

VILLAGE OF CANASTOTA  
MINUTES  
May 24, 2006

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

PRESENT: Mayor Todd Rouse, Trustees AnnMarie Rossi, Theodore Lumbrazo and Charles P. Sweeney, and Christine Ennis from the Bee-Journal. (See the attached Sign-in sheet for others present.)

ABSENT: Deputy Mayor Scott Rapasadi

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

Motion by Trustee Rossi, seconded by Trustee Lumbrazo, to approve the Budget Transfer of \$1,532.84 from 13204.01 (Independent Auditor) to 12104.01 (Mayor Contractual).

Motion by Trustee Sweeney, seconded by Trustee Lumbrazo, to approve the General Fund Abstract in the amount of \$80,031.52. Passed 4 to 0.

Motion by Trustee Lumbrazo, seconded by Trustee Rossi, to approve the Sewer Fund Abstract in the amount of \$43,776.92. Passed 4 to 0.

Motion by Trustee Rossi, seconded by Trustee Lumbrazo, to authorize the interfund transfer of \$15,567.08 from Economic Development Savings to Capital Fund Checking for payment of expenses incurred regarding the 911 Memorial. Passed 4 to 0.

Motion by Trustee Sweeney, seconded by Trustee Lumbrazo, to approve the Capital Fund Abstract in the amount of \$15,567.08. Passed 4 to 0.

Motion by Trustee Sweeney, seconded by Trustee Rossi, to authorize the Village to advertise for bids to construct a salt storage building. **Discussion:** Trustee Lumbrazo asked if this building was for the Town and the Village or just for the Village. Mayor Rouse responded that as of today, the building is for the Village only. Passed 4 to 0.

**Correspondence**

- Letter from Sam Mascari regarding a tree on West Chapel Street. This has been turned over to the DPW.
- Letter from Mrs. Edward Capparelli regarding a tree on Spencer Street. This has been turned over to the DPW.

- Letter from Commander Yorton of VFW Post 600 regarding the Memorial Day Parade to be held on May 29, 2006.
- Letter from Chief Zophy requesting street closures for upcoming events.

Motion by Trustee Lumbrazo, seconded by Trustee Rossi, to authorize the street closures as described in the Memo from Chief Zophy dated May 24, 2006 (copy attached). Passed 4 to 0.

- Letter from the Forbes Hose Co. of the Canastota Fire Department offering the names of Shannon L. Lints and Sam Hatch for membership into the Fire Department.

Motion by Trustee Lumbrazo, seconded by Trustee Sweeney, to accept Shannon L. Lints and Sam Hatch as members of the Forbes Hose Company of the Canastota Fire Department. Passed 4 to 0.

#### **Department Head Comments.**

Michael Pratt of OMI submitted a Monthly Report regarding the Waste Water Treatment Plant (copy attached) and reported that there is a meeting tomorrow morning at Village Hall regarding Queensboro billing.

Clerk/Treasurer Cathi Williams reported that the program used for tax collection has been updated to a new windows version. Karen Bombard has been hired as our Deputy Clerk and training is going well.

#### **Mayor Comments.**

There are back taxes owing on the parking lot on East Center Street that we purchased from Dannoun. The amount of \$939.98 is due at the County Treasurer's Office on or before May 31, 2006.

Motion by Trustee Lumbrazo, seconded by Trustee Rossi, to authorize the payment to the Madison County Clerk of back taxes owing on the Center Street Municipal Street Parking Lot in the amount of \$939.98. Passed 4 to 0.

#### **Trustee Comments.**

Trustee Lumbrazo asked about the status of the new street signs. Mayor Rouse stated that everything has been ordered and the poles are installed. Some of the signs have been received. Trustee Lumbrazo asked if the Canal on the east side of Diamond Street could be cleaned up. The Mayor will have the DPW look into whether it is something that we can get to or will we have to contact the

Thruway Authority that has jurisdiction over the Canal. Trustee Lumbrazo asked if we still had outstanding Economic Development Loans. Mayor Rouse advised that we have two (2) outstanding loans.

Trustee Rossi attended the WWII dedication and stated that it was a very impressive event and that those involved in planning the event did a fantastic job. There were approximately 280 people in attendance at the dinner. Trustee Rossi stated that this was a nice piece of history. Mayor Rouse called Vice Chairman Admiral Giambastiani to thank him for his participation in the weekend's events. The Mayor advised that Vice Chairman Admiral Giambastiani held a ceremony in the Court Room to award a Purple Heart to the Camden family whose son was recently killed in Iraq. Mayor Rouse would like to look into helping to pay for the flags that will go at the back of the WWII Memorial in Clark Park.

Trustee Rossi advised that the landscaping around the building is complete

Trustee Sweeney noted that at the last meeting, the Board was asked if the Village would consider paying for the historical marker at the old Airport to honor Amelia Erhardt. The Mayor stated that we use funds from the sale of property at the Industrial Park to pay for the expense.

Motion by Trustee Lumbrazo, seconded by Trustee Rossi, that we move forward and approve up to \$1,000.00 for an historical sign at the former airport. Passed 4 to 0.

### **Delegations.**

Mayor Rouse opened the meeting to comments from delegations asking that all comments be directed to the Board and that comments be limited to a couple of minutes so that all persons wishing to be heard can have the opportunity to address the Board.

Mary Adasek informed the Board that she was feeling betrayed by the Board because she did not know about the amendment of the Local Laws until the Public Hearing Notice was published for the ZBA hearing on the Special Use Permit. Ms. Adasek spoke in opposition to the revision of the Local Law allowing patio/townhome construction in R-1 districts stating that she felt that the laws were customized to benefit certain projects and that there may have been a flaw in the Notice of Public Hearing as the time for the hearing was omitted from the Notice, although the date and place were correctly published. Also, Ms. Adasek feels that the ZBA and Planning Boards did not consider the concerns of the residents who were present at the public hearings. The ZBA referred them to the Planning Board and Village Board and the Planning Board referred them to the ZBA and Village Board.

Mayor Rouse discussed the history of the change in the local laws with the delegation, noting that the reason that the Law allowing patio/townhomes in an R-1 District was made subject to a Special Use Permit was so that the application would be reviewed for compatibility with the neighborhood and that residents in the R-1 Districts would have an opportunity to be heard before the project was approved.

Ms. Adasek stated that they did bring their concerns about traffic, drainage and compatibility to the ZBA and the ZBA told them that this was a permitted use with the new law.

Ms. Adasek asked Mayor Rouse if there was a chance that the Board would amend the R-1 Local Law. Mayor Rouse stated that he would not be opposed to revisiting the Local Law, but that it would most likely have no impact on the current project on First Street as the Special Use Permit has been granted and public hearings have been held.

Ms. Adasek read from the SEQR Handbook and questioned why the Village found that this project would have no environmental impact when the Local Laws were adopted. Mayor Rouse explained that the Village filed a negative declaration at the adoption of the Local Laws stating that the Laws were not site-specific and that there was no impact in enacting the Local Laws. The impact would come when a project was commenced and it would be the developer who would address drainage, traffic and other issues directly relating to a specific project.

Ms. Adasek read the GML from the County and asked the Mayor if the Board had a concern about the Consent Order. Mayor Rouse explained the theory of the sewer line replacement which would move the existing sewer from the north side of First Street to the south side of First Street in front of the new project. This would take care of the problems that we have with the sewer as it is too shallow in First Street.

Andrea Slivinski asked the Board how does the public keep itself aware of what is going on at the meetings without seeing the agenda. Mayor Rouse stated that the agenda is made available when it is requested but is often not finalized until the day of the meeting. We are currently updating our website and hope to have it back online soon. Hopefully we will be able to post the agenda and approved minutes on our website. Mayor Rouse stated that the only newspaper that has not missed a meeting in the last several months is the Bee-Journal. The reporter from the Post Standard will contact the Mayor after the meetings and we have not seen a reporter from the Dispatch in a long time.

Jane Slaski asked the Mayor if the agenda is available before the meeting. The Mayor responded that it is available before the meeting, but can be amended at any time before the meeting so that all matters that need to come before the Board can be addressed as quickly as possible.

Joseph Slivinski addressed the Board stating that he echoed everything that Ms. Adasek said and that if he knew it was a public hearing on a local law that would change a zoning law in three districts he would have been there. Mr. Slivinski also questioned the SEQR form that was completed by Administrator Bryan Gazda and submitted to the County with the GML referral asking why no impact was addressed. Mayor Rouse stated, again, that there was no impact in enacting the local law as it was not site-specific. The impact is when the project application is filed. Mr. Slivinski asked if the Village Board would reconsider the Local Law.

Richard Slaski asked the Mayor which Board should hear their complaints.

Mayor Rouse responded that he would take the responsibility for the Village and added that the Village Board has no authority to control the ZBA or Planning Board. The Village Board enacts the Laws, the other Board have authority over the applications. The Special Use Permit was made a requirement in the R-1 zone so that people would have a chance to have their concerns heard. Mayor Rouse stated that ZBA may have felt that the project was right for the neighborhood.

Ms. Adasek asked where that left the homeowners.

Mayor Rouse stated that we have a very good Chairman on the Planning Board who understands the laws. Concerns regarding drainage, setbacks and traffic will be addressed by the Planning Board when addressing subdivision.

John Melick stated that he spoke with the Mayor about the project, watched the papers and went to the ZBA meeting where he was told that the applicants met the requirements and the ZBA could not do anything about it. Mr. Melick is concerned about traffic increasing, the proximity of the project to the South Side School and drainage.

Mayor Rouse stated that the DEC will need to approve the drainage plan and that the applicants will have to meet the DEC's requirements.

Ms. Adasek feels that the project will affect the abutting homeowners, if not all homeowners, in the neighborhood.

John Melick feels that this will affect property values and stated that he had people in the neighborhood sign a petition to not allow a two-unit home in their district.

Jean Melick stated that she appreciates what the Board has done to get them to this point asking how can they change the development that is proposed now in their neighborhood.

The Mayor responded that they probably cannot change the currently proposed development.

Village of Canastota  
May 24, 2006  
Page 6

Clerk/Treasurer Cathi Williams, at the Mayor's request, described the layout of the structures on the proposed development on First Street.

Richard Slaski asked if this means that Phase II can also happen this way.

Mayor Rouse stated that the process would start over if another Phase were to be developed.

Mayor Rouse stated that this Board believes that it put steps in place to protect the residents adding that the Board is hearing what the residents are saying. The Village Board is not opposed to looking at this again. This does not change anything that is in place today.

Motion by Trustee Sweeney, seconded by Trustee Lumbrazo, to enter executive session regarding personnel at 9:35 p.m. Passed 4 to 0.

Motion by Trustee Sweeney, seconded by Trustee Rossi, to exit executive session at 9:39 p.m. Passed 4 to 0.

Motion by Trustee Rossi, seconded by Trustee Sweeney, to accept Officer Howard Reed's letter of intent to retire effective June 30, 2006. Passed 4 to 0.

Motion by Trustee Sweeney, seconded by Trustee Lumbrazo, to adjourn at 9:40 p.m. Passed 4 to 0.

Respectfully submitted,

Catherine E. Williams  
Clerk/Treasurer