

NOVEMBER 10, 2009 PUBLIC HEARING OF THE VILLAGE BOARD OF THE VILLAGE OF CAMILLUS,
COUNTY OF ONONDAGA, STATE OF NEW YORK, HELD AT THE CAMILLUS VILLAGE HALL.

Present: Mayor Kurt Brunger, Trustee Anne Clancy, Trustee Mike Montero

Absent: Trustee Sharon Hannon, Trustee Jim Palumbo

Staff Present: Attorney Steve Primo, Clerk/Treasurer Marie Stanczyk, Codes Enforcement Officer John Williams

Members of the Public: Approximately 3

Public Hearing: Proposed Local Law No. Four (4) for the year 2009 – Chapter 82 General Property Maintenance

Mayor Brunger opened the public hearing at 7:05 PM and Clerk/Treasurer Stanczyk read aloud the public notice for the hearing.

Attorney Primo reviewed the intent and highlights of the proposed law. He reported that he received a letter on the matter from CEO Williams, and that he believes he read the letter aloud verbatim during the last meeting. [CEO Williams' letter was not read aloud or submitted for the record during prior meeting(s).] Mayor Brunger asked for comments from the public.

PUBLIC COMMENTS

Mr. Al Vetter of 46 North Street said that in his opinion this [proposed law] is a good law, but suggested a better use of Village time would be to address other issues the Village is currently facing such as criminal activity and young people running rampant at all hours of the night destroying people's properties. He suggested the Board consider other ways of improving the quality of life and improving public safety in the Village. He recommended the Town police department assign an officer to cover areas of the Village during certain times and perhaps have officers walk the sidewalks on a regular basis. Mr. Vetter also suggested the Board consider a nuisance property abatement law for renters. Attorney Primo voiced concern in approaching such a law.

TRUSTEE COMMENTS

Trustee Montero expressed concern about a comment contained in CEO Williams' letter regarding the proposed law, specifically his statement that trustees and the clerk/treasurer are not qualified to enforce New York State code.

Attorney Primo said that he believes CEO Williams is referring to nuances of the building code and the property maintenance code that members of the Board do not necessarily have an expertise. He explained that he was hoping to capture with the proposed law laypeople-oriented types of things. He said the Board would have to be careful [when applying the law] and reminded all that when he first introduced the proposed law he advised it cannot become harassment against an individual or neighborhood.

Trustee Montero voiced concern that we not get in a situation where the Board reports eyesores and someone complains we are not qualified on the matter. Attorney Primo said he recalled the rationale for presenting this proposed law was to free the CEO for more heavy codes enforcement stuff and not have him saddled with the lawn type of issues.

Trustee Clancy asked how the Board could avoid personal type of issues and being perceived as unfair. Attorney Primo said the law gives anyone the right to come before the Board to contest a citation. Trustee Montero said he

thinks the law is targeting obvious eyesores in neighborhoods, not strong-arming a person, but encouraging property owners to take action.

Attorney Primo said the law does not have to be adopted at this meeting and suggested CEO Williams would like to voice his concerns on this issue adding that he is not sure what Trustee Hannon's and Trustee Palumbo's opinions on the proposed law would be.

CEO Williams reported that there are currently nine properties in the Village in violation of code with a few that are repeat violators. He said the issue on South Street [perpetual lawn/porch sale] was resolved by making the property owner aware that the appearance of his property did not appeal to the rest of his neighborhood.

CEO Williams said he feels very strongly that voluntary compliance works versus being in court. He added that he believes working with and educating residents is important and cited issues with televisions left at the curbs on Main Street and North Street that will not be picked up by the DPW because of the \$30 disposal fee implemented by OCRAA. He said that some residents may not be aware of the new disposal fees and policy. Mayor Brunger responded that he will speak with DPW Crew Leader Gary Martin about having the crew pick up the televisions and the Village will charge the property owner the \$30 fee the Village will have to pay to drop the televisions off at OCRAA.

CEO Williams spoke of the problem of abandoned and junked vehicles that once existed in the Village, and how that problem, once common eyesores, has been greatly reduced during the course of the last 2 years. CEO Williams stated that in his opinion, citations for codes violations can be issued, but often do not go anywhere or go to court. He said he prefers to speak with the individual to work out the problem and to educate people on the codes, why the codes exist, and the benefits of compliance. He spoke of the problems of taking residents to court on matters that can be resolved by working with the property owners and tenants.

In regards to the wording of one section of the proposed law, CEO Williams advised the 12" grass height will look horrible.

Trustee Montero said that given CEO Williams explanation, in future matters, if we have someone who has the expertise, especially someone who works for us in the Village, we should have that person sit with the Board before we pay Attorney Primo to write something, that way we will have our ducks in a row.

Trustee Clancy spoke of the importance of the emergency safety and health issue found on Page 5 of the proposed law.

Mayor Brunger closed the public hearing at 7:40 PM.

Respectfully Submitted,

Susan Clarke
Administrative Assistant
Clerk/Treasurer's Office

NOVEMBER 10, 2009 REGULAR MEETING OF THE VILLAGE BOARD OF THE VILLAGE OF CAMILLUS, COUNTY OF ONONDAGA, STATE OF NEW YORK, HELD AT THE CAMILLUS VILLAGE HALL.

Present: Mayor Kurt Brunger, Trustee Anne Clancy, Trustee Mike Montero, Trustee Jim Palumbo

Absent: Trustee Sharon Hannon

Staff Present: Attorney Steve Primo, Clerk/Treasurer Marie Stanczyk, Codes Enforcement Officer John Williams

Members of the Public: Approximately 3

Mayor Brunger called the regular meeting to order at 7:41 PM followed by the Pledge of Allegiance.

55 Main Street

Mr. Richard Kirk approached the Board with a request to build a colonial-style porch on the front of the building he is renovating. CEO Williams advised that a variance may be necessary as the porch may encroach on the public way and he recommended Attorney Primo provide his legal advice on the plan for the porch and for the Board to consider in advance Mr. Kirk's plans as it will affect the complexion of downtown.

CEO Williams said his research of the records for the property indicates there was a porch on the front of the

building in the 1800's. He noted that the porch as proposed would provide handicap accessibility to the building on the western exposure.

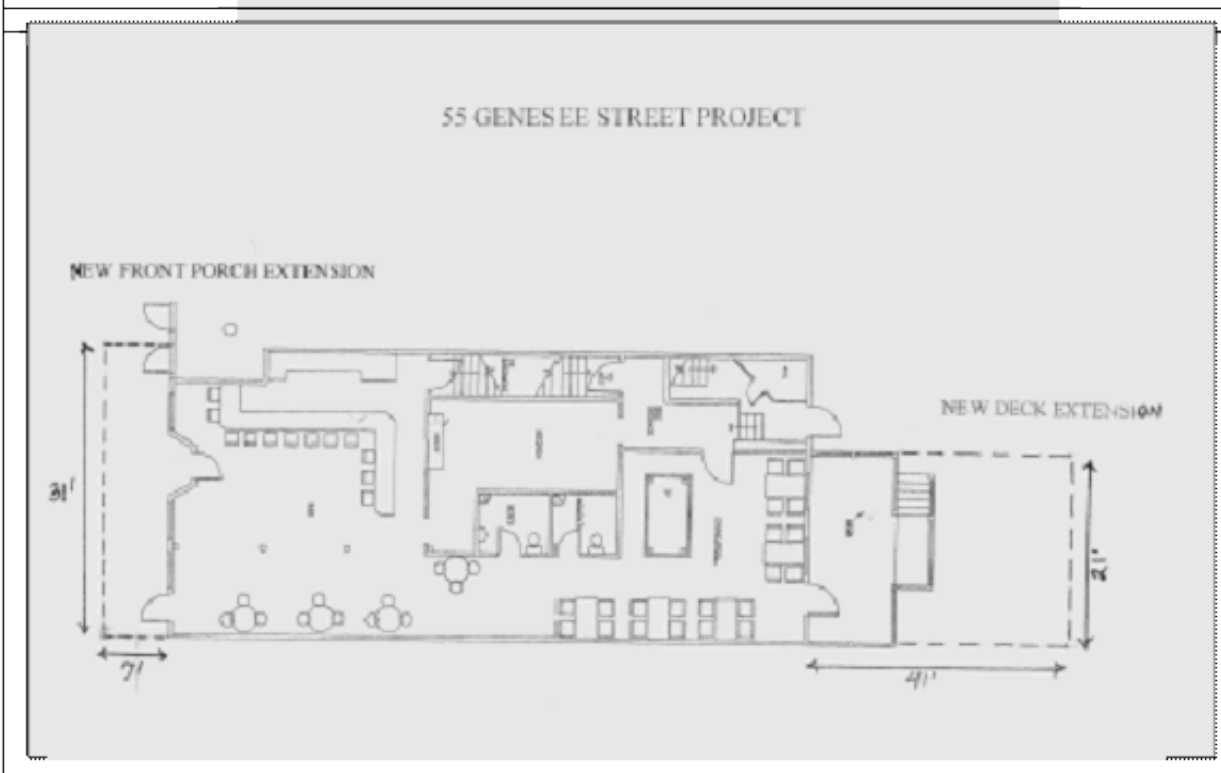
Mr. Kirk presented a historic photograph of the building dated 1899 and current sketches of the exterior and interior of the building, rear deck and proposed front porch (scanned images below).



Sketch of Front Exposure of 55 Main Street



55 GENESSEE STREET PROJECT



Mr. Kirk described his plan for the 7' x 31' porch includes turned columns and spindles and period (1899) style green tin roof.

Trustee Montero said that in his opinion the plan as presented is good and he believes it would help revitalize the Village. In response to a question from Trustee Montero, Mr. Kirk confirmed that the porch will extend out from the front of the building one section of the sidewalk leaving another section of the sidewalk as walkway. In

response to a question from Trustee Clancy, Mr. Kirk said that the porch will not be any further out than anyone else's porch on Main Street.

Trustee Montero relayed Trustee Hannon's concern about how much dining and how much alcohol would be served outside on the deck. Mr. Kirk said that his plan is to have a restaurant/bar with tables outside for people to use for eating and drinking. He added that the laws of the ABC Board state that people with alcohol cannot go any further than the front porch. Mr. Kirk advised that he plans to stop serving dinner after 9:00 PM and will serve bar food after that time.

In response to a question from Attorney Primo, CEO Williams confirmed that no application for variance has been submitted for the porch and tin roof awning, but the matter was discussed at a recent Planning and Zoning Board workshop, and it was their recommendation the matter be brought before the Village Board for consideration. CEO Williams noted a short-form SEQR may be in order.

Attorney Primo said he will research the proposed plan, survey and history of the building, and if it is determined a variance will be required, a public hearing will need to be held.

Note: Trustee Palumbo arrived at 7:50 PM.

Trustee Clancy voiced concern about nighttime noise from customers outside. A discussion followed regarding ABC laws and closing time. Mr. Kirk said that he needs to maximize everything in the building and plans to have the business open Monday through Sunday with closing time half-an-hour before the other local bars close to avoid the liability of last drink customers. Attorney Primo suggested members of the Board go back through their records for the parameters given Mr. Kirk when he was given a comfort level for the business plan prior to his closing on the building.

Trustee Palumbo spoke for the record that with normal operating hours until 2:00 AM, if the Board says it is okay with that, it would not be fair to challenge the person after giving them the go ahead on the operating hours.

Zoning Board of Appeals Chairperson Betty VanGelder spoke in favor of the proposed plan and read aloud the recommendations of the ZBA (scanned image on next page):

November 10, 2009

Village of Camillus
Board of Trustees

55 Main Street
Richard Kirk

The Zoning Board of Appeals has reviewed the applicant's request for variances to allow the front porch (7' x 31') and an aesthetic facing at the upper right front of the building.

We have determined that the front porch should serve as a structural and visual enhancement to the building and the community. Also the aforementioned upper right facade will serve to augment the appearance at the top of the building by filling in the unsightly gap. We feel both variances are in the best interest of the village.

The Zoning Board also recommends that the village set forth a color scheme to establish current and future color formats.

Respectfully submitted,



Betty Vangelder
Chairperson

In response to request from Mayor Brunger, Mr. Kirk agreed to discuss the color scheme of the exterior of the building with the Board as he develops his plans.

Mr. Kirk next spoke of his hiring of a consultant who recommended the restaurant serve cocktails and mixed drinks as well as beer and liquor. A discussion took place about the intent to serve liquor on the premises. Trustee Palumbo spoke in support of Mr. Kirk's plan saying that you cannot stifle someone's restaurant and bar business by limiting what they can serve.

Mayor Brunger said that Mr. Kirk is putting a lot of money into the project and has been open and honest and is investing in the Village and the Board should support him. Trustee Montero expressed his opinion that the serving of liquor is part of the business and the business will not be just a bar but will also be serving food.

Trustee Clancy asked if we could prevent Mr. Kirk from serving liquor to which Mayor Brunger responded that we cannot.

ATTORNEY COMMENTS

Resolution 11102009-1: Fire Truck Lease Authorization

Trustee Clancy moved to approve the lease for the purchase of two fire trucks per the following resolution of governing body [Exhibit E] as prepared and read aloud by Attorney Primo and subject to permissive referendum (scanned image of Exhibit E follows on next page):

Trustee Montero seconded the motion that was approved by majority vote of members present.

Main Street Paving Project

The project is on hold until Friday. Attorney Primo requested the matter of litigation be discussed during executive session.

Borrowing of Fire Truck

Attorney Primo will review the legal details, including insurance, of the Camillus Fire Department borrowing a fire truck as offered for loan by the North Syracuse Fire Department.

Resolution 11102009-2: Contract for CFD Borrowing North Syracuse Fire Truck

Trustee Clancy moved to allow Attorney Primo to review a proposed contract for the Camillus Fire Department to borrow for use a fire truck from the North Syracuse Fire Department. Trustee Montero seconded the motion that was approved by majority vote of members present.

CODES OFFICE

CEO Williams reported that he will be issuing a demolition permit to Mrs. Debbie Kipper who will demolish the house at 21 Union Street.

CEO Williams noted the possibility of MS4 problems due to fallen leaves. He also recommended that the Board consider removing the fallen tree from Nine Mile Creek in the area behind Village Hall, and trimming trees and overgrown brush along the creek while the water level is normal to reduce high-water and potential flooding in the spring.

PUBLIC COMMENTS

No comments by the public.

TRUSTEE COMMENTS

Trustee Clancy spoke of the upcoming need for the fire department to purchase parts for the air conditioning ventilation system, and to enter into a maintenance contract for the furnace.

Trustee Clancy reported that Ms. Diane McBride has resigned the position of assistant treasurer for the Camillus Fire Department, and that Ms. Cathy McKenna is going to become an inactive member of the department but continue to perform her duties as treasurer.

Resolution 11102009- 3: Approval of Abstract

Trustee Clancy moved to approve payment of Abstract #009 [General Fund (A), Vouchers 0147-0171 totaling \$57,993.28] and Abstract #010 [General Fund (A), Vouchers 0172-0191 totaling \$40,475.73]. Trustee Montero seconded the motion that was approved by majority vote of members present.

Executive Session

Mayor Brunger moved to adjourn the Board to executive session for advice from legal counsel on a litigation matter and also a potential property sale in the Village. Trustee Montero seconded the motion that was approved by majority vote of members present and the Board adjourned to executive session at 8:30 PM.

As reported by Trustee Montero, Trustee Clancy moved to end the executive session. Trustee Palumbo seconded the motion that was approved by majority vote of members present and the Board ended the executive session at 9:46 PM.

Adjournment

As reported by Trustee Montero, Trustee Clancy moved to adjourn the regular meeting. Trustee Montero seconded the motion that was approved by majority vote of members present and the regular meeting was adjourned at 9:47 PM.

Respectfully Submitted,

Susan J. Clarke
Administrative Assistant
Clerk/Treasurer's Office