

VILLAGE OF CANASTOTA  
MINUTES  
July 6, 2009

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

PRESENT: Mayor Todd Rouse, Deputy Mayor Charles Sweeney, Trustees Ann Marie Rossi, Scott Rapasadi and Theodore Lumbrazo; Village Administrator Larry Carpenter; Margo Frink, John James, Robert J. Phoenix and Jim Grago.

ABSENT: None

Motion by Trustee Rapasadi, seconded by Trustee Sweeney, to approve the minutes of the previous meeting. Passed 5 to 0.

Motion by Trustee Rossi, seconded by Trustee Lumbrazo, to approve the following General Fund budget modifications for encumbrance carryovers from the 2008-2009 budget into the 2009-2010 budget: Increase 13254.01 (Administrator Contractual) by \$392.45; Increase 16204.01 (Village Hall Contractual) by \$3,925.00; Increase 31204.01 (Police Contractual) by \$9,132.00; Increase 34102.01 (Fire Department Capital) by \$415.00; Increase 34104.01 (Fire Department Contractual) by \$3,480.00; Increase 36504.01 (Demolition of Unsafe Building) by \$8,369.35; Increase 39894.01 (Codes Contractual) by \$250.00; Increase 73104.01 (Recreation Contractual) by \$891.18; Increase 75104.01 (Historian Contractual) by \$86.00 for a total of \$26,940.98 in encumbrance carryovers. Passed 5 to 0.

Motion by Trustee Sweeney, seconded by Trustee Rossi, to approve the following Sewer Fund budget modifications for encumbrance carryovers from the 2008-2009 budget into the 2009-2010 budget: Increase 81302.02 (WWTP Capital) by \$3,264.82; Increase 81304.02 (WWTP Contractual) by \$594.00 for a total of \$3,858.82 in encumbrance carryovers. Passed 5 to 0.

Motion by Trustee Sweeney, seconded by Trustee Lumbrazo, to authorize a loan from the General Fund Unappropriated Fund Balance to the Capital Fund in the amount of \$13,546.00 for payment of the amount due to Holt Painting Company for the painting of the South Peterboro Street bridge. **Discussion:** The Mayor explained that this loan is being made while we are waiting for the rest of the funding to come in from CSX. There may be \$1,000.00 to \$2,000.00 to be contributed from the Village. Passed 5 to 0.

Motion by Trustee Sweeney, seconded by Trustee Lumbrazo, to approve the General Fund Abstract in the amount of \$58,931.57. Passed 5 to 0.

Motion by Trustee Rossi, seconded by Trustee Sweeney, to approve the Sewer Fund Abstract in the amount of \$152,661.24. Passed 5 to 0.

Motion by Trustee Sweeney, seconded by Trustee Lumbrazo, to approve the Capital Fund Abstract in the amount of \$13,846.00. Passed 5 to 0.

Motion by Trustee Sweeney, seconded by Trustee Lumbrazo, to approve payment of the following 08-09 encumbrance carryovers: \$86.00 to APHNYS from 75104.01; \$607.50 to Canastota Hi-Way Bowl from 73104.01.127; \$283.68 to Corecraft Division of Correctional Industries from 73104.01.113; \$415.00 to Har-Rob Fire Apparatus Sales, Inc. from 34102.01.83; \$6,849.00 to Integra Consulting, Inc. from 31204.01.75; \$3,925.00 to Integra Consulting, Inc. from 16204.01.63; \$250.00 to Mohawk Valley GIS from 39894.01.64. Passed 5 to 0.

Motion by Trustee Rossi, seconded by Trustee Lumbrazo, to award the bid for paving a portion of Tuttle Avenue and a portion of Prospect Street to the low bidder CFR, Paving, Inc. in the amount of \$54,946.20, and to authorize the Mayor to execute any and all necessary documents associated with same. **Discussion:** Mayor Rouse asked Administrator Carpenter if we are still under budget with both paving contracts? Administrator Carpenter advised that we are at about \$140,000.00. The Mayor asked if we could do more work without going over budget - Administrator Carpenter stated no. Passed 5 to 0.

Motion by Trustee Rossi, seconded by Trustee Lumbrazo, to authorize the Mayor to execute the following Artist Performance Contracts for the 2009 Summer Concert Series: Brass Exchange in the amount of \$500.00; CX TEC Dinosaurs in the amount of \$450.00; Smokin' in the amount of \$425.00; Knight Ryders in the amount of \$400.00; Dan Elliot & The Monterays in the amount of \$500.00; Joe Angerosa in the amount of \$900.00; and to authorize the Clerk/Treasurer to issue payment in said amounts to said vendors. **Discussion:** Mayor Rouse advised that the concerts were due to start last week. The first concert was postponed due to the weather and the rain date is Tuesday, July 8, 2009. Trustee Rapasadi asked how we let the public know about the concerts and the rain date. Clerk/Treasurer Williams advised that the schedule was posted on the website and posters have been placed around town. The rain date was announced on WMCR and it was also noted on the website. Passed 5 to 0.

Motion by Trustee Sweeney, seconded by Trustee Rapasadi, to authorize the Mayor execute the Termination of Intermunicipal Agreement with Madison County terminating the Intermunicipal Agreement dated December 8, 2006, between the Village and the County covering delinquent taxes, interest and penalties on property owned by the Oneida Indian Nation and located in the Village of Canastota. **Discussion:** Mayor Rouse advised the Board that this will now free up the funds that we have been holding. Passed 5 to 0.

Motion by Trustee Rapasadi, seconded by Trustee Rossi, to authorize the Mayor to execute the Contract Documents with Bristol Enterprise for the collection and disposal of all refuse and

recyclables for the Village of Canastota, New York upon receipt of the required Performance Bond, proof of insurance and satisfaction of all other terms of said Contract by Bristol Enterprise. Passed 5 to 0.

Motion by Trustee Sweeney, seconded by Trustee Rossi, to approve the Application for Corrected Tax Roll of the Canastota Public Library for parcel 36.61-1-32.2 reducing the sewer charge to \$24.50 from \$98.00 as this is an unimproved parcel. Passed 5 to 0.

Motion by Trustee Rapasadi, seconded by Trustee Rossi, to approve the Application for Corrected Tax Roll of Robert Smith for parcel 36.45-1-24 reducing the taxable value of the parcel from \$103,500.00 to \$88,500.00 to give credit for the war veteran's exemption that was inadvertently omitted from the bill. The revised tax due is \$1,040.38. Passed 5 to 0.

Motion by Trustee Sweeney, seconded by Trustee Rossi, to approve the Application for Corrected Tax Roll of Zupan's Salvage & Recycling reducing the sewer charge to \$24.50 from \$98.00 as this is a vacant lot and authorizing the Clerk/Treasurer to refund the excess sewer charges paid in the amount of \$73.50. Passed 5 to 0.

Motion by Trustee Sweeney, seconded by Trustee Rossi, to approve the Application for Corrected Tax Roll of Cerio's Modern Market reducing the sewer charge to \$24.50 from \$98.00 as this is a vacant lot and authorizing the Clerk/Treasurer to refund the excess sewer charges paid in the amount of \$73.50. Passed 5 to 0.

Motion by Trustee Lumbrazo, seconded by Trustee Rossi, to authorize Clerk/Treasurer Williams and Administrator Carpenter to attend the NYS GFOA Central Region Summer Seminar to be held at the Ramada Geneva Lakefront on Seneca Lake on Thursday, August 13, 2009 at a cost of \$125.00 per person including meals. (Note: This seminar is focusing on accounting for projects receiving Federal Stimulus Funds.) Passed 5 to 0.

Motion by Trustee Rossi, seconded by Trustee Lumbrazo, to authorize the Mayor to execute the Contract with the International Boxing Hall of Fame regarding the use of the Hall of Fame Amphitheater by the Village for the Summer Concert Program. Passed 5 to 0.

Motion by Trustee Rossi, seconded by Trustee Lumbrazo, to authorize Officer Sabrina Paladino to attend Child Abuse training in New Orleans on August 25, 2009 - August 27, 2009. The cost for the training is paid for by Madison County. (Note: The only expense to the Village is Officer Paladino's salary.) Passed 5 to 0.

Motion by Trustee Rapasadi, seconded by Trustee Sweeney, to authorize the Canastota Fire Department to participate in the Georgetown Volunteer Fire Department's 89<sup>th</sup> Annual Fireman's

Field Days on July 31 and August 1, 2009 and in the East Syracuse Fire Department's Annual Field Days on July 16 - July 18, 2009 and to use truck 125-1 to participate. Passed 5 to 0.

Motion by Trustee Sweeney, seconded by Trustee Rapasadi, to approve reimbursement to Sara Penna of 207 Prospect Street in the amount of \$270.00 for expenses incurred to repair her lateral that was damaged during road work conducted by the Village. Passed 5 to 0.

### **Correspondence**

- The annual report was received from Code Enforcement Officer Michael Adsit. The report was reviewed by the Mayor and the Board.
- Two (2) letters were received from Raymond Lewandowski, the Executive Director of Madison-Cortland ARC, one addressed to the Mayor and one to the Fire Chief, thanking the Village and praising its emergency responders for their response to the accident on June 16 in the Village involving an ARC bus.
- Letter from the New York State Canal Corporation regarding the Fourth Annual Canal Splash to be held during the week of August 7 - 9, 2009.
- Supplemental information received from Michelle McCann regarding her application for a liquor license for the old Grimaldi's Trattoria which she intends to open under the name "Someplace Else". The Mayor noted that we had previously received notice of her intent to apply, but the liquor authority changed the format of the notice and she was required to send a copy of the application notice form. At the applicant's request, the Mayor has waived the 30-day notice requirement on the new form as we had previously received notification of the applicant's intent to apply.

### **Administrator**

Administrator Carpenter advised that DOT will be starting the traffic light project at Peterboro and Roberts Street on Wednesday. We are still on line to have Peterboro Street paved in August. BOCES started work today on the landscaping of the Peterboro Street bridge - they should have that project complete in 2 - 3 weeks. Administrator Carpenter thanked the Board for the dish garden that they sent to the funeral home for his father-in-law's services.

### **Mayor Comments.**

Mayor Rouse advised that he met last week the USDA and got a full understanding of the financing for the WWTP project. The Village was awarded \$13.5 million, \$6.5 million of which

will be forgiveness or grant funding, \$6.4 million will be at no interest and \$100,000 will be a loan for some interest which we will be able to pay off right up front. The Mayor is looking to stagger the new debt with existing debt - hopefully when the new debt comes due some of the old debt will be coming off and we will not see a significant increase in the \$98.00 unit charge. We are still working with Queensboro to determine what its contribution will be to the debt costs. The estimate is about \$2.6 million. We do not expect the unit charge to exceed \$150 for the duration of the project. We have the option to front load or back load the debt to keep as little increase as possible. The Mayor doesn't think that we can get it to no increase, but he is trying to keep it to \$150. Mayor Rouse noted that the Village of Canastota is the only municipality in Madison County that has been awarded anything under the Stimulus Funds. We are very fortunate that our project was shovel ready and that our application was so complete. Mayor Rouse attended the NYCOM Mayor's Conference in Saratoga. Most of the focus was on the Senate problems in Albany.

### **Trustee Comments**

None.

### **Delegations.**

John James approached the Board with concerns over the \$24.50 sewer debt charge on his tax bill. Mr. James was unaware that such a charge would be added to his tax bill and objects to the charge on the basis that his property is unimproved and landlocked and can never access the Village sewer system. Mayor Rouse explained the history of the enactment of the local law that gave the Village the authority to collect the sewer debt unit charge on the tax bills. He noted that NYS Law does not allow Villages to charge some residents and not others - all property owners must be charged but the charge can vary. That is why we charged improved, connected properties \$98 and unimproved or improved and unable to connect properties \$24.50. The Mayor explained that with water consumption continuing to decline, the sewer debt rate would keep increasing. This was a way to keep the sewer debt rate more stable.

Mr. Robert Phoenix indicated to the Board that his property was landlocked as was Mr. James' property. Mayor Rouse stated that he is looking at what to do with the property owners who cannot do anything with their properties because they are landlocked. He stated that the Village may need to add one more classification to the local law, noting that we cannot go to \$0 because of the way that the law is written. We will work with the Assessor to determine how many landlocked parcels there are in the Village. Mayor Rouse asked for the property tax numbers for Mr. James and Mr. Phoenix's parcels. Clerk/Treasurer Williams will obtain the property tax numbers for the Mayor. Mr. James again stated that he was upset that there was no notice to the residents about the new tax. Mayor Rouse responded that the Bee-Journal ran several stories about the local law. The required notices were published in the Oneida Daily Dispatch. We

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tried to put a letter in with the tax bills, but we were told that it was illegal to include anything with the tax bills. Mayor Rouse advised that unfortunately for this year there is nothing that the Village can do. The tax bills will have to be paid or the unpaid tax will be turned over to the County for collection as a delinquent tax. We will try to figure out a way that we can help residents with landlocked parcels. The Mayor suggested that the owners combine the landlocked parcels with other property and stated that the Village could also look at making another classification in the local law.

Jim Grago asked if this will be on our assessment from now on. The Mayor advised that the sewer debt charge is not based on assessments. This is a unit charge. The number will fluctuate based on our debt.

Mayor Rouse reminded everyone that the dedication of the plaque for Joe Paone will be on Saturday, July 11, 2009 at 11:00 a.m.

Motion by Trustee Rapasadi, seconded by Trustee Sweeney, to adjourn at 7:44 p.m. Passed 5 to 0.

Respectfully submitted,



Catherine E. Williams  
Clerk/Treasurer