

Village of North Syracuse
Regular Board Meeting
July 26th, 2012 at 4:30 PM
North Syracuse Community Center
700 South Bay Road, North Syracuse, NY

The Village of North Syracuse Regular Board Meeting began 4:30 PM with Mayor Atkinson inviting everyone present to join in the Pledge of Allegiance.

Roll Call: Mayor Mark Atkinson, Deputy Mayor Chuck Henry, Trustee Gary Butterfield, Trustee Fred Ferguson and Trustee Paul Linnertz were present.

Personnel Present: Village Clerk/ Treasurer Dianne Kufel, Village Attorney Scott Chatfield, Fire Chief Pat Brennan, Parks Director Teresa Roth, Codes Enforcement Officer Pam DiCarlo, Village Engineer Amy Franco, Police Chief Bill Peverly.

RESOLUTION # 139-12

APPROVAL OF MINUTES

Trustee Ferguson made a motion to approve the minutes from the July 12th, 2012 Board Meeting. Deputy Mayor Henry seconded the motion. The motion was carried unanimously.

RESOLUTION# 140-12

GENERAL FUND ABSTRACT APPROVAL

Trustee Ferguson made a motion to approve the General Fund Abstract #4 in the amount of \$73,660.23 covering Voucher #143 to Voucher #222; the motion was seconded by Deputy Mayor Chuck Henry. The motion was carried unanimously.

CITIZENS' VOICE:

Julie Seeley of 350 Chestnut Street spoke of a neighbor at 352 Chestnut Street with a firepit that is approximately 15 feet from their home and referred to this as a recreational fire. She distributed a handout to the Board. She explained to the Board that her neighbor does not just have this for a couple of hours on a weekend, it is continual for days. She relates this to safety as it has been so dry and hot. She referenced that they leave the fire and it burns all night, and they are unable to enjoy their property nonetheless can't leave any windows open and can't enjoy the porch or patio. She continued to say that this has been an occurrence on and off every day since May. She continued to give specific dates of the fires and the need to contact the Police. Ms. Seeley contacted the Codes Enforcement Officer back in May; and she does not feel that her neighbors are being reasonable people. Ms. Seeley referenced articles from the NY State Code regarding open burning fires need to be within 25 feet of a structure. Ms. Seeley claims that there is not 25 ft. between the structure and fire. She read from the NY State Fire Code – regarding a recreational fire. Ms. Seeley wants to know why it is not being enforced; the smoke is very heavy. She went on to say that this is a major issue for them. She wanted clarification of the local code, and asked for assistance from the Board rather than calling the police continually. Pam said this is not a recreational fire according to the New York State Code – reference was made to section 302.1- State Code



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of definitions. Pam said the NY State Code is cryptic, it excludes anything that is enclosed. Ms. Seeley stated that the embers are reaching their house at 350 Chestnut St. Fire Chief Brennan spoke of this being unacceptable. Chief Brennan spoke of the DEC law, whereas it regulates smoke coming from a neighbor and creating a nuisance to another neighbor - this is wrong. He spoke of an open burn with embers coming from a neighbor is unacceptable, as well as thick smoke. She said it is bothersome, offensive to the entire neighborhood. Mayor suggested perhaps going to the DEC to enforce this. Chief Brennan spoke of not having the proper laws in place in our Village Code to enforce this. Gary Butterfield mentioned a renovation project and not knowing what he was burning. The DEC or EPA could be called. Pam said by definition it is not a recreational fire according to the State Code. Attorney Chatfield spoke of a recreational fire is permitted under certain circumstances. This is not regulated and not a violation of law either by local law or by State Code. Attorney Chatfield spoke of this perhaps violating the Clean Air Act whereas they measure the density of smoke and this is enforced by the Dept. of Env. Conservation. Common Law Nuisance may apply, she may be able to pursue a civil suit, although it is not criminal they may be able to restrain it or punish it. Scott can put a report together for the Board. Chief Peverly suggested bringing the parties together and other neighbors in the same room as a civil remedy if you can get the participants to get involved together. His officer tried to resolve the current issue, and asked if they could put out the fire because of the immediate problem. Trusted Butterfield mentioned a recreational fire and outdoor open burning whereas this can be very offensive giving odor emissions. Trustee Linnertz spoke of providing some further information and mentioned the authority of the Fire Chief when called to a fire. Mayor asked legal counsel to put some facts together for the Board, including contact information at the DEC. Trustee Linnertz to distribute his information to the Board as well. Mayor commented that he would like to resolve this issue locally if at all possible. Trustee Ferguson asked if they had been documenting the fires and perhaps referring to Justice Bertrand to assist them. The Board will review this issue at another meeting.

Vera Desimone of 304 Belmore Drive referenced the event of July 22 of the re-opening of the Toll Road School house. She commented on this wonderful event and thanked Teresa and Gary for their efforts for this event. She was enthusiastic and spoke of a few attendees from the Conwasy School Hosue.

RESOLUTION # 141-12

APPROVAL OF (3) NEW MEMBERS OF THE FIRE DEPT.

Mayor Atkinson made a motion approving (3) new members of the Fire Department, Richard Allen, Joseph Campbell and Scott Wiegand of North Syracuse. The motion was seconded by Trustee Ferguson. The motion was unanimously approved.

WASTE PICK-UP

Mayor Atkinson spoke of the new waste pickup program that will be initiated very soon. This will include weekly waste, bulk waste, electronics waste, brush waste and the fall leaf pickup. A mailer will be sent out to all the residents defining this and explaining the changes. The bulk waste is the biggest change, whereas the 1st and 3rd week throughout the summer, residents will be able to call for a pickup of large/bulk waste. E-Waste is a brand new service being offered, TV's, monitors, computers, etc. Residents can call the Highway Department to schedule and they will pick up for you. An article is also



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posted on the website, and this will also go out to the newspaper. The Mayor explained the \$380,000 paid to Syracuse Haulers for trash throughout the year. Much of these bulk items can be put out with the weekly trash; and the Village has added the E-Waste pickup, a new service. The Mayor stated that he will review this again in the Spring of 2013 and perhaps a few modifications could be made if needed.

RESOLUTION # 142 -12

NSCSD FUEL AND WASH FACILITY AGREEMENT

Trustee Ferguson made a motion to approve the Fuel and Wash Facility agreement with the NSCSD. The motion was seconded by Trustee Linnertz. The motion was unanimously approved.

RESOLUTION # 143-12

NSCSD BURNELL PARKWAY STRIP AGREEMENT

Trustee Linnertz made a motion to approve the agreement to maintain the strip. The motion was seconded by Trustee Ferguson. The motion was unanimously approved.

ATTORNEY REPORT: No Report

ENGINEERING REPORT: Amy Franco reminded the Board that we have the preconstruction meeting with LanCo. On Tuesday, July 31st at 10:00 AM to discuss the award of the 2011 Community Development planned project.

DEPARTMENT HEAD REPORTS:

Fire Department: Fire Chief Pat Brennan spoke of the efforts of the Fire Dept. whereas they were recertified last month as an Advance Life Support Rescue Department. He continued to say that they have maintained this certification for approximately 20 years now and this is just another additional service they provide to the community.

Police Department: No Report

Parks and Recreation: Parks Director Teresa Roth stated that the summer programs are going well. She also mentioned that Sunday's event at the Toll Road School House was a wonderful event and thanked Vera Desimone and Eddie Fagan for their efforts.

Codes Department: No Report

Clerk Treasurer: No Report

DEPUTY MAYOR/TRUSTEES REPORTS:

Trustee Linnertz: No Report



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Trustee Ferguson: Commented on the nice event at Toll Road – the grand re-opening of the Schoolhouse also. He reminded all of the next Public Safety Meeting being held at 5:00 PM at the Fire Dept. – Station 1. Fred commented on a good choice for the Police Chief “select”, and thanked Chief Peverly for his assistance.


Deputy Mayor Henry: Referenced speaking with Pam regarding the overgrowth on the side of the road in-between the sidewalk and road in the Village. Pam will educate the people on maintaining this.. Pam has been door to door attempting to clean this area up.

MAYOR’S REPORT:

The Mayor spoke of his concentration with the Village Center Plan, whereas he is focusing on this. He will have a briefing on this soon reporting on the progress with this. He mentioned the (RARP) Rural Assistance Revitalization Program that will, if awarded, assist with the post office building. They are moving forward with this. He reminded all that we have reached out to the local officials of this area to strengthen the application. He continued to speak on the passing of RPTL 485-a, an exemption to developers; Cicero has passed this, Clay has passed this and most recently met with the School to see if they can pass, this is a good environment for developers. The Mayor spoke of his final meeting with the CSEA Union representing the highway workers. A draft agreement will be in place soon, he will review with the Board, perhaps go into an executive session, and return with approving a contract. The Mayor also reminded all of the Municipal Parking Lot at Bill’s Carpet, we don’t own it but we maintain it. It is in need of repair, just a reminder to look into this. The Mayor commented on the final process with the hiring of the new Police Chief Michael Crowell, and is hopeful that all will go as planned and he will be on board with us as of Monday, August 13th. The Mayor reminded all of the Chicken BBQ at the North Syracuse Fire Dept. on Saturday, August 18th, and stated that this is on the Village’s website as well. The Mayor also wanted to personally reach out and thank Vera Desimone for an outstanding job she has done with the efforts of the grand reopening of the Toll Road School House and encourages any and all to go over there on Sunday afternoons to see this exhibit.

Trustee Butterfield made a motion to adjourn at 5:15 PM. The motion was seconded by Trustee Ferguson. The motion was unanimously approved.

Respectfully submitted,


Dianne Kufel
Clerk/Treasurer