

VILLAGE OF CANASTOTA
MINUTES
October 20, 2008

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 Theodore Lumbrazo, and Ann Marie Rossi; Village Administrator Larry Carpenter; Margo Frink of the Bee-Journal; Village Historian David Sadler; Residents Joyce Gustin, Kassandra Gustin, Craigory Severance, Sara Paver and Kirstin Niles.

ABSENT: Charles Sweeney

Mayor Rouse welcomed the students from Mr. Fiacchi's class who are here tonight to observe local government.

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

Motion to approve the following budget modifications: Increase 2770.01 by \$37,956.60; Increase 71104.01 by \$37,956.60. **Discussion:** Trustee Rapasadi asked what the modification was for. The Mayor explained that this was to be able to use the money received from CSX for the repairs to the Links Walking Trail. Passed 4 to 0.

Motion by Trustee Rapasadi, seconded by Trustee Lumbrazo, to approve the General Fund Abstract in the amount of \$59,590.44. Passed 4 to 0.

Motion by Trustee Rapasadi, seconded by Trustee Lumbrazo, to approve the Sewer Fund Abstract in the amount of \$14,666.90. Passed 4 to 0.

Motion by Trustee Lumbrazo, seconded by Trustee Rossi, to authorize Village Historian David Sadler to attend the APHNYS 2008 Fall State Conference from November 2 – 4, 2008, in Lake Placid at a cost of \$190.00 for registration, meals and 2009 Membership Dues and \$178.00 for lodging for a total cost of \$368.00. Passed 4 to 0.

Motion by Trustee Rossi, seconded by Trustee Lumbrazo, to approve Michael Barker of 108 Diamond Street as a new member of the Forbes Hose Company of the Canastota Fire Department based on the request of Richard Stagnitti, secretary for the Forbes Hose Company. **Discussion:** Trustee Lumbrazo asked if we had been provided with all of the necessary information for this new member. Clerk/Treasurer Williams advised that a copy of his driver's license had been provided. Passed 4 to 0.

Motion by Trustee Rapasadi, seconded by Trustee Rossi, to award the contract for the demolition of 128 Center Street to Abscope Environmental in the amount of

\$80,156.50. **Discussion:** Mayor Rouse explained to the Board that this is the second round of bidding and that we only had 1 bidder. Trustee Lumbrazo asked if the Village will be able to get its money back. Mayor Rouse advised that the expenses will be billed to the property owner and turned over to their taxes if not paid. It will take 2 years to get the money back from the County for unpaid taxes. We have to spend the money first. Passed 4 to 0.

Motion by Trustee Rapasadi, seconded by Trustee Rossi, to retain the services of ECMC for the air monitoring of the demolition project at 128 Center Street in the amount of \$1,560.00. Passed 4 to 0.

Brenda Kayn, CPA of BMK Services presented the 2007-2008 Audited Financial Statements and Management Letter Comments to the Board as well as the Justice Court Departmental Audit for the Period January 1, 2006 - July 31, 2008. Brenda was very pleased to say that everything went very well with the Village audit this year and that there were no reportable findings and very few adjusting entries. She stated that a part of the reason that everything went so well was that Clerk/Treasurer Williams, rather than waiting for the audit to ask questions about how to book a difficult entry, will contact Brenda for advice throughout the year. Brenda went over the Audited Financial Statements with the Board, particularly the comparison between the adopted and actual budget figures, complimenting the Village on its planning during the budget process.

The Justice Court Audit was reviewed and Brenda commented that she was pleasantly surprised. Clerk to the Justice Debra DiGeorge has "majorly" cleaned up the Court's records since her last audit. Brenda commented that the court files are well-maintained and that there are items that need to be addressed such as outstanding checks on exonerated bail on matters that had been disposed of. Overall, it was a good audit.

Brenda reviewed the Village Management Letter comments with the Board. As there were no reportable findings, she was not required to prepare a Management Letter, but felt that she would like to offer some advice and direction to the Board. The upcoming reporting requirements under GASB 45 were discussed with the Board. The Village will be required to engage the services of an actuary to determine the cost of its "other post-employment benefits" (OPEB) for fiscal year starting June 1, 2009. This will give a value to the cost of providing health insurance to retirees which will need to be carried as a liability on the Village's balance sheet. Mayor Rouse discussed with Brenda the impact of this requirement on the Village Budget and bond rating.

Brenda discussed the Village's fund balances in the General and Sewer Funds. The General Fund has remained stable at around 20% with a Tax Stabilization Reserve at 8.3% of the fiscal year 2009 Budget. Brenda commended the Mayor for the fund balance in the

General Fund. The fund balance in the Sewer Fund in at approximately 74% of the fiscal year 2009 Budget, which Brenda thought was high. Mayor Rouse explained that the Village will be using the unreserved, unappropriated fund balance to help offset some of the upcoming expenses of the treatment plant upgrade and CSO abatement project. Brenda felt that this was a good use of fund balance.

Brenda advised that the Justice Court Audit must be provided to the Office of the State Comptroller and that a motion approving the Audit was required.

Motion by Trustee Rapasadi, seconded by Trustee Lumbrazo, to approve the Departmental Audit for the Justice Court for the period January 1, 2006 - July 31, 2008. Passed 4 to 0.

Review of revisions to Local Law regarding sewer billing. Mayor Rouse explained that under the original law, the Village had the option to bill for debt based on water usage or separate charges. Under the proposed revisions, we would again have the option to bill by separate charges. The Mayor is proposing that all property owners share in the expense for the debt associated with the treatment plant. Currently, only those people who use water join in the expense for debt. Also, properties in the Town sewer districts will now pay a portion of the debt even if they are not currently connected. No one will pay less than 1/4 unit. Improved parcels that are connected will pay 1 unit for each structure on the property that is using sewer. Based on property descriptions, the Assessor's office will let us know how many total units there are and that number will be divided into the total debt to determine the unit charge. This charge will be on the January 1, 2009 Town taxes for the property owners in the Town sewer districts, and on the June 1, 2009 Village taxes for property owners in the Village. The manner for calculating and billing Industrial Users did not change. Mayor Rouse asked the Board members if they would like to go right to a public hearing on the local law or if they would like to conduct an informational meeting. Trustee Rapasadi indicated that he would like to have an informational meeting. The information meeting will occur on Monday, November 3, 2008 at 7:15 p.m. Clerk/Treasurer Williams was asked to put the information regarding the meeting on the website and to notify the Dispatch. Mayor Rouse asked Margo Frink of the Bee-Journal to put a notice in her paper.

Administrator Carpenter presented the Board with revisions to the Local Law regarding changes to street codes. He advised the Board that these changes would be in addition to what is currently in the code which would remain. Mayor Rouse asked what prompted us to make the changes. Administrator Carpenter stated that it was problems with fire truck access, errors in the current codes and turning distances, adding that these changes were done by the Village engineer. Mayor Rouse was concerned that these changes would make it harder and more costly for developers. Administrator Carpenter does not believe that these changes will result in any

additional cost to developers. The Mayor asked Administrator Carpenter for a side-by-side comparison of the existing law and the proposed changes.

Administrator Carpenter presented the Board with revisions to the Local Law updating the sign codes. He informed the Board that it is the intent of these revisions to clean up the Village streets and prevent signs from being attached to everything on the street. Mayor Rouse asked if "for sale" signs in residential districts were being regulated. Administrator Carpenter stated that those signs were only addressed in non-residential districts. He would like the Board members to review the proposed changes for discussion at the next Board Meeting.

Motion by Trustee Rossi, seconded by Trustee Lumbrazo, to authorize OCWA Project No. 9003472 for the installation of Hydrant #12223 on NYS Route 5 between M&T Bank and Rite Aid. The cost of installation is to be paid by Ellicott Development – the Village will be responsible for the \$57.79 annual hydrant maintenance fee. **DISCUSSION:** Trustee Lumbrazo asked what will happen to the hydrant on the corner of Route 5 and Peterboro Street. Clerk/Treasurer Williams advised that this hydrant will replace the hydrant that was removed in the Rite Aid renovation project. No other hydrants are effected. Trustee Lumbrazo asked what the Village gets for its \$57.79 a year. Mayor Rouse stated that we get to use the hydrant. Passed 4 to 0.

Motion by Trustee Rapasadi, seconded by Trustee Lumbrazo, to authorize Clerk/Treasurer Williams to turn over unpaid taxes to the Madison County Treasurer's Office in the amount of \$158,046.55 with interest thereon at the rate of 8% in the amount of \$12,643.72 for a total of \$170,690.27 and to authorize the Mayor and Trustees to execute the Certification and Verification as to Unpaid Taxes. Passed 4 to 0.

Motion by Trustee Lumbrazo, seconded by Trustee Rossi, to award the repair/paving work for the Links Trail to Orchard Earth and Pipe Corp. In the amount of \$37,956.00 and to authorize the Mayor to execute the contract documents. **Discussion:** Trustee Rapasadi asked why we were not using the Town and Village public works departments to do the work. Administrator Carpenter advised that the Town's paver won't go down to 4 feet and the cost would exceed the funds provided by CSX for the paving. Passed 4 to 0.

Correspondence

–

Invitation from BMR Acres to attend the Country Farm Store Grand Opening on Saturday, November 1, 2008 at 10:00 p.m.

- Notice from the Board of Elections reminding us of the general election to be held on Tuesday, November 4, 2008 in our building.
- Letter from Time Warner advising of a new interactive technology called Switched Digital Video.
- Letter from National Grid regarding their response to Hurricane Ike.

Administrator

Administrator Carpenter advised the Board that the SEQRA process is complete for the WWTP Upgrades and CSO Abatement Project. We now have the application for funding and we need to determine what projects will be done internally so that the application may be completed. Administrator Carpenter advised that he will be attending a presentation by the New York Power Authority on December 5, 2008, at 10:00 a.m. at Dibbles Inn on a program aimed at reducing energy usage and reducing costs.

Mayor Rouse asked when the solar lights will be here. Administrator Carpenter advised that they should be received within the week.

Department Heads

Village Historian David Sadler advised that the great auto race reinactors were in the Village yesterday and stopped in front of the Municipal Building, the site of the former Weaver Hotel, which is where some of the race participants stayed 100 years ago. The movie was released last week in Canada and the producers are looking for a distributor in the United States.

Mayor Comments.

The Mayor would like to go into Executive Session tonight regarding the police contract.

Trustee Comments.

Trustee Lumbrazo asked the Board if it wanted him to bring up the alarm to the Fire Council regarding the number of cycles for each call. He also asked if the Board wanted him to discuss with the Fire Council the removal of the box alarms in the Village. Mayor Rouse believes that it was

decided that if the box alarms go down they would not be repaired. The Mayor told Trustee Lumbrazo that he could ask the Fire Council if they would like to begin pro-active removal of the box alarms.

Trustee Lumbrazo asked if there was something that could be done about signs in Clark Park. Clerk/Treasurer Williams was asked to have the DPW remove all signs from the Park.

Trustee Rapasadi noted that there was a fire hydrant on James Street near Alan Kime's property that did not have a marker. Trustee Lumbrazo stated that they couldn't do it now because of the size of the bolt. It will have a marker eventually.

Trustee Rossi commented that it was a good idea to mark the fire hydrants. She presented the Board with information on the Crop Walk that was held this past Sunday.

Delegations.

Margo Frink of the Bee-Journal asked when Abscope would begin the work on 128 Center Street. Administrator Carpenter indicated that it would be very soon. The Mayor added that it would be within 30 days.

Margo Frink asked if the Village, under the proposed sign law, could fine people for putting up a sign. The Mayor explained that this is just to give the Village the legal right to remove the signs. Administrator Carpenter added that the intent of the Law was to clean up the Village.

CHS student Craigory Severance asked if putting a garage sale sign on a pole was illegal. Mayor Rouse advised that you can't do that today because National Grid does not allow it. Trustee Rapasadi added that other municipalities issue permits for garage sales and after the date of the sale, if the signs are still up, the municipality will notify the people to remove their signs.

Mayor Rouse thanked the CHS students for coming and invited them to come again at any time.

Motion by Trustee Lumbrazo, seconded by Trustee Rossi, to enter executive session regarding the police contract at 8:10 p.m. Passed 4 to 0.

Motion by Trustee Lumbrazo, seconded by Trustee Rapasadi, to exit executive session at 8:40 p.m. Passed 4 to 0.

Motion by Trustee Rossi, seconded by Trustee Lumbrazo, to adjourn at 8:41 p.m. Passed 4 to 0.

Respectfully submitted,

Village of Canastota
October 20, 2008
Page 7

Catherine E. Williams
Clerk/Treasurer