

REGULAR MEETING OF THE VILLAGE BOARD OF TRUSTEES WAS HELD AT VILLAGE HALL ON AUGUST 17, 2006, AT 7:30 P.M.

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

Also Present – J.C. Engelbrecht, Attorney for the Village; J. C. Merritt, Police Agent; Claude Sykes, Supt. of Public Works; Charles Elliott, a representative of the Public Access Channel; Tom Leo, Syracuse Newspapers, Karen Gates, Jon Alvarez, Wayne and Josephine Brown, Bob Scherfling, Mark Curry, President of the Baldwinsville Little League, members of the Baldwinsville Little League and their families, Kristi Todeschini and other family members of Craig Todeschini, and many officers of the NYS Police.

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

The Mayor spoke of respect and sportsmanship before introducing the family of the late Craig Todeschini. After words from Kristi Todeschini, wife of Craig, from New York State Trooper Tim Siddall, and from Mark Curry, President of the Baldwinsville Little League, there was a presentation of awards by Baldwinsville Police Officer Martin Knaul to four members of the Baldwinsville Little League. These four baseball players demonstrated sportsmanship and respect during the 2006 season. The Baldwinsville Police Department had collected donations in the name of Craig Todeschini, a NYS trooper who was killed in the line of duty. Enough funds were collected to purchase four \$50.00 savings bonds. Refreshments followed the presentation.

Motion #199 –

Moved by Trustee Mott seconded by Trustee Tupper that the minutes of the meeting held August 3, 2006, be approved and the Deputy Village Clerk dispense with the reading of said minutes.

CARRIED.

Citizen’s Comments.

Bob Scherfling, a resident living on West Genesee Street, shared his concerns about loud motorcycles and loud car stereos as they pass through the village. A few of the board members also live on busy streets and sympathized with him. This problem has been an on-going topic at the Public Safety Committee meetings but, unfortunately, there is not much that can be done to control it. Officer Merritt stated that the Police are aware of these nuisances but they need to be in the right place at the right time in order to stop them. He will once again mention this concern to the other officers.

Mayor’s Comments.

Mayor O’Hara told of a letter that he received from Don Western, Executive Director of the Onondaga County Industrial Development Agency. The agency will be holding a Public Hearing here at Village Hall on September 12, 2006, at 4:00 p.m. to discuss Syracuse Home’s project. Anyone interested is welcome to attend.

Trustees’ Comments.

Trustee A. Saraceni requested an Executive Session to discuss department contract negotiations.

Trustee Tupper reminded everyone about the computer recycling on August 19 at the VFW from 8:00 a.m. – 12 noon. All computer equipment can be dropped off.

Department Heads.

Village Attorney, J.C. Engelbrecht gave the village board members a letter regarding the Weichert litigation filed against Rolf Beckhusen, Codes Officer, Judge Huling and the Village of Baldwinsville. Engelbrecht was pleased to say that it was dismissed today, August 17, 2006.

Claude Sykes, Superintendent of Public Works, noted that street paving was underway. The Mercer park walkway extension and the paving at the Doan well water treatment plant was completed today. He also stated that Paragon Environmental have been working at the Harrington firehouse removing asbestos and discovered additional asbestos that was not found on the original survey. The survey company, QES Churchill, was contacted and they have two companies that will remove it for approximately \$8,500. Paragon offered to do it for \$14,445. A decision needs to be made on how to move forward. The Mayor will contact the owner of QES, to see how they plan on remedying this. They had an obligation to the village and should have told us that their review was not 100%, if this is the case.

Pending Business.

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

As decided at the last Village Board meeting, a small discussion regarding the future of the area of the Harrington firehouse ensued. Trustee J. Saraceni showed his idea with a video of a Washington, D.C. farmer's market and enclosed area.

Mayor O'Hara would like to see a spur trail off of Genesee Street, some green space and a multipurpose area that could be used in all four seasons.

Trustee A. Saraceni would like to see Denio Street as a thoroughfare and the EDR plan implemented with the focus on parking.

Trustee Tupper agreed with the Mayor's idea of opening up Genesee Street to the river.

Trustee Presley feels that it is an exciting opportunity to work with a blank canvas, a venture that he would like to be part of.

Trustee Stebbins feels that coming up with ideas is great, but let us first get the building down and see what kind of space that we are talking about.

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

Claude Sykes stated that work on the trail will continue next week after the paving is complete. Trustee Stebbins spoke with Mace Markham, foreman, and the topsoil has been placed and seeded.

Discussion concerning the Skate Zone Facility located on Lock Street.

Trustees A. Saraceni and Tupper concurred that there are no takers for the Skate Zone Facility and recommended that the equipment be added to the auction.

Motion #200 –

Moved by Trustee A. Saraceni seconded by Trustee Presley to make arrangements to declare the skate park equipment surplus and set it up to go to auction at the county surplus auction being held at the NYS fairgrounds on October 21, 2006.

CARRIED.

Discussion concerning the Cable Franchise Agreement.

After much discussion regarding the length of time that negotiations between the Town of Lysander, Town of Van Buren, Village of Baldwinsville and Time Warner regarding the Cable Franchise Agreement have taken,

and the lack of a workable agreement a Public Hearing has been set. The Public Hearing is set for October 5, 2006, at Village Hall.

Motion #201 –

Moved by Trustee Presley seconded by Trustee Tupper to set a Public Hearing for October 5, 2006 at Village Hall at 7:35 p.m. to discuss the Time Warner Cable Franchise agreement.

Roll Call Vote- 5 - ayes

2 - nays - Trustee J. Saraceni and Trustee A. Saraceni

CARRIED.

Discussion/Action in regards to updating the Village Code.

Trustee Mott spoke of options on how to incorporate the EDR study into code language. Recommendations came from the various boards at a meeting held a few weeks ago. Trustee Mott would like to present the board with all recommendations on paper and then send it to the Codes vendor to correct the language. All revisions need to have appropriate code language.

Discussion/Action in regards to setting a Public Hearing for September 7, 2006, at 7:30 p.m., concerning the adoption of a Local Law that would permit a zone change from Residential R-1 to Business B-1 adding a restrictive covenant, noted by the board, that would only allow a retail store and/or professional office, for the property located at 5 Mechanic Street.

J.C. Engelbrecht stated that the Local Law was drafted in final form and sent to Attorney Paul Martin. The issue of the enforcement of covenant still needed to be resolved. The board decided that present and/or future owners of any property within 1000 feet of 5 Mechanic Street be made aware of the restrictions of use and physical character of the property in order for them to enforce the law.

Motion #202 -

Moved by Trustee Mott seconded by Trustee Stebbins to set a Public Hearing for September 7, 2006, at 7:30 p.m., concerning the adoption of a Local Law that would permit a zone change from Residential R-1 to Business B-1 adding a restrictive covenant, noted by the Board, that would only allow a retail store and/or professional office, for the property located at 5 Mechanic Street.

CARRIED.

Discussion/Action in regards to the approval of the request for annexation from Wayne and Josephine Brown at 3 Kossy Lane.

J.C. Engelbrecht stated that the Local Law will be drafted and put into final form. A Public Hearing will be scheduled. The sewer fee of \$600.00 will be paid by the Browns and the water department will proceed with the sewer hook up.

Motion #203 -

Moved by Trustee Presley seconded by Trustee Stebbins to approve the request for annexation from Wayne and Josephine Brown at 3 Kossy Lane.

CARRIED.

Discussion/Action concerning giving the Mayor permission to sign the agreement between the Village of Baldwinsville and the Towns of Van Buren and Lysander for Canton Woods Senior Center for 2005, that has been approved and signed by the Supervisors of both the Town of Van Buren and Lysander (Tabled item from the July 6, 2006, Meeting).

Motion #204 -

Moved by Trustee J. Saraceni seconded by Trustee Tupper to give the Mayor permission to sign the agreement between the Village of Baldwinsville and the Towns of Van Buren and Lysander for Canton Woods Senior Center for 2005 that has been approved and signed by the Supervisors of both the Town of Van Buren and Lysander.

CARRIED.

New Business.

Discussion/Action concerning a request received from the Baldwinsville Volunteer Fire Company to refund their fee of \$725.00 that was paid for their event that was held June 10, 2006. Their request noted that they are a not-for-profit and they didn't realize they needed to request a waiver for the rental fees.

Motion #205 -

Moved by Trustee Tupper seconded by Trustee Presley that a request received from the Baldwinsville Volunteer Fire Company to refund their fee of \$725.00 that was paid for their event that was held June 10, 2006, be approved. Their request noted that they are a not-for-profit and they didn't realize they were able to request a waiver for the rental fees.

CARRIED.

After a brief discussion, the village board decided to come up with a payment structure for not-for-profit organizations. As for this season, local not-for-profit organizations have been able to get their rental fee waived while out-of-town not-for-profits will pay 50% of the rental fee for the 2006 season.

Discussion/Action concerning a request received from Grandstand Sales, Inc. to refund 75% of their fee of \$725.00 that was paid for their intended use of Paper Mill Island on July 29, 2006. They had to cancel their event because of severe weather.

Motion #206 -

Moved by Trustee Presley seconded by Trustee Mott that the request received from Grandstand Sales, Inc. to refund 75% of their fee of \$725.00 that was paid for their intended use of Paper Mill Island on July 29, 2006, be approved.

CARRIED.

Discussion/Action in regards to a request to waive the open container law received from residents of Seneca Street for their Annual Seneca Street Picnic that is being held from 5:00 p.m. to 9:00 p.m. on Wednesday, September 6, 2006. Rain date is September 7, 2006.

Motion #207 -

Moved by Trustee Tupper seconded by Trustee Stebbins that a request received from residents of Seneca Street to waive the open container law for their Annual Seneca Street Picnic that is being held from 5:00 p.m. to 9:00 p.m. on Wednesday, September 6, 2006, be approved. Rain date is September 7, 2006.

CARRIED.

Discussion/Action in regards to giving the Village Engineer authorization to study the storm sewer system and make recommendations for a resolution to drainage issues in the area of 65 & 67 E. Oneida Street.

Trustee Stebbins stated that residents in the area of 65 & 67 E. Oneida Street met with the DPW committee with photos and exhibits regarding the lack of drainage in that area. The committee realizes that they have a legitimate problem and needs assistance on the remedy.

Motion #208 -

Moved by Trustee Tupper seconded by Trustee Mott to give the Village Engineer authorization to study the storm sewer system and make recommendations for a resolution to drainage issues in the area of 65 & 67 E. Oneida Street.

CARRIED.

Discussion/Action in regards to utilizing Golden Legacy in-kind services as a substitute for in-lieu of parks payments on Marble Street at Canal Park.

Trustee Stebbins noted that he is uncomfortable to take money from the parks fund for parking spaces. After a brief discussion it was decided to work out an arrangement with Golden Legacy for Marble Street improvements, excluding parking spaces. In good faith, the village will discuss this matter with Golden Legacy and come up with a cost estimate. Claude Sykes will prepare an approximate cost estimate and bring in Jake McKenna for his expertise. The business owners in the Marble Street area are still interested in participating in this endeavor.

Discussion/Action concerning South Shore East Trail alternatives.

The DPW committee wants to bring Mike O'Shea from QPK in to present alternatives regarding the South Shore East Trail. The goal is to link Lions Park to the Village. A decision was made for the DPW committee to meet with Mike O'Shea on August 30, 2006, at the next DPW committee meeting and come back to the Village Board with their recommendations.

Discussion/Action in regards to declaring equipment listed in the August 1, 2006 memo from the Supt. of Public Works as surplus.

Motion #209-

Moved by Trustee Presley seconded by Trustee Stebbins to declare equipment, listed in the August 1, 2006, memo from the Supt. of Public Works as surplus and send it, as well as the skate park equipment surplus, to the county auction that is being held at the NYS fairgrounds on October 21, 2006.

CARRIED.

Discussion/Action in regards to giving the village engineer authorization to prepare a cost estimate for a Sewer System Evaluation Project.

Claude Sykes noted that an evaluation has not been done in the Village of Baldwinsville in thirty years and one is certainly warranted especially since the July 12, 2006, storm.

Motion #210-

Moved by Trustee Stebbins seconded by Trustee Mott to give the village engineer authorization to prepare a cost estimate for a Sewer System Evaluation Project.

CARRIED.

Discussion/Action concerning development payments to offset impacts on pump stations and limiting outside connections to village storm and sanitary systems.

Claude Sykes stated that in the past the Planning Board usually handled outside developers using connections to village storm and sanitary systems, but presently the village does not have any mechanisms in place to handle it. We have no control over a developer that is building outside of the village utilizing village resources, such as sanitary sewer or storm sewer. They sometimes connect directly to our system and this may result in a negative impact on some village homes by causing sewer problems. Sykes noted that the village needs to be more diligent on what is going on in the towns regarding the location of their drainage and how it impacts the village.

It was decided that the DPW committee would bring recommendations back to the board regarding a fee that would be assessed to the developer if there is a direct connect to the system.

Discussion/Action in regards to a request from Paul Hafner for a water tap @ 1540 West Genesee Street Road with conditions.

Motion #211-

Moved by Trustee Tupper seconded by Trustee Mott to approve a request from Paul Hafner for a water tap @ 1540 West Genesee Street Road subject to the applicant installing the meter and the back-flow prevention device in a heated area within the garage by a licensed plumber.

CARRIED.

Discussion/Action in regards to increasing water & sewer tap fees for the Village of Baldwinsville.

After much discussion regarding the codes committee making code revisions to the water and sewer tap fees, it was decided that further research needed to be done. Claude Sykes commented that he believes that the fees should be increased for water and sewer taps due to the increase in the cost of the meter itself. With two housing tracts ready to come on line, an increase may be needed soon in order for the village not to suffer a loss. Mayor O'Hara has a concern with the tracking of actual expenses and the charge to the individual homeowner.

Motion #212-

Moved by Trustee A. Saraceni seconded by Trustee Presley that the Board retire into Executive Session to discuss various village department contract negotiations at 9:45p.m.

CARRIED.

Motion #213-

Moved by Trustee Stebbins seconded by Trustee Presley that the Board return to Regular Session at 10:03 p.m.

CARRIED.

Motion #214-

Moved by Trustee Presley seconded by Trustee Stebbins that the bills be paid from their proper accounts, after audit. General #257 (Cks #28800-28869) - \$29,295.38; Water #257 (Cks #21420-21431) - \$7,597.99; Sewer #257 (Cks #20915-20924) - \$1,826.46.

CARRIED.

Motion #215-

Moved by Trustee Mott seconded by Trustee Stebbins that the meeting be adjourned at 10:05 p.m., until the Public Hearing to be held on September 7, 2006, at 7:30 p.m., at the next Village Board Meeting.

CARRIED.

Adjournment,

Deputy Village Clerk