

VILLAGE OF CANASTOTA  
MINUTES  
August 17, 2009

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

**PRESENT:** Mayor Todd Rouse, Trustees Ann Marie Rossi and Scott Rapasadi; Fire Chief Mark Ferriter, Fireman Doug Chandler and Margo Frink.

**ABSENT:** Deputy Mayor Charles Sweeney and Theodore Lumbrazo.

Motion by Trustee Rossi, seconded by Trustee Rapasadi, to approve the minutes of the previous meeting. Passed 3 to 0.

Motion by Trustee Rapasadi, seconded by Trustee Rossi, to approve the transfer of \$14,621.27 from the Economic Development Fund to the Capital Fund for payment of expenses incurred in the landscaping of the Peterboro Street Railroad Bridge. **Discussion:** Mayor Rouse advised that the reimbursement money from CSX should be here by the second week of September. Passed 3 to 0.

Motion by Trustee Rapasadi, seconded by Trustee Rossi, to approve the following budget transfer: \$8,500.00 from 19904.01 (Contingency) to 73104.01 (Recreation Contractual). Passed 3 to 0.

Motion by Trustee Rapasadi, seconded by Trustee Rossi, to approve the General Fund Abstract in the amount of \$64,542.38. Passed 3 to 0.

Motion by Trustee Rossi, seconded by Trustee Rapasadi, to approve the Sewer Fund Abstract in the amount of \$46,324.56. Passed 3 to 0.

Motion by Trustee Rossi, seconded by Trustee Rapasadi, to approve the Capital Fund Abstract in the amount of \$14,621.27. Passed 3 to 0.

Motion by Trustee Rossi, seconded by Trustee Rapasadi, to authorize the Mayor to execute the Artist Performance Contract with the Daniel F. Rubado Productions Agency for Soul Mine in the amount of \$450.00 and to authorize the Clerk/Treasurer to issue payment to Fred Shattell on behalf of Soul Mine in said amount. **Discussion:** Mayor Rouse asked if this was a part of the Summer Concert Series. Clerk/Treasurer Williams advised that it was a part of the Summer Concert Series - this contract was received after the first group. Passed 3 to 0.

Motion by Trustee Rapasadi, seconded by Trustee Rossi, to authorize Debra DiGeorge, Clerk to the Justice, to attend the 2009 Annual Fall Conference for the NYS Association of Magistrates Court Clerk on October 4, 2009 - October 7, 2009 at a cost of \$35.00 for registration fees and \$510.00 for hotel and meals for a total cost of \$545.00. Passed 3 to 0.

Motion by Trustee Rossi, seconded by Trustee Rapasadi, to approve the membership of Kevin Mittlestaedt into the Forbes Hose Company of the Canastota Fire Department based on the recommendation of Company Secretary, Richard Stagnitti. **Discussion:** Mayor Rouse asked if we had received the required driver's license information. Clerk/Treasurer advised that the information had been received. Passed 3 to 0.

Motion by Trustee Rapasadi, seconded by Trustee Rossi, to approve the request of Gene Johnson to transfer his membership from the Patten Hook and Ladder Company to the Forbes Hose Company of the Canastota Fire Department based on the recommendation of Richard Stagnitti, Forbes Hose Company Secretary. Passed 3 to 0.

Doug Chandler approached the Board on behalf of the Forbes Hose Company of the Canastota Fire Department to request the permission of the Board of Trustees to amend the Forbes Hose Company's Certificate of Incorporation under Section 803 of the Not-for-Profit Corporation Law eliminating the 50 year duration of the Company. Mr. Chandler advised that his company voted at their last meeting to amend its Certificate of Incorporation to eliminate the 50 year duration. The Forbes Hose Company was originally incorporated in 1912 and was limited to a 50 year duration which expired in 1962. There was a filing in 1950, but the Secretary of State has the incorporation as expiring in 1962. When Mr. Chandler spoke with someone from the Secretary of State's Office, he was advised to file an amendment removing the 50 year limited duration which would make the duration perpetual. The Mayor asked what the other companies had for durations on their incorporations. Mr. Chandler was not familiar with the other fire companies incorporations. The Mayor asked what effect running out of the incorporation had on the tax exempt status of the company. Mr. Chandler did not know if there was any impact. Mayor Rouse asked if the fire companies were 501(c)(3) corporations. Mr. Chandler stated that fire companies are not-for-profit corporations organized under Section 803 of the Not-for-Profit Corporation Laws. Mayor Rouse would like the fire department to research this matter further to determine what, if any, impact the companies action or inaction has upon the fire department and the Village. He asked that Village Attorney Jerry Taylor be consulted.

**Correspondence.**

– None

**Department Heads.**

Chief Ferriter is all set.

**Mayor Comments.**

Mayor Rouse advised that the bridge is done and we are waiting for a final reimbursement from CSX.

Coaches Scott Babcock and John Sicilia, League President Missy Babcock and team members Nick Stagnitti, Zack Babcock and Anthony Sicilia addressed the Board on behalf of the 2009 Canastota Raiders 13/14 Year Old Babe Ruth Baseball Championship Undefeated Team. The team was greeted with a round of applause from the Board and those present. Coach Babcock thanked the Mayor and the Board for their continued support of Babe Ruth and the recreation program and presented the Mayor with the team's Championship trophy and an autographed picture of the team. The Mayor will display the trophy in his office and suggested that it then be brought to the school to be placed in the trophy case. On behalf of the Village, Mayor Rouse presented the coaches and team members with a Citation in honor of their achievement.

The Mayor has spoken with representatives of CSX regarding the Village's purchase or use of the property located behind the fire department. It looks like CSX wants the Village to lease the property. Any improvements that the Village wanted to make, such as pavings, would have to be approved by CSX. They are asking for \$3,000 a year as a lease payment. The Mayor would like to meet with the Fire Council to determine the value of the land to the Fire Department and the Village. The Mayor advised that the \$3,000 that CSX is requesting is less than the amount we were originally quoted. The Mayor advised that right now, no one should be on the CSX property parking or otherwise. Mayor Rouse is concerned that if we do not take advantage of CSX's offer of the lease now, we may not have another opportunity in the future. We have been negotiating this matter with them for 4 - 5 years already.

Mayor Rouse advised that with regard to the WWTP funding, we were due to close on July 30, 2009, but the funding was held up due to a concern raised by the Oneida Indian Nation over the SEQR process. The Nation was listed as a Federal Agency and should have received copies of the documentation instead of reading the published notice in the newspaper. They now have all of the documentation as requested. The Mayor was advised that the Nation's response to the documentation was that this is not a very big project and the Nation will move this through quickly. Mayor Rouse stated that we cannot go further with our funding until the Nation signs off on the SEQR concern. Our funding is still approved, we just need the sign off.

Mayor Rouse advised the Board that Carlo Ranieri passed away last week. Carlo was the artist who did the canal paintings in the Board Room. The Mayor served with Carlo on the Lion's

Club and noted that he was a remarkable individual who was very articulate, intelligent and talented and did a lot for his community. He will be missed.

### **Trustee Comments**

Trustee Rapasadi is all set.

Trustee Rossi commented on Kids' Day - they had a tremendous turn out. They sold a lot of food and over 500 kids bought all day ride passes. She thanked the Fire Department and DPW for their assistance, especially TJ Tornatore who acted on behalf of the Fire Department and DPW and was very helpful.

Mayor Rouse noted that we had a wonder day for Kids' Day and congratulated AnnMarie for a successful event.

Trustee Rossi advised the Board that the Recreation Commission promised to plant a tree in honor of Tom Romer who passed away and was the husband of Recreation Member Margie Romer. They would like to plant it in front of the new sign at the Recreation Field. Mayor Rouse suggested that they look at shrubs or flowers and that the DPW could do the planting. He asked that she come up with a plan and get back to him. The Village would accept the contribution and finish the landscaping and perhaps a plaque or stone could be placed in the area noting that it had been planted in Tom's memory.

The Mayor advised that there is a planning meeting scheduled for next week regarding the proposed Community Park behind the current Business Park. He has invited representatives from the Recreation Board, Pop Warner, Little League, AYSO, and the press to attend, among others. It is not a public meeting as this is purely information and is meant to determine a need and interest from these groups. The plan will be introduced to the public after these groups have reviewed it and revisions are made.

### **Delegations.**

None

Motion by Trustee Rapasadi, seconded by Trustee Rossi, to adjourn at 7:49 p.m. Passed 3 to 0.

Respectfully submitted,

Village of Canastota  
August 17, 2009  
Page 5



Catherine E. Williams  
Clerk/Treasurer