

VILLAGE OF CANASTOTA
MINUTES
June 19, 2006

Mayor Rouse called the meeting to order at 7:00 p.m. The Pledge of Allegiance was recited.

PRESENT: Mayor Todd Rouse, Deputy Mayor Scott Rapasadi, Trustees AnnMarie Rossi and Theodore Lumbrazo, Historian David Sadler, Joseph Slivinski, Andrea Slivinski, John Melick and Christine Ennis of the Bee-Journal

ABSENT: Trustee Chuck Sweeney

Motion by Trustee Rapasadi, seconded by Trustee Lumbrazo, to approve the minutes of the previous Board meeting. Passed 4 to 0.

Motion by Trustee Rapasadi, seconded by Trustee Rossi, to approve the May 31, 2006 General Fund Abstract in the amount of \$13,838.86. Passed 4 to 0.

Motion by Trustee Rossi, seconded by Trustee Rapasadi, to approve the June 19, 2006 General Fund Abstract in the amount of \$108,508.54. Passed 4 to 0.

Motion by Trustee Rapasadi, seconded by Trustee Lumbrazo, to approve the May 31, 2006 Sewer Fund Abstract in the amount of \$7,589.63 Passed 4 to 0.

Motion by Trustee Rapasadi, seconded by Trustee Rossi, to approve the June 19, 2006 Sewer Fund Abstract in the amount of \$5,256.27. Passed 4 to 0.

Trustee Sweeney joined the meeting at 7:05 p.m.

Motion by Trustee Rapasadi, seconded by Trustee Rossi, to approve the Sewer Capital Fund Abstract in the amount of \$5,294.00. Passed 5 to 0.

Motion by Trustee Sweeney, seconded by Trustee Lumbrazo, to approve the Interfund Transfer of \$22,295.80 from Economic Development Savings to Capital Fund Checking for payment of expenses incurred regarding the 911 Memorial. **Discussion:** Trustee Lumbrazo commented that the 911 Memorial looks beautiful. Passed 5 to 0.

Motion by Trustee Rapasadi, seconded by Trustee Rossi, to approve the May 31, 2006, Capital Fund Abstract in the amount of \$6,383.22. Passed 5 to 0.

Motion by Trustee Rapasadi, seconded by Trustee Rossi, to approve the June 19, 2006 Capital Fund Abstract in the amount of \$15,912.58. Passed 5 to 0.

Motion by Trustee Sweeney, seconded by Trustee Lumbrazo, to authorize the following budget modification to the 2005-2006 budget: reduce 69894.01 (Industrial Park Contractual) by \$859.63. This reduction reflects the reimbursement received from OCWA for the installation of the Kristi Trailer fire hydrant in the Business Park.. Passed 5 to 0.

Application from Nixon Peabody, LLP on behalf of Syracuse SMSA Limited Partnership d/b/a Verizon Wireless regarding property owned by Isadore Rapasadi & Sons bearing Tax Map Number 36.5-1-10.1 and located on the east side of North Main Street immediately south of the NYS Thruway in the Planned Unit Development District. The applicants seek to attach 12 panel antennas to the existing tower at the 140' level and to construct a 12' x 30' equipment shelter at the base of the tower. This matter has been reviewed by the Madison County Planning Department and has been returned for local determination. The County recommendation asks for clarification as to the exact measurements of the proposed equipment shelter as there exists conflicting information within the application documents. Pursuant to Section 230-28 three (3) sets of the site plans will be submitted to the Village Planning Board for review and recommendation back to the Village Board prior to our next meeting on July 5, 2006. Robert Berg, Esq., attorney for the applicants, asked if there were any other issues. Mayor Rouse stated that we needed the recommendation of the Planning Board before we could act on the application.

Motion by Trustee Sweeney, seconded by Trustee Rapasadi, to turn the application over to the Planning Board for review and recommendation. Passed 5 to 0.

Motion by Trustee Sweeney, seconded by Trustee Rossi, to approve the attached Resolution Supporting and Concurring in Madison County's Application for Redesignation of Certain Areas Within Madison County as an Empire Zone. **Discussion:** Mayor Rouse explained that the State had made changes which took out Diamond Street and Red Apple as the parcels don't meet the criteria for how they meet together. Passed 5 to 0.

Motion by Trustee Sweeney, seconded by Trustee Lumbrazo, to authorize Clerk/Treasurer Cathi Williams to attend a workshop sponsored by NYCOM to be held on August 8, 2006 in Rome, New York from 1:00 p.m. - 3:00 p.m. regarding the administration of Section 207-a and 207-c disability benefits for paid firefighters and police officers at a cost of \$50.00. Passed 5 to 0.

Joseph and Andrea Slivinski addressed the Board regarding the recent Amendment to Local Law allowing patio/townhome construction in the R-1 Zone.

Mr. Slivinski asked why the Village Board allowed the amendment in the R-1 zone. Why not have a developer secure a use variance?

Mayor Rouse explained that the Local Law does not permit for a Special Use Permit for this type of development. There was no definition for townhomes or patio homes in the Village's Local Laws. The Village Board and the people we had review our Local Laws felt that these were single family homes and we had the amendment prepared to allow the use in an R-1 with a Special Use Permit.

Mr. Slivinski asked why the EAF was prepared as a negative declaration and why we answered "no" to traffic, runoff and sanitary sewers. Mayor Rouse explained that the Local Law change will not generate any impact. The specific project will generate the runoff, traffic and sewer impacts. The standard is to file a negative declaration for the change in the Local Law because when the site is developed the project will require a site-specific EAF.

Mr. Slivinski asked the Board if they would consider revisiting another public hearing and if we had other patio home applications waiting in the wings. Mrs. Slivinski asked why this matter wasn't subject to a public referendum.

Mayor Rouse explained that we held a Public Hearing on the Local Law amendment and that NYS Law does not make this subject to a public referendum.

Mrs. Slivinski asked why there was nothing about the plan in the newspaper announcing this. Trustee Rossi stated that she had read something in the newspaper about the project. Trustee Lumbrazo commented that if this developer had put in single family detached homes 15 feet apart with many more homes, this project would generate more traffic and sewer.

Mr. Slivinski stated that he expected this to be an R-1 zone when he purchased his home.

Trustee Lumbrazo stated that he believes that this Board did everything that it could to protect residents in the R-1 districts.

Mayor Rouse pointed out that there were pre-existing in the Village that were townhome type construction with separate ownership and common walls with no provision in Village law. We needed to define this type of construction because it already existed.

Trustee Sweeney stated that there are nice townhomes and patio homes in other communities. The Village was losing residents to these other communities. Construction in the R-1 zone was made subject to a Special Use Permit to be issued by the ZBA.

Mr. Slivinski stated that this could be a very good idea, but that he doesn't feel like an opportunity was given for people to speak.

Mayor Rouse stated that this matter has been ongoing for a year and that it was not done for a specific project. The Board thought that the first parcels where the construction would be the Sicilia parcel on North Peterboro Street. Rick Stagnitti, the Town of Lenox Codes Officer, brought this to the Village more than a year ago. The Village hired an engineer to look at this. Attorney Scott Chatfield drew up the Laws. The Village sent this to the County Planning Department for review. The County recommended that the Local Laws be less restrictive.

Mrs. Slivinski asked the Mayor to discuss "site specific". Mayor Rouse explained that each project will have to file site specific SEQRA. Clerk/Treasurer Williams advised that the Planning Board will hold Public Hearing on July 5, 2006 at 7:00 for the Final Plat. SEQRA will be addressed at the regular meeting where the final plat may or may not be addressed and/or approved.

Mayor Rouse explained that the applicants could have petitioned for a zone change. There is a history in the Village of spot zoning. This Board did not want this to happen and took measures to keep the units apart, only two units at a time and put extra space between the buildings, only allowing them in a large area. Mayor Rouse has spoken with ZBA members who stated that they understood that they did not have to approve the project and that they were in favor of this project.

Mayor Rouse discussed the history of the change in the Local Laws and stated that he would like to see sidewalks and curbing addressed with this project. The Mayor stated that he does not see that the homes that are proposed will negatively impact the residents currently in that neighborhood. The DEC has already sent back the approvals for the sewer relocation. If we were to change the Local Law, then there would be another hearing. We have had no other comments or calls and some people have called to say that they have heard about it and they understand it.

John Melick stated that he has talked with people who have said that they believe that it was a done deal because the approvals were already given.

Mayor Rouse stated that he would not be opposed to looking at it again, but he is not sure what the amendment would be. Clerk/Treasurer Williams stated that the plans are filed in her office. The Final Plat approval will be addressed after the public hearing.

Mayor Rouse advised that the village is looking at the First Street/Will New Boulevard stop sign this summer and we are discussing making the corner square. He advised that sidewalks and curbs could be discussed with the Planning Board, as well as recommendations for traffic control devices. The Village Board and the Police Department will determine what is needed for traffic control.

Mrs. Slivinski asked if the retention/detention pond was under the control of the Planning Board. Mayor Rouse advised that the DEC would regulate and approve drainage plans.

Mrs. Slivinski asked who was responsible for protection of the retention/detention pond to which Mayor Rouse responded that the property owner was responsible. Mrs. Slivinski is concerned because she is aware of an incident where a child almost drowned in a similar pond. Mayor Rouse stated that he believes the plan is for it to flow out at a certain rate. He does not believe that this water will stay in the pond and advised Mrs. Slivinski to direct this question to the Planning Board.

Correspondence

- List from Ron Bennett of streets targeted for repair this year.
- Report from Michael Pratt and Anita Colvin regarding the Waste Water Treatment Plant.
- Letter from Bruce Chandler of the Canastota Fire Department requesting permission for the James Sullivan family to use the pole barn on July 16, 2006. Proof of insurance was attached

Motion by Trustee Rapasadi, seconded by Trustee Lumbrazo, to authorize the James Sullivan Family to use the pole barn on July 16, 2006. Passed 5 to 0.

- Letter from Mary Fresina regarding a tree. This has been referred to the DPW.
- Letter from Richard and Patricia Bergman regarding a tree. This has been referred to the DPW.
- Letter from Empire State Development regarding a public hearing to be held on June 29, 2006 at 1:30 p.m. regarding Kristi Trailers Capital Project.

Department Head Comments.

Ron Bennett reported that tree trimming and removal has begun and that we should have the street sweeper within 25 days.

Michael Adsit reported that the new people at the Waste Water Treatment Plant are doing very well. There was a lack of maintenance in the past and with a simple fix of some issues, they have helped the plant to run more efficiently. Clerk/Treasurer Williams stated that Plant Operator Mike Pratt had indicated that Michael Adsit's assistance with Treatment Plant matters was a big help and greatly appreciated.

David Sadler thanked the Mayor and the Board for approving the Amelia Earhardt marker. Amelia Earhardt was a globally known person with a connection to Madison County and Canastota. The

dedication for the marker will be on August 28, 2006 at 10:00 a.m. which is 78 years to the day after the original dedication of the airport by Amelia Earhardt.

Mayor Comments.

The Police Department and the DPW have done a great job with the Boxing Hall of Fame and Bicentennial Weekend - a lot of hard work went into those weekends and everything looks good. Mike Adsit, Karen Carpenter, Janet Balsamo and Cathi Williams did a lot of hard work preparing for the weekends also. Transportation Weekend was a success.

Mayor Rouse has appointed Sabrina Paladino as a new police officer on the recommendation of Chief Zophy. The Mayor is creating a new position not filling an old position.

Motion by Trustee Lumbrazo, seconded by Trustee Rossi, to concur with the appointment of Sabrina Paladino to the new position. The police department position currently held by Officer Reed will be terminated upon Officer Reed's retirement. Passed 5 to 0.

Trustee Comments.

Trustee Lumbrazo complimented the DPW for an amazing job after the Boxing Hall of Fame parade. He noted that the lines are coming through again in the Fire Department parking lot. Mayor Rouse suggested that they be covered up with driveway sealer.

Trustee Rossi asked the Board if they would consider an ordinance regulating dumpsters in the Village. Mayor Rouse stated that Trustee Rossi work with Codes Officer Adsit to draft language.

Trustee Rossi commented on behalf of the committee for Canal Town - "WOW".

Mayor Rouse advised that the street signs are up and that they look nice. Some of the street names are mis-spelled and some signs are missing. We are taking care of this.

Delegations.

Christine Ennis of the Bee-Journal advised that as of next Friday, she will no longer be the municipal editor of the Bee-Journal. She may be around for the rest of the summer doing articles for the paper. Chris thanked the Board for their assistance. Mayor Rouse commented that he appreciates Chris' efforts and the coverage she has given us.

Motion by Trustee Rapasadi, seconded by Trustee Lumbrazo, to enter executive session at 8:19 p.m. Passed 5 to 0.

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Motion by Trustee Lumbrazo, seconded by Trustee Sweeney, to exit executive session at 8:32 p.m.
Passed 5 to 0.

Motion by Trustee Lumbrazo, seconded by Trustee Sweeney to adjourn at 8:33 p.m. Passed 5 to 0.

Respectfully submitted,

Catherine E. Williams
Clerk/Treasurer