



Village of North Syracuse  
**Regular Board Meeting**  
November 10, 2011 at 6:30 PM  
North Syracuse Community Center  
700 South Bay Road, North Syracuse, NY 13212

Deputy Mayor Chuck Henry called the meeting to order at 6:30 PM with the Pledge of Allegiance.

**ROLL CALL:** Deputy Mayor Chuck Henry, Trustee Fred Ferguson, Trustee Gary Butterfield and Trustee Paul Linnertz were all present. Mayor Mark Atkinson was excused as he is at the hospital expecting a grandchild.

**PERSONNEL PRESENT:** Clerk-Treasurer Dianne Kufel, DPW Superintendent Gary Wilmer, Parks Director Teresa Roth, Codes Enforcement Officer Pam DiCarlo, Assistant Fire Chief Chris Strong, Police Chief Tom Connelly, Village Engineer Amy Franco, Village Attorney Scott Chatfield.

**RESOLUTION # 199-11**

**APPROVAL OF MINUTES**

Trustee Fred Ferguson made a motion to approve the minutes from the October 27, 2011 Board Meeting. Trustee Paul Linnertz seconded the motion. The motion was carried unanimously.

**RESOLUTION # 200-11**

**GENERAL FUND ABSTRACT APPROVAL**

Trustee Paul Linnertz made a motion to approve the General Fund Abstract #11 in the amount of \$72,969.74 covering Voucher # 592 to Voucher # 648; the motion was seconded by Trustee Fred Ferguson. The motion was carried unanimously.

**RESOLUTION # 201-11**

**SEWER FUND ABSTRACT APPROVAL**

Trustee Paul Linnertz made a motion to approve the Sewer Fund Abstract #11 in the amount of \$63.00, covering Voucher #9; the motion was seconded by Trustee Fred Ferguson. The motion was carried unanimously.

**CITIZENS VOICE:** No one wished to speak.

**OLD BUSINESS:**

**CROWN CASTLE**

Attorney Scott Chatfield spoke of the (1) proposal from a company out of Texas as well as another company that does similar leasing buyouts and a forthcoming proposal. The Mayor has also contacted a real estate company that has some expertise in the valuation of these tower facilities and has asked for some range of relative values so that we can evaluate proposals and see if it makes sense to retain the leases or seek to sell. Attorney Chatfield further mentioned that when all the information



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is compiled we will present to the Board for their ultimate consideration. Dianne K. spoke of her forecasting the projected revenue that would be derived of retaining this cell tower up to and including year 2023 and anticipated approximately \$787,000. Dianne K. stated that she felt some value in this significant dollar value whereas if the Board would like to keep this as a benchmark as you move forward. Trustee Butterfield mentioned as they look to obtaining grants, this cell tower is a revenue producer which sits negatively when applying for park grant monies. Trustee Butterfield also mentioned if it did come down to the Village selling this and it is within the boundaries of our park, we would need to do something with a right-away; although our Parks would not be affected anymore by this money generating cell tower. Attorney Chatfield also mentioned that there is a process in order to sell this and we would need to get a special act from the State Legislature.

**RESOLUTION # 201-11**

**INSURANCE TRANSITION CSEA**

Deputy Mayor Chuck Henry turned this topic over to Clerk-Treasurer Dianne Kufel. Clerk-Treasurer Dianne Kufel explained the most recent agreement between the CSEA members and the Village, after several meetings since July 2011, which was the initial notification of this current Health Insurance Plan not being available and will be obsolete as of January 1, 2012. Dianne K. continued to speak on the current plan verses the "new" rollover plan, whereas the co-pays have increased in some office visits, prescription drugs, etc. Dianne K. stated that she, the Mayor, Brown and Brown and CSEA have had at least 3 different meetings discussing the transition and what the significant differences were. The latest agreement that seemed to be a fair compromise was to offer a Health Reimbursement Account of \$200 per employee, per calendar year; with any remaining balance to rollover into the following year and can continue to accumulate. She continued to state that if the employee shall leave or terminate their employment it is all turned over to the Village. Dianne K. spoke of the cost associated with this would be approximately \$2,000, this covers \$200 per employee and administrative costs of approx. \$360 that includes the annual administration of the Health Reimbursement Account. A Memorandum of Agreement is being presented, and with Board approval, the Mayor will sign. Trustee Paul Linnertz made comment that he did not receive a copy of the Memorandum of Agreement and did not feel quite comfortable authorizing something that he had not seen. Attorney Chatfield read aloud the Memorandum of Agreement (Attachment A). Trustee Gary Butterfield made a motion to authorize the Mayor to sign the Memorandum of Agreement; motion was seconded Trustee Fred Ferguson. The motion was carried unanimously. A copy of this Memorandum of Agreement is on file with the Village Clerk-Treasurer.

**MOWING ON PRIVATE PROPERTY**

Deputy Mayor Chuck Henry asked legal counsel to speak on the issue of mowing on private property. Attorney Chatfield spoke of the current procedures that we have in place whereas these specific situations are more of a technical matter than a practical matter. Attorney Chatfield stated that as a



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practical matter we have not received permission to enter on the private property although, up until this point in time, we have not been challenged. Attorney Chatfield continued to speak that to do this properly, a public hearing should be held, with an opportunity to be heard and enter in on an order of the evidence presented that there is a substantial public health hazard associated with the problem. Chatfield continued to state that this could be an extremely cumbersome process. Chatfield also stated the reasoning behind the Village mowing these private properties is that the owners' can't be reached, whether the owner is out of town, it is in the banks hand, abandoned, foreclosure, etc. Pam DiCarlo spoke of the process and the timeline associated with each process and focused on the 4 – 5 week notification and waiting process which in summary can take between 4 – 5 weeks in duration. Pam DiCarlo continued to speak that with these timeframe of warnings and notifications many times the grass is 3 – 4 feet tall. Pam DiCarlo spoke of how this becomes a bigger problem whereas other equipment is needed to clear rather than just the mower. Pam DiCarlo also had said in some areas the neighbor takes it upon themselves to mow the neighboring property. Attorney Chatfield spoke of the best approach is that we have placed them on notice; we are having the DPW staff maintain this property for safety. Chatfield spoke of the procedures that we utilize appear to be more expeditious than the alternative; whereas this also could be a health hazard in a populated area and there currently have not been any complaints. Attorney Chatfield reaffirmed that he suggest this being the best pragmatic approach the Village can take.

**2004 FORD EXPEDITION**

Deputy Mayor Chuck Henry spoke that this item was to be tabled until the Board had conversed with the Fire Chief on the final determination of this vehicle and was confident that by the next meeting a final determination could be made.

**NEW BUSINESS:**

**RESOLUTION 202-11**

**RESCIND MOTION OF 10/13/11 XEROX COPIER**

Deputy Mayor Chuck Henry asked Dianne if she could please speak on this issue. Clerk Treasurer spoke of the motion the Board made back on October 13<sup>th</sup>, whereas the Village would have entered into a lease agreement with Xerox for approx. 5 years, and reducing the Village's overall appropriations for 2 copiers by 35%. Although, this was a significant savings, Toshiba has since come forward with their new County Contract pricing and can offer an outstanding savings. Overall the Village will be savings approximately \$40,000 over the next 5 years with transitioning with a new



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Toshiba copier for both the Village Hall and the Police Office. In summary, the Board will rescind this motion, and Dianne stated that she will come back to the Board in April to authorize the closing out of the existing lease with Toshiba, and the Mayor to sign a new agreement which, again, will provide overall savings of approximately \$40,000. Trustee Fred Ferguson made a motion to rescind the motion from October 13, 2011 – “agreement” with Xerox; seconded by Trustee Paul Linnertz. The motion was carried unanimously.

**SINGLETON AVENUE – OFFICIAL VILLAGE STREET**

Deputy Mayor Chuck Henry asked Attorney Chatfield to speak on this issue. Attorney Chatfield spoke on the one year warranty period of the Toll Road Park and the securities placed in an escrow account with the Village of North Syracuse. Chatfield stated that after this one-year period has expired and a full year has passed to assess the complete project in it’s entirety, and the Board is full accepting of the project; the remaining security monies will be returned to the developer. Chatfield stated that at this time, a deed will be filed with the County so that Singleton Ave. will be a part of the Village’s streets. Chatfield just confirmed that at this moment, nothing will be done with this street, until this warranty period has expired.

**RESOLUTION 203-11**

**PITNEY BOWES METER AGREEMENT 12/30/11 – 3/30/15**

Trustee Paul Linnertz made a motion to authorize the Mayor to sign the new Pitney Bowes Meter Rental Agreement from 12/30/11 – 3/30/15. The motion was seconded by Trustee Gary Butterfield. The motion was carried unanimously.

**RESOLUTION 204-11**

**APPROVAL OF 2012 BOARD MEETING SCHEDULE**

Trustee Fred Ferguson made a motion to approve the 2012 Board Meeting Schedule; Trustee Butterfield seconded the motion. The motion was carrier unanimously. Trustee Paul Linnertz not in favor of the 4:30 PM meetings. Trustee Linnertz state that the meetings are suppose to be so that the public can attend the meetings, and at 4:30 PM most of the public is still at work and unable to attend the meetings. The 2012 Board Meeting Schedule is attached.

**ATTORNEY REPORT:** Attorney Chatfield will defer his comments regarding the elevator to the Parks Director.

**ENGINEERING REPORT:** No Report

**DEPARTMENT HEAD REPORTS:**



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**Police Chief:** Tom Connelly spoke of recent overnight vehicle larcenies that have been occurring. He spoke of Detective Deperno, Officer DeGirolamo and Officer Linstruth were instrumental in obtaining a search warrant and located stolen property. Chief Connelly spoke of the assistance within the community to be able to put closure to this case.

**Assistant Fire Chief:** Chris Strong spoke of 3 additional volunteers that most recently joined the Department; whereas the Board will see a memo to follow for the next Board Meeting.

**Department of Public Works:** DPW Sup't. Gary Wilmer spoke of his crew currently picking up leaves, and brush. He also reported that the leaf machine has most recently been repaired.

**Parks and Recreation:** Parks Director Teresa Roth spoke of the success of the Halloween Party. She thanked the Attorney and spoke of him and his wife as being the best dressed costume. Teresa spoke of the 14<sup>th</sup> annual Holiday Parade to be held on Dec. 4<sup>th</sup>; parade starts at 5 PM with festivities right after. Teresa also spoke of the elevator being now automated and 99.9% completed, operating signage will be soon to follow.

**Codes Enforcement Department:** Pam DiCarlo spoke of their concentration being on fire inspections most recently. She also mentioned that as soon as the snow starts they will be watching where constituents place their snow as they shovel and enforcing the new law that was just passed this year, regarding this.

**Clerk Treasurer:** Dianne Kufel spoke of the auditors and that they have since completed their review of the Village Books and have suggested a few procedural recommendations that they will put forth when they deliver their final closing financial statements to the Village. A few recommendations will be surfacing around procedures and proper accountability. Dianne spoke of the Sewer Fund and the Fund Balance, that will assist with any catastrophic break that the Village may have, but will by no means cover any catastrophic break. Dianne spoke of more conversation can and will take place at budget time regarding this fund and the Board's input. Dianne thanked all that assisted with any requests/questions that the auditor's had. Dianne also spoke of a separate audit that is also being conducted, and is approx. 75% complete, that being the Service Award – LOSAP audit for the Firefighters' Retirement. Dianne also spoke of the 2% Tax Cap and the formula that is utilized to formulate this 2% tax cap. There are several components that are encapsulated in this formula, which are the tax growth of the community, any and all PILOT agreements, and shared services, the rising pension costs, etc. Dianne stated that 73% of many other local communities are passing a law that will allow the Board to supersede the 2% Tax Cap – if the Board feels this is necessary. Dianne wanted to emphasize that if the Board should so choose to pass this local law, it is more of a "safety net" whereas without it the Village could realize some penalty at a later date if a PILOT was not realized, or a shared



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service was not realized, etc. Dianne wanted the knowledge out there to the Board and the public that noone is checking or verifying with this calculation or formula.

**DEPUTY MAYOR AND TRUSTEES REPORTS:**

**Trustee Ferguson** spoke of a copy of the "Tax Levy Limit Override" form and if Attorney Chatfield would like a copy, he has one. Trustee Ferguson spoke of the next Public Safety Meeting will be on Monday, December 5<sup>th</sup> at 5:00 PM – to be held at Fire Station 1. Trustee Ferguson thanks Teresa on the Halloween Party and the Fire Dept. for a successful Fire Safety Day.

**Trustee Linnertz** expressed his condolences to Fire Chief Brennan and his family on the passing of his Dad 2 days ago.

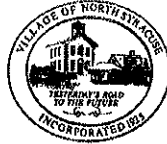
**Trustee Gary Butterfield** spoke of how he felt it was silly if every municipality is planning on passing the override of the tax cap. Trustee Butterfield also spoke of a fender bender outside of the Village whereas one of our Police Officers responded to a vehicle accident between a car and a truck – no major issue. Trustee Butterfield said the point is not to blame for going outside of the Village, but our money is going outside of the Village to take the call. The 911 center asked the Village to respond because the sheriff did not have anyone available, Trustee Butterfield stated because he had verified this with the Police Chief. Trustee Butterfield suggested sending a bill to the County from the Village. He continued to say that they have taken the Village's sales tax money and now they are stretched so thin and can't respond - but it is not our job to go in their territory to cover for them. Trustee Butterfield said he was just trying to make a point and feels the principle is valid.

**Deputy Mayor Chuck Henry** expressed his condolences to Chief Brennan and his family; and also wanted congratulate our Mayor on being a grandfather with his daughter having a baby boy.

Trustee Gary Butterfield made a motion to adjourn at 7:25 PM; seconded by Trustee Paul Linnertz. The motion was carried unanimously.

Respectfully submitted,

  
Dianne M. Kufel  
Village Clerk Treasurer



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## 2012 Board Meeting Schedule

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*Approved 11/10/11 - Resolution 204-11*

The 2012 Annual Meeting will be held on Monday, July 2<sup>nd</sup>, 2012 at 5:00 PM.

Meetings are held on the 2<sup>nd</sup> and 4<sup>th</sup> Thursday of each month (***unless otherwise noted\****) at the North Syracuse Community Center, 700 South Bay Road, Upstairs.

Thursday	January 12 <sup>th</sup>	@ 6:30 PM	Community Center - Upstairs
Thursday	January 26 <sup>th</sup>	@ 4:30 PM	Community Center - Upstairs
Thursday	February 9 <sup>th</sup>	@ 6:30 PM	Community Center - Upstairs
Thursday	February 23 <sup>rd</sup>	@ 4:30 PM	Community Center - Upstairs
Thursday	March 8 <sup>th</sup>	@ 6:30 PM	Community Center - Upstairs
Thursday	March 22 <sup>nd</sup>	@ 4:30 PM	Community Center - Upstairs
Thursday	April 12 <sup>th</sup>	@ 6:30 PM	Community Center - Upstairs
Thursday	April 26 <sup>th</sup>	@ 4:30 PM	Community Center - Upstairs
Thursday	May 10 <sup>th</sup>	@ 6:30 PM	Community Center - Upstairs
Thursday	May 24 <sup>th</sup>	@ 4:30 PM	Community Center - Upstairs
Thursday	June 14 <sup>th</sup>	@ 6:30 PM	Community Center - Upstairs
Thursday	June 28 <sup>th</sup>	@ 4:30 PM	Community Center - Upstairs
Monday*	July 2 <sup>nd</sup>	@ 5:00 PM	Community Center - Upstairs
Thursday	July 12 <sup>th</sup>	@ 6:30 PM	Community Center - Upstairs
Thursday	July 26 <sup>th</sup>	@ 4:30 PM	Community Center - Upstairs
Thursday	August 9 <sup>th</sup>	@ 6:30 PM	Community Center - Upstairs



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Thursday	August 23 <sup>rd</sup>	@ 4:30 PM	Community Center - Upstairs
Thursday	September 13 <sup>th</sup>	@ 6:30 PM	Community Center - Upstairs
Thursday	September 27 <sup>th</sup>	@ 4:30 PM	Community Center - Upstairs
Thursday	October 11 <sup>th</sup>	@ 6:30 PM	Community Center - Upstairs
Thursday	October 25 <sup>th</sup>	@ 4:30 PM	Community Center - Upstairs
Thursday	November 8 <sup>th</sup>	@ 6:30 PM	Community Center - Upstairs
Tuesday*	November 20 <sup>th</sup>	@ 4:30 PM	Community Center - Upstairs
Thursday	December 13 <sup>th</sup>	@ 6:30 PM	Community Center - Upstairs
Thursday	December 27 <sup>th</sup>	@ 4:30 PM	Community Center - Upstairs