

**VILLAGE OF MINOA**

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**BOARD OF TRUSTEES**

**September 7, 2021**

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

**ALSO** DPW Superintendent Tom Petterelli, Fire Chief Matt  
**PRESENT:** McGarrity, Charles Malcomb, Dan Engelhardt, John Jarmacz,  
Jim Landry, Sara Bollinger, William Nicolson, Debra Weiss,  
Sharon Kauffman, William Smith, Kris Simmons, Jim  
Simmons, Ben Simmons, Ann Pace, Diana Markowitz,  
Ronald Russell, Arthur Spencer, Carlene Conger, Lori  
Rubenstein, Jesse Rubenstein, Kelly Koagel, Jim Krusse, Dan  
Kinsella, Brian Madigan (Renewable Properties), Mark  
Potter, Derrick Tingley, Mike Murnane, Matthew Raterman,  
Kathy Lahey, Bernie Stabb, Sally Stabb, Kady Hough,  
Charlie Tocci, Robert Hogle, Jason Klaiber (Eagle Bulletin),  
David Abbott

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

**PUBLIC HEARING  
LL#3 FOR 2021**

***LOCAL LAW #3 FOR 2021 – NYS MARIHUANA REGULATIONS & TAXATION ACT***

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

Mayor Brazill opened the public hearing at 6:32pm and explained the local law process and Marihuana Regulation & Taxation Act (MRTA) enacted on March 31, 2021 legalizing adult-use cannabis in New York State.

Mayor Brazill stated the local law we are considering this evening, and if approved, would allow the village to “opt-out” of hosting retail cannabis dispensaries and/or on-site consumption establishments located in the boundaries of the village. If the village does not “opt-out” now we will not have the option at a later date. If we “opt-out” now the village maintains the option to “opt-in” at a later date, as of today the Cannabis Control board and commission has yet to be established.

***PUBLIC COMMENTS:***

Charlie Tocci, 108 Winsboro Lane, didn’t realize that lounges were part of this local law and agrees the village should write two separate local laws, one for dispensaries and one for lounges.

Ben Simmons, 121 Dorothy Street, if the village can opt-in at a later date then I agree you should opt-out now.

John Jarmacz, 232 Edgewood Place, voters will be asked to make a decision on

uneven playing field, I agree the village should continue with opting-out and let the voters decide in March.

Ann Pace, 315 N. Main Street, asked if the board would have control over where the “lounges” would be located, and stated she loves the village ambiance, neighbors and quaint environment and feel this would increase traffic in small village.

Debbie Weiss, 216 Hulbert Street, stated she was in favor of allowing dispensaries and on-site consumption establishments; she appreciates the opportunity to vote. She feels people are leery of it because it’s new, but feels the revenue would be good.

Bob Hoagle, 339 S. Main Street, stated “people are going to smoke it regardless of dispensaries, we should opt-in for dispensaries, I’m in favor”.

Charles Spratt, 308 Hulbert Street, “I don’t think having dispensaries will bring trouble and I’m in favor of it”.

John Jarmacz, 232 Edgewood Place, “when all said and done, businesses will have to want to come here; let the people vote for it”.

Bernie Staubb, 327 Fay Lane, stated the village isn’t big enough to support dispensaries or on-site consumption establishments, will there be application to establish such businesses.”

Mayor Brazill stated it is unknown at this time, will be interesting to see what the state commission will do.

Diana Markowitz, 328 N. Main Street, stated it would be beneficial for the village to opt-out and let the voters decide in March.

Matthew Ratterman, 507 Hulbert Street, stated “he has been a resident since 1999, attended ESM school and is in favor of opting-out. The Town of Manlius Police Department does not want dispensary in village, will bring in criminal element. There is no traffic now, this will bring more traffic. As an employee of the Town of Manlius Highway department we are tested for our licenses, we can’t smoke this stuff, it’s not good for us, and it leads to other more serious drugs. I’m not in favor of allowing dispensaries or on-site consumption establishments; however I am in favor of letting the residents vote in March.”

Mayor Brazill thanked everyone for their comments and stated it was a great dialogue.

With no further questions or comments, Trustee Christensen made a motion, seconded by Trustee Schepp to close the public hearing.

Mayor Brazill closed the public hearing at 7:16pm

**CONSIDERATION –  
LL#3 FOR 2021**

***LOCAL LAW #3 FOR 2021 – NYS MARIHUANA REGULATIONS &  
TAXATION ACT***

Trustee Abbott made a motion, seconded by Trustee Christensen authorizing Attorney to draft separate local laws, one for Cannabis Retail Dispensary and one for Cannabis On-site Consumption, with board resolution to adopt each and submit for referendum of the voters at the next General Election, March 15, 2022. All in favor; motion carried.

**PRESENTATION**

***RENEWABLE PROPERTIES – SOLAR ENERGY FACILITY ON CLEMONS ROAD***

Brian Madigan, Renewable Properties thanked the board for the opportunity to present the proposed Clemons Road Solar Project for a small-scale commercial solar energy generating facility to be located on approximately 20 acres of an approximate 42 acre parcel. The subject parcel is located at 5986 Clemons Road and would utilize 10,296 solar panels and 30 strings inverters to convert the sun’s energy into usable AC power. Renewable Properties is a national developer, financier, owner and operator of community solar and energy storage project, headquartered in San Francisco with twenty-five (25) employees. Mr. Madigan stated the company has five (5) projects permitted and under construction in New York States and we work closely with communities, landowners, and utilities. Mr. Madigan stated Renewable Properties would like the opportunity to conduct a pre-application meeting to discuss this approach and to review the approval process for the project utilizing the Planned Development District (PDD) procedures.

Mayor Brazill and the board thanked Mr. Madigan and his team for the presentation and look forward to reviewing the project in detail.

**DISCUSSION**

***CHICKENS IN RESIDENTIAL ZONING***

Mike Murnane, 137 S. Central Avenue asked the board to consider allowing chickens in the village. A discussion ensued regarding the request and the village board directed Attorney Hills to draft a local law for the board to consider and schedule a public hearing.

**CLERK-TREASURER**

***MEETING MINUTES – AUGUST 2, 2021***

Tabled.

***\$1,558,500 BAN RENEWAL RESULTS – Informational Only***

Greene County Commercial Bank 0.031% interest rate \* low bidder

Piper Sandler & Co, Inc – 1.000% w/ \$9,678.29 premium

Oppenheimer & Co., Inc. – 1.000% w/ \$9,666.00 premium

Roosevelt & Cross, Inc. – 1.000% w/ \$8,229.00 premium

***OCEBA MONTHLY EXPERIENCE REPORT***

Trustee Christensen made a motion, seconded by Trustee Schepp to acknowledge receipt of OCEBA monthly experience report for period ending July 31, 2021. All in favor; motion carried.

***TREASURERS REPORT FOR PERIOD ENDING JULY 31, 2021***

Trustee Christensen made a motion, seconded by Trustee Schepp to approve the Treasurers Report for period ending July 31, 2021. All in favor; motion carried.

***BOND RESOLUTION & SEQRA FIRE STATION II RENOVATION/ADDITION***

The following resolution was offered by Trustee J. Robert Schepp, who moved its adoption, and second by Trustee Eric S. Christensen to wit:

**RECITALS**

**WHEREAS**, the Village of Minoa, New York (the “Village”), is a local agency pursuant to the New York State Environmental Quality Review Act (“SEQRA”), ECL Section 8-0101, *et seq.*, and implementing regulations, 6 NYCRR Part 617 (the “Regulations”), and

**WHEREAS**, the Village is considering undertaking a capital improvement project (the “Project”) consisting of certain renovations, additions, alterations and improvements to the existing Minoa Fire Station 2 located at 7036 Manlius Center Road, including construction of an approximately 6,000 square foot addition, site and parking improvements, access, lighting, demolition, utility, mechanical, plumbing and electrical improvements, the acquisition of original furnishings, fixtures and equipment and payment of professional fees and all other necessary costs incidental to such work; and

**WHEREAS**, a short form Environmental Assessment Form (“EAF”), dated September 1, 2021, a copy of which is attached hereto as Exhibit A, was prepared by the Village’s administration with the assistance of Hueber Breuer, a consultant retained by the Village to assist with undertaking the Project, to facilitate a review of the potential environmental impacts of the Project; and

**WHEREAS**, Hueber Breuer, upon review of the scope of the Project, has advised the Village that the Village should (a) classify the Project as an Unlisted Action as that term is defined in Part 617.2 of the Regulations, and (b) declare itself lead agency to undertake an uncoordinated review pursuant to Part 617.6(b)(4) of the Regulations; and

**WHEREAS**, Heuber Breuer, having reviewed and compared the EAF against the standards set forth in Part 617.7 of the Regulations, has advised the Village that the Project will not result in any significant adverse impacts to the environment, and

**WHEREAS**, the Board of Trustees of the Village has carefully considered the nature and scope of the Project as set forth in the EAF, has carefully reviewed the criteria contained in Part 617.7(c) of the Regulations together with the recommendations provided by Heuber Breuer, and

**BE IT RESOLVED** by this Board of Trustees as follows:

Section 1. The Village hereby determines that the Project is an Unlisted Action as such term is defined in the Regulations.

Section 2. The Village hereby declares itself lead agency to undertake an uncoordinated review pursuant to Part 617.6(b) (4) of the Regulations.

Section 3. The Village hereby adopts the findings and conclusions contained within the EAF and in accordance with the reasoned elaboration set forth in Exhibit B attached hereto, the Village finds and concludes that the Project will not result in any significant adverse impacts to the environment.

Section 4. The Board hereby issues a Negative Declaration with respect to the Project.

Section 5. This Resolution shall take effect immediately.

**WHEREFORE**, the foregoing Resolution was put to a vote of the members of the Board of Trustees of the Village on September 7, 2021, the result of which vote was as follows:

<u>TRUSTEE</u>	<u>VOTE</u>
William F. Brazill, Mayor	<u>Yes</u>
John H. Champagne, Deputy Mayor	<u>Absent</u>
John M. Abbott	<u>Yes</u>
Eric S. Christensen	<u>Yes</u>
J. Robert Schepp	<u>Yes</u>

The resolution was thereupon declared duly adopted.

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The following resolution was offered by Trustee Eric S. Christensen, who moved its adoption, and second by Trustee J. Robert Schepp to wit:

**BOND RESOLUTION DATED SEPTEMBER 7, 2021  
AUTHORIZING THE ISSUANCE OF \$2,920,000  
SERIAL BONDS OF THE VILLAGE OF MINOA,  
NEW YORK, TO PAY THE COST OF A CAPITAL  
IMPROVEMENT PROJECT AT MINOA FIRE  
STATION 2 LOCATED AT 7036 MANLIUS CENTER  
ROAD.**

**RECITALS**

**WHEREAS**, the Village of Minoa, New York (the “Village”), is a local agency pursuant to the New York State Environmental Quality

Review Act (“SEQRA”), ECL Section 8-0101, *et seq.*, and implementing regulations, 6 NYCRR Part 617 (the “Regulations”), and

**WHEREAS**, the Village is considering undertaking a capital improvement project (the “Project”) consisting of certain renovations, additions, alterations and improvements to the existing Minoa Fire Station 2 located at 7036 Manlius Center Road, including construction of an approximately 6,000 square foot addition, site and parking improvements, access, lighting, demolition, utility, mechanical, plumbing and electrical improvements, the acquisition of original furnishings, fixtures and equipment and payment of professional fees and all other necessary costs incidental to such work; and

**WHEREAS**, the Board of Trustees of the Village, following careful consideration of the nature and scope of the Project and a detailed review of the criteria contained in Part 617.7(c) of the Regulations (i) determined that the Project is an Unlisted Action as such term is defined in the Regulations, (ii) declared itself lead agency to undertake an uncoordinated review pursuant to Part 617.6(b)(4) of the Regulations, (iii) determined that the Project will not result in any significant adverse impacts to the environment, and (iv) issued a Negative Declaration with respect to the Project.

**WHEREAS**, the Board of Trustees of the Village now desires to authorize the Project and the financing of the cost thereof.

NOW, THEREFORE BE IT RESOLVED ON SEPTEMBER 7, 2021 BY THE BOARD OF TRUSTEES OF THE VILLAGE OF MINOA, NEW YORK (by favorable vote of not less than two thirds of said Board), AS FOLLOWS:

Section 1. Undertaking a capital improvement project consisting of certain renovations, additions, alterations and improvements to the existing Minoa Fire Station 2 located at 7036 Manlius Center Road, including construction of an approximately 6,000 square foot addition, site and parking improvements, access, lighting, demolition, utility, mechanical, plumbing and electrical improvements, the acquisition of original furnishings, fixtures and equipment and payment of professional fees and all other necessary costs incidental to such work, at a maximum estimated cost of \$2,920,000, including all legal and professional costs and other necessary appurtenances and all other necessary costs incidental to such project, which is estimated to be the total cost thereof, is hereby approved.

Section 2. To pay the cost of the Project, including incidental equipment and expenses in connection therewith, there are hereby authorized to be issued \$2,920,000 serial bonds of the Village pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the aggregate maximum estimated cost of the aforesaid objects or purposes described in Section 2 hereof is \$2,920,000, and that the plan for the financing thereof is the issuance of up to \$2,920,000 serial bonds herein authorized, subject to permissive referendum, to be issued therefore pursuant to the provisions of the Local Finance Law. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is twenty-five (25) years, pursuant to subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 5. The full faith and credit of said Village of Minoa, New York, is hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. To the extent not paid from other sources, including but not limited to monies received from the Town of Manlius, New York for providing fire protection services to the Minoa Fire Protection District of the Town of Manlius, an annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due

and payable in such year and there shall annually be levied on all the taxable real property of said Village a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Village of Minoa, New York, by the manual or facsimile signature of the Village Treasurer and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the Village Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Village Treasurer, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as she shall deem best for the interests of the Village; provided, however, that in the exercise of these delegated powers, she shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Village Treasurer shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Village by the facsimile signature of the Village Treasurer, providing for the manual countersignature of a fiscal agent or of a designated official of the Village), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Village Treasurer. It is hereby determined that it is to the financial advantage of the Village not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Village Treasurer shall determine.

Section 9. The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 10. The Village reasonably expects to reimburse itself for expenditures made for the Project out of the Village's General Fund from the proceeds of the bonds or notes herein authorized. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2.

Section 11. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein. Current funds are not required by the Local Finance Law to be provided prior to the issuance of the bonds and any notes issued in anticipation thereof authorized by this resolution.

Section 12. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 13. The law firm of Trespasz & Marquardt, LLP is hereby appointed bond counsel to the Village in relation to the issuance of the bonds

and notes authorized hereunder.

Section 14. This resolution shall be subject to permissive referendum and a summary hereof shall be published by the Village Clerk as provided by Village Law Section 9-900. This resolution shall become effective 30 days after its adoption. Following such effective date, in the event that no petition for a referendum was timely submitted and filed, the Village Clerk shall cause the publishing and posting of a notice in substantially the form provided in Section 81.00 of the Local Finance Law together with a summary of this Bond Resolution.

**WHEREFORE**, the foregoing Bond Resolution was put to a vote of the members of the Board of Trustees of the Village on September 7, 2021, the result of which vote was as follows:

<u>TRUSTEE</u>	<u>VOTE</u>
William F. Brazill, Mayor	<u>Yes</u>
John H. Champagne, Deputy Mayor	<u>Absent</u>
John M. Abbott	<u>Yes</u>
Eric S. Christensen	<u>Yes</u>
J. Robert Schepp	<u>Yes</u>

The resolution was thereupon declared duly adopted.

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***NYCOM DPW SCHOOL***

Trustee Abbott made a motion, seconded by Trustee Schepp to approve T. Petterelli, E. Cushing and E. Christensen to attend NYCOM DPW School, 10/18 – 20/2021, Saratoga, NY, \$295/pp. All in favor; motion carried.

**BUILDINGS &  
GROUNDS**

***LEWIS PARK POLE BARN***

Trustee Schepp made a motion, seconded by Trustee Abbott to approve Sara Way and Dan Erard request to use Lewis Park Pole Barn, October 23<sup>rd</sup> for private party. All in favor; motion carried.

**WTP**

***PROPERTY OWNER REQUEST PENALTY BE WAIVED SEWER A/C  
13620***

Trustee Abbott made a motion, seconded by Trustee Christensen to waive, one-time only, \$15.50 penalty on sewer account #13620. All in favor; motion carried.

***PROPERTY OWNER REQUEST PENALTY BE WAIVED SEWER A/C  
40710***

Trustee Christensen made a motion, seconded by Trustee Abbott to waive, one-time only, \$15.50 penalty on sewer account #40710. All in favor; motion carried.

**AUDIT OF CLAIMS  
ABSTRACT #006**

A motion was made by Trustee Christensen and seconded by Trustee Schepp that the claims on **Abstract #006** in the amount of General Fund \$269,018.04 (Vouchers 164 - 215), Sewer Fund \$20,391.08 (Vouchers 61 - 81), for a total of \$289,409.12; All in favor; motion carried.

**AUDIT OF CLAIMS**

A motion was made by Trustee Christensen and seconded by Trustee Schepp

**ABSTRACT #007** that the claims on **Abstract #007** in the amount of General Fund \$453,269.90 (Vouchers 216 - 283), Sewer Fund \$6,466.99 (Vouchers 82 - 101), for a total of \$459,736.89; All in favor; motion carried.

**ATTORNEY'S REPORT** Nothing new to report.

**TRUSTEES' REPORT** Trustee Abbott – nothing new to report.  
Trustee Schepp reported Police Committee discussed upcoming budget.  
Trustee Christensen thanked the DPW department for helping out with flooding WTP experienced with the last storm. Trustee Christensen reminded everyone of the 9/11 Memorial March at 8:30am, and the painting of the “Teal Line” is scheduled for September 20<sup>th</sup>. Wick Woods is looking for volunteers on October 23<sup>rd</sup>. He also thanked Senators Schumer and Mannion for taking time to visit our WTP plant.  
Trustee Champagne - absent.

**MAYOR'S REPORT** Mayor Brazill looks forward to seeing everyone for the 9/11 Memorial March and for the Fall Festival on the following Saturday, 9/18/2021.

**PUBLIC COMMENT** No comments.

**ADJOURNMENT** A motion was made by Trustee Abbott and seconded by Trustee Schepp to adjourn the village board meeting at 8:36pm. All in favor. Motion carried.  
Respectfully submitted,  
*Lisa L. DeVona*  
Lisa L. DeVona, Clerk-Treasurer