

## **VILLAGE OF NORTH SYRACUSE**

### ***Regular Board Meeting***

Thursday, November 13th, 2014 @ 6:30 PM

North Syracuse Community Center

700 South Bay Road, North Syracuse, NY 13212

The Village of North Syracuse Regular Board Meeting began at 6:30 PM with Mayor Mark Atkinson inviting everyone present to join him in the Pledge of Allegiance.

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

**Personnel Present:** Village Clerk/Treasurer Dianne Kufel, DPW Superintendent Gary Wilmer, Parks Director Teresa Roth, Codes Enforcement Officer Pam DiCarlo, Police Chief Michael Crowell, Village Attorney Scott Chatfield, and Village Engineer Brian Bouchard.

#### **RESOLUTION # 213-14**

#### **APPROVAL OF BOARD MEETING MINUTES**

Trustee Ferguson made a motion to approve the minutes from the October 23rd, 2014 Board Meeting. The motion was seconded by Trustee Linnertz. The motion was unanimously approved.

#### **RESOLUTION # 214 -14**

#### **GENERAL FUND ABSTRACT APPROVAL**

Trustee Ferguson made a motion to approve the General Fund Abstract # 12 in the amount of \$101,808.94 covering voucher # 642 to voucher # 701. The motion was seconded by Trustee Linnertz. The motion was unanimously approved.

#### **RESOLUTION # 215 -14**

#### **SEWER FUND ABSTRACT APPROVAL**

Trustee Butterfield made a motion to approve the Sewer Fund Abstract # 12 in the amount of \$55.00 covering voucher # 5. The motion was seconded by Trustee Ferguson. The motion was unanimously approved.

Mayor Atkinson chose to modify the agenda and talk about the Streetscape/Village Center Project first; then move to Citizen's Voice. This will allow for questions and concerns to be discussed.

#### **OLD BUSINESS:**



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**RESOLUTION # 216 -14**

**APPROVE STREETSCAPE CHANGE ORDER(S)**

The Board has received the details of square footage surrounding two (2) change orders. Village Engineer Bouchard spoke of the discussions regarding a change order for the existing sidewalk in front of the Seneca Bank and Sears Middleton Funeral Home that will remain (rather than remove as it was recently replaced) and the additional pavers needed in front of businesses on Main Street that allow for a slope and footpath to their doorways. The impact will be as follows – additional pavers in front of businesses on Bach Photo, Body Massage, etc. on North Main Street amounting to \$13,883 and a credit for the existing sidewalk that will not be replaced, a credit of \$12,822. Therefore, the net effect is an increase of \$1,061. Village Engineer Bouchard emphasized this change would improve aesthetics and drainage. Trustee Butterfield made a motion to authorize Mayor Atkinson to sign a change order reflective of an addition of \$13,883 for additional pavers and a credit of \$12,822 for leaving existing sidewalk at Seneca Bank and Sears Middleton Funeral Home; a net increase of \$1,061. The motion was seconded by Trustee Ferguson. The motion was unanimously approved.

**DISCUSSION ON STREETSCAPE AND COMPLETION IN SPRING 2015**

Village Engineer Bouchard opened the discussion to familiarize the Board with the construction meeting that took place that identified some of the concerns, timing, brickwork on building, and the timeline. He spoke of the completion of the west side to be completed on December 1<sup>st</sup>, 2014. He identified that the consensus is not to begin the east side of Route 11 until the spring due to the weather.

Trustee Ferguson asked if the street lighting will be operational. Village Engineer Bouchard responded that he does not have the information to fully answer this, but he can confirm that the light bases are installed. Trustee Ferguson inquired about the project's five percent (5%) retainage. Village Engineer Bouchard answered that there is always five percent (5%) of the total held until the full completion of the project. Then the retainage is released when all punch list items are satisfied.

Trustee Linnertz asked if the problem identified at the beginning of the project "the lack of personnel" from contractor has been resolved. Mayor Atkinson responded that they added an additional crew when the delay in progress was first identified. He continued that the construction company wanted to finish the entire project this year; although Mayor Atkinson did not feel this would be the best choice because of the possibility of rushing through and losing quality as well as safety during winter season with the roads torn up.

Deputy Mayor Henry expressed his disappointment in CHA. He asked Village Engineer Bouchard to address if CHA should have intervened in the construction process regarding the delay in progress.



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Village Engineer Bouchard recalled that as Mayor Atkinson stated earlier it comes down to the workforce that is out there as well. Village Engineer Bouchard continued that when we award the bid we trust their judgment for the time they said they can complete the project. After a certain point in time when they miss a deadline, there are penalties to the contract per diem of five hundred dollars (\$500) per day beyond the project completion date. The contractor began the project thinking they could finish the project within a certain time with the crew they had. It became evident within the first few weeks that they were falling behind. Thus a discussion arose to bring in additional crew to complete faster. Deputy Mayor Henry pressed on about CHA's responsibility. Village Engineer clarified that CHA's role is more a "quality control". He expanded that they address utility related conflicts, redesigns during construction, oversee that the construction is installed per specs. The scheduling falls on the contractor. He affirmed that the progress and issues have been transparent all along. He also noted that the contractors were allowed to start later than ideal in the construction season.

Deputy Mayor Henry voiced concern about business interruptions lasting longer than expected. Mayor Atkinson replied that either with the current plan or previous plan there will be some business interruption. Mayor Atkinson said we had the option to allow the contractors to finish the project in its entirety this year; although due to weather it is not safe to do this.

Mayor Atkinson proposed that we have the full board at the table right now and if the full board would like to press on and complete the project in its entirety right now rather than waiting until the spring of 2015, both sides of Rt. 11, that decision can be made; although he personally was opposed to this. All board members were silent.

Trustee Butterfield added that although half the project has been substantially completed; he requests a firm schedule of completion for the west side and the proposed start date for the spring to complete the east side. Village Engineer Bouchard said he will work on getting this. Trustee Linnertz asked if there is an incentive for the company to complete the project faster. Village Attorney Chatfield clarified that the current contract has a disincentive that applies financial penalties if the project is not completed on time per the agreement.

**CITIZENS' VOICE:** John Mehlek of 106 North Main St. spoke of adding interim ramps for safety around the fronts of some businesses where construction is taking place to allow accessibility for older folks to access the entrance through the front of the buildings in question. Mayor Atkinson replied that it is a reasonable request that can be taken care of and asked for Village Engineer Bouchard to take note and proceed.

Joe Stenzel of Big Dip at 216 North Main St. asked if construction on the east side can be delayed



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from spring time to September or October 2015 because the busiest time for his business is in May and he is concerned that the construction will hurt business. Mayor Atkinson stated that although he cannot delay the start of the construction that far out, he can adjust plans so that there is minimal interruption. Mayor Atkinson asked Mr. Stenzel when Big Dip season opens. Mr. Stenzel replied it opens April 1st. Mayor Atkinson then instructed Village Engineer Bouchard to take note to begin the spring construction at the Big Dip location so that it is completed first. Mayor Atkinson explained to Mr. Stenzel that it would only be a matter of days and his customers would not lose access to entering the business. Mr. Stenzel asked if tearing up the concrete phase can begin now. Village Engineer Bouchard responded that the demolition phase takes only one day and it would not be advantageous to do this and just leave the road tore up all through the winter.

Donna Pascarella of Donatella's Day Spa at 218 North Main St. expressed frustration over how long the project has been taking. She asked if the project can be done in sections or blocks. She noticed that it seemed like the contractor is working with a skeleton crew. She also asked about the trees that were recently planted that may not survive this season. Village Engineer Bouchard responded that there is a one year warranty on the contract on the concrete and one year warrant on the landscaping. Thus, if the concrete should begin to crack or if the trees do not survive; then the contractor will be bound to replace these at no charge.

**NEW BUSINESS:**

**RESOLUTION # 217 -14      AGREEMENT FOR CHATFIELD LEGAL SVCS. / BONDING FOR STREETSCAPE**

Mayor Atkinson spoke of having to hire Bonding Counsel for the Village as we move forward with securing financing of \$350,000 for the Village Streetscape Project. Prices have been reviewed and found that Village Attorney Chatfield is the best fiscal option at a flat fee of \$5,000. Trustee Ferguson made a motion to authorize the Mayor to sign the agreement with Village Attorney Chatfield. The motion was seconded by Deputy Mayor Henry. The motion was unanimously approved.

**RESOLUTION # 218 -14    APPROVE COURT AUDIT FOR FY 5/31/14 TO NYS OFFICE OF COURT ADMIN.**

Mayor Atkinson explained that in accordance with the section 2019-a of the *Uniform Justice Court Act*, the Town and Village justices are required to provide their court records and dockets to their respective Town and Village auditing Boards on an annual basis. These records and dockets are then required to be examined or audited and entered into the minutes of the Board's proceedings. He acknowledged the Board's receipt of the favorable final year-end report more specifically FY ending 5/31/14. Mayor Atkinson made a motion that there was a review from Village Auditors Koagel Vincentini dated October 2, 2014. The motion was seconded by Trustee Ferguson. The motion was



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unanimously approved.

**DISCUSS TEAMSTERS 317 AGREEMENT**

Mayor Atkinson said there is a final meeting on Monday, November 17, 2014, to finalize this. Thus this issue was tabled until next Board Meeting.

**RESOLUTION # 219-14**

**CNY REGIONAL PLANNING GRANT \$45,000**

The Board has received the information from Jean Gleisner regarding the Complete Streets Plan. Mayor Atkinson reviewed about The Complete Streets Plan combined with a plan for re-greening the Village through eco or habitat networks. The total cost is \$60,000, with a grant available for \$45,000 with the stipulation that we must fund \$15,000 (over a three year period at \$5,000). Mayor Atkinson emphasized that he feels it is important for villages to have a walkable community. He added that there is a county-wide biking plan and this will tie in nicely with that plan.

Trustee Linnertz stepped away to answer a phone call. Village Attorney Chatfield advised that a vote can be made in his absence or the Board can wait for his return, bring back to the table and continue. Trustee Butterfield made a motion authorize the Mayor to sign the agreement for this grant opportunity. The motion was seconded by Trustee Ferguson. The motion was approved with Trustee Ferguson, Deputy Mayor Henry, and Mayor Atkinson, all voting in favor of the same.

**RESOLUTION # 220-14**

**2015 BOARD MEETING SCHEDULE**

The Board received the schedule that will follow the pattern of this year: 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. The first meeting of the month is at 6:30 PM and the second meeting of the month is at 4:30 PM. Mayor Atkinson made a motion to accept the proposed 2015 Board Meeting Schedule (Attachment A) which will become an attachment in the minutes. The motion was seconded Trustee Ferguson. The motion was unanimously approved.

**RESOLUTION # 221-14**

**UNPAID SAFETY INSPECTIONS – MODIFY CODE TO PLACE ON VLG. TAX**

The Board received the language that legal counsel has initiated that would allow the Village to attach charges for these unpaid Codes Safety Inspections to the Business Owner Tax Bill. This has been an ongoing problem whereas the Codes Department does these safety inspections, follows up with a bill, a second notice, third notice, and it remains unpaid. This will allow the Village to collect the monies owed. Village Attorney Chatfield read aloud the proposed law to the Board. Mayor



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Atkinson made a notice to set a public hearing to be set for December 11<sup>th</sup> at 6:29 PM to modify the code pertaining to fees and collections as Local Law #5. Trustee Butterfield asked if this law would be retroactive. Village Attorney Chatfield confirmed it cannot be retroactive. The motion was seconded by Trustee Butterfield. The motion was unanimously approved.

**ATTORNEY REPORT:** No report.

**ENGINEERING REPORT:** Village Engineer Bouchard reiterated that they are completing the outstanding winter work. They will be reviewing the new contract times for spring 2015 within the interest of the businesses.

**DEPARTMENT HEAD REPORTS:**

**Police Department:** Police Chief Crowell Spoke of attending an informative NYMIR seminar. He confirmed he received the grant for \$21,000 which will be used for live scan and cameras for cars. He stated the Police Department calls are up as projected, 741 calls above last year. He projects that they will exceed 10,000 calls this year. He went on to announce that Officer Quill provided his resignation because he passed the bar exam and was hired on with a law firm. Thus, he is working on filling a full time vacancy to replace him. Mayor Atkinson said that Officer Quill was a "great asset to North Syracuse".

**Highway Department:** DPW Superintendent Wilmer reported that his department is still picking up leaves and they are getting ready for the snowy season.

**Parks & Recreation:** Parks Director Roth reminded about Halloween party for Village Youth went very well. She reminded that there is still time to sign up for the Driver's Safety Course and the Holiday Parade is scheduled for December 7<sup>th</sup>. She reported there was vandalism at Heritage Park. The playground area was set on fire. She said she is in the process of gathering quotes to repair the area.

**Fire Department:** Absent.

**Codes:** Codes Enforcement Officer DiCarlo spoke of excavation that has begun on what will be a hair salon business. Joe Falcone, Bee Tee Enterprise, purchased a home that he will turn into apartments. Judge Bertrand's Law Office façade is being improved through Community Development Commercial Rehab Program.



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Clerk/Treasurer – No report.

**DEPUTY MAYOR/TRUSTEES REPORT:**

**Trustee Linnertz:** Reminded that November 15<sup>th</sup> starts the off street parking because of snow removal. This is effect until April 15<sup>th</sup>.

**Trustee Ferguson:** Reminded that the next Public Safety Meeting to be held on Monday, December 8th, 2014 at 4:00 PM at the Community Center.

**Trustee Butterfield:** No report.

**Deputy Mayor Henry:** No report.

**MAYOR'S REPORT**

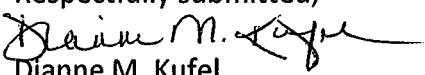
He reminded that the Holiday Party will take place at the VFW on Friday, December 5<sup>th</sup>, 2014 at 4:30 PM. It will be a nice time to get together, relax, and have fun outside the work environment. He requested that if any Department Heads and/or Board members are interested in making an optional contribution to the party to see him privately.

He reminded that Friends of the CANTEEN are sponsoring a dinner that will take place on November 15<sup>th</sup>, 2014 from 3:00 – 7:00 PM.

Mayor Atkinson made a motion to adjourn to Executive Session to discuss an employment issue. He does not expect to take any action upon their return. The motion was seconded by Trustee Linnertz. The motion was unanimously approved. The Board went into Executive Session at 7:15 PM.

The Board returned to regular session at 8:15 PM.

Trustee Butterfield made a motion to adjourn at 8:15 PM. The motion was seconded by Trustee Ferguson. The motion was unanimously approved.

Respectfully submitted,  
  
Dianne M. Kufel  
Village Clerk/Treasurer



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**ATTACHMENT A**

**2015 Board Meeting Schedule**

Approved: **November 13, 2014** Resolution: **220-14**

**The 2015 Annual Meeting will be held on Thursday July 9<sup>th</sup> 2015 at 6:30 PM (combined with Board Meeting)**

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 8 <sup>th</sup>    | @ 6:30 PM Community Center – Upstairs      |
| Thursday | January 22 <sup>nd</sup>   | @ 4:30 PM Community Center – Upstairs      |
| Thursday | February 12 <sup>th</sup>  | @ 6:30 PM Community Center – Upstairs      |
| Thursday | February 26 <sup>th</sup>  | @ 4:30 PM Community Center – Upstairs      |
| Thursday | March 12 <sup>th</sup>     | @ 6:30 PM Community Center – Upstairs      |
| Thursday | March 26 <sup>th</sup>     | @ 4:30 PM Community Center – Upstairs      |
| Thursday | April 9 <sup>th</sup>      | @ 6:30 PM Community Center – Upstairs      |
| Thursday | April 23 <sup>rd</sup>     | @ 4:30 PM Community Center – Upstairs      |
| Thursday | May 14 <sup>th</sup>       | @ 6:30 PM Community Center – Upstairs      |
| Thursday | May 28 <sup>th</sup>       | @ 4:30 PM Community Center – Upstairs      |
| Thursday | June 11 <sup>th</sup>      | @ 6:30 PM Community Center – Upstairs      |
| Thursday | June 25 <sup>th</sup>      | @ 4:30 PM Community Center – Upstairs      |
| Thursday | July 9 <sup>th</sup>       | @ 6:30 PM Community Center – Upstairs      |
|          |                            | Annual Meeting and Board Meeting combined. |
| Thursday | July 23 <sup>rd</sup>      | @ 4:30 PM Community Center – Upstairs      |
| Thursday | August 13 <sup>th</sup>    | @ 6:30 PM Community Center – Upstairs      |
| Thursday | August 27 <sup>th</sup>    | @ 4:30 PM Community Center – Upstairs      |
| Thursday | September 10 <sup>th</sup> | @ 6:30 PM Community Center – Upstairs      |
| Thursday | September 24 <sup>th</sup> | @ 4:30 PM Community Center – Upstairs      |
| Thursday | October 8 <sup>th</sup>    | @ 6:30 PM Community Center – Upstairs      |
| Thursday | October 22 <sup>nd</sup>   | @ 4:30 PM Community Center – Upstairs      |
| Thursday | November 12 <sup>th</sup>  | @ 6:30 PM Community Center – Upstairs      |
| Tuesday  | November 24 <sup>th</sup>  | @ 4:30 PM Community Center – Upstairs      |
| Thursday | December 10 <sup>th</sup>  | @ 6:30 PM Community Center – Upstairs      |
| Tuesday  | December 22 <sup>nd</sup>  | @ 4:30 PM Community Center – Upstairs      |