

Village of Camillus  
Public Hearing  
April 2, 2012

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

Attorney: Robert J. Allan

13 people in attendance

Mayor Butler opened the Public Hearing at 6:45 p.m. Upon motion of Mayor Butler, seconded by Trustee Stapleton and unanimously approved the Board waived the "Proof of Publication".

NOTICE OF PUBLIC  
HEARING  
VILLAGE OF CAMILLUS

For the approval of a Cable Television Agreement between  
Time Warner Cable and The Village of Camillus.

PLEASE TAKE NOTICE that a Public Hearing will be held by the Board of Trustees of the Village of Camillus on the 2nd day of April, 2012 at 6:45 p.m. at 37 Main Street, Camillus, New York, regarding granting a cable television franchise agreement by and between the Village of Camillus and Time Warner Cable.

A copy of the proposed agreement shall be open to inspection at the office of the Village of Camillus Clerk at 37 Main Street, Camillus, New York during the Village Clerk's published regular business hours. Persons wishing to appear at the hearing may do so in person or by attorney or other representation.

Communications in writing in relation thereto may be filed with the Board, or at such hearing.

BY ORDER OF THE VILLAGE BOARD

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SHARON NORCROSS, Village Clerk

March 6, 2012

Mayor Butler explained that the Village of Camillus has an agreement with Time Warner to come into the Village and they pay the municipality a percentage of the cost to the consumer that allows Time Warner to use the facilities in the Village of Camillus. This agreement is a renewal agreement and allows the Village to receive 5% of the gross charge to the consumer for cable T.V. Attorney Allan stated that the Town of Camillus gets 5% also.

Mayor Butler opened the meeting up to the Public at 6:52 p.m. for any questions or concerns.

Mrs. Schultz, 204 Timber Ridge Drive, asked if the Mayor had spoken to FIOS yet. Mayor Butler stated that FIOS is not putting in services in the Village of Camillus even though some

people have received literature in the mail. This was a financial decision. She mentioned that she is still attempting to get the wires at the tennis court removed. Trustee Stapleton stated that there was FIOS internet in some areas of the Village of Camillus, but T.V. is not coming into the Village of Camillus at all.

Upon motion of Trustee Eckert, seconded by Trustee Stapleton and unanimously approved the Board closed the public portion of the meeting 6:55 p.m.

Mayor Butler asked for any questions for concerns from the Board of Trustees. Here were none.

A question was raised if satellite dishes where allowed. Attorney Allan stated he would check into this.

Upon motion of Trustee Stapleton, seconded by Trustee Palumbo and unanimously approved the Board authorized Mayor Butler to sign the Time Warner Franchise Agreement.

Upon motion of Trustee Stapleton, seconded by Trustee Palumbo and unanimously approved the Public Hearing was closed at 6:55 p.m.

Sharon Norcross  
Village Clerk/Treasurer

Village of Camillus  
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Present: Mayor Patricia J. Butler  
Trustee James Palumbo  
Trustee Ann Eckert  
Trustee Timothy Stapleton  
Trustee Bridget Yule

Attorney: Robert J. Allan

13 people in attendance

Mayor Butler opened the Public Hearing at 6:56 p.m. Upon motion of Trustee Palumbo, seconded by Trustee Eckert and unanimously approved the Board waived the "Proof of Publication".

NOTICE OF PUBLIC  
HEARING  
VILLAGE OF CAMILLUS

PLEASE TAKE NOTICE that a Public Hearing will be held by the Board of Trustees of the Village of Camillus on the 2nd day of April, 2012 at 6:45 p.m. at 37 Main Street, Camillus, New York, to consider declaring certain areas of the Village of Camillus to be a "slum and blight" area in accordance with U.S. Department of HUD regulations. The areas to be considered include:

- a. All real property zoned Commercial and/or Planned Development District and/or

Village Center Overlay District.

b. All real property fronting on North Street

Persons wishing to appear at the hearing may do so in person or by attorney or other representation. Communications in writing in relation thereto may be filed with the Board, or at such hearing.

BY ORDER OF THE VILLAGE BOARD  
SHARON NORCROSS, Village Clerk

March 21, 2012

Mayor Butler stated that John Williams took photographs of each property and wrote a short narrative about each property. Attorney Allan had prepared a map that was designated as “Slum and Blighted”.

Attorney Allan stated that this motion or resolution was requested by Onondaga County Community Development. Community Development funds have dried up for the Village of Camillus primarily because the demographics did not equal what they were in past years. The Village can not get Community Development funds unless it go through this process. Robert DeMore, Director of Community Development suggested that the Village of Camillus determine that certain areas of the Village are “Slum and Blighted” to allow the Village to continue getting funds as other municipalities have done in the past. Attorney Allan’s proposed map included areas that are zoned commercial or areas that are in the overlay district and all of Main and North Streets on both sides. This map will be included with the proposed resolution. This resolution will stay in place until the Board rescinds this resolution or the Slum and Blight conditions have been remedied by completion by the Community Development Block Grant Program.

Mayor Butler stated the Public Hearing is opened for questions or comments from the public.

Ms. Mary Popovich owner of 47 Genesee Street asked what exactly in the grant. What can you apply for? Attorney Allan stated the business owners can apply for the Façade Grant, the Village can apply for the Community Development Block Grant for roads and infrastructures. Any other funding that may be available will not be granted in the Village of Camillus unless it is declared Slum & Blighted. Mr. DeMore stated he was trying to get a grant for the Village of Camillus that was federal monies and can be used for the inside of buildings.

Mayor Butler asked if there were any further questions from the public. Mayor Butler closed the public portion of the Public Hearing.

Mayor Butler asked if there were any further questions or concerns from the Board of Trustees.

Trustee Palumbo stated he would like to expand this area to some properties on South, Green and LeRoy Streets if funds come available. Attorney Allan stated that this map can be changed at any time, all you have to do is the same process, a Public Hearing, a narrative and map as long as the areas are contiguous.

RESOLUTION

At a Regular Meeting of the Board of Trustees of the incorporated Village of Camillus held at 37 Main Street in the Village of Camillus at 6:45 p.m. on Monday, April 2, 2012, a Public Hearing was conducted to consider declaring certain areas of the Village of Camillus to be a “slum and blight” area in accordance with U.S. Department of HUD Regulations.

At the conclusion of the Public Hearing, Trustee Stapleton offered the following resolution how moved for its adoption, to wit:

NOW THEREFORE BE IT RESOLVED: That there exists in the Village of Camillus in Onondaga County, New York, a deteriorating, dilapidated, slum and blighted area, dangerous buildings, deficient public improvement and incompatible uses of property, which constitute a serious and growing menace, injurious and inimical to the public health, safety, morals and welfare of the residents of the Village of Camillus.

That the existence of such an area, as shown on the attached Map and identified as “Blighted Area”, is found to be consistent with regulations set forth by the United States Department of Housing and Urban Development in 24 CFR Part 570 and for consideration pursuant to New York General Municipal Law Sections 502 and 505.

That the blighted area will be addressed with Community Development Block Grant (CDBG) and other funds through eligible activities, in accordance with all CDBG regulations and applicable New York State Laws.

That the activities to be conducted are designed to eliminate the causes of slum and blight.

The Resolution with attendant documentation is hereby enacted on the 2<sup>nd</sup> of April, 2012 and is effective from this day forth until such conditions have been remedied through completion of the CDBG project or the Village Board effectively rescinds this Resolution.

Upon motion made by Trustee Stapleton, seconded by Trustee Palumbo, the foregoing resolution was put to a roll call, which resulted as follows:

|                            |             |
|----------------------------|-------------|
| Patricia J. Butler, Mayor  | Voted – Yes |
| Bridget Yule, Trustee      | Voted – Yes |
| Timothy Stapleton, Trustee | Voted – Yes |
| James Palumbo, Trustee     | Voted – Yes |
| Ann Eckert, Trustee        | Voted – Yes |

The resolution was duly adopted on April 2, 2012.

Mayor Butler continued the Public Hearing on the Sunoco Gas Station at 7:09 p.m.

Ms. Shannon Walters, the Village Engineer, addressed the Board stating there are three Main Aspects of this project; traffic, noise and the sanitary sewers.

Ms. Walters stated that the project will produce additional sewer water than what is produced

now. To offset the I&I Barton & Loguidice recommends installing one manhole disc insert to seal the manhole. Onondaga County has established that one disc insert will reduce sewer water 5,000 gallons per day. Actually, Ms. Walters stated that she walked the Village with Trustee Eckert and there are several manholes on South Street that would benefit from inserting these discs. The cost of these discs are around \$200 and are very easy to install. Barton & Loguidice recommends that the developer provide and the Village DPW install a manhole insert for a cost of \$200.

Ms. Walters stated regarding the noise assessment, they looked at the data submitted. The car wash noise level would be under the Village ordinances and it should be operated between 7:00 a.m. to 10:00 p.m. and that would be the only time that it could be operated. They would need additional information if they wanted to operate the car wash other than those hours.

Ms. Walters stated regarding the traffic assessment, this issue is a little more challenging. They asked for turning templates for different types of vehicles. They looked at the flow path of a single passenger vehicle. They had issues getting cars around the back corner of the building and into the car wash. Some changes were made, the corner of the building was trimmed, the driveway was moved out a little to allow a car to swing the corner. It appears that pickup truck would not be able to make this turn into the car wash. Mr. Tal stated they would install sign warning customers the size of the vehicles that would fit the car wash. Ms. Walters stated that the Board could make their approval subject to "a length acceptable to Barton & Loguidice" based on turning templates. They have not seen adequate flow path information for the garbage truck. A garbage truck would have to come into the west entrance on Genesee Street, but because of the island there is not enough room and also, when exiting onto Newport Road that island is also in the way. Barton & Loguidice recommended that these island limit traffic in and out of the site and should be removed. A trash truck can not go under the canapé at all.

Mayor Butler asked about the gas truck that will be delivering fuel. Ms. Walters stated that truck will deliver fuel will come down Genesee Street and back into the site where the tank fill ports are located on the east side of the property.

Mayor Butler asked Fire Chief Groesbeck if he had any safety issues. Chief Groesbeck stated no.

Ms. Joan Wise, 4 Green Street, stated it was mentioned that the gas truck were going to back into the gas station on the east side of the property. She stated these are big truck and this is a busy area. Her concern is the traffic in this area. Mr. Tal stated gas would be delivered about every three days.

Attorney Allan stated Onondaga County Planning has recommended rejecting this application. Barton & Loguidice wrote "...we suggest that prior to the Village allowing the applicant to remove one or both of the curbed islands from the proposal that buy-in on doing so be obtained from the OCDOT." Mr. Tal stated the islands were not included in the plan that was given to Onondaga County Department of Transportation.

Ms. Wise had a concern with the right turn onto Newport Road. She stated that when you come

down South Street to Genesee Street you are restricted because of the traffic signal, you have traffic coming down Genesee Street in the second lane. This is a congested area and anyone who lives in this area will not be able to use South Street as an exit onto Genesee Street at all especially if you want to turn left onto Genesee Street. Trustee Palumbo stated that after 7:30 a.m. it does get congested, but usually there is no problem.

Dirk Oudemool, Esq. asked if the proposal has changed or is it still going to be 24 hours a day. Mayor Butler stated yes the gas station/convenience store will be opened 24 hours and the car wash will be opened 7:00 a.m. to 10:00 p.m. Mr. Oudemool asked if the Board was all right with the increase of the building size by 70% and as your engineer has pointed out the site is very constrained and is it absolutely necessary that the developer have that much square footage? Does the Board think this is a smart decision even though you will have to post signs so people don't get trapped on the site? Mr. Oudemool stated everyone wants the service that this project will provide, but the issues are the hours of operation and the square footage of the building. It appears to him that you can have a wonderful project if you cut the square footage and cut the hours. Mr. Oudemool stated that the people on First Street have no idea about this project. It appears that you are going to invade the area that the covenant protected and for many years.

Mr. Oudemool stated that Mr. & Mrs. Steve Boulet opposes this project. They think you have totally ignored the Comprehensive Plan, the aesthetics of the building are not compatible with the Main Street as the Comprehensive Plan requires. He thinks it is outrageous.

Mr. Steve Boulet stated that many people have purchased properties around this gas station and they thought that they would have the protection of the covenant. He stated he does not think that we need to have a restaurant; car wash and a gas station opened 24 hours. There were problems with the gas station when they started selling ice cream until 11:00 p.m. There was noise and also problems with the trash attracting animals and flies. He stated everyone likes the convenience, but it should not interfere with quality of life for the people around the project.

Mr. Leland Volgelsang, 4446 Milton Avenue, asked if there was any reason to be opened past 10:00 p.m. Mr. Tal stated that is when they clean, stock the shelves and keep the property neat.

Mr. David John, who is Mr. Tal's insurance man, has a vested interest in this project. He stated that Mr. Tal keeps his property neat and clean. This will serve the local people and people who work nights will be stopping in the middle of the night.

Attorney Allan stated that this is a complex enough issue that he does not want the Board to vote on a verbal resolution. He recommended that Mayor Butler continue this Public Hearing in two weeks. Attorney Allan will draft a resolution with the findings of facts that supports the Board's decision because the Board will need it if an aggrieved party decides to appeal the decision. He will redraw the covenant. He wants a consensus of this Board. He reminded the Board that Onondaga County Planning recommended that this application be disapproved. This Board may override the county's decision but will need a super majority.

The Public Hearing was continued until April 19, 2012 at 7:50 p.m.

Sharon Norcross  
Village of Camillus