

VILLAGE OF CANASTOTA  
MINUTES  
January 21, 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 Scott Rapasadi, Trustees Theodore Lumbrazo, Chuck Sweeney and AnnMarie Rossi; Village Administrator Larry Carpenter; Margo Frink of the Bee-Journal; DPW Forman Ron Bennett; Fire Chief Mark Feritter, Police Chief James Zophy; Al Larmann, Amanda C., Nick Darcangelo, Chey Brennen

ABSENT: None

Motion by Trustee Lumbrazo, seconded by Trustee Rossi, to approve the minutes of the last board meeting. Passed 5 to 0.

Motion by Trustee Rapasadi, seconded by Trustee Sweeney, to approve the General Fund Abstract in the amount of \$222,134.01. Passed 5 to 0.

Motion by Trustee Rossi, seconded by Trustee Lumbrazo, to approve the Sewer Fund Abstract in the amount of \$31,853.89. Passed 5 to 0.

Motion by Trustee Lumbrazo, seconded by Trustee Rossi, to approve the following budget modification: Increase 36504.01 (Demolition of Unsafe Buildings) to \$95,946.00. **Discussion:** The Mayor stated that the county will keep this on tax rolls for about 2 years. We could be reimbursed with no interest. Passed 5 to 0.

Motion by Trustee Rossi, seconded by Trustee Lumbrazo, to approve the following budget transfer: \$1,439.70 from 14102.01 (Village Clerk Contractual) to 90408.01 (Workers Compensation); \$10,500.00 from 14101.01 (Village Clerk Personal Services) to 51424.01 (Snow Removal Contractual); \$2,396.65 from 19904.01 (Contingency) to 51424.01 (Snow Removal Contractual). **Discussion:** Administrator Carpenter stated the transfers are due to this year's higher salt cost. Passed 5 to 0.

Motion Trustee Lumbrazo, seconded by Trustee Rossi, to authorize a wire transfer to M&T Bank in the principal amount of \$25,000.00, with interest in the amount of \$8,844.89, for a total of \$33,844.89, for payment of the amount due on the EFC Phase 3 & 4 2004 outstanding bond. Passed 5 to 0.

Motion by Trustee Rapasadi, seconded by Trustee Rossi, to approve an extension of the period during which the fines charged to Queensboro Farm Products are suspended to include January 1, 2009 through March 31, 2009. (Note: On October 6, 2008, the Board

voted to suspend the fines for the period of August 1, 2008 - December 31, 2008.)  
**Discussion:** Mayor Rouse explained that Queensboro is in the middle of an upgrade and they are aware of the fines. The delay is a result of a vendor's inability to provide equipment in a timely manor. Passed 5 to 0.

Motion by Trustee Rossi, seconded by Trustee Sweeney, to set the Courtroom in the Municipal Building as the only polling place for the March 18, 2009 election with polls to be open from 12:00 noon to 9:00 p.m. **Discussion:** Mayor Rouse explained this is for Village Judge only. Term will end April 2009, at which time we can choose a term of one year or four years; however, State law will supersede our decision. Trustee Sweeney suggested we take the four year. Passed 5 to 0.

Motion by Trustee Rapasadi, seconded by Trustee Rossi, to authorize the Mayor to execute the Agreement with Urtz Service Company, Inc. for maintenance services on the building heating and cooling equipment in the annual amount of \$2,984.00. (Note: There was no increase in the contract price from 2008 and this is a shared expense with the Town of Lenox.) Passed 5 to 0.

Motion by Trustee Rossi, seconded by Trustee Lumbrazo, to authorize the Mayor to execute the Annual Preventative Maintenance Agreement with Power Generation & Industrial Engines, Inc. for the generators located at the Municipal Building and Fire Department in the amount of \$335.00 for each for a total of \$670.00. (Note: There was no increase in the contract price from 2008 and this is a shared expense with the Town of Lenox. Power Generation has offered a second year on the contract for \$690.00 and is not charging for preventative maintenance performed on the generator on Rescue Truck 128.)  
**Discussion:** Mayor Rouse said we could do the two year contract. Mark Feritter said it should be Rescue Truck 125. Trustee Rossi amended her motion for the 2 year contract, Trustee Lumbrazo seconded. Passed 5 to 0.

Motion by Trustee Lumbrazo, seconded by Trustee Sweeney, to approve reimbursement to the Canastota Fire Department in the amount of \$80.00 for training attended by Tim Cowan and Ted Lewin in Fayetteville, New York on November 15, 2008. **Discussion:** Mayor Rouse said he has spoken to Chief Feritter about obtaining prior approval on all expenses including training. Passed 5 to 0.

Motion by Trustee Rossi, seconded by Trustee Lumbrazo, to schedule a Public Hearing on a proposed Local Law to allow Adult Day Care in R2 and RM Zones to be held on Monday, February 2, 2009 at 7:15 p.m. in the Board Room of the Municipal Building. **Discussion:** Administrator Carpenter said there are two major changes: 1.) Definition of Adult Day Care item §230-6; and 2.) Hours of operation – 6 a.m. to 6 p.m. Passed 5 to 0.

Motion by Trustee Rossi, seconded by Trustee Rapasadi, to authorize the Mayor to execute the Permit Application for the Fire Works Display for SnowBlast Weekend, February 7, 2009. **Discussion:** Trustee Rossi asked how much in donations has been collected and Mayor Rouse said he believed it to be only \$500.00. The cost is \$3,000.00 and in these hard times hopefully they will get what they need. Passed 5 to 0.

**Correspondence**

- Letter from the DiGeorge Family thanking the Village for thinking of them at their time of loss.
- Notice from Shred - It that the Village of Canastota with its efforts in recycling saved 13 trees in 2008.
- Resolution from Madison County regarding the County taking over 2.68 miles of Village of Canastota roads. The County will now plow and maintain selected parts of North Main Street, New Boston Street, Roberts Street and Canal Road. Therefore, we will be receiving Chips from NYS DOT only.
- Letter from Senator Schumer's office regarding an Educational grant for the study of History.
- Letter from New York State Canal Corporation asking for information about events happening in the community along the Canal.
- Letter from OMI with report on WWTP.
- Letter from the Canastota Volunteer Fire Department regarding the structure fire on January 9, 2009 at 211 West Park Street and wanting to thank DPW Foreman Ron Bennett, Police Chief Jim Zophy and Codes Enforcement Officer Mike Adsit for their hard work and diligence.
- Letter from Joel Arsenault regarding the Village Parking Lot at 109 Center Street. **Discussion:** Mayor Rouse first wanted to say this does not involve any of the Village employees. Mayor Rouse said he was unable to locate the exact language of the minutes from 1983 but was able to speak directly to two members of the Board back then. Both stated that the lot was meant to be a Village Parking lot. DPW Foreman Ron Bennett said he was involved in the tear down of the building and that this area was to be a Village owned parking lot and that the DPW currently maintains the 5 or 6 spaces. Trustee Sweeney asked if overnight parking was allowed here and in all of the Village owned parking lots. Chief Zophy said yes overnight parking is allowed and that maybe some thought should be given to hours

permitted for certain times of the year. Chief Zophy suggested vehicles be removed by 4 a.m. so plowing can be done and so we won't have abandoned vehicles. Mayor Rouse asked the view of the Board and they all felt it was a public lot and that it is probably best to leave it as a first come first served policy.

- Letter from Michelle McCann informing the Village that she will be applying for a liquor license for a restaurant at 3177 Seneca Turnpike, Canastota, NY.
- Letter from the Canastota Central Schools inviting us to participate in the Health and Wellness Fair: A Community Celebration on March 19, 2009. Mayor Rouse suggested that some Board members show up. Chief Zophy said that Office Barton will be there. He also said that it will be a little different this year with scheduled guest speakers.
- The Canastota Fire Department Annual Report, submitted by Bruce Chandler.
- Letter from Joel Arsenault asking the Board to consider making some of the spaces on Center Street time limited. Mayor Rouse said we will look into making a local law of 1 hour parking.

**Administrator:**

Non owner Occupancy 1 to 2 Family housing. Safety inspections. Trustee Sweeney asked how many other communities do this and stated it is a good way to avoid public nuisances. Trustee Lumbrazo asked if this would be a yearly certificate and will it be at no cost to the taxpayer.

With the new Federal Government there is much being said about the Federal Stimulus packages. There is roughly \$320 million allocated of which there is \$280 million for hardship communities. There may be 50/50 grants. There may be population caps which could change by the final qualifications sometime in February. We are in line to get no interest loans for the WWTP. The stimulus package is expected to be proposed by mid-February. There are no firm details yet.

The Governor has proposed a 31% cut in CHIPS funds. The Village received \$70,000 from NYS in 08-09. However, we will get the same AIM funding of approximately \$37,000.00.

Trustee Lumbrazo asked about the letter from NiMo/National Grid for the return of paid utility taxes. Mayor Rouse said that he and Administrator Carpenter spoke with National Grid and that they didn't even know the letter was going out. The State actually said to

National Grid they wanted their money back so in turn National Grid asked Villages and cities to return the tax revenue given to us. The Mayor said if we don't pay it back then we won't likely get any more utility tax payments from National Grid. The Village is waiting to see the final outcome as NYCOM and others are challenging the request.

**Department Heads:**

Chief Zophy stated he understood that snowmobiles were no longer allowed on the Links Trail; however, if soft barriers are used then the snowmobilers will just go onto homeowners' property. Mayor Rouse stated that the trails are now closed only because The Tri-Valley Riders lost some trails south of here so they closed all their trails in this area. Now we have to decide if we want to keep the trails open leaving the Village liable. The Village made the trail wide enough for 2 snowmobiles; however, the snowmobilers have been riding on the blacktop and they are also doing severe damage to the Industrial Park. Trustee Rapasadi said that somehow the police should try to monitor the snowmobilers and designate the blacktop off limits. Mayor Rouse offered his personal snowmobile for the Police to use. Chief Zophy stated that there isn't a simple solution. We are the only community in Madison County that permits snowmobiles on the roads. Al Larmann, member of the National Trail Association said that The Village of Canastota trail meets National Criteria and that it is a beautiful area. We should consider opening the Industrial Park to other sports. He suggested that the Village put up gates again with signs clearly stating where snowmobilers are permitted. Mayor Rouse asked the Board for a Motion to close trails or to keep them open stating again that the Village will be liable if we leave it open. Motion by Trustee Rapasadi, seconded by Trustee Rossi, to close the Links Trail to snowmobiles. Passed 5 to 0.

**Mayor Comments:**

Snowblast Weekend is February 6<sup>th</sup> through the 8<sup>th</sup>. Dinner will be at the Rusty Rail. There will be activities all weekend with Fireworks again this year on Saturday.

A kick off meeting for the Community Bicentennial will be held Thursday, January 22, 2009 in the Forum Room at the High School at 7 p.m. This will be a huge undertaking and will be a part of history forever.

A reminder that the budget process will be starting soon. All Department Heads need to prioritize any equipment and capital spending.

Trustee Rapasadi requested to go into executive session for contract and personnel issues with the Police Department. Motion by Trustee Rapasadi, seconded by Trustee Sweeney, to enter executive session at 8:20 p.m. Passed 5 to 0.

Motion by Trustee Rapasadi, seconded by Trustee Sweeney, to end the executive session at 9:40 p.m. Passed 5 to 0.

Motion by Trustee Lumbrazo, seconded by Trustee Rapasadi to adjourn meeting 9:41 p.m. Passed 5 to 0.

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Respectfully submitted,

Karen A. Bombard  
Deputy Village Clerk