

VILLAGE OF CANASTOTA  
MINUTES  
July 21, 2014

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

PRESENT: Mayor Carla DeShaw; Deputy Mayor Scott Rapasadi; Trustees Bill Haddad, Rosanne Warner and Jeffrey Carpenter; Fire Chief John Massarotti; Police Chief James Zophy; Code Enforcement Officer Mike Adsit Town of Lenox Supervisor John Pinard; Village Attorney Jim Stokes (7:12 p.m.); and Todd Rouse (7:45 p.m.).

ABSENT: None.

Motion by Trustee Warner, seconded by Trustee Carpenter, to approve the minutes of the July 7, 2014, regular meeting. Passed 5 to 0.

Motion by Trustee Rapasadi, seconded by Trustee Carpenter, to approve the General Fund Abstract in the amount of \$97,393.74. **Discussion:** Trustee Haddad asked about the pool petty cash purchase. The Board reviewed the abstract and discussed the purchase. Passed 5 to 0.

Motion by Trustee Warner, seconded by Trustee Haddad, to approve the Sewer Fund Abstract in the amount of \$16,048.46. Passed 5 to 0.

**Delegations.**

None.

**Department Heads.**

Clerk/Treasurer Williams asked Chief Massarotti for a bill for the third participant in the flash over training. Chief Massarotti has not yet received the bill - he will check on this.

Code Enforcement Officer Adsit updated the Board on the status of the properties on Canal Street, Center Street and the Buda property. The owners of the Canal Street and Buda properties were sent letters last week notifying them that they have 30 days to remedy the violations or they will be summoned to Court. Mike has been working with these owners but they have been non-responsive.

Chief Zophy received the resignation of one of his part-time police officers last week. He resigned to take a full-time position with another agency. Trustee Haddad asked if this resignation had an impact on the department. Chief Zophy stated that it does not, but he will be seeking to fill the position.

Motion by Trustee Warner, seconded by Trustee Haddad, to approve payments totaling \$4,155.42 from the General fund to MBI for health insurance debit card transactions from May 1, 2014 - May 31, 2014. Passed 5 to 0.

Motion by Trustee Rapasadi, seconded by Trustee Carpenter to approve payments totaling \$4,925.15 from the General fund to MBI for health insurance debit card transactions from June 1, 2014 - June

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30, 2014. Passed 5 to 0.

Motion by Trustee Haddad, seconded by Trustee Warner, to approve the wire transfer sent to Hasler, Inc. from the General Fund (16204.01.59 Postage) in the amount of \$1,000.00 on July 8, 2014. Passed 5 to 0.

Motion by Trustee Warner, seconded by Trustee Haddad, to approve a wire transfer to be sent to M&T Bank from the Sewer Fund (97107.02 Interest on Debt Fund) in the amount of \$6,491.67 for interest due on the EFC Phase 3 & 4 2004 Bonds. Passed 5 to 0.

Motion by Trustee Haddad, seconded by Trustee Carpenter, to authorize payment in the amount of \$21,840.00 to Greater Lenox Ambulance Service from the General Fund (45404.01 Ambulance Contractual) for 2014-2015 Annual Support. **Discussion:** Trustee Warner asked if there were a contract. The Mayor explained that this is a piggyback off of the Town of Lenox contract. The Board discussed the payment and how it is requested and paid. Clerk/Treasurer Williams will follow up on this with Trustee Warner. Passed 5 to 0.

Motion by Trustee Haddad, seconded by Trustee Warner, to approve payment in the amount of \$875.00 to Ryan Rossi for his services in running the Girls Summer Soccer Camp. (Note: A total of \$1,250.00 in registration fees were collected from participants.) **Discussion:** Trustee Warner asked about the program. The Mayor explained that this is new this year. Ryan ran the program, participants paid a fee and he is paid from the fees. Passed 5 to 0.

Motion by Trustee Haddad, seconded by Trustee Warner, to accept the bid amount of \$2,550.00 from jma through Auctions International for the sale of the 1985 International 1900 Dump Truck. Passed 5 to 0.

Motion by Trustee Carpenter, seconded by Trustee Haddad, to authorize the Mayor to execute the attached Agreement with the Canastota Community Band in the amount of \$1,425.00 for services rendered during the 2014-2015 fiscal year and further authorizing Clerk/Treasurer Williams to remit payment in said amount to the Canastota Community Band. Passed 5 to 0.

Village Attorney Jim Stokes joined the meeting at 7:12 and gave an initial review of the proposed Local Law amending the Industrial Park Development District. The Board members were presented with a copy of the proposed Local Law with Schedule A, an aerial view map, attached. Jim explained that this law will divide the Industrial Park into two (2) districts, A and B. B would be a new district located closer to the front of the Park and Route 5 - the area on the map south of the yellow line on Schedule A. In the new District B, retail sales, outdoor recreation facilities and business and professional offices would be permitted. The community center use was not continued in either A or B Districts. Jim advised that the next step would be to send this proposed Local Law to the County Planning Board, to do a SEQRA review and to hold a public hearing. Mayor DeShaw reminded the Board that we have had discussions about this before. The Mayor asked the Board if they were ready to move on or if they wanted more time to review the proposal and discuss it at the

next meeting. Trustee Warner asked why the bakery was not included in the new District B. The Board discussed with Attorney Stokes where the line was drawn and why. Mayor DeShaw advised that during her recent discussions with the bakery, they indicated that they are looking to expand and that they were very happy in the park. Attorney Stokes advised that he wanted to maintain the industrial nature of the properties in the back and keep the retail more to the front. He will ask the County to update our zoning map. Mayor DeShaw commented that most of the calls that she received about the park are for industrial uses. Industrial uses will create the most jobs for the area. Trustee Haddad asked if future events in Zone A would still be allowed such as the Boy Scout Campere that was held this summer. Attorney Stokes advised that as long as it is held on Village property, zoning is not a factor. Mayor DeShaw polled the Board members to see what they would like to do. The Board would like to send this to the County Planning Board for review. Attorney Stokes will prepare the EAF and will also refer this to the Village Planning Board.

Motion by Trustee Rapasadi, seconded by Trustee Haddad, to send it to the Planning Board and have Attorney Stokes send it to the County. Passed 5 to 0.

Motion by Trustee Haddad, seconded by Trustee Carpenter, to authorize the Mayor to execute the attached Lease Agreement between the Village of Canastota and Onondaga County Water Authority for operation of the water system for a period of forty (40) years according to the terms therein contained. **Discussion:** Attorney Stokes advised the Board that the current 40-year lease expires at the end of July. OCWA is proposing to renew with most of the same terms. We made some changes. OCWA is continuing to operate the system just as they have. They will send out the bills. We will continue to provide assessment information. We will continue to own the system and they will maintain and repair it. If we want additions or changes and put them it at our cost, they will be ours. If OCWA wants additions or changes to the system and they put them it at their cost, they will be theirs. Attorney Stokes stated that it will be business as usual - no difference to the customers or in the Village office. This new lease is also a forty (40) year lease. Mayor DeShaw asked about the building. Attorney Stokes advised that OCWA gave up the building - the contract specifically excludes buildings. Trustee Haddad asked about the language regarding hydrants - he doesn't understand a 30-year term vs. a 40-year lease. The Board and Attorney Stokes reviewed the language regarding hydrants. The language regarding hydrants is the same as the previous contract. The Board discussed the terms of the contract, specifically regarding the hydrants and what fees and costs we would pay. Passed 4 to 0. Trustee Warner abstaining.

Motion by Trustee Rapasadi, seconded by Trustee Carpenter, to authorize the Mayor to execute the attached Federal Aid Local Project Agreement between the Village of Canastota and the New York State Department of Transportation for the South Peterboro Street Enhancement Project Phase I. Passed 5 to 0.

The Mayor will have Administrator Carpenter update the Board on this when he returns. She asked the board to brainstorm communications with the downtown businesses and email their ideas to her. Mayor DeShaw wants to keep people informed every step of the way with this project. She has asked Administrator Carpenter to prepare a time line for this project. Trustee Haddad noted that he

read recently about renovations made in Syracuse and people were locked out of their businesses at Christmas time. The Mayor noted that we won't be doing any work during the winter and we will be keeping people informed. Trustee Warner asked if we will be doing any underground work - water, sewer, electric - while we have the street opened. Clerk/Treasurer Williams noted that work to be done with this project is limited to the sidewalk area - we are not doing any work in the roads where these utilities are typically located.

Motion by Trustee Haddad, seconded by Trustee Warner, to approve the attached Resolution authorizing the implementation and funding in the first instance 100% of the federal aid and State "Marchiselli" Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefore, regarding the South Peterboro Street Enhancement Project Phase I. Passed 5 to 0.

Motion by Trustee Rapasadi, seconded by Trustee Warner, to award the contract for Sidewalk Replacement on Roberts Street, Clark Street and MacArthur Place, Options 1 and 3, to the low bidder Concrete Slipform, Inc., in the amount of \$68,061.30, based on the attached recommendation of Administrator Carpenter. Passed 5 to 0.

Motion by Trustee Rapasadi, seconded by Trustee Haddad, to authorize and approve the creation of the position of Police Sergeant within the Canastota Police Department. **Discussion:** Chief Zophy explained that duties would be similar to what he did when he was sergeant. There will be a one week supervisor school that Officer Barton will be attending. The sergeant will be supervising two (2) employees on the night shift, doing some scheduling. There will be a small pay increase and more responsibilities. Chief explained that under civil service rules, if we do not have a first line officer, we won't be able to promote from within if Chief were to retire or leave. This would not mean that we would have to promote from within, but without it we have no options. Chief noted that we are the only department in the area that does not have a second in charge. Mayor DeShaw thinks that this is good planning and that giving someone the opportunity for career growth gives them the opportunity to stay in the Village. This also gives us a supervisor that will be there if something happens to Chief Zophy and gives the Chief the opportunity to mentor someone. The Mayor believes that this is a good idea. There is a small pay increase involved. She feels that Officer Barton is ready to learn more. Chief Zophy advised the Board that there would be a year's probation involved and that if this does not work out, we could move Officer Barton back to patrolman. The Board discussed whether or not we had to post the position. Chief Zophy stated that Officer Barton is the only one from the department that has taken the Chief's exam. We can promote him from the list. Passed 5 to 0.

Motion by Trustee Rapasadi, seconded by Trustee Haddad, to approve the promotion of Officer Sean Barton to the rank of Sergeant pursuant to the attached recommendation of Chief Zophy, at a salary of \$28.46/hour, effective July 23, 2014. Passed 5 to 0.

Motion by Trustee Carpenter, seconded by Trustee Warner, to approve payment to Bailey, Haskell & LaLonde, Inc. from the General Fund as follows: \$10,274.91 from 16204.01.43 (Village Hall Insurance); \$9,565.25 from 31204.01.43 (Police Department Insurance); \$19,693.85 from

51104.01.43 (DPW Insurance); and \$3,293.82 from 73104.01.43 (Recreation Insurance). **Discussion:** Trustee Warner asked why there was no charge to the Fire Department for insurance. Clerk/Treasurer Williams explained that the Fire Department policy renews in March. Passed 5 to 0.

Motion by Trustee Rapasadi, seconded by Trustee Haddad, to approve payment to Bailey, Haskell & LaLonde, Inc. from the Sewer Fund in the amount of \$16,702.77 from 81304.02.43 (WWTP Insurance). Passed 5 to 0.

Motion by Trustee Haddad, seconded by Trustee Carpenter, to authorize Code Enforcement Officer Michael Adsit to attend the Abandoned Property Summit, sponsored by NYCOM to be held in Geneva, New York, on August 14, 2014, at a cost of \$25.00, and authorizing use of the Codes vehicle. **Discussion:** Mayor DeShaw advised the board that this is something that she asked CEO Adsit to attend given the number of houses in the Village that are in this condition. CEO Adsit added that there are currently about 18 houses in the Village that are abandoned. Passed 5 to 0.

Mayor DeShaw thanked CEO Adsit for attending the workshop.

Motion by Trustee Rapasadi, seconded by Trustee Haddad, to authorize Clerk to the Justice Debra DiGeorge to attend the NYS Association of Magistrates Court Clerks 2014 Annual Conference to be held in Albany, New York from September 28, 2014 to October 1, 2014, at a cost of \$40.00 for the pre-registration fee, \$716.00 for hotel accommodations and meals, and mileage at the approved rate and reimbursement for Thruway tolls as incurred. **Discussion:** Trustee Warner asked about coverage in the office while she is gone. Clerk/Treasurer Williams advised that the Town Court Clerks will also be attending the conference - the office will be closed. Passed 5 to 0.

Fire Chief Massarotti advised the Board that the training that he requested in Whitestown on July 26, 2014, has been canceled. No action was taken on this matter.

Motion by Trustee Haddad, seconded by Trustee Carpenter, to authorize the Canastota Volunteer Fire Company to hold the haunted house at the Firemen's Park during the month of October, 2014. **Discussion:** Mayor DeShaw asked Chief Massarotti if the Fire Company needs additional insurance for the event. Chief Massarotti advised that they do and the company provides the insurance. Passed 5 to 0.

Chief Massarotti asked if the Village had received a request from the Fire Company regarding a new member. Clerk/Treasurer Williams has received an email, but the request is incomplete. Clerk/Treasurer Williams left the meeting to retrieve and print the email.

### **Correspondence.**

- Invitation from the Canastota Fire Company for the Village Board to attend the Clam Bake on August 10, 2014 from 1 p.m. to 6 p.m. at the Pole Barn on Hickory Street.

- Tree letter from Jan Frink of 207 Wilson Avenue. This has been turned over to the DPW.
- Tree request from Dawn Post of 210 First Street. This has been turned over to the DPW.

Clerk/Treasurer Williams returned to the meeting with the email that was received. The request was incomplete and Clerk/Treasurer Williams had sent an email asking for the required information. Mayor DeShaw would like to wait for the Board to take action until the required information has been received. Chief Massarotti will make sure that the letter is sent to the Village office.

### **Mayor.**

The Mayor updated the Board on what is going on with the overage for the Founders' Park project. She has spoken with the Fire Council and has proposed that the overage be shared with the Village. The amount of \$1,700 has been proposed. The Council will bring it to the membership for a vote. The Mayor also discussed with the Council long range plans on the pole barn and who owns the pole barn and who owns the land. The Fire Department owns the building and the Village owns the land. The Mayor and the Fire Council spoke about future uses for the pole barn. They also spoke about the change in the grant from Assemblyman Magee's office. It has been changed now so we can use it for coats and helmets.

Mayor Deshaw reported that she, Administrator Carpenter and Attorney Stokes met with a prospective buyer for the Barlow Street property. She will provide more information when she can. The Mayor gave an update on the yogurt company. They are hoping to start construction in September and production in January. They are working with C&S engineers.

### **Trustee Comments.**

Trustee Carpenter met with Department Heads and toured some of the facilities in the Village. He would like to thank the Department Heads and appreciates their taking the time to meet with him.

Trustee Haddad is good tonight.

Trustee Warner asked for an update on the leak in the pool. Mayor DeShaw has no update. Trustee Warner asked Attorney Stokes if the Village should have a contract with Greater Lenox Ambulance Service. Former Mayor Todd Rouse addressed the Board and advised that only a Town can contract with an ambulance company for service. He also stated that there is an agreement between the Town and the Village. He believes that there might be a copy of the agreement in the old file in the Mayor's office. Attorney Stokes advised that we should do an Agreement with the Town and Village. Mayor DeShaw would like us to pull up what we have and check on this.

Trustee Rapasadi is all set tonight.

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Motion by Trustee Rapasadi, seconded by Trustee Haddad, to adjourn at 8:12 p.m. Passed 5 to 0.

Respectfully submitted,

Catherine E. Williams  
Clerk/Treasurer