

**MINUTES of the REGULAR MEETING  
SALINA TOWN BOARD  
Monday, June 28, 2010**

The Town Board of the Town of Salina held a regular meeting on Monday, June 28, 2010 at 6:30 p.m. at the Town Hall, 201 School Road, Liverpool, New York with the following members present:

Mark A. Nicotra	Supervisor
Colleen Gunnip	Councilor
V. James Magnarelli	Councilor
Christopher Benz	Councilor
Michael Del Vecchio	Councilor
James Trasher	Town Engineer
Scott Chatfield	Attorney

**ADOPTED S.E.Q.R. RESOLUTION**

A motion was made by Christopher Benz to adopt an S.E.Q.R. resolution declaring all actions taken by the Town Board to be Type II actions under the New York State Environmental Quality Review Act, unless otherwise designated by the Town Attorney. The motion was seconded by Mark A. Nicotra and was put to a roll call vote which resulted as follows: Colleen A. Gunnip: Yes, V. James Magnarelli: Yes, Christopher Benz: Yes, Michael Del Vecchio: Yes, Mark A. Nicotra: Yes.

**PUBLIC HEARING- MATTYDALE-PITCHER HILL SEWER DISTRICT IMPROVEMENTS**

Mr. Nicotra opened the Public Hearing at 6:33 pm regarding a bond resolution for the rehabilitation and replacement of certain sanitary sewer overflows in the Mattydale/ Pitcher Hill Sewer District. Mr. Trasher spoke in regards to the three projects that this bond resolution covers. Michael Giarrusso of Molloy Road spoke of the recent sewer projects that have bonded for. He questioned if this is being forced on us. Mr. Trasher answered that these are under a consent order. Mr. Giarrusso asked what the per parcel charge would be for this bond. Mr. Trasher stated the figure is in the Map Plan and Report which he does not have with him this evening. Mr. Giarrusso stated he has fought for a single entity to take care of things like this. He said this should be born by the whole town, not one specific sewer district. Mr. Nicotra closed the public hearing.

At a regular meeting of the Town Board of the Town of Salina, in the County of Onondaga, New York, held at the Town Hall, 201 School Road, Liverpool, New York 13088 on June 28, 2010

PRESENT: Mark A. Nicotra, Supervisor  
Colleen Gunnip Councilor  
V. James Magnarelli Councilor  
Christopher Benz Councilor  
Michael Del Vecchio Councilor

ABSENT:

The following resolution was offered by Christopher Benz, who moved its adoption, seconded by Mark A. Nicotra, to-wit:

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF SALINA, ONONDAGA COUNTY,  
NEW YORK (THE "TOWN") PURSUANT TO SECTION 202-b OF THE TOWN LAW**

**DECLARING IT IS IN THE PUBLIC INTEREST TO UNDERTAKE IMPROVEMENTS TO THE TOWN OF SALINA MATTYDALE/PITCHER HILL SEWER DISTRICT**

WHEREAS, the Town Board of the Town of Salina, Onondaga County, New York (the "Town"), is considering whether to authorize certain improvements to the Mattydale/Pitcher Hill Sewer District that are necessary to replace and rehabilitate certain sanitary sewers and to abate certain sanitary sewer overflows (collectively, the "Project"), consisting of:

(I) (A) the replacement of approximately 700 linear feet of 12" diameter vitrified clay tile pipe and existing service lateral connections with 15" diameter new PVC pipe along Medford Road between Boulevard Street and East Molloy Road, and the replacement of a small section of 12" diameter sewer at the intersection of East Molloy Road and Plymouth Avenue to allow for realignment of the sewer line into a straight section; and (B) the installation of a cured-in-place pipe ("CIPP") liner along approximately 900 linear feet of existing sanitary sewer lines along East Molloy Road between Medford Road and Boston Road; including any equipment, machinery, apparatus, appurtenances, and any ancillary or related work required in connection therewith; all as more particularly described in an Engineering Report, dated March 2010 and Map, Plan and Report, dated June 2010, each prepared by Clough Harbour, with such improvements to be undertaken at an estimated maximum cost of \$803,200; and

(II) (A) the rehabilitation and replacement of approximately 7,430 linear feet of cured-in-place pipe ("CIPP") liner including (i) from the South Area Tributary to the Young Avenue sanitary sewer overflow, to include 375 linear feet along Mitchell Avenue, 1,085 linear feet along Gordon Avenue, 730 linear feet along Lind Avenue, 180 linear feet along Plymouth Avenue South, 830 linear feet along Marian Drive, and 1,135 linear feet along Florida Road South; and (ii) from the North Area Tributary to the Young Avenue sanitary sewer overflow, to include 430 linear feet and 530 linear feet along sections along Molloy Road, 1,070 linear feet along Northwood Drive, and two (2) 530 linear feet sections along Beley Avenue and Matty Avenue; and (B) the replacement of approximately 3,570 linear feet of sanitary sewer including (i) from the Area Tributary to the Garden City Drive sanitary sewer overflow, to include 275 linear feet along Richfield Boulevard, 565 linear feet along Garden City Drive (including one manhole) and 110 linear feet along Phalen Street (including associated service lateral connections); and (ii) from the South Area Tributary to the Young Avenue sanitary sewer overflow, to include 1,720 linear feet along Raphael Avenue (including associated service laterals and six manholes) and 900 linear feet along McKenney Avenue (including associated service laterals and two manholes), all as more particularly described in a report entitled "Rehabilitation and Replacement of Sanitary Sewers in the Mattydale/Hinsdale Sewer District Engineering Report", dated March, 2010, prepared by Clough Harbour, with improvements to be undertaken at an estimated maximum cost of \$2,442,300; and

(III) (A) in the Garden City Drive Tributary Area, the replacement of one section of existing approximately 190 linear feet of 12" diameter sewer along Belmont Street located immediately upstream of the sanitary sewer overflow manhole with a 18" diameter PVC gravity sewer and the construction of an approximately 700 linear feet of 18" diameter PVC parallel bypass gravity sewer pipe downstream of the sanitary sewer overflow manhole and connecting it to the existing manhole located on the immediate north side of the NYS Thruway; and (B) in the Young Avenue Tributary Area, the replacement of the manhole located at Young Avenue and Raphael Avenue with a 12" diameter wet well; the acquisition and installation inside of the wet well of a new 3,000 gallons per minute duplex submersible pump station; the construction of 500 linear feet of 12" HDPE forcemain, to be constructed from the new wet well, under the NYS Thruway via the construction of 280 linear feet of 24" diameter steel casing pipe, and discharge into an existing manhole along the Old Ley Creek Trunk Sewer located at the intersection of Raphael Avenue and Cambridge Avenue; all as more particularly described in a Basis of Design Report, dated April 2010, prepared by Clough Harbour, at an estimated maximum combined cost of \$2,098,000; and

WHEREAS, by resolution adopted on June 14, 2010, at a regular meeting of the Town Board held on such date, the Town Board directed that a public hearing be held on whether it is in the public interest to undertake the Project at a maximum estimated cost of \$5,343,500, and to hear all persons interested in the subject thereof concerning the same on June 28, 2010 at 6:30 p.m. at the Town Hall, 201 School Road, Liverpool, New York 13088; and

WHEREAS, notice of said public hearing certified by the Town Clerk was duly published and posted as required by law, to wit: a duly certified copy thereof was published in the official newspaper of the Town, on June 18, 2010 and a copy of such notice was posted on June 15, 2010 on the signboard maintained by the Town Clerk, and on the Town's website, pursuant to Town Law Section 30(6); and

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; and

WHEREAS, each of such public improvements and purposes constitutes a "Type II" action under the New York State Environmental Quality Review Act and the regulations promulgated thereunder (6 NYCRR Part 617.5(c)) (collectively, "SEQRA") and therefore no further action need be taken by the Town Board under SEQRA as a pre-condition to the adoption of this resolution.

NOW THEREFORE, THE TOWN BOARD OF THE TOWN OF SALINA, ONONDAGA COUNTY, NEW YORK HEREBY RESOLVES, AS FOLLOWS:

Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to undertake the Project all as hereinabove described at a maximum cost of \$5,343,500.

SECTION 2. This order shall take effect immediately.

The following vote was taken and recorded in the public or open session of said meeting:

Supervisor Nicotra	VOTING	Yes
Councilor Gunnip	VOTING	Yes
Councilor Magnarelli	VOTING	Yes
Councilor Benz	VOTING	Yes
Councilor Del Vecchio	VOTING	Yes

This resolution shall take effect immediately.

### **APPROVE- BOND RESOLUTION**

Dated: June 28, 2010

At a regular meeting of the Town Board of the Town of Salina, in the County of Onondaga, New York, held at the Town Hall, 201 School Road, Liverpool, New York 13088 on June 28, 2010

PRESENT: Mark A. Nicotra, Supervisor  
Colleen Gunnip Councilor  
V. James Magnarelli Councilor  
Christopher Benz Councilor  
Michael Del Vecchio Councilor

ABSENT:

The following resolution was offered by Mark A. Nicotra, who moved its adoption, seconded by V. James Magnarelli, to-wit:

**BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF SALINA, ONONDAGA COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING CERTAIN IMPROVEMENTS TO THE MATTYDALE/PITCHER HILL SEWER DISTRICT; ESTIMATING THAT THE TOTAL COST THEREOF IS \$5,343,500; APPROPRIATING SAID AMOUNTS THEREFORE; AND AUTHORIZING THE ISSUANCE OF UP TO \$5,343,500 IN SERIAL BONDS OF THE TOWN TO FINANCE SAID APPROPRIATION**

WHEREAS, pursuant to a resolution adopted on June 28, 2010, immediately prior to consideration of this resolution, the Town Board of the Town (the "Town Board") determined, in accordance with Section 202-b of the Town Law, that a public hearing be held on whether it is in the public interest to undertake certain improvements to the Mattydale/Pitcher Hill Sewer District that are necessary to replace and rehabilitate certain sanitary sewers and to abate certain sanitary sewer overflows, in an amount not to exceed \$5,343,500; and

WHEREAS, the Town Board of the Town of Salina (the "Town") proposes to authorize the issuance of up to \$5,343,500 in serial bonds of the Town to finance the aforesaid improvements, as described herein; and

WHEREAS, each of such public improvements and purposes constitutes a "Type II" action under the New York State Environmental Quality Review Act and the regulations promulgated thereunder (6 NYCRR Part 617.5(c)) (collectively, "SEQRA") and therefore no further action need be taken by the Town Board under SEQRA as a pre-condition to the adoption of this resolution; and

WHEREAS, the Town Board of the Town now wishes to appropriate funds for the Project and to authorize the issuance of the Town's serial bonds or bond anticipation notes to finance said appropriation.

NOW, THEREFORE, THE TOWN BOARD OF THE TOWN OF SALINA, ONONDAGA COUNTY, NEW YORK HEREBY RESOLVES (by the affirmative vote of not less than two-thirds of all the members of such body), AS FOLLOWS:

SECTION 1. The Town is hereby authorized to undertake and to issue up to \$5,343,500 principal amount of serial bonds (including, without limitation, statutory installment bonds) pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance the estimated cost of the following improvements to the Mattydale/Pitcher Hill Sewer District that are necessary to replace and rehabilitate certain sanitary sewers and to abate certain sanitary sewer overflows (collectively, the "Project"):

(I) (A) the replacement of approximately 700 linear feet of 12" diameter vitrified clay tile pipe and existing service lateral connections with 15" diameter new PVC pipe along Medford Road between Boulevard Street and East Molloy Road, and the replacement of a small section of 12" diameter sewer at the intersection of East Molloy Road and Plymouth Avenue to allow for realignment of the sewer line into a straight section; and (B) the installation of a cured-in-place pipe ("CIPP") liner along approximately 900 linear feet of existing sanitary sewer lines along East Molloy Road between Medford Road and Boston Road; including any equipment, machinery, apparatus, appurtenances, and any ancillary or related work required in connection therewith; all as more particularly described in an Engineering Report, dated March 2010 and Map, Plan and Report, dated June 2010, each prepared by Clough Harbour, with such improvements to be undertaken at an estimated maximum cost of \$803,200; and

(II) (A) the rehabilitation and replacement of approximately 7,430 linear feet of cured-in-place pipe ("CIPP") liner including (i) from the South Area Tributary to the Young Avenue sanitary sewer overflow, to include 375 linear feet along Mitchell Avenue, 1,085 linear feet along Gordon Avenue, 730 linear feet along Lind Avenue, 180 linear feet along Plymouth Avenue South, 830 linear feet along Marian Drive, and 1,135 linear feet along Florida Road South; and (ii) from the North Area Tributary to the Young Avenue sanitary sewer overflow, to include 430 linear feet and 530 linear feet along sections along Molloy Road, 1,070 linear feet along Northwood Drive, and two (2) 530 linear feet sections along Beley Avenue and Matty Avenue; and (B) the replacement of approximately 3,570 linear feet of sanitary sewer including (i) from the Area Tributary to the Garden City Drive sanitary sewer overflow, to include 275 linear feet along Richfield Boulevard, 565 linear feet along Garden City Drive (including one manhole) and 110 linear feet along Phalen Street (including associated service lateral connections); and (ii) from the South Area Tributary to the Young Avenue sanitary sewer overflow, to include 1,720 linear feet along Raphael Avenue (including associated service laterals and six manholes) and 900 linear feet along McKenney Avenue (including associated service laterals and two manholes), all as more particularly described in a report entitled "Rehabilitation and Replacement of Sanitary Sewers in the Mattydale/Hinsdale Sewer District Engineering Report", dated March, 2010, prepared by Clough Harbour, with improvements to be undertaken at an estimated maximum cost of \$2,442,300; and

(III) (A) in the Garden City Drive Tributary Area, the replacement of one section of existing approximately 190 linear feet of 12" diameter sewer along Belmont Street located immediately upstream of the sanitary sewer overflow manhole with a 18" diameter PVC gravity sewer and the construction of an approximately 700 linear feet of 18" diameter PVC parallel bypass gravity sewer pipe downstream of the sanitary sewer overflow manhole and connecting it to the existing manhole located on the immediate north side of the NYS Thruway; and (B) in the Young Avenue Tributary Area, the replacement of the manhole located at Young Avenue and Raphael Avenue with a 12" diameter wet well; the acquisition and installation inside of the wet well of a new 3,000 gallons per minute duplex submersible pump station; the construction of 500 linear feet of 12" HDPE forcemain, to be constructed from the new wet well, under the NYS Thruway via the construction of 280 linear feet of 24" diameter steel casing pipe, and discharge into an existing manhole along the Old Ley Creek Trunk Sewer located at the intersection of Raphael Avenue and Cambridge Avenue; all as more particularly described in a Basis of Design Report, dated April 2010, prepared by Clough Harbour, at an estimated maximum combined cost of \$2,098,000.

SECTION 2. It is hereby determined that the maximum estimated cost of the aforementioned specific objects or purposes is \$5,343,500; said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of the issuance of up to \$5,343,500 in serial bonds of the Town authorized to be issued pursuant to this section of bond anticipation notes issued in anticipation of such bonds.

SECTION 3. It is hereby determined that the period of probable usefulness for the aforementioned specific objects or purposes described in Sections 1 is forty (40) years, pursuant to subdivision a.4. of Section 11.00 of the Law.

SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof, pursuant to Section 107.00(d)(9) of the Law.

SECTION 5. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in this resolution. This resolution shall constitute a declaration of "official intent" to reimburse the expenditures as part of the projects described herein with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulation Section 1.150-2.

SECTION 6. The final maturity of the bonds herein authorized to be issued pursuant to Section 1 of this resolution shall be in excess of five (5) years measured from the date of issuance of the first serial bond or bond anticipation note issued.

SECTION 7. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the real property within the Town without legal or constitutional limitation as to rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

SECTION 8. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said obligations, and of Sections 21.00, 50.00, 54.90, 56.00 through 60.00, 62.10 and 63.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters related thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Town Supervisor, the chief fiscal officer of the Town (the "Town Supervisor"). Further, the power to issue and sell bond anticipation notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the law is hereby delegated to the Village Treasurer. Such notes shall be of such terms, form and contents as may be prescribed by said Village Treasurer consistent with the provisions of Local Finance Law. Further, pursuant to subdivision b. of Section 11.00 of the Law, in the event that bonds to be issued for the specific objects or purposes authorized by this resolution are combined for sale, pursuant to subdivision c. of Section 57.00 of the Law, with bonds to be issued for one or more objects or purposes authorized by other resolutions of the Town Board, then the power of the Town Board to determine the "weighted average period of probable usefulness" (within the meaning of subdivision a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the Town Supervisor, as the chief fiscal officer of the Town.

SECTION 9. The Town Supervisor is hereby further authorized, at his sole discretion, to execute a project financing and loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific objects or purposes described in Section 1 of this resolution, or a portion thereof, by a serial bond, a statutory installment bond and/or a bond anticipation note issue in the event of the sale of same to the New York State Environmental Facilities Corporation.

SECTION 10. The Town Supervisor is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for Federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as "qualified tax-exempt obligations" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 11. The Town Supervisor is further authorized to enter into continuing disclosure undertakings with or for the benefit of the initial purchaser of the bonds or notes in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 12. The intent of this resolution is to give the Town Supervisor sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of this Town Board.

SECTION 13. The Town Clerk is hereby authorized and directed to cause a copy of this resolution to be published in full in the official newspaper of the Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Law.

SECTION 14. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money; or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

- (c) such obligations are authorized in violation of the provisions of the constitution.

The following vote was taken and recorded in the public or open session of said meeting:

Supervisor Nicotra	VOTING	Yes
Councilor Gunnip	VOTING	Yes
Councilor Magnarelli	VOTING	Yes
Councilor Benz	VOTING	Yes
Councilor Del Vecchio	VOTING	Yes

This resolution shall take effect immediately.

STATE OF NEW YORK )  
COUNTY OF ONONDAGA ) S.S.:

I, the undersigned Clerk of the Town of Salina, Onondaga County, New York, DO HEREBY CERTIFY as follows:

1. I am the duly qualified and acting Clerk of the Town of Salina, Onondaga County, New York (the "Town") and the custodian of the records of the Town, including the minutes of the proceedings of the Town Board, and am duly authorized to execute this certificate.

2. A regular meeting of the Town Board of the Town of Salina, Onondaga County, State of New York, was held on June 28, 2010, and Minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of meetings of said Board.

3. Attached hereto is a true and correct copy of a board resolution duly adopted at a meeting of the Town Board held on June 28, 2010 and entitled:

**BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF SALINA, ONONDAGA COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING CERTAIN IMPROVEMENTS TO THE MATTYDALE/PITCHER HILL SEWER DISTRICT; ESTIMATING THAT THE TOTAL COST THEREOF IS \$5,343,500; APPROPRIATING SAID AMOUNTS THEREFORE; AND AUTHORIZING THE ISSUANCE OF UP TO \$5,343,500 IN SERIAL BONDS OF THE TOWN TO FINANCE SAID APPROPRIATION**

4. That said meeting was duly convened and held and that said resolution was duly adopted in all respects in accordance with the law and regulations of the Town. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Town Board was present throughout said meeting, and a legally sufficient number of members (2/3's of the Town Board) voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under the law, said regulations, or otherwise, incident to said meeting and the adoption of the resolution, including the publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

5. Public Notice of the time and place of said Meeting was duly posted and duly given to the public and the news media in accordance with the Open Meetings Law, constituting Chapter 511 of the Laws of 1976 of the State of New York, and that all members of said Board had due notice of said Meeting and that the Meeting was in all respects duly held and a quorum was present and acted throughout.

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of the Town of Salina this 29th day of June, 2010.

[SEAL]

\_\_\_\_\_  
Jeannie Ventre, Town Clerk

### **RESIDENTS WISHING TO SPEAK/TOWN BOARD COMMENTS**

Mr. Michael Giarrusso of Molloy Road shared with the board his concerns regarding the Codes Department.

Mr. Nicotra announced that on a sad note our Comptroller, Gerry Vislosky resigned as of last Friday from the position of Comptroller and Budget Officer. He stated Gerry wanted to spend more time enjoying his retirement. He further stated that the town is now searching for someone to fill the position; Linda Castle will remain as our Deputy Comptroller and will take over as Budget Officer effective today.

### **TOWN COMPTROLLERS REPORT**

A motion was made by Mark A. Nicotra and seconded by V. James Magnarelli to approve the transfers as submitted by the Comptroller. The motion was put to a roll call vote which resulted as follows: Colleen A. Gunnip: Yes, V. James Magnarelli: Yes, Christopher Benz: Yes, Michael Del Vecchio: Yes, Mark A. Nicotra: Yes.

### **GENERAL FUND**

#### **PARKS DEPARTMENT**

<b>From</b>	<b>To</b>
01-7110-0220 – Parks – Equipment \$1,650.00	01-7110-0471 – Parks – Equipment Maintenance \$ 1,650.00
Net Parks Department Transfers	0.00

### **APPROVE MINUTES**

A motion was made by V. James Magnarelli to approve the minutes of the June 14, 2010 Regular Town Board Meeting. The motion was seconded by Christopher Benz and was put to a roll call vote which resulted as follows: Colleen A. Gunnip: Yes, V. James Magnarelli: Yes, Christopher Benz: Yes, Michael Del Vecchio: Yes, Mark A. Nicotra: Yes.

### **TOWN ENGINEER'S REPORT**

#### **SCHEDULE PUBLIC HEARING- SALTMAKERS/KETTLE ROAD PROJECT**

A motion was made by Mark A. Nicotra to schedule a public hearing on July 12, 2010 at 6:33 PM for the purpose of considering an increase and improvement of the sanitary sewer facilities of the Galeville Sewer District and consideration of future expenditure of funds by public or private sale of bonds. The motion was seconded by V. James Magnarelli and was put to a roll call vote which resulted as follows: Colleen A. Gunnip: Yes, V. James Magnarelli: Yes, Christopher Benz: Yes, Michael Del Vecchio: Yes, Mark A. Nicotra: Yes.

#### **SCHEDULE PUBLIC HEARING- MATTYDALE PHASE 3 PROJECT**

A motion was made by Mark A. Nicotra to schedule a public hearing on July 12, 2010 at 6:36 PM for the purpose of considering an increase and improvement of the sanitary sewer facilities of the Mattydale/Pitcher Hill Sewer District and consideration of future expenditure of funds by public or private sale of bonds. The motion was seconded by V. James Magnarelli and was put to

a roll call vote which resulted as follows: Colleen A. Gunnip: Yes, V. James Magnarelli: Yes, Christopher Benz: Yes, Michael Del Vecchio: Yes, Mark A. Nicotra: Yes.

Mr. Trasher distributed to the board updated estimates for the following drainage and highway improvements: Chestnut Hill Road, Saltwell, Longdale, Branchwood, Willowbrook, Cloverfield and Westgate Lane areas. These projects were the most in need as discussed at the last work session.

#### **AUTHORIZE HIGHWAY WORK PERMIT- 202 COLONY PARK DR**

A motion was made by V. James Magnarelli to authorize a highway work permit for the reconstruction of a driveway at 202 Colony Park Drive. The motion was seconded by Mark A. Nicotra and was put to a roll call vote which resulted as follows: Colleen A. Gunnip: Yes, V. James Magnarelli: Yes, Christopher Benz: Yes, Michael Del Vecchio: Yes, Mark A. Nicotra: Yes.

#### **SCHEDULE PUBLIC HEARING- CODE OFFICER POSITION**

A motion was made by Mark A. Nicotra to schedule a Public Hearing at 6:39 Pm July 12, 2010 on the adoption of a local law amending the town Code to eliminate the town residency requirement for a Code Enforcement Officer Position and substituting residency in the county as a requirement. The proposed local law would if necessary, supersede the provision of the New York State Town Law (section 23) requiring an officer of the town to be an elector. The motion was seconded by Michael J. Del Vecchio Jr. and was put to a roll call vote which resulted as follows: Colleen A. Gunnip: Yes, V. James Magnarelli: Yes, Christopher Benz: Yes, Michael Del Vecchio: Yes, Mark A. Nicotra: Yes.

#### **SCHEDULE PUBLIC HEARING- AMEND §43-5M**

A motion was made by Christopher Benz to schedule a Public Hearing at 6:42 PM July 12, 2010 on the adoption of a local law amending the Salina Town Code to eliminate the power of the Commissioner of Planning to appoint and remove employees of the Department as is presently permitted in §43-5 M of the Code. The motion was seconded by Mark A. Nicotra and was put to a roll call vote which resulted as follows: Colleen A. Gunnip: Yes, V. James Magnarelli: Yes, Christopher Benz: Yes, Michael Del Vecchio: Yes, Mark A. Nicotra: Yes.

#### **SCHEDULE PUBLIC HEARING- MORATORIUM-WOOD BOILERS**

A motion was made by Mark A. Nicotra to schedule a Public Hearing for 6:45 PM July 12, 2010 to extend the moratorium for six (6) months on wood boilers/outdoor furnaces. The motion was seconded by Michael J. Del Vecchio Jr. and was put to a roll call vote which resulted as follows: Colleen A. Gunnip: Yes, V. James Magnarelli: Yes, Christopher Benz: Yes, Michael Del Vecchio: Yes, Mark A. Nicotra: Yes.

#### **TEMPORARY BEER & WINE PERMIT- HOLIDAY INN**

The board asked questions of Rachel Block, Director of Sales from the Holiday Inn regarding the event to be July 8-11, 2010 "Harley Owners Group NYS Rally". Ms. Block said the event will be held in the conference area parking lot and would be over by 10:00 pm each night.

#### **AMENDED AGENDA**

A motion was made by Christopher Benz to waive Town Board policy to add the following items as supplements to this meeting's agenda.

13. Consider a temporary road closure for Saturday, July 10, 2010 from Gaynor Avenue (dead end street) for a High School Graduation Party 1:30 pm to 6:00 pm.
14. Consider the approval of revocable Licenses for 104 Scott Lane and 4038 Pawnee Drive.
15. Consider the approval of contractual paving of various streets as submitted by the Highway Superintendent.

16. Consider adopting a resolution to amend § 225-44 Schedule XII: Parking Prohibited at all times to eliminate a no parking area on the west side of Toas Avenue commencing on Molloy Rd to a point 220 ft. south thereof.

17. Executive Session to discuss pending litigation – landfill.

The motion was seconded by V. James Magnarelli and was put to a roll call vote which resulted as follows: Colleen A. Gunnip: Yes, V. James Magnarelli: Yes, Christopher Benz: Yes, Michael Del Vecchio: Yes, Mark A. Nicotra: Yes.

#### **APPROVE TEMPORARY ROAD CLOSURE- GAYNOR AVENUE**

A motion was made by Michael J. Del Vecchio Jr. to approve a temporary road closure for Saturday July 10, 2010 from Gaynor Avenue (dead end street) for a High School Graduation Party 1:30 pm to 6:00 pm. The motion was seconded by Mark A. Nicotra and was put to a roll call vote which resulted as follows: Colleen A. Gunnip: Yes, V. James Magnarelli: Yes, Christopher Benz: Yes, Michael Del Vecchio: Yes, Mark A. Nicotra: Yes.

#### **APPROVE REVOCABLE LICENSE- 104 SCOTT LANE**

A motion was made by V. James Magnarelli to approve a revocable license for 104 Scott Lane subject to conditions as set forth by Clough Harbor and Associates in a letter dated June 28, 2010; striking the condition to remove the chain link fence. The motion was seconded by Mark A. Nicotra and was put to a roll call vote which resulted as follows: Colleen A. Gunnip: Yes, V. James Magnarelli: Yes, Christopher Benz: Yes, Michael Del Vecchio: Yes, Mark A. Nicotra: Yes.

#### **APPROVE REVOCABLE LICENSE- 4038 PAWNEE DR**

A motion was made by Colleen A. Gunnip to approve a revocable license for 4038 Pawnee Drive subject to conditions set forth in a letter dated June 28, 2010 by Clough Harbor and Associates as well as a condition set fourth by Bernard English, Commissioner of Planning and Development Office for the owner to seek a variance for one part of the fence, to allow for the good side to face inward. The motion was seconded by Mark A. Nicotra and was put to a roll call vote which resulted as follows: Colleen A. Gunnip: Yes, V. James Magnarelli: Yes, Christopher Benz: Yes, Michael Del Vecchio: Yes, Mark A. Nicotra: Yes.

#### **APPROVE PAVING PROJECTS**

A motion was made by Colleen A. Gunnip to approve the following paving projects to be funded through the highway department budget. Phalen St. 0.08 miles; Cammel Pl. 0.07 miles; Lind Ave. 0.34 miles; Brookland Dr. 0.22 miles; Cross St. 0.13 miles; Pebblestone Lane 0.12 miles; Harding Ave. S. 0.20 miles; Walters Dr. 0.37 miles; Garfield Ave. 0.39 miles; Green Acres Dr. 0.46 miles; Woodspath Rd. 0.37 miles (Clay line to school entrance) for an approximate cost of \$384,406.00. The motion was seconded by Michael J. Del Vecchio Jr. and was put to a roll call vote which resulted as follows: Colleen A. Gunnip: Yes, V. James Magnarelli: Yes, Christopher Benz: Yes, Michael Del Vecchio: Yes, Mark A. Nicotra: Yes.

#### **SCHEDULE PUBLIC HEARING – AMEND §225-44 SCHEDULE XII PARKING PROHIBITED**

A motion was made by Christopher Benz to schedule a Public Hearing at 6:48 pm July 12, 2010 to amend §225-44 Schedule XII Parking Prohibited at all times to eliminate a no parking area on the west side of Toas Avenue commencing on Molloy Rd. to a point 220 ft south thereof. The motion was seconded by Mark A. Nicotra and was put to a roll call vote which resulted as follows: Colleen A. Gunnip: Yes, V. James Magnarelli: Yes, Christopher Benz: Yes, Michael Del Vecchio: Yes, Mark A. Nicotra: Yes.

**EXECUTIVE SESSION**

A motion was made by Michael J. Del Vecchio Jr. to enter into executive session to discuss pending litigation in regards to the landfill. The motion was seconded by Mark A. Nicotra and was put to a roll call vote which resulted as follows: Colleen A. Gunnip: Yes, V. James Magnarelli: Yes, Christopher Benz: Yes, Michael Del Vecchio: Yes, Mark A. Nicotra: Yes.

The Board returned to regular session.

Discussion ensued about the Town's ability to obtain a grant from the NYS Office of Parks, Recreation and Historic Preservation for a walking trail at the landfill site. Upon completion of the discussion as to possible environmental effects, a motion was made by V. James Magnarelli and seconded by Colleen A. Gunnip to adopt a resolution declaring the proposed action to be an unlisted action under Article 8 of the Environmental Conservation Law which action will not have a significant effect upon the environment. The motion was carried unanimously.

**APPROVE- CHA PROPOSAL- WALKING TRAIL**

A motion was made by V. James Magnarelli and seconded by Colleen A. Gunnip to approve the proposal submitted by CHA in the amount of \$7,500 for the preparation of the grant application for NYS Office of Parks, Recreation and Historic Preservation for the landfill walking trail. The motion was unanimously carried.

**APPROVE APPLICATION SUBMITTAL- LANDFILL WALKING TRAIL**

A motion was made by Mark A. Nicotra and seconded by Colleen A. Gunnip to adopt the following resolution:

RESOLVED:

That Mark A. Nicotra, as Supervisor of the Town of Salina, is hereby authorized and directed to file an application for funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environment Protection Act of 1993, in an amount not to exceed \$400,000.00 and approval of said request to enter into and execute a project agreement with the State for such financial assistance to this Town of Salina for the Ley Creek Recreational Area and, if appropriate, a conservation easement/preservation covenant to the deed of the assisted property.

The motion was carried unanimously.

**SCHEDULE PUBLIC HEARING- LANDFILL WALKING TRAIL**

A motion was made by Colleen A. Gunnip and seconded by Mark A. Nicotra to schedule a public hearing July 12, 2010 at 6:51 pm to hear public comment on a proposed walking trail at the landfill, the project will gain financial assistance from the NYS Office of Parks, Recreation and Historic Preservation (OPRHP). The motion was seconded by Mark A. Nicotra and was carried unanimously.

**ADJOURNMENT**

A motion was made by Mark A. Nicotra to adjourn. The motion was seconded by V. James Magnarelli and was carried unanimously. The meeting adjourned at 8:17 p.m.

Respectfully submitted

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Jeannie P. Ventre, Town Clerk