

VILLAGE OF MINOA
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BOARD OF TRUSTEES
November 28, 2022

PRESENT: Mayor William F. Brazill
Trustee John M. Abbott
Trustee John H. Champagne
Trustee Eric S. Christensen
Trustee J. Robert (Bobby) Schepp
Clerk Treasurer Lisa DeVona
Attorney Courtney Hills, Esq.

ALSO PRESENT: Mike Macko, Bob & Karen Alexander, TR Schepp, Dan Engelhardt, Tom Julian, Kevin Cox, Patricia deBerjboris, Dan Delucia, Kristi Cruniser, Andrew Bord, Sara Nieman, Erick Schepp, William Nicholson (T/Manlius Councilman), Tim Jorgensen, Erica Jorgensen, Mike & Karen Dabrowski, Casey Mulcahey, Frank DiNitto, Jeremiah Butchko, Michael Lisi, Kevin Krol, Jennifer Krol, Daniel Nieman, Rebecca Netzband, Jennifer Gregory, Brad Gregory Schott Stagnitta, Katie Markis, Dan Markis, Jane Blakley-Izzo, Joseph Izzo, Sharon Huard, Arthur Allen, Patricia Allen, Cheryl Riccio, Joseph Riccio, Saly Lisi, David Glisson, Bob Krol, Eileen Julian, Loretta Clark, Geraldine Powers, Chris Beers, Lori Beers, Marlene Carlucci, Matthew Raterman, Jeff Huard, Michelle Corsello, Tom Corsello, Polly Fuller
Elliott Lasky, Minoa Farms developer

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

**CLERK-
TREASURER**

RATIFY PRIOR APPROVAL TO CANCEL 11/21/2022 AND 12/5/2022 MEETINGS

Trustee Christensen made a motion, seconded by Trustee Champagne to ratify prior approval to cancel November 21, 2022 and December 5, 2022 meetings and reschedule to November 28, 2022. All in favor; motion carried.

MEETING MINUTES – October 17, 2022

Trustee Champagne made a motion, seconded by Trustee Christensen to approve the meeting minutes of October 17, 2022 meeting. All in favor; motion carried.

MEETING MINUTES – November 7, 2022

Trustee Christensen made a motion, seconded by Trustee Schepp to approve the meeting minutes of November 7, 2022 meeting. All in favor; motion carried.

OCEBA MONTHLY EXPERIENCE REPORT

Trustee Schepp made a motion, seconded by Trustee Christensen to acknowledge receipt of OCEBA Monthly Experience Report for period ending October 31, 2022. All in favor; motion carried.

PURSUANT TO EMPLOYEE HANDBOOK, SECTION 36, OPT TO SELL BACK VACATION TIME

Trustee Champagne made a motion, seconded by Trustee Schepp to approve the Tom Petterelli and Jim Landry request to opt to “sell” back one week (40hrs) of 2022 vacation time to the village pursuant to Employee Handbook, Section 36. All in favor; motion carried.

RENEW NYS VOLUNTEER FIREFIGHTER CANCER COVERAGE FOR 2023 CALENDAR YEAR

Trustee Champagne made a motion, seconded by Trustee Schepp to renew NYS Volunteer Firefighter Cancer Coverage, 1/1/2023 – 12/31/2023, annual premium \$2,954.25. All in favor; motion carried.

2022-2023 UNPAID TAX BILLS TO THE COUNTY FOR COLLECTION

Trustee Christensen made a motion, seconded by Trustee Schepp to approve and certify the **2022-2023** return of unpaid village taxes to Onondaga County in the amount of **\$29,139.80**.

All in favor; motion carried.

ACKNOWLEDGE RECIEPT OF BONADIO & CO, LLP BASIC FINANCIAL STATEMENT FOR FISCAL YEAR ENDING MAY 31, 2022

Trustee Champagne made a motion, seconded by Trustee Abbott acknowledging receipt of Bonadio & Co, LLP Independent Accountant’s Report and Financial Statements for village funds, and Justice Court activity for fiscal year ending May 31, 2022. All in favor; motion carried.

2023 FIRE PROTECTION AND AMBULANCE SERVICES FOR MINOA FIRE PROTECTION DISTRICT OF TOWN OF MANLIUS

Trustee Schepp made a motion, seconded by Trustee Abbott authorizing Mayor, Fire Chief and Fire Department President to execute the 2023 Fire Protection and Ambulance Services for Minoa Fire Protection District of Town of Manlius in the amount of \$1,241,693.00. All in favor; motion carried.

PLANNING / ZONING

RATIFY PRIOR APPROVAL TO APPOINT PLANNING BOARD MEMBER

Trustee Christensen made a motion, seconded by Trustee Schepp to ratify prior approval to appoint Sarah Coleman to open Planning Board Member with a term to expire April 2023. All in favor; motion carried.

EMS

DECLARE SURPLUS – STAIR CHAIR

Trustee Champagne made a motion, seconded by Trustee Schepp to declare surplus one (1) Stair Chair and accept purchase offer from Tully Fire District in the amount of \$1,000.00. All in favor; motion carried.

FIRE

DECLARE SURPLUS – PORTABLE RADIOS

Trustee Abbott made a motion, seconded by Trustee Christensen to declare surplus eleven (11) portable radios and accept purchase offer from North Bay Fire Department Stair Chair in the amount of \$1,100.00. All in favor; motion carried.

RATIFY PRIOR APPROVAL TO HIRE F/T FIRE CARETAKER

Trustee Champagne made a motion, seconded by Trustee Schepp to ratify prior approval to hire David Hess, effective December 5, 2022 as full time Fire Caretaker, \$19.71 hourly rate. All in favor; motion carried.

STANDARD OPERATING GUIDELINE #100-2024 DUTY CREWS

Trustee Schepp made a motion, seconded by Trustee Christensen to approve Standard Operating Guideline #100-2024, Duty Crews, Active Membership Requirements to be effective immediately. All in favor, motion carried.

STANDARD OPERATING GUIDELINE #100-2025 COLLABORATIVE DUTY CHIEF PROGRAM

Trustee Christensen made a motion, seconded by Trustee Champagne to approve Standard Operating Guideline #100-2025, Collaborative Duty Chief Program to be effective immediately. All in favor, motion carried.

AUDIT OF CLAIMS ABSTRACT #012

A motion was made by Trustee Christensen and seconded by Trustee Schepp that the claims on **Abstract #012** have been reviewed and approved for payment:

General Fund, voucher(s) 467-503 in the amount of \$123,110.58

Sewer Fund, voucher(s) 188-202 in the amount of \$7,493.24

Trust & Agency, voucher(s) 151-157 in the amount of \$23,283.04

All in favor; motion carried.

ATTORNEY REPORT

Nothing new to report.

TRUSTEES REPORT

Trustee Abbott – nothing new to report.

Trustee Schepp - nothing new to report.

Trustee Christensen reminded everyone that the Annual Tree Lighting is Sunday.

Trustee Champagne – nothing new to report.

MINOA FARMS DEVELOPMENT – SECTIONS 5, 6 AND 7

Mayor Brazill stated that before we begin discussion tonight I just wanted to remind everyone to be polite and raise your hand, state your full name and address. I would also like to say I am not looking forward to dealing with Brolex once again after working with them on the new builds in

Minoa Farms Section 2 and as far as the rental properties, we will see if there is a market for them. The worst that could happen is Brolex sells the homes instead of renting them; after all they will be new construction builds. The village will hold the builder to our standards and no more short cuts, we are not going through all the problems we have experienced in Section 2. If it takes hiring someone else, we will do whatever it takes to stay on them. I will have a meeting next week with Elliott Lasky, Brandon Jacobson, Mike Jones, Alex Wisniewski, Courtney Hills, Lisa DeVona and Bobby Schepp to inform the builder what the village expects moving forward with any new builds.

Mayor Brazill introduced Elliott Lasky to those present and asked if he would give an overall history of the development of Minoa Farms.

Elliott Lasky stated it took years going through the approval process to finally gain approval for the subdivision. Once approved five ponds were installed, which significantly illuminated the flooding issues the village historically dealt with on the south side.

Landowners have what's called "vested rights" and when a subdivision is approved the developer relies on those approvals. A significant investment has been made based on those approvals and the rights stay with the subdivision. In the first phase wastewater infrastructure was installed with a cost of approximately \$1M, installation of all the ponds, water lines, and Minoa Farms Parkland.

Elliott Lasky spoke about the use, setbacks and zoning of the subdivision approval and stated that the plan to build new construction single family homes in Sections 5,6,7 would be in compliance with the approval whether rental or individually owned. He mentioned the history of petitioning the village board to reduce the lot sizes in Section 3 and 4 because the housing industry was failing in the Syracuse area and had Ryan Homes not developed in those sections Minoa Farms wouldn't be what it is today.

Elliott Lasky address the village board and stated the action the village board took at the last meeting was illegal based on my vested rights in this subdivision and against your attorney's recommendation acted arbitrarily and capricious, and in bad faith, voted in favor for the resolution to rescind the subdivision approval. Elliott Lasky then asked the village board to rescind their last motion based on his vested rights in the subdivision and not on the emotions of the public comments regarding the rentals. He stated he has over \$1M invested and after 25 years will probably never make any money on this development.

Mayor Brazill asked the board members if they had any questions for Mr. Lasky.

With no questions from the village board Trustee Champagne made a motion, seconded by Trustee Abbott to rescind the November 11, 2022 board resolution to rescind the subdivision approval. All in favor: Mayor Brazill, Trustees Abbott and Champagne; Not in favor: Trustees Christensen and Schepp. Motion carried.

Mr. Lasky thanked the village board.

Discussion:

Village board and Mr. Lasky took questions and comments from those present.

ADJOURNMENT

A motion was made by Trustee Champagne and seconded by Trustee Christensen to adjourn the village board meeting at 8:05pm. All in favor. Motion carried.

Respectfully submitted,

Lisa L. DeVona

Lisa L. DeVona, Clerk-Treasurer