



VILLAGE OF NORTH SYRACUSE

Regular Board Meeting

Thursday, September 25th, 2014 @ 4:30 PM

North Syracuse Community Center

700 South Bay Road, North Syracuse, NY 13212

The Village of North Syracuse Regular Board Meeting began at 4:30 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, and Trustee Fred Ferguson. Trustee Linnertz was absent due to a scheduling conflict.

Personnel Present: Village Clerk/Treasurer Dianne Kufel, DPW Superintendent Gary Wilmer, Parks Director Teresa Roth, Codes Enforcement Officer Pam DiCarlo, Fire Chief Tim Ellis, Village Attorney Scott Chatfield, and Village Engineer Amy Franco.

RESOLUTION # 193-14

APPROVAL OF BOARD MEETING MINUTES

Trustee Ferguson made a motion to approve the minutes from the September 11th, 2014 Board Meeting. The motion was seconded by Trustee Butterfield. The motion was approved with Mayor Mark Atkinson, Deputy Mayor Henry, Trustee Ferguson, and Trustee Butterfield, all voting in favor of the same.

RESOLUTION # 194 -14

GENERAL FUND ABSTRACT APPROVAL

Trustee Ferguson made a motion to approve the General Fund Abstract # 08 in the amount of \$113,483.29 covering voucher # 461 to voucher # 522. Trustee Butterfield abstained from the vote. The motion was seconded by Deputy Mayor Henry. The motion was approved with Mayor Mark Atkinson, Trustee Ferguson, and Deputy Mayor Henry all voting in favor of the same.

RESOLUTION # 195 -14

VET'S MEMORIAL FUND ABSTRACT APPROVAL

Trustee Butterfield made a motion to approve the Vet's Memorial Fund Abstract # 08 in the amount of \$78.00 covering voucher # 3 to voucher # 4 . The motion was seconded by Trustee Ferguson. The motion was approved with Mayor Mark Atkinson, Deputy Mayor Henry, Trustee Butterfield, and Trustee Ferguson, all voting in favor of the same.

RESOLUTION # 196 -14

BUDGET TRANSFER

Trustee Ferguson made a motion to transfer \$2,500.00 from A7180.12 Pool & Lifeguard Personal Services to A7110.417 Parks Flowers/Landscaping to cover costs of paint/material to Lonergan deck



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as well as playground to multiple parks with pool payroll funds not used this summer. The motion was seconded by Deputy Mayor Henry. The motion was approved with Mayor Mark Atkinson, Trustee Fergerson, Deputy Mayor Henry, and Trustee Butterfield, all voting in favor of the same.

RESOLUTION # 197 -14

BUDGET TRANSFER

Trustee Fergerson made a motion to transfer \$3,566.75 from A1990.4 Contingency Account to the following:

A1010.12	Trustees Personal Services	\$ 75.76
A1110.18	Court Clerk Personal Services	\$ 128.38
A1110.19	Justice Personal Services	\$ 46.89
A1210.12	Mayor Personal Services	\$ 49.88
A1325.16	Clerk Treasurer Personal Services	\$ 285.71
A3120.122	Police Personal Services	\$1,892.26
A3410.15	Fire Department Personal Services	\$ 91.12
A5110.18	DPW Personal Services	\$ 764.81
A7020.18	Recreation Personal Services	\$ 231.94

This is to cover shortage of payroll salaries for FY 13/14 due to error in division of 26 pay periods. The motion was seconded by Trustee Butterfield. The motion was approved with Mayor Mark Atkinson, Deputy Mayor Henry, Trustee Fergerson, and Trustee Butterfield, all voting in favor of the same.

CITIZENS' VOICE: Joe Durand from TDK Engineering Associates spoke on behalf of their client Gary Spring of Spring Storage Park LLC. Mr. Durand reviewed that Mr. Spring began construction of a storage facility located on Bear Road; he was granted site plan approval back in 2008. However, since then there have been property line adjustments (with New Comer Funeral Home) and he would like to amend the usage of the site in addition to the self-storage operations that are not consistent with what the current code allows. These proposed operations include:

- Moving truck and trailer rentals
- Storage-related moving material sales
- Outside storage of rental vehicles, personal vehicles, boats, trailers, and related equipment
- Light vehicle servicing such as installation of trailer hitches and corresponding vehicle lighting

Mr. Durand distributed to the Board and read aloud his letter dated September 25th, 2014. This letter is enclosed as Attachment A. He spoke of meeting with Planning Commission last week and they suggested for him to present the situation to Trustees to come to a reasonable resolution. Mr. Durand requested for the Board to review and amend zoning ordinance 240-12.1 – "C-2A Storage Unit District" to allow their client to continue construction on the property to include the additional



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proposed operations. Mayor Mark Atkinson asked what he was actually approved for in 2008. Mr. Durand clarified that though his company was not involved with this process back in 2008, the plan that was brought to the Planning Commission was just for a self-storage facility and it included a finger piece that went out to Route 11 which included variances for setbacks and landscape buffer. The finger piece to Route 11 has since been sold to New Comer Funeral Home. There were concerns about him being able to use the driveway on Route 11 because of a corridor protection. Mr. Durand added that Mr. Spring owns another storage facility in Clay. Mr. Durand concluded that his intention is to modify the site plan based on what he is allowed to do per the code now and reflecting the property line adjustments for the site plan review. He continued to say that if the Board makes a change to the code, he would change the site plan accordingly. Mayor Mark Atkinson affirmed he is not ready to rule on this issue tonight and would like to make a decision at the next Board Meeting.

Trustee Butterfield stated that this project should not have started if the owner intended to do more than the code allowed and was approved for. Mayor Mark Atkinson asked if there has been construction done beyond the scope of what the site plan was originally approved for. Mr. Durand responded that although his client admittedly did not start the project in the correct order, the construction remains within the scope he was originally approved for. He added that currently there are two building pads done, drives are graveled, drainage is in, and the office building is laid out. His client was forewarned to slow down to get approvals first. Mr. Durand respectfully requested that he would like the Board to consider a solution within the right controls allowing for his client to maximize a business opportunity. He has a three phase plan proposal.

Attorney Chatfield stated that through the process of the Planning Board, they have pointed out that the sales and rental of vehicles is of permissible use on the site, it must be inside an enclosed structure. Attorney Chatfield further referenced zoning ordinance 240-64 Motor Vehicle Sales Uses states "All sales, rental, or leasing activities and vehicle storage or display shall be maintained within an enclosed structure." Scott recalled that the code in question was originally written when there was a concern for the potential of used car dealerships proliferating through the Village. Attorney Chatfield continued to speak that at that at the Planning Commission meeting he pointed out that the process doesn't allow for much flexibility; a special permit is required, but one cannot be granted if there is special use of outdoor storage because the code requires that all storage be indoors. He indicated that a "use" variance is a possibility though it most likely would be denied. However, the Board is business-friendly and the issue has not been looked at in many years. He went on to say that he informed the applicant that assuming the applicant can document that there aren't many mini-storages available in the Village and that the success of many business storages rely on these alternative services, it is possible the Board may consider an amendment to the code.



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Referring to the site plan presented, Trustee Ferguson asked if the drainage has come into new proposed phases yet. Mr. Durand responded that has not been done. Attorney Chatfield clarified that the applicant has decided the project to be done in three phases necessary as part of phase 1 to make the site function. The Planning Board informed the applicant that extending the fireline and perimeter fencing should be done as part of phase 1. He was also informed that the site plan would not be approved if there is anything on the plan that does not comply with the current code. He continued to say that should the Village decide to amend village code to allow use of U-Haul vehicles outside of showroom, then the engineer can amend the site plan.

Attorney Chatfield explained that if the Board decides to amend the code, it would be an amendment to Code 240-64. The use of some portion of the site for the U-Haul would be an accessory use of the principal use. The rental of vehicles would need another permit but it would be allowable if the code was amended as such. Attorney Chatfield reminded the Board that there is no obligation on the part of the Board to address this issue. They are under no obligation to change the code.

Trustee Ferguson asked if the trees and vegetation on the west side are in place. Mr. Durand replied there are not. He explained that there is a 30 foot easement obtained from the school as a landscaping area for 30 pine trees. However, the new principal (has been there for two years) and has not allowed trees to be planted because he doesn't want kids to hide there. Mr. Durand spoke of reviewing and revisiting this issue with the current Principal in the near future.

Trustee Butterfield requested further clarification on the request. Attorney Chatfield explained that there are two elements of outside storage – sales or rental of the applicant's product and outside storage of customer's goods. The Board can rule on one and not the other, or both. Trustee Butterfield inquired if the code change was made and then the property subsequently sold, could then a used car dealership take over the site thus creating the situation that the code originally intended to curb. Attorney Chatfield replied that it would not change the principal to a used car parking lot and that the specifics of the code could be explicitly tied to a mini storage business.

Trustee Butterfield asked about the current code as it states no vehicle awaiting repairs can be between front lines of the building and the property line. Attorney Chatfield responded that the applicant would have to show on their site plan where they would perform the light repairs as indicated to show that they are able to comply with the code.

Trustee Butterfield inquired about what are the consequences of the school not allowing the various plantings that was originally granted with the variance. Attorney Chatfield explained that the site plan show plantings at the school's property with an easement for their behest. If the school doesn't want it, the Planning Board does not see a necessity for it as described. Attorney Chatfield explained that this is up to the school; if the plantings won't be done, it would require an amendment to the site



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plan. Deputy Mayor Henry asked if the code can place an absolute limit on the number of vehicles. Attorney Chatfield stated that it can be left to the Planning Committee on their recommendation, a number of vehicles, or a percentage. The key is that this is an accessory to the mini-storage business.

Attorney Chatfield informed the Board that at the next Board Meeting the options are to either deny the request, or give him instructions on how to proceed, or submit this to the Planning Commission for their recommendation. He continued to say that if the latter is chosen, then the process would be the standard process to amend the code: prepare the text, send it to the County Planning Agency, they return approval, and you hold a public hearing.

Fire Chief Ellis' renewed his concern about the additional fire hydrant. Police Chief Crowell added that his main concern is regarding security but he is satisfied with the current plan's fencing, key entry, and camera security.

Mayor Mark Atkinson tabled this until the next Board Meeting and opened the floor for other citizens. Darlene Piper of 106 ½ Northfield Drive stepped up to show support for the mini storage and stated that it may be to the benefit of the Village if the residents have a place to store their large vehicles instead of on their lawn. Additionally, she spoke of a concern for the abandoned and condemned houses in several areas of the Village. Mayor Mark Atkinson requested the addresses of the aforementioned properties. Mrs. Piper spoke of not knowing the addresses in question. The Mayor affirmed that the DPW and Codes Enforcement Department perform checks around the Village. He continued to give an example of a house on his street that has been vacant for over five years. The previous owner had liens that exceeded the value of the house. So when the landscaping becomes unruly, Codes Enforcement Officer contacts the lienholder and requests for them to trim the landscape. Mayor Mark Atkinson concluded that some issues regarding abandoned properties take time to resolve. However, he requested that going forward if she could provide the Village with addresses she is concerned about, we will be able to find recourse.

NEW BUSINESS:

RESOLUTION # 198-14

DISCUSS/AUTHORIZE AGREEMENT FOR HVAC AT STATION 2

The Board received a memo from the Fire Chief regarding the furnace/HVAC system at Station 2. Three quotes were enclosed with their request to have Gene Mapstone perform this service. Trustee Ferguson made a motion to authorize the Mayor to sign this agreement for \$10,300.00 to include labor and material to install HVAC equipment. The motion was seconded by Deputy Mayor Henry. The motion was approved with Mayor Mark Atkinson, Deputy Mayor Henry, Trustee Ferguson, and Trustee Butterfield all voting in favor of the same.



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RESOLUTION # 199-14

**AUTHORIZE AGREEMENT FOR ADDITIONAL ENGINEERING SERVICES –
STREETSCAPE**

The Board received the CHA engineering agreement that specifies engineering services that will be performed for observation and administration for the complete Village Center/Streetscape Project from start to finish. Dianne noted that there is \$18,000 available in the budget but another \$12,000 is needed and may be found in the fund balance. Trustee Ferguson made a motion to authorize the Mayor to sign the agreement not to exceed \$32,000. The motion was seconded by Trustee Butterfield. The motion was approved with Mayor Mark Atkinson, Deputy Mayor Henry, Trustee Ferguson, and Trustee Butterfield all voting in favor of the same.

RESOLUTION # 200-14

DISCUSS /AUTHORIZE 2014 SYRACUSE TIME & ALARM AGREEMENT

The Board received a copy of the Fire Alarm System agreement for the Community Center. The price is the same as last year. Trustee Ferguson made a motion to authorize the Mayor to sign the agreement with Syracuse Time & Alarm for \$336.00 covering September 1, 2014 thru August 31, 2015. The motion was seconded by Deputy Mayor Henry. The motion was approved with Mayor Mark Atkinson, Deputy Mayor Henry, Trustee Ferguson, and Trustee Butterfield all voting in favor of the same.

RESOLUTION # 201-14

APPROVAL OF DPW FALL SEASONAL HIRE TO ASSIST WITH LEAF SEASON

The Board received a memo from DPW Superintendent Gary Wilmer for the need to hire a seasonal employee to assist with leaf pickup. Trustee Ferguson made a motion to appoint Jason Rayder at an hourly rate of \$10.50/hour for no more than 11 weeks as a seasonal part-time laborer. The motion was seconded by Trustee Butterfield. The motion was approved with Mayor Mark Atkinson, Deputy Mayor Henry, Trustee Ferguson, and Trustee Butterfield all voting in favor of the same.

RESOLUTION # 202-14

APPROVAL OF PROMOTION DPW EMPLOYEE TO LABORER II

The Board received a memo from DPW Superintendent Gary Wilmer that recommends the promotion of Joel Klaisle to a Laborer II position. Joel has done a wonderful job for the Village for the past three years and has shown steady improvement. Joel started with the Village on December 27, 2011 at \$22,000 per year. Mayor Mark Atkinson made a motion to promote Joel Klaisle as Laborer II at an annual salary of \$25,000 effective immediately. The motion was seconded by Trustee Ferguson. The motion was approved with Mayor Mark Atkinson, Deputy Mayor Henry, Trustee Ferguson, and Trustee Butterfield all voting in favor of the same.



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RESOLUTION # 203-14

APPROVE SEQR FOR STREETScape PROJECT/VILLAGE CENTER

The Board received the SEQR form prepared by CHA to be approved. Trustee Butterfield made a motion to authorize the Mayor to sign the SEQR short form. The motion was seconded by Trustee Ferguson. The motion was approved with Mayor Mark Atkinson, Deputy Mayor Henry, Trustee Ferguson, and Trustee Ferguson all voting in favor of the same.

ATTORNEY REPORT: Scott Chatfield reminded that at a previous meeting the Board asked him to prepare a proposed local law to amend Village Code in connection with telecommunications towers. He researched the code and found that under telecommunication code provision there is an exclusion. There is a list of things that the telecommunications code does not apply to. He has given Dianne a proposed local law that simply adds new paragraph "F" under "Exclusions" describing telecommunications towers that are less than 10 feet tall from the ground or structure from which they are located. Building permit and building code would still have to be satisfied, but no special permit would be required. Once the Board is satisfied with the proposed local law, the next step would be to hold a public hearing to introduce this proposed legislation. Scott announced that there is a Halloween party at his office on October 25th, 2014.

ENGINEERING REPORT: No report.

DEPARTMENT HEAD REPORTS:

Police Department: Chief Crowell reported he was reimbursed from the Federal government half of the cost for the bullet proof vests for the Police Officers.

Highway Department: Gary reported that the sand blasting was completed at the parks and the deck for the pool should be finished in two days.

Parks & Recreation: No report.

Clerk/Treasurer – Dianne reported that she spoke to Home Depot and they will not be issuing a new card. They stated that they are monitoring our account and should a charge be found to be fraudulent they will promptly remove it from the account. She spoke of the regular annual audit process is underway. The auditors have begun reviewing the AUD. Afterward they will proceed with auditing the Court, and finally conclude by focusing on all our books and records. Dianne closed by mentioning that she has a new intern named Alexandra that will begin next week.



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Fire Department: No report.

Codes: No report.

DEPUTY MAYOR/TRUSTEES REPORT:

Trustee Linnertz: Absent.

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: Spoke of the Streetscape meeting he attended. The contractor is ready to begin work as soon as the contracts are signed with the DOT. He continued to say that this is a "tight window" to complete although feasible that the work may be complete before the Holiday Parade on December 7th.

Deputy Mayor Henry: Confirmed with Gary that residents should place their brush in paper bags only.

MAYOR'S REPORT

Mayor Mark Atkinson spoke of Fred Wilmer's stroke last Sunday night. He reported that Fred remains in the hospital but is doing well. He asked that everyone keep him in their thoughts.

Mayor Mark Atkinson reminded all that the next Public Hearing about the telecommunications tower will take place October 9th, 2014 at 6:29 PM. He continued to speak about the pre-construction meeting for the Streetscape project. The plan is to begin from the southeast end, tear up (1) section at a time, come directly behind it to put the concrete in, and proceed section by section that way. The Mayor emphasized that communication between us and the business owners on Route 11 will be essential to minimize the impact to the businesses. We will hold weekly meetings and reports to them.

He encouraged department heads that are interested in learning how solar energy initiatives can benefit the Village to attend the upcoming Solar Summit on Tuesday, October 14th. This is an Energy Initiative to be held at the Doubletree Hotel in Syracuse. He also reminded everyone that there are two events on Saturday, October 18th, 2014: Chicken BBQ at Fire Department Station 1 by the North Syracuse Volunteer Fire Fighters and the Ladies Auxiliary. The Ladies Auxiliary begins at 11:00 AM until sold out.



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He reported that the Holiday Party plans are underway and a date will be announced shortly. He wished Teresa a happy birthday. The Board and Department heads joined in singing "Happy Birthday" to Teresa.

Trustee Butterfield made a motion to adjourn at 5:29 PM. The motion was seconded by Trustee Ferguson. The motion was approved with Mayor Mark Atkinson, Deputy Mayor Henry, and Trustee Ferguson.

Respectfully submitted,

Dianne M. Kufel
Village Clerk/Treasurer