

**REGULAR MEETING OF THE VILLAGE BOARD OF TRUSTEES WAS HELD AT VILLAGE HALL ON JUNE 16, 2005, AT 7:30 P.M.**

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

Also Present – J.C. Engelbrecht, Attorney for the Village; Tom LeRoy, Police Agent; Frank Foster, Canton Woods Director; Paul Chapman, Chairperson-Canton Woods, Bd. Of Directors; Norma Goodman from the Public Access Channel; Fritz Diddle from the Messenger; Tom Leo from the Post Standard, Tony McIntyre and Arthur Sochia, Representatives for the Fire Department, Cindy Clarke, Sally Dayger, David Arthur, and Harold Wheeler.

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

**Motion #138**

Moved by Trustee Presley seconded by Trustee J. Saraceni that the minutes of the Regular Meeting held June 2, 2005, be approved with correction and the Deputy Village Clerk dispense with the reading of said minutes.

**CARRIED.**

**Citizen’s Comments.**

Cindy Clarke stated that she spoke with the landscaper and was assured that he would take care of the Downer Street “Welcome to Baldwinsville” sign. She requested that if anyone was interested in volunteering their time or expertise to help in this beautification project to contact Sarah Baker and in turn Sarah would contact her.

Cindy Clarke also presented a petition of 34 signatures of residents and non-residents of the Village of Baldwinsville who are in favor of the South West Cemetery Trail. They feel that it would be a tremendous asset to the village as well as the two towns. She spoke of her dismay, after reading the summary of the June 2, 2005, Board meeting in the newspaper, that the village was “abandoning” this project. Clarke went on to read her response to those opposing the extension of the South West Trail.

Norma Goodman, Chairman of the Public Access Channel 98, stated that she wants the Board to act on the subject of a Public Hearing on the Time Warner contract negotiations. The volunteers have waited a long time for the conclusion of these negotiations.

Sally Dayger showed her support of the South West Cemetery Trail. She frequently walks there and believes it would be beneficial for the cemetery to be patrolled and to be lit better, especially in light of the recent cemetery incidents.

**Mayor’s Comments.**

No comment.

**Trustees’ Comments.**

Trustee Stebbins, absent from the last meeting, noted his initial disappointment, after reading the newspaper synopsis of the June 2, 2005, Village Board meeting, of the Board curtailing any plans for the extension of the trail into the Riverview Cemetery. After reading the minutes and speaking

to fellow Trustees, he has a better sense of the Board's feelings on this matter. Trustee Stebbins had with him the original 1996 SW Trail application for the others to view. The plan has always been to extend the trail into the cemetery.

### **Department Heads.**

Tom LeRoy stated that the June 4, 2005, Paper Mill Island event proceeded with no problems. He also noted that recently one of the departments crossing guards, Marge Molloy, was honored by the Central NYS Kids Coalition for 20 years of dedication and service.

Recently, the Baldwinsville School District has confirmed that they will be bussing all elementary children to and from school starting in September 2005. As a result, the Police department will be retiring Baldwinsville school crossing guards as of next year.

Frank Foster, Director of Canton Woods Senior Center, introduced Paul Chapman, Chairman of Canton Woods Board of Directors. Mr. Foster presented the Board with the Annual Report. The report includes sections on the various programs, graphics, the financial report, and pictures of the Board. He gave thanks to the Board representatives, Trustees Baker and J. Saraceni, and the highway crew for all they do. The Center is looking forward to a new roof and lighting. He also noted that Canton Woods was visited by two other centers to go over the accreditation process. Canton Woods is one of the few accredited centers in the State of New York.

### **Pending Business -**

#### ***Presentation/Discussion in regards to a Village Website.***

Trustee A. Saraceni introduced John Viggiano and Ben Haynes from VIGCraft Arts, Inc. They fielded questions from the Board regarding the contract. The definition of a "page", the ownership rights to the domain name and passwords and security of the site were discussed. In order for the Code Book to be on the website, Mr. Viggiano stated that it needs to be in a PDF file for a link to be created. It would be an additional charge if they had to transcribe it themselves. The village needs to contact General Codes to find out if the code book is in PDF form and if so, what will it take to get it from them.

Trustee Tupper stated that ideally the village would like to see various forms on the website that can be downloaded and printed by residents. These forms would include building permit applications, variance applications, etc.

Regarding the ownership of the domain name, VIGCraft Arts, Inc. will own the name while hosting the site. Once the contract between the village and VIG Crafts ceases to exist, the host will give the domain name to the village. The Village of Baldwinsville owns the passwords.

Mayor O'Hara proposed that in good faith, the Village will draft a contract on the legal aspect of the the website and what is expected from the host. If the contract is agreeable with VIGCraft Arts, Inc. the motion to accept the agreement would be presented to the board at the next meeting to be held on July 7, 2005.

#### ***Discussion in regards to the Employee Handbook and Memorandums of Understanding.***

There are two outstanding issues. The first is regarding sick time compensation upon termination of employment for six employees. Those employees being Rosemary Johnson, Maysel Markham, Charles McAuliffe, Claude Sykes, Michael Lefancheck, and Daniel Warner. The Mayor asked the Board to read over a memo regarding this matter and be ready to discuss/vote on it at the next

meeting. The memo states that those mentioned employees had a reasonable expectation of having the option of receiving a monetary payout for any unused sick time up to a maximum 165 days. They also had an expectation that they would continue to accumulate sick time beyond the 165 days and apply the balance towards their service credit (Employees Retirement). The current handbook states that this is not the case for future employees.

The second issue was a question regarding post medical retirement benefits for DPW management employees. The Mayor does not believe that any employees had an expectation for post medical retirement benefits. He is open for a discussion on this matter.

Mayor O'Hara suggests reviewing the employee handbook on an annual basis.

Trustee Presley suggested reviewing it each year at the Annual Meeting.

Trustee A. Saraceni was pleased that the Employee Handbook was finally completed.

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

Rosemary Johnson followed up with the Chief of Staff at the Syracuse office and the paperwork is complete and a check is forthcoming.

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

Trustee J. Saraceni contacted EDR and scheduled a meeting in conjunction with the DPW meeting on June 22<sup>nd</sup> at 6:00p.m. at the Budweiser amphitheater on Paper Mill Island. The following will be extended an invitation: the Village Board, the Planning Board, the ZBA, the ARB, and the original Master Plan cmtte. to hammer out the scope of services with EDR.

Rosemary/Moe will post the change in venue, time, and attendance for the June 22, 2005 DPW meeting in accordance with the open meeting law.

***Discussion in regards to the Northeast Trail, Southeast Trail and the Cemetery.***

Mayor O'Hara spoke of a meeting with the State rep from the Parks Association regarding the Northeast Trail. Agreements were ironed out and more paperwork is due. These additional items will be dropped off to the representative on Friday, June 17, 2005. The good news is that the Village can track back to November, 2003, and those in-kind services will be reimbursed. Bid documents for the fencing, lighting and stampcrete paving are available, and have a bid opening date of July 8, 2005. The Northeast Trail is underway!

The Governor requires now that signs must be put up on these trails and must be designated with a name.

Mayor O'Hara made a motion that the Northeast Trail be called the Sergei Yevich Trail.

**Motion #139**

Moved by Mayor O'Hara seconded by Trustee Presley that the Northeast Trail be called the Sergei Yevich Trail.

**CARRIED.**

In regards to the Southeast Trail, the Mayor told of the meeting with the appropriate State representative of this federally funded program and some documents still need to be executed with

the State. Most land involved is owned by the State and/or Village of Baldwinsville. Others may require easements. The Mayor asked the Board to review the map that they had received of the SE Trail and be ready to discuss at the next Board meeting how they would like to see this trail flow from a practical standpoint.

The Mayor believes that this will be a unique trail. It will link in Lions Park, which many residents are not aware of.

The Mayor stated that contrary to what was stated by the media, the Village Board did not say that the Cemetery trail was not going to be pursued. Right now the Village will be working on the current trails that are underway.

Trustee Baker concurred with the Mayor. There are already a number of projects in the works. The Cemetery trail will be revisited at a later date.

Trustee Tupper said that he had spoken with Mr. Beck, Chairman of the Riverview Cemetery Association, and he wanted the public to be aware the Village had originally approached the Cemetery Board since this extension was always in Sergei Yevich's plan. Mr. Beck also wanted the public to know that the association is a viable and stable corporation and is not having financial troubles.

Trustee A. Saraceni wants the Cemetery Association to know that this project could be 2 or 3 years down the road.

Trustee Stebbins stated that this discussion regarding the Cemetery trail should not be at the Village board level yet. It is on the agenda of the DPW committee and then the committee will bring to this board a recommendation when the time comes. It will take some time.

***Discussion/Action concerning the Cable Franchise Agreement and the setting of a Joint Public Hearing Date of July 14, 2005, at 7:30 at the Town of Lysander Town Hall.***

Mayor O'Hara made a motion to agree to participate in the Joint Public Hearing on July 14, 2005, at 7:30 at the Town of Lysander Town Hall.

**Motion #140**

Moved by Trustee Presley seconded by Trustee A. Saraceni to agree to participate in the Joint Public Hearing on July 14, 2005, at 7:30 at the Town of Lysander Town Hall.

**CARRIED.**

Trustee A. Saraceni spoke of this unique negotiation between the two towns, the Village, and Time Warner. The primary focus is Pac B TV. The focus is to support a channel that will increase the communication to the community. The goal is to find the resources to bring Pac B TV to the next level. Time Warner has agreed to front \$175,000 for capital improvements over the next three years. The increments will be as follows: 1<sup>st</sup> yr - \$75,000.00; 2<sup>nd</sup> yr - \$50,000.00; 3<sup>rd</sup> yr - \$50,000.00. In order to pay back the \$175,000.00, the franchise fee will increase to 3 ½%. The additional ½% will be allocated to Pac B.

The Mayor cautioned the Board that the \$175,000.00 is not a gift. The increase of the ½% (17 cents) will be clearly noted on the monthly Time Warner bill as a user fee from the Village of Baldwinsville. This is unfortunate since Time Warner has the resources to gift the \$175,000.00 to the Village.

Trustee A. Saraceni stated that the group feels that this is the most viable solution since the channel needs help now. He is looking forward to the joint hearing.

***Discussion concerning streetscape clean up on Oswego Street.***

Mayor O'Hara would like this topic to be moved under item D. 'Discussion in regards to Village Owned Facilities/Business District Study'.

Trustee Tupper concurred with this move.

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

Trustee A. Saraceni spoke with Bob Bambino at NYMER Loss Control. He was quite surprised that there was not a fence around the skate park facility considering that it had no supervision. Trustee A. Saraceni would like to get the Skate park committee back together and have a public meeting. He needs an organization to help him out. He feels that the Village has an obligation to the kids.

Trustee Presley spoke of the liability and safety issues. The County's facility at Griffin Stadium has a fence around it and is supervised by a trained medical staff. The equipment is inspected each morning before the gates open. It is a large venture. He stated that if we decide to do it the Village MUST do it right.

The Mayor stated that the Board needs to make a decision on how they want to go forward with this venture. If we are going to move forward with this, it needs to be done right. Mayor O'Hara would like Trustee A. Saraceni to come up with a plan and present it to the Board.

Trustee A. Saraceni stated that he will put together a plan and will present it at the next Board meeting. He hopes for feedback from the community.

***Discussion/Possible Action in regards to the Baldwinsville Volunteer Fire Company request for rent deduction for the Southside Fire Station and the balance of the \$10,000.00 due from the sale of fire equipment.***

Mayor O'Hara suggested that a fair appraisal be done on the Fire Department's Lock Street facility (pole barn) and wondered if the Fire Department would be interested in negotiating a reasonable swap for the \$10,000.00 owed to the Village, depending on the appraisal of the building.

With respect to the rent, the Mayor researched the cost of rental per square foot in this area and feels that the \$2,800.00 rent per month is a reasonable rate for the Southside Fire Station. The Mayor also made reference to a proposal during the Dryden administration regarding a rate reduction if a year's rent was paid in advance. Mayor O'Hara proposed that same offer to the Fire Department representatives that were present, Tony McIntyre and Art Sochia. If the rent for a year was paid in advance, the monthly rate for rent would be reduced to \$2,000.00 per month. In other words, the Fire Department would need to pay \$24,000.00 in advance for the upcoming year's rent in addition to any back rent at the rate of \$2,800.00 per month that is owed to the Village. Back records will be checked by both parties but it is believed that rent is owed from January, 2005, through the current month of June, 2005.

Fire department representative, Tony McIntyre, stated that he will need to present this offer to the Fire department's Executive Board for their approval. He will also pass along the Lock Street swap

proposal. Mr. McIntyre stated that he will have their Board get back to the Village before the next meeting.

Fire rep, Tony McIntyre also mentioned that all the equipment that was purchased was not received.

Mayor O'Hara stated that his understanding was that the Fire department was aware that 5 self contained breathing apparatus units were not included in that deal. When the department signed off on receipt of the equipment, any objections should have been brought to the Board at that time. It is now a mute point.

After a Board discussion, Mayor O'Hara proposed to have a motion to make an offer to the Fire Corporation to stay in the Southside Fire Station for a period of up to twelve months, at a prepaid rate of \$2,000.00/month, from the date that the Village receives the payment in the amount of \$24,000.00. The outstanding balance for back rent, in the amount of \$16,800.00, must be paid before this new agreement begins.

**Motion #141**

Moved by Trustee Presley seconded by Trustee Tupper that an offer be made to the Fire Corporation that once the outstanding balance for back rent, \$2,800.00/month, in the amount of \$16,800.00, is paid, the new agreement can begin for them to stay in the Southside Fire Station for a period of up to twelve months, at a prepaid reduced rate of \$2,000.00/month, from the date that the Village receives the payment in the amount of \$24,000.00.

**CARRIED.**

Mayor O'Hara stated that he and the Deputy Mayor, Rick Presley, would like to meet with reps from the Fire Corporation to resolve issues regarding the generators, flag pole, etc. They will then bring details of the negotiations back to the Board.

***Discussion/Action in regards to the approval of the appointment of Adam Cronkright and Gus Fralick as Paper Mill Island Coordinators at the rate of \$160.00 per event. The rate will be split (\$80.00/each) if both work an event.***

A brief discussion was held regarding the age at which an individual can oversee the sale of alcohol. Both applicants are eligible.

**Motion #142**

Moved by Trustee Baker seconded by Trustee Presley that the appointment of Adam Cronkright and Gus Fralick as Paper Mill Island Coordinators at the rate of \$160.00 per event be approved.

**CARRIED.**

**New Business –**

***Discussion/Action concerning a request for a zone change from a R1 to B1, received from the Shops at River Street, LLC, for the property located at 134 E. Genesee Street.***

A letter, dated June 2, 2005, was received by the Board for their review. The Village Board is asked to refer the request to the Zoning Board for their recommendation.

It was noted by Village Attorney, J.C. Engelbrecht, that a zone request be forwarded to the Planning Board instead of the ZBA.

**Motion #143**

Moved by Trustee Presley seconded by Trustee J. Saraceni that the request for a zone change from a R1 to B1, received from the Shops at River Street, LLC, for the property located at 134 E. Genesee Street be received and referred to the Planning Board.

**CARRIED.**

*Discussion/Action authorizing the Mayor to appoint a candidate to the position of police officer for the Baldwinsville Police Department as recommended by the Police Administrator following the completion of the police officer hiring process.*

There are two candidates that have been through part of the Police academy. The next part begins July 1. Since this date is before the next Village Board meeting, the Board is asked to authorize the Police Chief to recommend the best candidate.

**Motion #144**

Moved by Trustee Presley seconded by Trustee Baker that the Mayor appoint a candidate to the position of police officer for the Baldwinsville Police Department as recommended by the Police Administrator following the completion of the police officer hiring process.

**CARRIED.**

**Motion #145**

Moved by Trustee Tupper seconded by Trustee Baker to pay bills as audited.  
Gen#227(Cks. #26816-#26878) - \$22,482.80, Water #227(Cks. #21096-#21107), - \$89,874.17,  
Sewer #227(Cks. #20682-#20693) - \$3,758.74.

**CARRIED.**

**Motion #146**

Moved by Trustee J. Saraceni seconded by Trustee Tupper that the meeting be adjourned at 9:15 p.m., until the Regular Meeting to be held on July 7, 2005, at 7:30 p.m., at Village Hall.

**CARRIED.**

Adjournment,

Deputy Village Clerk

