

VILLAGE OF CANASTOTA
MINUTES
November 17, 2008

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

PRESENT: Mayor Todd Rouse, Trustees Charles Sweeney and Ann Marie Rossi; Village Administrator Larry Carpenter; Margo Frink of the Bee-Journal; Recreation Director Carla DeShaw; Police Chief James Zophy; Village Historian David Sadler, Fire Chief Mark Ferriter, Firemen Lyle Chafee, DPW Foreman Ron Bennett; CHS Students Damian Beasock and Jeremiah Gorski.

ABSENT: Deputy Mayor Scott Rapasadi and Trustee Theodore Lumbrazo

Motion by Trustee Rossi, seconded by Trustee Sweeney, to approve the minutes of the last board meeting. Passed 3 to 0.

Motion by Trustee Sweeney, seconded by Trustee Rossi, to approve the General Fund Abstract in the amount of \$69,821.82. Passed 3 to 0.

Motion by Trustee Rossi, seconded by Trustee Sweeney, to approve the Sewer Fund Abstract in the amount of \$36,615.93. Passed 3 to 0.

Motion by Trustee Rossi, seconded by Trustee Sweeney, to approve the application of Aaron Powell for a Refund of Real Property Taxes in the amount of \$345.43 due to the erroneous removal of a veteran's exemption and to authorize the Clerk/Treasurer to issue payment to Aaron Powell in said amount. Passed 3 to 0.

Review of proposed changes to Local Law regarding street improvements. Administrator Carpenter had previously provided the Board with copies of the proposed changes. Mayor Rouse asked Administrator Carpenter to confirm that these changes didn't do anything to make it more restrictive for builders. Administrator Carpenter explained that these changes were necessary to bring our local laws up to industry standards, adding that it may result in some additional cost. The Mayor asked about street lighting. Administrator Carpenter advised that National Grid installs the street lighting after the street has been offered for dedication to and accepted by the Village. The Mayor would like to see language added in the future that specifies that street lighting is the responsibility of the builder subject to the guidelines of the power authority.

Motion by Trustee Sweeney, seconded by Trustee Rossi, to approve the following wire transfer: \$49,354.17 to JPMorgan Chase Bank, NA for principal in the amount of \$45,000.00 and interest in the amount of \$4,34.17 on the 2007 General Obligations Bond. Passed 3 to 0.

Motion by Trustee Sweeney, seconded by Trustee Rossi, to reject the bid from Concrete SlipForm, Inc. in the amount of \$43,235.00 for curbs and gutters in the Village. **Discussion:** Administrator

Carpenter informed the Board that we received only 1 bid and that it came in much higher than we had anticipated. Passed 3 to 0.

Motion by Trustee Rossi, seconded by Trustee Sweeney to authorize the Mayor to execute the Client Automatic Service Agreement with Shred-It in the amount of \$95.00 for 2 consoles for a 1-year period. **Discussion:** Mayor Rouse read from the new contract language regarding Shred-It's ability to impose fuel and other charges without limitation and that the duration of the contract is 3 years. After further discussion, the motion was rescinded.

Motion by Trustee Sweeney, seconded by Trustee Rossi, to table this discussion until the next meeting of the Board in order to give the Village the ability to discuss the terms of the contract with Shred-It's representative. Passed 3 to 0.

Motion by Trustee Sweeney, seconded by Trustee Rossi, to authorize the Mayor to execute the NYS Office of General Services Requirement Letter regarding the Village's participation in the State Contract for the purchase of gasoline at the State Bid Price for the period July 24, 2009 to July 21, 2011. Passed 3 to 0.

Fire Department Truck Committee to discuss bid on pumper. Lyle Chafee addressed the Board on behalf of the Fire Department Truck Committee regarding the bid specs for the pumper. The Committee has contacted the manufacturers that did not bid and presented the Board with letters of explanation from these manufacturers. Trustee Sweeney asked what the reason was that these companies did not bid. Mr. Chafee responded that one of the reasons given was the bolted body structure. He added that the entire committee did not try to do anything that would make the specifications proprietary. Mayor Rouse asked about the status of the remount. Mr. Chafee has contacted companies and is waiting for quotes. The Mayor asked about the time frame for receiving the quotes. Mr. Chafee was not certain how long it would take - he is waiting for representatives of the companies to come out to look at the truck. Mayor Rouse asked if the committee thought that the other companies would rebid if the specifications were modified. The committee believes that the other companies would rebid. The letters were read by the Board members. Trustee Sweeney asked for copies of the letters for the Board. Clerk/Treasurer Williams will make the requested copies. After reading the letters, Mayor Rouse asked if the committee thought that based on what was in the letters, if the committee revised the specifications, would the Village be in a better position to get bids? Mr. Chafee stated that the committee would be agreeable to revising the specifications and suggested that we also give bidders at least 30 days to prepare their bids. Trustee Sweeney suggested that we start the process over to make it fair for all parties. The Mayor noted that we don't have to decide until the 45 days are over - he doesn't want to go out for rebid and end up with only one bid again. He understands that the size of the cab is a potential problem. Mayor Rouse stated that, in that case, he would agree to reject all bids and evaluate if we can do it with only one truck. Trustee Sweeney would like to have more discussion on the matter. He doesn't believe there was any

underhandedness on the part of the committee. Mayor Rouse agrees with Trustee Sweeney, but believes that the Fire Department needs to take responsibility for decisions regarding the people that are on the committee. It is good if the committee members have expertise, but the fire department made a poor decision in appointing the chairman. Even if nothing intentional was done, it gave the impression. Chief Ferriter stated that the committee didn't realize that they wouldn't get any bidders the way that the specs were written. Mayor Rouse suggested that a motion be made to reject all bids for the fire truck and that the committee go back and do two things - look at what we can do with our existing equipment and then consider whether we want to rebid.

Motion by Trustee Rossi, seconded by Trustee Sweeney, to reject the bid for the pumper that we received. Passed 3 to 0.

7:17 - Public Hearing on the proposed changes to the sewer law.

The Mayor read the Notice of Public Hearing aloud and asked if anyone had any comments. Mayor Rouse explained that this will move the debt load only and separate it from the operation and maintenance charges. There are 4 categories and everyone will pay a portion of the debt, even if they don't use water. The new billing can only be used for debt and for actual debt payments only. The amount will vary from year to year depending on debt schedules. Mayor Rouse explained that we are looking at a single unit charge of \$225 - \$250. It will depend on what the debt is for the current year.

This will go into effect in January 2010 for the Town and for the Village with our 2009-2010 tax bills in June. The Mayor asked three times for comments for or against the proposed legislation. He received no response.

Motion by Trustee Sweeney, seconded by Trustee Rossi, to close the public hearing at 7:20 p.m. Passed 3 to 0.

Motion by Trustee Sweeney, seconded by Trustee Rossi, to adopt Local Law #4 of the year 2008 amending Article XI of Chapter 163 of the Village Code to provide changes to sewer service charges. **Discussion:** Clerk/Treasurer Williams advised that this is subject to permissive referenda. Passed 3 to 0.

Correspondence

- Tree Letter from George Robotham. Ron Bennett advised that he has received the letter and has looked at the tree already. It will be taken care of next year.

Administrator

Administrator Carpenter advised the Board that the Links Trail has been paved. The Boy Scouts will be putting up bluebird houses along the trail for a community project. Administrator Carpenter has spoken with Al Larman regarding signs for the trail. Mayor Rouse stated that he would like signs added to keep snowmobiles off of the blacktop and have them ride in the area on the left-hand side of the blacktop. He would also like the DPW to put something next to the blacktop, such as posts, to keep motorized traffic off of the blacktop. Chief Zophy noted that there shouldn't be any motorized vehicles on the trail at all. The Mayor is trying to keep the snowmobilers off of James Street. Chief Zophy is concerned about problems with traffic hitting the blacktop. Trustee Sweeney is worried about the snowmobiles hitting the blacktop and the posts. Chief Zophy stated that there is no way to police the trail. Trustee Sweeney wants to keep motorized vehicles off the trail. Mayor Rouse wants to keep the snowmobiles off of James Street and off of private property. He asked the Chief why he believes that there can be no motorized vehicles on the trail. Chief Zophy stated that most of that property is part of a County Park where no motorized vehicles are allowed. Also, the only way to get to the trail is through Village property in the Industrial Park where we do not allow motorized vehicles. The Mayor restated that we need to do something to eliminate the traffic across the properties on James Street. Chief Zophy asked if we have spoken with the snowmobile associations. Mayor Rouse stated that he did speak with the associations and that is why he had the one side make larger to accommodate the snowmobiles. Chief Zophy advised the Mayor that he needs to do some research to determine what the Village's liability is. Mayor Rouse asked Chief Zophy to work with the DPW and Administrator Carpenter to do something.

Department Heads

Chief Zophy is all set.

DPW Foreman Ron Bennett wished everyone a Happy Thanksgiving.

Mayor Rouse advised that there is a meeting tomorrow at the County regarding County roads. The County may take back the County roads within the Village. The Village is not opposed to this.

Recreation Director Carla DeShaw advised the Board that SnowBlast will be held on February 6 and 7, 2009. There was an ad in the paper recently looking for volunteers. The committee is working on the fireworks. They will be fund-raising for this event the same as last year. One of the new ideas they are considering is a light parade. AYSO soccer started this year. There were about 70 participants who were between 6 and 8 years old. They hope to add a program for older children next year. The Recreation Committee helped start this program with money from their program development line. AYSO will have to use their own money next year. The Summer Concerts went well. The Community Band did not perform. Carla and Ed Brophy are putting the bands on a rotation schedule. The program is so successful that there are many bands that want to play here. The walking program and exercise room are continuing. The school is paying for the monitors.

7:30 - Public Hearing on the proposed changes to the sign law.

The Mayor read the Notice of Public Hearing aloud. He explained that there are numerous changes that give us the ability to do something about signs that are on Village property. The Mayor asked three times for comments for or against the proposed legislation with no response.

Motion by Trustee Sweeney, seconded by Trustee Rossi, to close the public hearing at 7:32 p.m. Passed 3 to 0.

Motion by Trustee Rossi, seconded by Trustee Sweeney, to adopt Local Law #5 of the year 2008 amending several sections of Article XVII of Chapter 230 of the Village Code to provide changes to regulations regarding signs. Passed 3 to 0.

Mayor Comments.

Mayor Rouse advised that the Police Contract has been tentatively agreed to. The topics that needed to be addressed were. If the Board wants executive session to discuss or review, the Mayor will go into executive session. If the Board is comfortable, he will accept a motion.

Motion by Trustee Rossi, seconded by Trustee Sweeney, to approve the Police PBA/Teamsters Contract. Passed 3 to 0.

Mayor Rouse advised that the Bicentennial Committee is meeting and has been very active. The next meeting is scheduled for Monday, December 1, 2008 at 7:00 p.m. in the Courtroom. Mayor Rouse acknowledged that the Fire Department had asked to be a part of the planning and extended an invitation to the Fire Department through Chief Ferriter to attend the meeting.

Mayor Rouse noted that the Fire Council meeting is being held on the same night as the Village Board meetings and that the Board had previously requested that the night be moved or the time of the meeting be changed so that the liaison can attend. Mayor Rouse made a formal request to Chief Ferriter to move the start time of the Fire Council meetings so that it is reasonable to expect that the liaison of the Board could attend the meeting or for the Council to move the night of its meeting. Chief Ferriter stated that the Mayor's request is being brought to the Council tonight. The Mayor indicated that he didn't care whether the time or the day was changed as long as a change was made. He noted that the Village Board is typically done with its meetings between 7:30 and 7:45 p.m. Chief Ferriter noted that the liaison has been making the Council meeting when he is here. Mayor Rouse indicated that someone new could be appointed as liaison. Chief Ferriter reiterated that this matter is on the Council agenda to discuss tonight. The Mayor is respectfully encouraging it to be

changed to a time when a Village Board member can attend. Mayor Rouse thanked Chief Ferriter for his assistance.

Trustee Comments.

Trustee Rossi provided the Board with a handout from HPNAP, the Hunger Prevention and Nutrition Assistance Program, with a sample letter to be sent to our State Assembly and Senate Representatives asking them to support funding for this program and to vote against any decreases in funding.

Trustee Sweeney is all set.

Delegations.

Mayor Rouse acknowledged Village Historian David Sadler noting that he had inadvertently skipped him earlier in the meeting when we went to the public hearing. David reported that on November 2 - 4, 2008 he attended the APHNYS conference in Lake Placid where he was elected to serve a 2-year term as Trustee for that organization. Dave also informed the Board that he is approaching his 10-year anniversary as the Village Historian. The anniversary date is December 7, 2008. Dave let the Board know that he would like to do a project for his anniversary. Mayor Rouse thanked Dave for doing a great job and stated that the Village is lucky to have him as our Historian. Dave noted that he is the only Registered Public Historian in Central New York.

Motion by Trustee Sweeney, seconded by Trustee Rossi, to adjourn at 7:51 p.m. Passed 3 to 0.

Respectfully submitted,

Catherine E. Williams
Clerk/Treasurer