

Village of Camillus
Regular Meeting
March 5, 2012

Present: Mayor Patricia J. Butler
Trustee James Palumbo (absent)
Trustee Ann Eckert
Trustee Timothy Stapleton
Trustee Bridget Yule

Attorney: Robert J. Allan

11 people in attendance

Mayor Butler opened the meeting at 7:00 p.m. by leading the “Pledge of Allegiance”.

MAYOR’S ANNOUNCEMENTS

Mayor Butler stated she and Attorney Allan met with Mr. Tom Blair regarding Camillus Mills. The project is still moving forward but Mr. Blair has not closed. It is not clear when this will happen because there are title issues. There are sanitary sewer lines that are running through the property from North Street and a storm sewer pipe that also runs through the property. Mr. Blair is concerned as to who is responsible if the sewer lines back up. Attorney Allan wants to discuss these issues with the engineer. Attorney Allan stated at least now he knows what Mr. Blair want to accomplish with the Cutlery.

Mayor Butler stated Mr. Blair plans installing a combination of a wellness center with offices, x-rays, etc on the first floor and on the second floor there will be five upper scale residential units. He plans to demolish the building closest to Nine Mile Creek and that area will be used for parking and green space at first. Phase II will be to build something later on this spot. He plans to clean up the brick and replace the windows and renovate the inside, replace the driveway and the landscape. He wants to keep the historical features of the building. Mr. Blair felt Phase I of the project will take two years to complete.

Mayor Butler stated she will be meeting this Friday with Mr. Avery Wheelock to review the procedure for the rides at the school yard. She will be talking to him about fireworks also.

The Memorial Day Parade Committee had met and Trustee Eckert reported she now has the minutes. She did not see a budget. She did say they are continuing the program “Buy a Star, Be a Star and selling flags as a fund raiser. Trustee Eckert stated the parade will be dedicated to Max Lell who served 61 years on the Memorial Day Parade Committee.

Mayor Butler stated the Mile Long Sidewalk Sales will be held on May 19, 2012.

OLD BUSINESS

Trustee Eckert stated she would like to send a letter to Mr. Boss thanking him for the webpage. Attorney Alan stated if Mr. Boss has control over the Website we don’t want to loose access to the name. Trustee Yule stated we should contact Mr. Boss and let him know that we would like to take the old website down and still have access to it. Trustee Stapleton stated the Village will

need the password.

A discussion was had regarding one particular vendor that the Memorial Day Parade Committee requested the Village not give a vendor's permit. This one vendor sells product and walks in front of the spectators during the parade. The Committee has asked him for a few years in a row to stop and he just will not comply. Many of the spectators have complained to the Committee. Attorney Allan stated that we can deny anyone a permit. Trustee Yule's concern is this vendor has been warned verbally, but not in writing. Mayor Butler stated we can go back to the Committee and asked them to prepare a list of rules and requirements that we can hand out with the permit. That way all vendor's will be on notice. Trustee Stapleton stated if the Committee told him last year and again the year before that is good enough for him not to issue a permit. Attorney Allan stated the permit that you issue could have conditions and the Board can create these conditions. If you have one vendor with more than one person selling each person should be charged for a permit. You should not sell a blanket permit to a company for multiple sellers. Every person should have their own permit and it should be paid separately. The cost in the Village of Camillus for a vendor's permit was very low and the Board can increase the price. Attorney Allan stated you can make the vendor's be stationary. Mayor Butler stated she will review the application process and bring a copy of the application back to the Board. Also, she asked Trustee Eckert to get a list from the Committee with their specific rules. Trustee Yule stated she would also like to be sure the vendors have the property paperwork to be sure they are collecting and paying sales tax. If they don't they will have to be a Not-for-Profit.

NEW BUSINESS

Mayor Butler stated that the Village Board needs to hold a Public Hearing and would like to schedule it for March 19, 2012 for the Time Warner Franchise Renewal. Upon motion of Trustee Stapleton, seconded by Trustee Eckert and unanimously approved the Board set the date of a Public Hearing for the Time Warner Franchise Agreement on March 19, 2012 at 6:45 p.m. Attorney Allan stated each time you renew the Franchise Agreement you have to hold a Public Hearing. Mayor Butler stated that the Village of Camillus will collect 5% of the Franchise Revenue. Trustee Yule asked if the Village could find out how much money the Town of Camillus collects. Attorney Allan stated the Village can enter into an agreement with Verizon Fios along with Time Warner.

Attorney Allan stated that the Board spoke about having Mr. Robert Antonacci come out to study our books. This is the time because the accounts are up to date as of December 31, 2011. Trustee Stapleton stated that he thought this was going to be an audit. Attorney Allan stated no, this will not be an audit, he will use his resources to analyze where the Village stands now and make recommendations where the Village can save money in the future. Mayor Butler stated that she would like to see an audit completed and because we have had a change in administration this is a good time to protect ourselves. Trustee Yule stated she can see why the Village should have an audit completed, but the Board would have to make a budgetary amendment to do this. Attorney Allan stated why don't you prepare the annual report and then get an audit completed afterwards. The Clerk stated then if there was a change the report would have gone in already. Attorney Allan suggested bring Mr. Antonacci out first and go from there.

Mayor Butler stated there are two residents in the Village requesting driveway permits; one at 20

North Street and one at 8 Mechanic Street. Code Enforcer stated the first driveway is for Mr. Cashmier Kotlarz at 20 North Street. He viewed the property and Mr. Kotlarz does have enough room to do what he wants. The only conflict is when he puts the driveway in he will be very close to the lot line of the Cutlery property. He has a sufficient 6 foot or 10 foot setback from the property line. Attorney Allan reviewed the applications and the surveys presented. Trustee Eckert asked if this would affect the sidewalk. Mr. Williams said no, the area is flat at that point. Mr. Kotlarz will have to bring in a lot of fill. Attorney Allan stated a curb cut and driveway permit has to meet certain standards under Section 110-11 in your code which are quite extensive. If there is no urgency to move on these permits he feels the Board should take a look at both locations by the next meeting.

Ms. Shannon Walters from Barton & Loguidice presented the Board with a copy of a retainer agreement that has to be signed by the Village and also the developer (Mr. Tal) for 20 Genesee Street. She stated that a \$5,000 retainer would be paid to Barton & Loguidice from the developer. Attorney Allan reviewed the agreement and could not find in the text that the \$5,000 was coming from the developer. The agreement was incorrect and did not include this text. Attorney Allan stated you could write this information "we would propose that the developer provide a retainer check in the amount of \$5,000 be delivered to Barton & Loguidice" in script and have it signed tonight. Trustee Yule stated that she would like the \$5,000 to go to the Village of Camillus and not Barton & Loguidice. Ms. Walters stated she has no problem with that language. Ms. Walters rewrote the language as "we would propose that the developer provide a retainer check in the amount of \$5,000 be delivered to the Village of Camillus". Invoices will be sent to the Village with copies going to the developer.

Attorney Allan stated that he would ask for a motion to approve the contract as discussed and initial the changes.

Upon motion of Trustee Eckert, seconded by Trustee Yule and unanimously approved the Board moved to authorized Mayor Butler to sign the retainer agreement with Barton & Loguidice and John Tal with the handwritten changes as above. Ms. Walters stated that the report prepared by Mr. Robb was a very thorough report. Trustee Yule stated that her big concern is the water coming from the car wash because she knows the pump station is already full. We need to know the footage that is going to need to be replaced there and how that is going to work.

Attorney Allan stated that he has not heard from their attorney regarding the covenant. Part of the approval of this project will be a resolution from this Board to change the covenant and is actually a simple matter. A covenant is an agreement between the property owner and the Village of Camillus. Trustee Yule stated she is unsure of the next step. Attorney Allan stated that the Board should wait until Mr. Tal owns the property and then grant the Special Permit and also change the covenant. Mr. Tal will close once he has all the approvals that he needs from this Board. Attorney Allan stated he started to draft a letter but there was no consensus from the Board. When he met Ms. Walters she was on top of all engineering issues so he did not send the letter. He stated he was a little confused as when you get a consensus from the Board. Is your committee going to make a recommendation to the Board regarding issues like aesthetics or hours of operation? Trustee Yule stated she needs guidance from Attorney Allan as to what the next step will be. Attorney Allan stated you need to get a consensus from the Village Board

based on your committee's recommendations and that consensus needs to be communicated to Mr. Tal. He will amend his application and the Board will close the Public Hearing. Attorney Allan will draw up a resolution with certain findings that approves the site plan and hours of operations and grants a Special Permit based on the conditions that you folks agreed to. Attorney Allan stated he feels Mr. Tal is asking for more than this Board is willing to give him.

Ms. Walters had stated that once the \$5,000 was in place the engineering report would probably take about one week. She received substantial information from Onondaga County regarding the I & I. Mayor Butler stated that the Village Board will keep the Public Hearing opened until the next meeting on March 19, 2012. Ms. Walters stated she will get a clean copy of the agreement to Mayor Butler.

Ms. Walters brought up the discussion regarding the Save the Rain Grant possibly repaving the parking lot adjacent to the basketball court. Attorney Allan stated that the application has to be in by the end of the month and this repaving is the primary project to be done. Ms. Walters stated she looked at secondary projects such as sidewalk replacement. She looked at replacing the sidewalk in front of the Village Hall with porous pavement. If you had a project that was ready to be done and to go green the grant would pay the difference from what you were going to pay and what it would cost to go green. Attorney Allan stated he thought this grant was paying 100% of the cost of the project. Trustee Stapleton also thought that the grant paid 100% of the project and stated he said this at the Saturday meeting. Mayor Butler also thought the project was 100% funded. Ms. Walters stated that because you may have to negotiate with an adjacent land owner the parking lot adjacent next to the basketball court may not be the best project. Mayor Butler stated that there is a lot of problems at MacLaughlin Street and Meadow Lane where they have a lot of water issues could a project be done in this location? Ms. Walters stated that she will take a look at this area. Trustee Eckert stated she has been back there with the Town of Camillus and she is sure there is a pipe that is blocked. You can see the water bubbling out of the catch basin. It is a difficult pipe to get to because it is so wet down there. She will give Ms. Walters a call or e-mail her. Trustee Eckert stated that the Town of Camillus may have covered one of the catch basins and it filled with mud. She said they were using a metal detector to try to find the catch basin. She stated they were thinking of using the jet router, but it would have to be much drier weather. Mayor Butler stated that she will have the Village Highway Superintendent take a look at this pipe. This could be a project that is a shared service with the Town of Camillus.

Ms. Walters stated one thing Barton & Loguidice was looking at was the Local Government Efficiency Program (LGE). There are two different sources of funding through the Department of State. One is 90% of a grant to do a study to look at and establish inter municipal agreements to share government services. The grant application is due March 21, 2012. There are two copies of an agreement to prepare the grant application. That work would include a kick-off meeting with the Town of Camillus to identify different areas of services that they would study under the grant. The study would include all the contact information, a project work program, a budget and the estimated cost savings that both municipalities would be getting. This is an application for a permit to pay for the study. Should the study identify areas of service that could be shared the Village would go for a subsequent grant for the implementation in which you can get up to \$200,000 for each municipality participating. That is for your review.

Ms. Walters also gave the Board documents from the Department of State which describes shared services and how they are different from consolidation and dissolution. It talks about things you can share with other municipalities. Mayor Butler stated that Supervisor Coogan was out of the office for two weeks. These discussions were tabled until the next meeting.

Mayor Butler gave Ms. Walters the MS-4 Annual Report and stated she would like it completed on behalf of the Village of Camillus. Ms. Walters stated she did not think the fee would be over \$1,000 for this Annual Report and if it is you would have to get a Task Order from Barton & Loguidice. She will E-mail Mayor Butler with an estimate. Mr. John Williams stated that during the time that the Village did not have an engineer he prepared the report.

Attorney Allan stated that he and Mayor Butler met with Mr. Tom Blair. He stated his research that the Village sanitary sewer runs from Main Street to Newport Road on his property. Mr. Blair can not find a written easement for that pipe. Also, several houses on North Street drain their sanitary line by gravity to that line which runs through private property. There is also a storm sewer line running parallel into the parking lot and then runs under a building and goes into Nine Mile Creek. The lines are very old. Mr. Blair is willing to grant an easement but he wants to be sure that the Village addresses the condition of these pipes before he does his reconstruction. He does not want to give the Village an easement unless it installs new pipes. Mr. Blair's engineers are going to prepare a map with these pipes on it. Attorney Allan asked if there were any funding sources for these pipes. Ms. Walters stated she will speak with the Barton & Loguidice Grant Writer because this would be an economic development issue. Also, many residents will be affected by these sewer pipes.

Ms. Walters asked about the Camillus Mills Project. Attorney Allan stated there will be around 45,000 sq. ft. of office space and five residential apartments either one or two bedrooms. The office space will be used primarily for medical. The proposal of Phase II is to build the building closes to the creek to a size of around 85,000 sq. ft. that could be used for amenities such as treatment spas, therapists, etc.

Mr. Walters stated to clearly understand what the Village would like Barton & Loguidice to do is determine what sanitary and storm sewers work might be needed and identify grant sources for that purposes. Attorney Allan stated that is correct.

PUBLIC COMMENTS

Mr. Robert Schultz of 202 Timber Ridge Drive presented a sheet that Mark Pigula, the Town Highway Superintendent has prepared listing the conditions of the street in the Village of Camillus. Mr. Schultz stated Timber Ridge has three new pot holes since last year. He stated when this list was compiled in October of 2011, 3 Union Street was the worst street in the Village. There is no drainage in that area and the water forms a pool and the mosquitoes nest in the water.

Mr. Leland Volgesang of 4446 Milton Avenue stated that the bottom of Milton Avenue where his driveway starts is torn up. The storm water runs down Milton Avenue and flows into his

driveway.

Trustee Yule stated the reason they spoke to Mark Pigula was because if the Village contracts with the Town of Camillus they can pave cheaper than an independent contractor.

Mr. Schultz stated the Village can use the saving from the mild winter to have an independent audit completed.

A discussion was had regarding the Central New York Regional Planning Board (CNYRPB) and Mr. John Williams stated that if Barton & Loguidice prepares the MS4 Annual Report the Village may not have to join the MS4 Coalition.

Upon motion of Trustee Yule, seconded by Trustee Stapleton and unanimously approved the Board approved Abstract #04 as follows:

	<u>Abstract #04</u>
General Fund	\$ 46,222.64
Trust & Agency	\$ 937.48

The Board members did not approved two vouchers, one from Cummins Northeast for \$238.00 and one from OCWA for \$1,197.44 until the Clerk called for clarification regarding the bills.

The meeting moved in Executive Session at 9:00 p.m. to discussion personnel matters.

The meeting moved out of Executive Session at 9:30 p.m.

Upon motion of Trustee Eckert, seconded by Trustee Yule and unanimously approved the Board moved to allow the Clerk to use Compensable time off in lieu of paying her over time for the year 2012.

Upon motion of Trustee Yule, seconded by Trustee Stapleton and unanimously approved the meeting adjourned at 9:32 p.m.

Sharon Norcross
Village Clerk/Treasurer