BOARD OF TRUSTEES WAS HELD AT VILLAGE HALL ON AUGUST 18, 2005, AT 7:30 P.M.**

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

Absent – Trustees Presley and Stebbins.

Also Present – J.C. Engelbrecht, Attorney for the Village; J.C. Merritt, Police Agent; Claude Sykes, Supt of Public Works; Jerry Elliott of the Public Access Channel; Thomas Leo, from Syracuse Newspaper; Cliff Drought from Baldwinsville Daily News; Tim Colton, Barbara Godfrey, Maysel and Peg Markham, Nelli Champion, Clayton W. Aitchison, and Robert Falcone.

**Motion #192 –**

Moved by Trustee A. Saraceni seconded by Trustee J. Saraceni that the minutes of the meeting held August 4, 2005, be approved and the Village Clerk dispense with the reading of said minutes.

Trustee Tupper – abstained

**CARRIED.**

**Citizen’s Comments.**

Barbara Godfrey, President of Celebrate Baldwinsville gave an update of the events that would be taking place during this year’s event, on the South West Shore Trail, Paper Mill Island Park, and Mercer Park. She noted that the Committee appreciates the cooperation they receive from the Village’s Department of Public Works and the Police Department.

Mayor O’Hara noted that this event would not happen if the community did not have a group of dedicated volunteers to make this event take place. He stated on behalf of the Village Board he thanked those volunteers.

**Mayor’s Comments.**

There were no comments.

**Trustees’ Comments.**

There were no comments.

**Department Heads.**

The Village Clerk noted that she issued a park use permit for the Baldwinsville Pop Warner Organization for a picnic and bonfire to be held in Community Park on August 20, 2005, from 4:00 p.m. to 9:00 p.m. There will be no alcohol served and she received a letter from the fire department stating that they will be present for the bonfire. Police Lieutenant Lefancheck had given his approval and the Village’s insurance agent gave his approval on the certificate of insurance submitted by the Baldwinsville Pop Warner Organization.

Mayor O’Hara stated that the Village will have to look into the requirements for uses of the parks to see when the issuance of a permit requires board approval.

J.C. Engelbrecht stated that the Village of Baldwinsville’s Planning Board met in a special meeting to discuss the plans for the former Mercer Mill property and there is an issue regarding an easement for utilities that would need to go across Village Property. He would like to add to the agenda, a discussion and possible action regarding this issue under New Business.

Claude Sykes stated that the entrance way project at 135 E. Genesee Street is progressing. He noted that the site of the Sergei Yevich Trail has been totally cleared of the trees and the trail head signs have been erected.

**Pending Business -**

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

The Village Clerk noted that she contacted Sue McSweeney on Monday and Ms. McSweeney stated that she received information from the Dormitory Authority that the Village should receive the paperwork to submit for reimbursement of expenses incurred in approximately 4 weeks.

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

Mayor O'Hara noted that the contract with EDR was signed and sent back. Trustee J. Saraceni noted that he had not received any word from them, but he will contact them this week.

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

Mayor O'Hara noted that the Village's DPW Crew has been busy working on the Sergei Yevich Trail. The silt fencing is currently be installed.

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

Trustee A. Saraceni stated that it is time to move on and find a location for the skateboard equipment. He feels that if the Village cannot get the support to run the facility the way it should be run, then the Village shouldn't do it. He would like permission to talk to those who are interested in the equipment. It was decided to take the next two weeks to think about what direction the Village wants to take transferring the ownership of the equipment, since it was purchased with donated funds and grant funds.

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

The Cable Franchise Agreement Committee has not met since the last Village Board Meeting; therefore there was nothing new to report.

***Discussion/Action regarding a request for a Zone Change for 134 E. Genesee Street from R1 to B1.***

Mayor O'Hara stated that the Village of Baldwinsville's Planning Board has made the recommendation that the Village not grant this zone change as well as the Onondaga County Planning Board. It was noted that Mr. Falcone's comments were very interesting and the comments from the residents present were helpful. The Village Board discussed the option of allowing the zoning change, but with possible restrictions, such as size, and type of businesses, etc and those restrictions could be deed restricted. They also discussed the issue of trying to keep the businesses in the downtown center and discourage them to expand on the outskirts of the Village edge. The Village Attorney noted that additional work would be needed to be done if the Village Board wishes to move forward with this zone change. He noted that if the Village Board wished to grant this zone change with restrictions, he would recommend it be written with deed restrictions, rather than for a new zoning district, which is another option, but he does not think it would fit this situation. The Baldwinsville Planning Board felt by granting this zone change, it would start a domino effect on the street or in the future, that parcel would be combined with the business parcel next door and it would not fit the neighborhood.

Mayor O'Hara suggested that the Village Board table this issue and he will set up a meeting with the neighbors and Mr. Falcone to discuss what might be some options for the use of that property.

*Discussion/Action in regards to the request for annexation for the property located at 7755 Meigs Road owned by Pooler Realty.*

**Motion #193 -**

Moved by Trustee A. Saraceni seconded by Trustee Tupper that the local law approving the annexation for the property located at 7755 Meigs Road owned by Pooler Realty, be adopted.

Mayor O'Hara noted that the Village received notification from the Town of Van Buren that they approved the request for annexation of this property.

**CARRIED.**

**New Business -**

*Discussion/Action regarding the approval of the appointment of Chrissy A. Gleason as an entry level police officer for the Police Department effective August 27, 2005, at the annual rate of \$37,461.00 with the probationary period to be 52 weeks.*

**Motion #194 -**

Moved by Trustee Baker seconded by Trustee A. Saraceni that the appointment of Chrissy A. Gleason be approved, as an entry level police officer for the Police Department effective August 27, 2005, at the annual rate of \$37,461.00, with the probationary period to be 52 weeks.

**CARRIED.**

*Discussion/Action in regards to receiving bids for the street lighting products for light installations on Athena Drive and Athena Drive West.*

**Motion #195 -**

Moved by Trustee J. Saraceni seconded by Trustee A. Saraceni that the following bids be received for the street lighting products for light installations on Athena Drive and Athena Drive West.

WESCO:	\$2,156.00
Edward Joy:	\$2,156.46
Graybar Electric:	\$2,210.00
Rexel:	\$2,268.00

**CARRIED.**

*Discussion/Action in regards to awarding the bid for the street lighting products for light installations on Athena Drive and Athena Drive West.*

**Motion #196 -**

Moved by Trustee Tupper seconded by Trustee J. Saraceni that the bid for the street lighting products for light installations on Athena Drive and Athena Drive West be awarded to WESCO in the amount of \$2,156.00.

Claude Sykes noted that the bid package for the street light products had a clause written in, which will give the Village price protection for the next 15 months for up to 19 additional units. He recommended that the bid be awarded to WESCO in the amount of \$2,156.00.

**CARRIED.**

*Discussion/Action in regards to receiving bids for the curbing for the Sergei Yevich Trail.*

**Motion #197 -**

Moved by Trustee Baker seconded by Trustee J. Saraceni that the following bids for the curbing for the Sergei Yevich Trail be received.

Salt Springs:	\$22,800.00 with rebar \$21,800.00 without rebar
Mitch McCommel:	\$16,720.00 with rebar \$15,950.00 without rebar
Curbs-R-Us:	\$14,180.00 with rebar
LANCO Paving:	\$19,228.00 without rebar

**CARRIED.**

*Discussion/Action in regards to awarding the bid for the curbing for the Sergei Yevich Trail.*

**Motion #198 -**

Moved by Trustee Baker seconded by Trustee J. Saraceni that the bid for the curbing for the Sergei Yevich Trail be awarded to Curbs-R-Us in the amount of \$14,180.00.

**CARRIED.**

*Discussion/Action regarding the drainage system upgrade for 130' west of Curtis Ave with the estimated cost of \$13,000.00 to \$14,000.00.*

Mayor O'Hara requested that this agenda item be moved to the end of New Business and requested an executive session to discuss a potential litigation respect to that issue.

*Discussion/Action in regards to the previous proposal from Municipal Solutions regarding wireless communications.*

Claude Sykes stated that this company had previously made a presentation to the Village Board and the DPW Committee would like to make the request for them to come back and make another presentation for the newer Board Members, since the Village has received many inquiries regarding wireless communications tower locations. Mayor O'Hara suggested that Claude Sykes contact them and see if they can come for the next regular meeting of the Village Board on September 1, 2005.

*Discussion/Action in regards to the acceptance of the letter of resignation from Donna Pelkey as part time clerk for the Code Enforcement Officer with the effective date of August 19, 2005.*

**Motion #199 -**

Moved by Trustee Baker seconded by Trustee A. Saraceni that the letter of resignation from Donna Pelkey as part time clerk for the Code Enforcement Officer be accepted with regrets, with the effective date of August 19, 2005.

**CARRIED.**

*Discussion in regards to giving an easement across Village Property for utilities for the Former Mercer Mill Property located on Syracuse Street.*

**Motion #200 -**

Moved by Trustee Tupper seconded by Trustee A. Saraceni that the Mayor be authorized to execute an easement across the property owned by the Village in front of the Mercer Mill Property project for utilities, subject to the approval of the Village Attorney and Village Engineer.

J. C. Engelbrecht noted that the Village Planning Board, Village Engineer and he are recommending the issuance of the utility easement. He noted that the Mercer Mill property has an easement for ingress and egress, but it is not worded sufficiently to cover utilities and they do need to bring utilities across the Village's property.

**CARRIED.**

**Motion #201 -**

Moved by Trustee Baker seconded by Trustee J. Saraceni that the Village Board retire into Executive Session at 8:10 p.m. to discuss potential litigation with respects to some drainage issues.

**CARRIED.**

**Motion # 202 -**

Moved by Trustee J. Saraceni seconded by Trustee A. Saraceni that the Village Board return to regular session at 8:25 p.m.

**CARRIED.**

**Motion #203 -**

Moved by Trustee A. Saraceni seconded by Trustee J. Saraceni that the discussion with respects to the drainage system up grade for the west of Curtis Avenue be tabled.

**CARRIED.**

**Motion #204 -**

Moved by Trustee Baker seconded by Trustee J. Saraceni that the bills be paid from their proper accounts, after audit.

Gen. #231 (Cks. 27106-27173)- \$31,577.19, Wa. #231 (Cks. 21145-21161) - \$37,637.11,  
Sr. # 231 (Cks. 20728-20735) – \$2,095.65.

**CARRIED.**

**Motion #205 -**

Moved by Trustee Tupper seconded by Trustee A. Saraceni that the meeting be adjourned at 8:26 p.m., until the next Regular Meeting to be held on September 1, at 7:30 p.m., at Village Hall.

**CARRIED.**

Adjournment,

Village Clerk

