

VILLAGE OF MINOA
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BOARD OF TRUSTEES

April 15, 2019

PRESENT:

Mayor William F. Brazill
Trustee John M. Abbott
Trustee John H. Champagne
Trustee Eric S. Christensen
Trustee Gregory A. Rinaldi
Clerk Treasurer Lisa L. DeVona
Attorney Courtney M. Hills, Esq.

ALSO PRESENT:

Michael Macko, Patrick Abbott, Naomi Chouinard, David Chouinard, Benjamin Chouinard, Jean and Chester Waskiewicz, Charles Willey, Chris Montana, Matt Ricciardiello, Judi and John Jarmacz, Phil Huller, Bryan Robie, Gail Beard, Joan Mapstone, Melissa Hinman, Bernard Beck, Marlene Christensen, Phyllis Donovan, Nassib Habayeb

Mayor Brazill opened the village board meeting at 6:30 pm and Trustee Champagne led those present with the Pledge of Allegiance.

**DONATION FROM
PHYLLIS
DONOVAN**

Phyllis Donovan, wife of former Mayor Richard Donovan presented Mayor Brazill with a hand painted water color picture of the old building which stood on this property before the new municipal building was built in 2005. Mrs. Donovan stated she purchased this picture for her husband and for many years it hung in his office. The couple decided long ago that they would eventually donate the picture to the village and on the back of the painting it states: "Original Painting by Lisa Harrington donated to the Village of Minoa Historical Association by the Richard J. Donovan Family in 2019". Mayor Brazill thanked Mrs. Donovan and stated they would proudly hang the picture in the village office.

**ADOPTION
2019 – 2020
BUDGET**

Mayor Brazill stated the public hearing for the 2019-2020 Tentative Budget was held on April 1, 2019. The following changes have been made to General Fund: revenue increased by \$31,963.00 for AIM Funding, and appropriation lines increased due to insurance renewal rates: Central Garage A1640.42 +\$3,000, Unallocated Insurance A1910.4 +\$7,000, Fire Department A3410.42 +\$7,000, Ambulance A4540.42 +\$1,300, Refuse & Garbage A8160.42 +\$2,000.

With these adjustments the total Appropriations \$3,677,134.06, Property Taxes to be collected \$1,531,397.00 and other Revenue \$1,818,078.55.

Mayor Brazill recapped the 2019-2020 Budget with the following information:

GENERAL FUND

- Tax Rate to remain at \$9.23 per thousand
- Proposed tax levy \$1,531,396.88
- Tax Cap \$1,576,088.00
- Under the Tax Cap Limit by \$44,691.12

SEWER FUND:

- Sewer Rents: \$310/per year (\$10.00 increase)
- Total Appropriations \$637,400.00 (2.51% increase)
- Total Revenue - \$637,400.00 (2.51% increase)

With no further questions or comments from the board or those present Trustee Champagne made a motion, seconded by Trustee Christensen to adopt the 2019-2020 Tentative Budget with the changes noted above. All in favor; motion carried.

**ONONDAGA
COUNTY
COMMUNITY
DEVELOPMENT
GRANT**

RESOLUTION TO SUBMIT 2019 APPLICATION FOR FUNDING REQUEST

Mayor Brazill stated on April 2, 2019 HUD implemented a new census data to determine eligibility for Community Development Block Grants funding and our municipality was affected by this change. In order to submit a project for 2019 funding we need to adopt a resolution, hold a public hearing outlining the project and then submit application for consideration.

Trustee Champagne made a motion, seconded by Trustee Christensen authorizing Mayor Brazill to submit 2019 Funding Request Application for Community Development Grant. All in favor; motion carried.

Mayor Brazill stated Minoa has not had a CDBG Eligible Area since 2013 and at that time our submittal was for the replacement of sidewalks both sides of N. Main Street and Elm Street. The west side of N. Main Street has been replaced so we will submit a plan for the east side of N. Main Street and all of Elm street.

Trustee Christensen made a motion, seconded by Trustee Abbott to hold a public hearing for the 2019 Community Development Grant Funding Request, to include a Five Year Plan for Sidewalk Replacement program, on May 13, 2019 at 6:30pm. All in favor; motion carried.

**MS4
ANNUAL REPORT
FOR PERIOD
ENDING
MARCH 31, 2019**

Trustee Champagne made a motion, seconded by Trustee Christensen to hold a public hearing on May 13, 2019 at 6:31pm for MS4 Annual Stormwater report for period ending March 31, 2019. All in favor; motion carried.

**CLERK-
TREASURER**

MEETING MINUTES – FEBRUARY 19, 2019

Trustee Christensen made a motion, seconded by Trustee Rinaldi to approve the meeting minutes of February 19, 2019. All in favor; motion carried.

MEETING MINUTES – APRIL 1, 2019

Trustee Champagne made a motion, seconded by Trustee Christensen to approve the meeting minutes of April 1, 2019. All in favor; motion carried.

TREASURERS REPORT FOR PERIOD ENDING MARCH 31, 2019

Trustee Christensen made a motion, seconded by Trustee Champagne to approve the Treasurers Report for period ending March 31, 2019. All in favor; motion carried.

BUDGET AMENDMENTS

Trustee Abbott made a motion, seconded by Trustee Champagne to approve the following budget amendments:

FROM		TO	
ACCOUNT	AMOUNT	ACCOUNT	AMOUNT
A3410.23 FD - CHIEFS VEHICLES	\$2,682.51	A3410.22 FD -TRAINING EQUIP	\$2,682.51
A3410.23 FD - CHIEFS VEHICLES	\$6,690.64	A3410.42 FD - INSURANCE	\$6,690.64
A3410.47 FD - ATTORNEY FEES	\$2,000.00	A3410.43 FD - VEHICLE REPAIRS	\$2,000.00
A9040.83 FD - WORKERS COMP	\$5,786.71	A3410.13 FD - MECHANIC	\$5,786.71

All in favor; motion carried.

**FIRE
DEPARTMENT**
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NEW MEMBERSHIP – JESUS EDWIN VASQUEZ

Trustee Christensen made a motion, seconded by Trustee Abbott to approve new membership application for Jesus Edwin Vazquez, 418 Manor Drive, E. Syracuse. All in Favor; motion carried.

**BUILDINGS &
GROUNDS**

RATIFY PRIOR APPROVAL FOR USE OF FS2 – S. GARLAND

Trustee Champagne made a motion, seconded by Trustee Christensen to ratify prior approval for Scot Garland to use FS2 on May 17th. All in favor; motion carried.

REQUEST TO USE FS2 – D. ERARD

Trustee Champagne made a motion, seconded by Trustee Abbott to approve request for Denny Erard use of FS2 on May 18th, 10am – 4pm. All in favor; motion carried.

DPW

CURBSIDE PICK UP REGULATION FOR TRASH COLLECTION – GREEN DOOR TAGS

Trustee Champagne made a motion, seconded by Trustee Abbott to approve the revised green door tags with Curbside Pick Up Regulations for DPW use. All in favor; motion carried.

Mayor Brazill stated the DPW crews will use these tags as a friendly reminder of the regulations for curbside pickup.

**CODE
ENFORCEMENT**

CODE ENFORCEMENT REGULATION – RED DOOR TAGS

Trustee Abbott made a motion, seconded by Trustee Christensen to approve the revised red door tags with VOM Code Regulations for Code Enforcement use. All in favor; motion carried. Mayor Brazill stated the Codes Enforcement Officer will use the tags as a friendly reminder of the regulations such as unregistered vehicles, property maintenance and parking.

**WASTE WATER
TREATMENT
PLANT / CERF**

PROPERTY OWNER REQUEST \$30.00 PENALTY BE WAIVED – A/C 41580

Trustee Champagne made a motion, seconded by Trustee Christensen that the \$30.00 penalty be waived, one-time only, on sewer account #41580. All in favor; motion carried.

**AUDIT OF CLAIMS
ABSTRACT 21**

A motion was made by Trustee Christensen and seconded by Trustee Abbott that the claims on Abstract #021 in the amount of General Fund \$74,672.19 (Vouchers 836-879), Sewer Fund \$73,825.87 (Vouchers 363-376), for a total of \$148,498.06 audited and paid. All in favor; motion carried.

**ATTORNEY'S
REPORT**

Nothing new to report.

**TRUSTEES'
REPORT**

Trustee Abbott – nothing new to report.

Trustee Rinaldi – nothing new to report.

Trustee Christensen – nothing new to report.

Trustee Champagne – nothing new to report.

MAYOR'S REPORT Nothing new to report.

PUBLIC COMMENT No comments.

PUBLIC HEARING ***MODIFICATION TO SPECIAL USE PERMIT APPLICATION SUBMITTED BY NASSIB HABAYEB – 501 EDGERTON STREET (TAX MAP PARCEL 006.-02-06.2)***

Trustee Abbott made a motion, seconded by Trustee Christensen to waive the reading of the legal notice and open the public hearing. All in favor; motion carried.

Mayor Brazill opened the public hearing at 6:46pm.

Mayor Brazill invited Mr. Habayeb to present his project to the board and those present.

Mr. Habayeb thanked the board and briefly presented his proposal to construct a new two-story apartment building at the existing complex located at 501 Edgerton Street. The new building will allow for additional sixteen (16), luxurious upscale apartment units, two one-bedroom and fourteen (14) two-bedroom, 54 new parking spaces along the eastern lot line directly across from an existing apartment building. He further stated the project meets zoning dimensional requirements (setbacks, lot coverage, building height). The proposal includes a cedar lined fence along the north eastern side of the property (behind the proposed building).

Mayor Brazill stated the application has been sent to Onondaga County Planning Board, Village Planning Board, Village Engineer, Department of Public Works, Wastewater Treatment Plant and Fire Department for their comments and recommendations regarding the proposed project and asked Attorney Hills to present those recommendations and findings.

Attorney Hills read aloud the following:

Village Planning Board March 12, 2019

A Motion made by Dan DeLucia and seconded by Sheri Hayner to provide the following recommendations to the Village of Minoa Board upon their review of the applicant's request for a modification of the existing Special Use Permit:

- Indicate on the drawings how the new drainage infrastructure will tie into the existing drainage infrastructure, specifically to address existing water problems.
- Gutters to be installed on the backside of building, to be maintained at the cost and expense of the applicant, to avoid additional flooding.
- A Swale to address drainage issues, same to be indicated on the drawings.
- Suggest relocation of proposed utilities in effort to keep existing trees which provide screening for the adjacent property owner.
- Addition information on site plan to show utility layouts and storm drainage.
- Condition permit so that regular maintenance of the cedar fence at the cost and expense of the applicant is required.
- Relocation of trash cans to avoid odor issue for immediate adjacent property owners.

Village Engineer dated March 12, 2019

The drawings submitted (dated 1/30/2019) is schematic in nature only and reflects the general layout of the proposed improvements. Conceptually, no major concerns however the documents submitted lack the detail necessary to perform a complete review of the application. Recommend the applicant submit site plan information as outlined in Section 127-9 of Village Code (current topographic and boundary survey, demolition plan, layout plan, grading and drainage plan, landscaping plan, utility plan, Stormwater Pollution Prevention Plan, lighting plan and site construction details) for full review prior to approval of modification to existing special use permit.

Onondaga County Planning Board dated March 13, 2019

Advisory Note: The applicant is advised to contact OCWA Engineering Department to determine the activities and structures permitted within OCWA easements/right-of-ways, water availability and service options, obtain hydrant flow test information, evaluate backflow prevention requirements and/or request that the Authority conduct hydrant flow testing to assess fire flow availability. The site is located over, or immediately adjoining, a principal aquifer (per EAF Mapper) and the site may contain the Indiana bat, or its associated habitat, which has been listed by the state or federal

government as a threatened or endangered animal species (per EAF Mapper): impacts to bat species are often associated with tree cleaning and from aerial imagery it appears that there are no wooded areas on the site.

Comments: OCPB encourages the Village and applicant to consider extending the existing sidewalks along Edgerton Street to serve the apartment complex and allow for improved walkability to Main Street to the east.

Minoa Fire Department review dated April 11, 2019

Comments from Chief Matthew McGarrity and Assistant Chief Randy Capriotti:

1. Fire Hydrant location- In the plans the developer would relocate an existing hydrant near the front corner of the new building. The proposed location would be the hydrant in the collapse zone of the new building, we would prefer that this hydrant be moved to the west side of the road that connects the 2 parking lots.
2. Fire Walls- We wanted to confirm that there are fire walls between the apartments, if so do they extend all the way to the roof. These walls would help slow fire spread between the apartments but they need to go to the roof to be effective.
3. Set back from rear of building to the property line. While there is room to set up ground ladders to operate on the rear of the building in the event of a collapse there is not easy way to get members operating clear of the collapse zone of the building

Wastewater Treatment Plant review dated March 1, 2019

Plant Operator Steve Giarrusso had no recommendations or concerns to report.

Department of Public Works review dated February 28, 2019

Superintendent Tom Petterelli reported concern for drainage plan for homes located on Edgewood Place that back-up to the proposed new building.

Code Enforcement Office review dated February 28, 2019

Codes Officer Mike Murnane had no comments to report on the conceptual plan.

Mayor Brazill opened the public hearing up to the public.

Public Comments:

Brian Robie, 405 Edgerton Street stated the drawing is inadequate, existing drainage system isn't working. I don't see any rain gutters on the buildings? I understand the apartment complex is private property and why does the village plow the roads? Mayor Brazill stated it is easier for our plows to make the pass then to back up and go around; we have been doing this for years.

Nassib Habayeb stated that with the help of DPW we have added rock in the south west corner of the property to elevate the flooding that would occur in the past. There is an underground pipe that eliminates surface water and as far as the proposed project my engineer will be updating the drawings to include a drainage, sewer plan as a result of our meeting with the Planning Board. We do not want to spend any more money into plans if the board is not going to approve the project. The drawings in front of you are preliminary and any concerns you will have we will do our best to address them.

Brian Robie, 405 Edgerton Street, stated he never received any notification regarding this project or meeting.

Mayor Brazill confirmed with Clerk that a notification was mailed to 405 Edgerton Street.

A discussion took place regarding the notifications and where the legal notice is posted.

The legal notice was published in the Syracuse Post Standard on April 4, 2019.

Brian Stanley, 102 Teaselwood Lane stated he could not find any information on the website regarding the meeting including meeting minutes.

Trustee Champagne stated the website is up to date with the exception of the two meeting

minutes approved at tonight's meeting.

Janet Stanley, 102 Teaselwood Lane stated she checked the website last week and the last minutes posted were January 2019.

Trustee Champagne stated he would look into it.

Jean Waskiewicz, 415 Edgerton Street, stated "if this project is approved I will have 148 neighbors. Edgerton Estates has not addressed the water/drainage problem in the last 40 years. I have water in my backyard sometimes up to my ankles, the empty lot between my house and Mr. Robie has enough water collecting there that you can ice skate on it in the winter time. When I look out my kitchen window I can see the area that was supposed to "be green" for the kids. It is noted in the archive letters of Edgerton Estates development that this area would always be green because of the water. If this is approved I will have 148 future neighbors and owner will take care of the water; don't you think they have had enough years to take care of the water." Mrs. Waskiewicz reminded the board that she sent a letter and photographs to the village board, attorney, planning board dated March 28, 2019. Mayor Brazill stated the letter and photographs will be permanently filed with this application and your comments are duly noted.

Nassib Habayeb stated we have an engineer that will address the drainage issues and the village engineer will also review the plan. We are aware of the drainage issues but this is the first time I have heard of a water issue in your area. The complex has an issue with the trucking company because the water runoff from their property affects the south corner of our property.

John Jarmacz, 224 Edgewood Place, there has been a water problem in my area for the last 20 years, water does not drain out, and you can't tell me that if you take away the green space, which is absorbing the water, and put in apartments it is going to make it better. Since 1972 the zoning may have changed and Attorney Hills has explained that; my question is, and I can't find the answer, in 1972 the proposed project area was left green, for what reason to absorb the water or to remain as a buffer between the apartments and the houses on the west side of Edgewood Place. If you allow this project to go through you are letting the village down and definitely the residents in this area.

Mayor Brazill stated that behind Suburban Gas and DeCarolus Truck Rental trucking there is a drainage problem and village board put money in 2019-2020 budget so the DPW can clear this area out which will hopefully improve the drainage.

Mayor Brazill also stated that once the drainage plan is submitted for this project it will be forwarded to the village engineer; the project will not move forward if the drainage plan isn't adequate.

Phyllis Donovan, 109 Thorndike Lane, I think the water problem near the Waskiewicz property should be taken care of before any new building is constructed. The village has never let a water problem sit for 40 years.

Melissa Hinman, 221 Edgewood Place stated she is concerned with drainage, which is being discussed, as her property is situated right behind the proposed apartment; she has concern the apartments will decrease the value of her property; as well as safety and privacy for her family. "I would much rather look at green space than a two story apartment building with who knows what kind of people are living in my backyard." I am also concerned that a tree was taken down and the logs have been left lying around which is a hazard to my children and the children from the apartment complex.

Kaitlyn Hennessey, 217 Edgewood Place stated she has just moved into the village and one of the reasons she likes the village is that there is not an apartment building right in her back

yard. Yes, the apartment complex is there but there is a parking lot between her backyard and the apartment building; she feels for her neighbors because the new building will be right in their backyards. If the building was already there she probably wouldn't have purchased her house.

Andrew Kirkpatrick, 217 Edgewood Place stated there will be 54 new parking spaces, more tenants, parking lot lighting, and constant traffic at 30 mph in the village.

Nassib Habayeb stated the village regulates the lighting and no upward lights are allowed.

Andrew Kirkpatrick stated the lighting in the parking lot directly behind his house shines into the upstairs rooms of his home every night.

Mr. Habayeb said this was the first he knew of a lighting complaint and asked Mr. Kirkpatrick to please come to the complex office and he will address the problem. He stated we will work with the residents with any concerns they have.

Momentarily power was lost in Municipal building.

Mr. Habayeb continued to say the neighborhood is very important to us and we want to accommodate you as much as possible.

Melissa Hinman, 221 Edgewood Place asked what do you plan to do with the large pine trees that appear to be where the proposed fence will be placed?

Mr. Habayeb stated those trees will be removed.

Melissa Hinman, 221 Edgewood Place stated she has concern with that because there will be zero privacy in her backyard if the larger trees are removed, and when was she going to be notified that the trees would be removed because one of them is directly above her shed.

Mr. Habayeb stated we just aren't at that point in the process for the notification. The project has yet to be approved.

Brian W. Robie, 405 Edgerton Street asked who reviews the specifications for the construction.

Mayor Brazill stated the village code enforcement officer would review specifications and conduct the appropriate building inspections throughout the project.

Chester Waskiewicz, 415 Edgerton Street, stated he has a copy of the 1972 public hearing of Urban Development Corp. (UDC). UDC took care of the people on the east, south, and north side of the complex. They came up with a solution to take care of the people on the east and strongly suggested a buffer zone for those property owners on Edgerton Street and Edgewood Place of approximately 300ft of green space for the children to play; for the children to play. When the ordinance was passed it was specifically passed for Edgerton Estates and left "green" forever more.

Attorney Hills acknowledged she has read the minutes of the 1972 public hearing and the "green" area was discussed however the Special Use Permit approval resolution does not mention the "green" space or list it as a condition of the approval.

Chester Waskiewicz read aloud section of the 1972 public hearing referencing the buffer for the residents and stated the village board has a copy of this public hearing and advised them to read it. UDC was brilliant adding the buffer zone for the property owners around Edgerton Estates. If this project is approved I'm the one that suffers; I will lose the trees that were planted along my property. I think it is wrong.

Nassib Habayeb stated that the density of this project is much less than what is allowed by code, we are not going against the code.

Chester Waskiewicz stated "it's an ugly thing that I will have to look at" and he (Mr. Habayeb) doesn't care about the green space.

Mayor Brazill reminded the audience to address their comments to the board and stated this is

an emotional topic for many of you and we understand; this is the first meeting of many more to come and we are here to listen to your comments and in the end we, the village board, will make a decision on this project.

Brian W. Robie, 405 Edgerton Street suggested the following: developer consider “selective cuttings” rather than slaughtering everything, a “site meeting” for the board members to walk the property and asked if the existing homes be added to the developer’s drawings.

Joseph O’Brien, 241 Edgewood Place stated his grandfather use to live at this address and he told me the “green” space would always be there. He asked the board, do you think a 6’ fence with a second story apartment building in our backyards would be advantageous to us in any way.

Nassib Habayeb stated that this year we have planted 100 trees, another buffer, between apartments and the neighbors to the west; nobody asked us to do it we just did it.

Joseph O’Brien, 241 Edgewood Place asked how far from the 6’ fence will the two story building be built.

Nassib Habayeb stated it would be 25 feet from the fence.

Joseph O’Brien stated the building will be built on one of the last green spaces left in the village; “As a child I played baseball there”. There are a lot of young families with children in the area and in the apartments; where will the children play. I understand this project will result in more money for you but how does that help us.

Nassib Habayeb stated it will help you, we pay village taxes and sewer for the apartments.

Joseph O’Brien stated he has water in his basement every year and once the green space is replaced with payments he is concerned it will result in more water on his property.

Mayor Brazill stated we have water and drainage issues all over the village, and as part of this process, and before any decisions are made the village engineer will look at the drainage plan submitted by Mr. Habayeb.

Judy Jarmacz, 224 Edgewood Place, my mother lived in the apartments for over 30 years and loved that when she looked out her windows she saw green space. Is there a maximum occupancy limit for a two bedroom apartment? If the sidewalks were continued on Edgerton Street, as recommended by Onondaga County Planning, who would pay for the cost to install and who would maintain them?

Nassib Habayeb stated the maximum occupancy allowed for a two bedroom is two parents with two children and we are very strict on enforcing that.

Mayor Brazill stated that if the village installed the additional sidewalks on Edgerton Street then we would maintain them as we do now with the existing sidewalks.

Marlene Christensen, 61 Windebank Lane, I feel for these residents with regards to apartments being built in a residential area. Several years ago, most of you weren’t even on the board, the apartments built on the corner of N. Central and Ferndale and there was a lot of green space that was taken over by pavement. We have seen a shift in the drainage, the water cannot get to the storm drain on the corner of Windebank and Ferndale. There is a 6’ fence along the back side of the N. Central apartments and it does not offer enough privacy for those property owners on Colchester; apartment tenants sit on the second floor balcony “partying-on” and using vulgar language. I have had out of town family member’s comment on the quality of the N. Central apartments, weeds growing up the side of the building; it is not maintained. Mrs. Christensen stated there are a number of residents here tonight objecting to this project, and who knows how many didn’t know of the meeting tonight and find it hard to believe that all the planning boards are giving their “stamp of approval” for this project. “Don’t do a disservice to these people that was done to us 15 years ago with the N.

Central apartments”. I have seen “feet’s of water” in the backyard of these properties on Edgewood Place; don’t approve this project. “We need to stop it now and stop it before any more village taxpayer’s money is spent”.

Matt Ricciardiello, 409 Fay Lane, I moved to the village five years ago because of the large backyards and mature trees between properties. I drive Edgerton Street and Edgewood Place twice a day and at that particular stop sign the cars don’t stop. I have also noticed the “pond” of water between Mr. Waskiewicz house and his neighbor. If this new building is built and the property owners on Edgerton and Edgewood want to sell their properties, who’s going to buy them?

Naomi Chouinard, 237 Edgewood Place, stated that most of her concerns have been addressed but just wanted to go over the property value, mold levels, crime, traffic, roots from the apartment complex trees are growing under my shed, we have had to replace the back of the shed, we do not have a sump pump but do have water in our basement. Tenants from the apartments damaged our property with a BB-gun which resulted in many trips to village court.

David Chouinard, 237 Edgewood Place stated he has seen the damage that can be caused by a development like this; my aunt lives in Mattydale and directly behind her building was built on vacant property and every year since the development her property floods with ankle deep water. I do not want this to happen to my property.

Kelly Green, 233 Willard Street stated she moved to the village for the school district after living in Cato for four years; didn’t think she was going to like living in the village but loves it, no complaints at all. Mrs. Green stated as a real estate broker and property management business the addition of this building will reduce the value of the homes on Edgewood Place and Edgerton street which is a major concern. Water will definitely increase from the parking lot and asks why 54 new parking spaces are needed when the existing parking lot is never full.

Mayor Brazill stated the parking spaces are a building requirement for occupancy.

Joseph Cesta, 225 Edgewood Place asked which trees will be removed.

Nassib Habayeb stated they have not determined which trees will be removed; if there is a healthy tree that does not interfere with the building we will keep it. The size of this building on a third of an acre does not require a water study, however we are going above and beyond to provide this information to the village. We want to get rid of the water too; I don’t want water in my apartments either.

Trustee Rinaldi asked if Mr. Habayeb was willing to let the homeowners keep the trees that they wanted. Mr. Habayeb said yes as long as they are healthy.

Joseph Cesta, 225 Edgewood Place stated he has a concern with the traffic and speed on Edgewood Place now and with the additional tenants it will only get worse and wonders why there are no speed limit signs on Edgerton, Edgewood or Willard?

Mayor Brazill stated the Town of Manlius Police Department is working with us to monitor areas within the village, we can request a traffic counter be placed in this area which will give us additional information such as speed, number of vehicles, time of day for peak traffic.

Melissa Hinman, 221 Edgewood Place stated when she moved into the neighborhood she was told by her neighbors of a person in the area with mental health issues who watches people and keeps notes on them and one day when she was in her backyard with her two children did she notice this person. She is concerned with the types of people who live in the apartments and wonders if they are screened or interviewed prior to leasing; it’s a very uncomfortable

situation not knowing who is living near you. Melissa Hinman begged the board not to approve the new building; please take into consideration what that would do to our families. Mayor Brazill stated he knew of the situation she is referring to and at the same time does not want to paint a picture of the tenants of the building as criminals but it is a very uncomfortable situation to live with. All of the comments and concerns we have heard tonight will be taken into consideration which is the purpose of the public hearing so we can hear what the public wants. We can relate to what is being said, we are here with you. We want growth in our village, controlled growth for our residents. We want to make our village better for our residents. I can assure you everyone on this board takes this very serious and is listening.

Marlene Christensen, 61 Windebank Lane, from a legal standpoint does the village board have to wait for engineering reviews to be done or can the village board make the decision to stop this before any more money is put into this project? If the board says no is there any course of action for the developer to continue with the project.

Attorney Hills stated if the board denies the project then the developer can't build, however the developer could potentially file an Article 78 if he feels the board's decision is arbitrary.

Marlene Christensen asked if there is something the residents can do to protect themselves.

Attorney Hills stated that in the reverse, if the board approved the application then the residents would have the same right of filing an Article 78.

Nassib Habayeb stated that we do screen our tenants prior to leasing and added we have the same issues with the children of the surrounding neighborhoods coming onto the apartment complex property hanging out and some smoking marijuana.

Chris Montana, 401 Edgerton Street asked if the apartments were 100% rented now. With the additional sixteen units, with four people per unit the traffic will be multiplied by how many vehicles? On any afternoon I watch at least fifty vehicles going in and out of the complex; potentially taking an existing traffic issue and increasing it.

Nassib Habayeb answered yes, there is always approximately 5% move in move out vacancy.

John Jarmacz, 224 Edgewood Place, stated "In 1972 the village board got it right to leave green space, it has worked for all this time. Mr. Habayeb has a right to make a living, and we have a right to leave the green space; you got it right in 1972, leave it alone."

Patrick Abbott, 8019 Bridgeport-Kirkville Road, stated he finds it hard to believe the apartments were built for the elderly because the two story buildings don't have any elevators. Shortly after the complex was built it was sold; property hasn't been maintained, although I did notice exterior has been updated, there are downed tree limbs, roads are falling apart, village shouldn't be plowing an unmaintained road, and for over 40 years the drainage hasn't been addressed; increasing the number apartments will not help the water issues the buildings were built on a swamp.

Jean Waskiewicz, 415 Edgerton Street, stated last week two fire trucks tried to enter the complex at the Edgerton Street entrance and had to back up because they couldn't make the turn into the driveway. She said many years ago around 11:30pm at night there was an apartment fire and the fire trucks couldn't get into the driveway and we directed them to drive through the vacant lot, which we own next door, so they could get into the complex and fight the fire. The proposed project indicates there will be a 6' fence along the backside of the vacant lot; she asked the Fire Chief, "how will you get into the property with the fence surrounding the building?"

Mayor Brazill introduced Fire Chief Matt McGarrity of the Minoa Volunteer Fire Department.

Chief McGarrity stated that is one of the concerns we have is the collapse zone in the rear of the proposed building, in addition the placement of apparatus is tight; it's tight now. We also have concern with placement of the fire hydrant in the collapse zone and recommend that this hydrant be moved to the west side of the road that connects the two parking lots.

With no further comments from the public, Mayor Brazill asked the board members for their comments or if they had any questions for the developer.

Trustee John Abbott stated he has heard only negative comments and concerns with the proposed project and would like to know if there are any positive comments or people that are in favor of the project.

Trustee Rinaldi had no questions for the developer.

Trustee John Champagne stated all his concerns have been voiced, his biggest concern is drainage. We have drainage issues behind DeCarolis trucking and the property owners on Colchester. He further stated providing a buffer between the apartment complex and the property owners on Edgerton and Edgewood is a must, adequate space and turning radius for our fire apparatus is critical, and taking away green space and replacing with pavement will just push the water someplace else.

Trustee Eric Christensen stated he hopes the developer has listened to the residents; we are their voices. Please take the comments you have heard tonight and apply it to your project and provide more detail on the site drawings to include existing property owners.

Brian Robie, 405 Edgerton Street asked if there was any thought given to adding on the any of the existing apartment complex buildings?

Nassib Habayeb said there wasn't enough space to do so; he explained he has just retained engineer to make the changes of the recommendation received from the planning board however he does not wish to put any more money into the project if the project is not going to be approved.

Trustee Rinaldi asked the resident's to consider this, this is a give and take kind of thing. The developer is taking a smaller piece of the pie to make everyone happy. I understand everything everyone is saying on both sides; it's a very emotional topic for everyone. Mr. Habayeb is fighting for what he wants and you (all) are fighting for what you want. I am not disagreeing with anyone in the room. We all need to be open-minded in order to get the best deal we can; there are two sides to every story.

Phyllis Donovan, 109 Thorndike Avenue stated she doesn't understand the idea that for 40 years the developer has not taken care of the water problem at the Waskiewicz property. Why can't they (developer) put in a drain for these people? Maybe the residents would be more receptive to the project if the water problems were corrected.

Marlene Christensen, 61 Windebank Lane stated we all know there are water issues in the village and just because you hire an engineer to address the water doesn't mean it's going away it is just moving the water into another area.

Nassib Habayeb stated there is a drainage system on the property that carries the water to the west side of the property.

Mayor Brazill stated I'd like to ask the village board, because I think we are at a point where nobody wants to put more money into this project without knowing, if the engineer came back with a plan to resolve the drainage problems how would the board vote on the application.

Trustee Rinaldi stated definitely have to fix drainage issues on the site as well as Mr. Waskiewicz property and sizeable buffer zones with landscaping between the apartments and the residential homes on Edgerton Street and Edgewood Place.

Chester Waskiewicz, 415 Edgerton Street stated he is a great believer in the village, county and America but a village board approved the apartments with green space and now this board is considering changing that.

Andrew Kirkpatrick, 217 Edgewood Place asked if he could approach the board with photographs of the existing parking lot. Discussion of the lighting in the parking lots with additional vehicles and another building to the right of his property.

With no further comments from the public Mayor Brazill closed public comments at 8:31pm. Appreciate everyone comments and concerns.

Public hearing will remain open until our next board meeting May 13, 2019.

Phyllis Donovan, 109 Thorndike Lane said, "my husband once said, and I quote, "I am not a politician I am a servant of the people who voted me into office." Do your job.

Mayor Brazill stated that I think what is fair, not only to Mr. Habayeb but to everyone that is here today I will entertain a motion to either accept or deny this project.

Trustee Champagne made a motion, seconded by Trustee Christensen to deny the project. All those in favor; motion carried.

Nassib Habayeb stated that he may have to change the policy that the public is allowed through the complex and is considering posting "Private Property, No Trespassing" signs. I respect the decision but very disappointed.

Trustee Champagne made a motion, seconded by Trustee Christensen to close the public hearing.

Mayor Brazill closed the public hearing at 8:35pm

ADJOURNMENT

A motion was made by Trustee Champagne and seconded by Trustee Christensen to adjourn the village board meeting at 8:36pm. All in favor. Motion carried.

Respectfully submitted,

Lisa L. DeVona

Lisa L. DeVona
Clerk-Treasurer