

**Minutes of the Meeting of the Village Board of Trustees held at 7:30 p.m. at Village Hall,
16 West Genesee Street, Baldwinsville, NY.
May 17, 2018**

Members Present: Mayor Dick Clarke
Trustee Bruce Stebbins
Trustee Megan O'Donnell
Trustee Mike Shepard
Trustee Andy Dryden
Trustee Ruth Cico

Absent: Trustee Mark Wilder

Others Attending – Attorney Bob Baldwin; Codes Officer Gregg Humphrey; Village Clerk Maureen Butler; Treasurer Anna Custer; Senior Center Coordinator Ruth Troy; Engineer Steve Darcangelo; Police Chief Mike Lefancheck; Oswego Street residents Ken Fitzpatrick, Jim Dep, Kevin & Terri Ferrigan; Mary Augustus; Mike & Paulette Lucas; Faith Ridge residents Jan Anderton, Katherine Demarc, Patricia Duhoski, and Rose Pavia; Family of Louise Wilkinson and Jerry Elliott, a representative from the Public Access Channel.

The meeting was called to order at 7:30 p.m. by Mayor Clarke and the Pledge of Allegiance was recited.

Resolution #44/2018 Moved by Trustee Dryden, second by Trustee Cico
Resolved that the minutes from the Village Board meeting of May 3, 2018, be approved.

Carried

Citizen's Comments

Patricia Duhoski, president of the Faith Ridge Home Owners Association, spoke on behalf of the 48 residents of the condominiums located on Land Rush Way. She described the demographics of their small community and why they have suffered financially in the last few months. They have had many issues due to the construction methods and products used by builder Golden Legacy LLC and BS Enterprises LLC (the primary owners of both being Thomas and Ruby Sciuga). She reported that the HOA has depleted its funds and had to take out a loan to pay for repairs. Duhoski wonders how the builder of the two-building complex ever received a Certificate of Occupancy. One issue has been the documented natural gas water heaters (in which the natural gas lines were never installed) that are actually supplied by buried propane tanks that were improperly installed to the water heaters by the builder unbeknownst to the village – causing three carbon monoxide leaks. The HOA had to replace six water heaters at a cost of \$50,000.00. They have also incurred other costs to cover the numerous plumbing problems that have resulted due to the poorly installed pipes and connectors. These have cost thousands of dollars in addition to extensive damage to four condos resulting in the tenants moving to a motel during the restoration. Duhoski informed the board that the builder Thomas Sciuga has relocated to Nebraska and is still building homes. They would like to prevent these issues from happening to someone else. The mayor asked who they have reached out to for assistance and was told by Duhoski that the New York State Attorney General's office is reviewing their case. Mayor Clarke suggested for them to contact Senator DeFrancisco and he will do the same. Village Attorney Bob Baldwin informed them that since the builder is still in business they may have a case against the LLC. He suggested for them to pursue this through the Attorney General's office.

Code Enforcement Clerk Mary Augustus spoke on behalf of the CNY Cat Coalition regarding feral cats on Lock Street. Last year the Coalition placed traps along Lock Street but a few were stolen. They are requesting donations of money to purchase new traps. Augustus noted that the traps range from \$22.00 to \$45.00. The CNY Cat Coalition trap the cats and place them in age appropriate locations.

Resident at 68 Oswego Street Ken Fitzpatrick questioned the board about the car show that used to be held at Baldwin Canal Square. Fitzpatrick heard that the village had booted the car show. Clarke enlightened him and the viewing audience that the village merely asked that no cars be parked on the grass. At that point, the car show organizers decided to no longer utilize the space.

Presentation by Mayor Clarke to the Wilkinson family proclaiming May 19, 2018, as Louise Wilkinson Day in the Village of Baldwinsville.

Resolution #45/2018 Moved by Trustee Stebbins, second by Trustee O'Donnell Resolved to proclaim May 19, 2018, as Louise Wilkinson Day in the Village of Baldwinsville to celebrate Louise's 100th birthday.

Carried

Trustee's Comments

Trustee Stebbins added an agenda item authorizing the Village Treasurer to pay invoices from the In Lieu of Parks Reserve Fund.

Mayor's Comments

Mayor Clarke noted:

- that he heard that the Carp tournament was very successful and that the organizers were contacted by the World Carp organization about possibly hosting the World Carp Championships in Baldwinsville in 2020.
- that the Memorial Day parade is on Wednesday, May 30th at 6:00 p.m. The ceremony follows at Riverview Cemetery.
- that the Memorial Day speaker from last year's event passed away. Larry Parry was one of the last surviving soldiers of Pearl Harbor.
- that the Lions Club will be hosting an event to celebrate their 60-year anniversary on Saturday, June 16th, at Community Park from 10:30 a.m. – 4:00 p.m.
- that the village received notification that once again it is a Tree City USA – 32 Years. The Village of Baldwinsville is the third oldest in New York State.

Department Heads

Attorney Bob Baldwin informed the board about a request from the Justice Court for an audit set forth in Uniform Justice Court Act (UJCA) §2019-a. The village's court have their court records and dockets available for such audit. Baldwin has contacted the accounting firm that assists the village's treasurer and they will be available to handle the audit.

Code Enforcement Officer Gregg Humphrey displayed a paper lantern that was found under the fire escape of the historic police building. The lantern must have caught on fire which it should not have. This scenario could have turned out much worse. The use of these sky lanterns presents a violation of the Fire Code of New York State.

Village Clerk Maureen Butler noted that she had emailed information to the board regarding the BOCES Energy Consortium. Due to the work involved in joining the consortium BOCES suggests that the board thoroughly understands and agrees with the agreement. The mayor asked the board to formulate opinions as it will be discussed at the next board meeting. Butler also mentioned that CGI Communications will begin filming on June 5th for the website segment. On another note, Butler spoke regarding her conversation with Hometown Press and what must be provided by the clerk's office prior to Hometown Press securing ads for the "Community Informational Folders".

Canton Woods Senior Center Coordinator Ruth Troy said that the art from the Center's art show will be displayed throughout the month of May. Troy informed that the B'ville Community Band will be performing at Canton Woods on May 23rd beginning at 7:00 p.m. On a business note, Troy notified the audience that the voluntary position of treasurer on the Senior Center's Advisory Board has become available. The position requires a person that is proficient in Excel and familiar with budgeting. If interested, contact Ruth Troy or Ed Barlow at the Senior Center.

Village Engineer stated that the village parks are now open as well as the kayak launches located at Mercer and Community Parks.

Police Chief Mike Lefancheck informed the public that the department has started to utilize the overtime funds from the Governor's traffic safety committee. These funds are allocated so officers can enforce violations against aggressive driving behaviors. The goal is to reduce accidents. During this time period a zero tolerance policy will be adhered to. From May 21st – June 3rd, "Click It or Ticket" program (Buckle Up New York) will be going on. Locations will be set up in the four corners area.

Pending Business

- **Waiver of the 30-day notification period**

Resolution #46/2018 Moved by Trustee Dryden, second by Trustee Shepard
Resolved to approve Jason Jessmore's request for a waiver of the 30-day notification period to the Village of Baldwinsville for his On-Premises Alcoholic Beverage License for *The Chef & The Cook*, located at 7 Syracuse Street.
Carried

- **Waiver of the Open Container Law – PMI 5/17/2018**

Resolution #47/2018 Moved by Trustee Stebbins, second by Trustee Dryden
Resolved to waive the Open Container Law for Creative Concert's Paper Mill Island event on Thursday, May 17, 2018, from 6:00 p.m. – 10:00 p.m.

Carried

New Business

- **Waiver of the Open Container Law – PMI 5/19/2018 and 5/20/2018**

Resolution #48/2018 Moved by Trustee Dryden, second by Trustee Stebbins
Resolved waive the Open Container Law for Creative Concert's Paper Mill Island events on Saturday, May 19, 2018, from 6:00 p.m. – 10:00 p.m. and Sunday, May 20, 2018, from 5:00 p.m. – 10:00 p.m.

Carried

- **Appointment – Seasonal Laborer**

Resolution #49/2018 Moved by Trustee Stebbins, second by Trustee O'Donnell
Resolved to appoint Zach Ravas as a summer seasonal laborer in the Department of Public Works at a rate of \$12.00/hour effective Monday, May 21, 2018.

Carried

- **Fund Transfer to Water and Sewer Reserves**

Resolution #50/2018 Moved by Trustee Stebbins, second by Trustee O'Donnell
Resolved to transfer \$24,200.00 from the Water Fund balance to the Water Reserve and to transfer \$24,200.00 from the Sewer Fund balance to the Sewer Reserve. These funds are to reimburse the Water and Sewer Reserves for the recent purchase of new water meters.

Carried

- **Formalize a Water Repair Reserve Fund & a Sewer Repair Reserve Fund**

Resolution #51/2018 Moved by Trustee Stebbins, second by Trustee Shepard
Resolved to establish a water system reserve fund for the Village of Baldwinsville under Section 6-d of the General Municipal Law.

Carried

Resolution #52/2018 Moved by Trustee Stebbins, second by Trustee O'Donnell

Resolved to establish a sewer system reserve fund for the Village of Baldwinsville under Section 6-d of the General Municipal Law.

Carried

- **Waiver of the Open Container Law – July 28, 2018**

Resolution #53/2018 Moved by Trustee O'Donnell, second by Trustee Shepard

Resolved to approve Erin Snyder's request for a waiver of the open container law from 3:00 p.m. – 11:00 p.m. for a block party to be held on Saturday, July 28, 2018. It will be held in the cul-de-sac beginning at 9 Knights Circle. Barricades from the DPW are also being requested.

Carried

- **Release of Fobes Island Escrow Funds (Lock Street Escrow Funds)**

Attorney Baldwin stated that under the escrow agreement that we have with the developer of Fobes Island, funds were set aside for possible soil remediation. There have been no requests for reimbursement since the establishment of this escrow in 2016. Baldwin would like to resolve this by putting the developer on notice that we would like the funds released. If they do not agree we ask that they come to the next board meeting with proof of why.

Resolution #54/2018 Moved by Trustee Cico, second by Trustee Stebbins

Resolved that the Village of Baldwinsville finds that the terms of the Site Remediation Escrow Agreement have been satisfied, and Baldwin & Sutphen, LLP, is hereby directed to notify Fobes Island, LLC, and its counsel of the adoption of this Resolution and request.

Carried

The resolution in whole was read and is attached.

- **Authorization to Pay from In Lieu of Parks Fund**

Resolution #55/2018 Moved by Trustee Stebbins, second by Trustee Dryden

Resolved to authorize the Village Treasurer to pay invoices for the paving of trails and signage in the amount of \$88,261.62 from the In Lieu of Parks Reserve Fund.

Carried

- **Motion to pay bills as audited**

Resolution #56/2018 Moved by Trustee Dryden, second by Trustee Shepard

Resolved to pay the bills from their proper accounts, after audit.

Abstract #6

- General Fund Checks #43713 - #43758 \$177,379.61
- Water Fund Checks #24362 - #24373 \$ 26,494.75
- Sewer Fund Check #23541 - #23544 \$ 3,194.86
- Sidewalk Phase 7 #1034 - #1039 \$ 83,657.44

Carried

- **Adjournment**

Resolution #57/2018 Moved by Trustee Cico, second by Trustee O'Donnell

Resolved that the meeting be adjourned at 8:34 p.m., until the next Village Board meeting on Thursday, June 7, 2018, at 7:30 p.m.

Carried

Respectfully submitted,

Maureen Butler
Village Clerk