

TOWN OF SALINA
201 SCHOOL ROAD
LIVERPOOL, NEW YORK 13088

REGULAR TOWN BOARD MEETING
Monday, August 10, 2020 6:30 PM

PUBLIC ATTENDANCE WILL BE LIMITED TO 40 PEOPLE
PUBLIC MUST WEAR A MASK & MAY BE TURNED AWAY AT THE
DOOR IF THE CAPACITY IS FULL

AGENDA

1. Call to order and Pledge to our flag.
2. PUBLIC HEARING 6:33 p.m. to consider a Local Law ___ 2020 adding chapter 182 of the code of the Town of Salina to create a vacant property and foreclosure registry. [Residents can call (315) 457-6661 to be heard if the capacity is full]
3. Residents wishing to speak and Town Board comments. [Residents can call (315) 457-6661 to be heard if the capacity is full]
4. Consider items submitted by the Town Comptroller.
5. Consider the approval of the minutes of the July 27, 2020 Regular Town Board Meeting.
6. Town Attorney's Report
7. Town Engineer's Report

**SUPPLEMENTAL AGENDA
SALINA TOWN BOARD MEETING
Monday, August 10, 2020**

8. Consider approval of charges for property clean-ups at:

Tax Map #052.-01-07.0	413 Brookfield Rd.
Tax Map #068.-01-12.0	311 Schaeffer Ave.
Tax Map #063.-18-01.0	101 Young Ave.
Tax Map #064.-01-12.0	110 Medford Rd.
Tax Map #047.-06-28.0	100 Lynn Dr.
Tax Map #026.-02-05.5	1111 Vine St.
Tax Map #029.-01-08.0	511 Sunflower Dr.
Tax Map #575.-02-10.0	575 Sunflower Dr.
Tax Map #080.-01-21.0	100 Kellars Ln.
Tax Map #080.-01-35.0	500-502 Old Liverpool Rd.
Tax Map #069.-04-22.1	259 Leighton Ave.
Tax Map #069.-04-23.0	261 Leighton Ave.
Tax Map #061.-05-22.0	113 Beley Ave.
Tax Map #030.-01-15.0	105 Viking Place
Tax Map #019.-08-05.0	200 Rocky Rd.
Tax Map #052.-05-11.0	413 Garden City Dr.
Tax Map #061.-06-08.0	216 Earl Ave.
Tax Map #053.-05-06.0	223 Garden City Dr.
Tax Map #064.-10-04.0	106 Mohawk Dr.
Tax Map #053.-01-17.0	224 Richfield Dr.

**MINUTES of the REGULAR MEETING
SALINA TOWN BOARD
Monday, July 27, 2020**

The Town Board of the Town of Salina held a regular meeting on Monday, July 27, 2020 at 6:30 p.m. at the Town Hall, 201 School Road, Liverpool, New York with the following members present:

Colleen Gunnip	Supervisor
Nicholas Paro	Councilor
V. James Magnarelli	Councilor
Daniel Ciciarelli	Councilor
David Carnie	Councilor
Tim Frateschi	Town Attorney
Doug Wickman	Town Engineer

**CONTINUE PUBLIC HEARING- LOCAL LAW 2020- AMENDING THE BONFIRE
ORDINANCE OF THE TOWN OF SALINA**

Mr. Frateschi reviewed the current law and the proposed law. The new law would allow open burning under certain circumstances. It mirrors the DEC regulations. He did say this law states no fire should be allowed within 25 feet of any property lines or 25 feet from any structure. This is more restrictive than other municipalities laws.

Patricia Sensinger 4004 Marlton Circle said she would ask the town to consider not changing the law. She said she is long term resident of the town. Residents near her burn illegally, some burn trash, some burn without containers. She said she suffers from asthma; her concerns were with health and safety. She stated she must close her windows on a nice evening to stop the smoke from entering.

Will Schmarder 218 Beley Ave. stated he was completely appalled after reading last week's minutes. He said people who were claiming that they couldn't breathe as a result of outdoor smoke. He went on to say that the diapers covering their faces create an environment even more toxic than an outdoor campfire ever possibly could. He said the town insists on violating the rights of those with medical conditions requiring unobstructed air flow, including discriminating against the ability to hear from our elected officials, then it is irrelevant. He continued by saying If you do not want the fires, then keep them illegal. Otherwise, make it practical for every single person in this town to be able to do it. Don't put up some cockamamie impractical legislation that makes you think you did something when absolutely nothing changed. As you further insult those who take the time to make a petition.

Mr. Ciciarelli asked a question regarding violations and if violations are addressed in the law.

Roberta Skinner 301 Beley Ave. said she has been chosen by 1237 online petitioners to have their voices heard. She said these are our rights we are petitioning for. She said it was frustrating to hear

the members of the fire departments dodge financial questions about response costs. She said at last meeting, things were said about the DEC that are not true. The DEC is not opposed to our law change. Adopting the uniform code with the maximum fine addendum, illegal burns and nuisance calls would be substantially reduced. She said if the lot is not big enough they will not be able to have a firepit. Since an illegal burn as determined by the fire department imposes the fine on the resident if they fail to comply. She said AC units do not pull in air from outside. She said she has health issues that interferes with her breathing, but smoke does not bother her. She said on July 31, 1966 a fireman lost his life responding to a bonfire, and further stated his family is all about sitting around a nice bonfire.

Paula Shirtz 103 Wright Ave. thanked the Supervisor and board members for trying to work with them. She said she spoke with the EPA and they informed her that the EPA is not against open firepits as was stated at last meeting. She said the EPA said there are guidelines listed on their website, which she read to the board. She gave a copy of the guidelines and several laws and guidelines from surrounding towns and the City of Syracuse to the board.

Naomi Kaye 4000 Marlton Circle called in and voiced her opposition, citing safety reasons.

Kevin Fitzpatrick 612 Boston Rd. he said no one is asking for large bonfires. He said regulations are important. He said the proposed 25 feet is just too large for most homes in the Mattydale area. He said 15 feet would be more reasonable. If a resident violates the law, it should be addressed. He asked for the board to consider a law similar to those of surrounding communities. He said they are asking for small fires to cook hotdogs, hamburgers and smores.

Carrie Forkhammer 125 Brookfield Rd. said she fully supports the proposed law. She said most of her neighbors have firepits already. She said there should be communication regarding the guidelines and the burning of clean wood.

Michael Skinner 301 Beley Ave. thanked the board for listening. He said he is fully in support of the proposed law. He said if anyone is using the firepit improperly they should be penalized. He said they have reached out to nine surrounding municipalities, seven responded, mostly have adopted the uniform code and adhere to the 15 feet parameter. He said the DEC responded to them as well. He said by putting something in place we will be safe, our children will be safe, and we will be able to enjoy responsible family time without the world crumbling down around us.

Councilor Paro asked what violations would result in penalties under the proposed local law.

Mr. Frateschi explained if a resident violated the law by not adhering to the size of the fire, wind speed, placement of the fire pit (25 feet rule) a penalty could be given.

Jim Magnarelli asked if a person is abiding 100% with the law and a neighbor still had an issue with being bothered by the smoke, is there is anything that could be done?

Mr. Frateschi said nothing could be done.

Ed Cusato 700 Orwood Place gave the board the research he has done as a resident, it comes down to smoke and the adjoining properties. A log will create smoke and drift into adjoining properties.

EPA addresses that with regards to seasoned wood and particulates as being a health hazard. Other municipalities have laws regarding outdoor burning whatever it's titled. Burning is burning in a residential neighborhood. It is still creating smoke. A large majority of our population are older and even if they are not old, many has respiratory issues. You are taking their rights away from them. If people want to burn fires go to camps or burn outside of the Town of Salina. They have no choice smoke drifts in to their homes. The people who want to have a fire pit you have a choice to purchase a gas fireplace. He said he and his grandchildren cook and make smores on the gas firepit and it's the same except there is no drifting smoke or have any complaints. It all comes down to smoke.

Valerie Lauback 110 Matty Ave. agreed with Mr. Cusato but said so does burning gas and coal per the EPA. There is no safe way to burn anything with respiratory issues. She said the current law is vague. She said the proposed law would put restrictions on the burning. She said she was okay with neighbors burning with regulations and fine in place.

Monique Davis of Moss Creek Circle spoke against the proposed law she said she is against having fires in backyards due to issues with safety, especially during dry seasons. She agreed with Mr. Cusato that people have places they can go and have fires.

Mr. Ciciarelli stated he started in May on this issue. He reached out to all surrounding municipalities that have open burning laws to see what could be incorporated into the proposed law. He said he reached out to DEC as well. The Town of Clay only allows single family dwellings to have firepits.

Surrounding towns responded to his questions regarding numbers of complaints. He asked if the Codes Department were able to obtain the numbers of complaints received in the Town of Salina. He said he would not be opposed to pushing the Public Hearing out until more information is received.

He stated fires are going to happen whether legal or illegal. What makes the most sense for our residents, and public safety our fire departments and our code enforcement is on the forefront of my mind. He does not want to put any one in a situation to have a fire company have to respond to a small fire when there may be a situation that is more pressing.

He does not want anyone to feel that their quality of life is impeded on and cannot live the life they want, but at the same time we must find a happy medium for everyone in the town. This will allow the codes and fire departments to concentrate their efforts on more pressing matters, give the same rights as those in surrounding municipalities, still allow residents with concerns to make complaints just as with any other codes.

David Carnie stated he appreciated everyone's input. He said he feels it is outrageous that people cannot call and place a complaint that a fire is affecting them, and nothing could be done. He said there are places for people to go to have fires. He is against the proposed law. He said we have to protect the resident's quality of life.

Mr. Paro said the current code is not followed very well. He said he finds it ludicrous that some in the Town of Salina can have fires (Village of Liverpool) but not all residents can have them. He said equity is important. He suggested that perhaps the DEC should change their guidelines. He said he wants to look out for those with health issues as well as property owners interests as well. He said he is a Village of Liverpool resident and has small open fires and knocks on his neighbor's door and lets them know he is having a fire. He said he is in favor of the proposed law.

Jim Magnarelli said this is a difficult issue and he is sensitive to both sides. He said he has made himself familiar with what other surrounding areas are doing and the DEC and EPA guidelines. He said this is the town we have to protect. He said he was most moved by the professional's comments. If we do refine the proposed law to protect those with issues due to smoke or toxins in air then maybe it could be acceptable. He says as a representative of Salina, all of the people, he has to be sensitive to them.

Colleen Gunnip said she agreed with Mr. Magnarelli. If one person's health is at risk that is one person too many. If it comes down to entertainment or a person's health the resident's health is more important.

Mr. Ciciarelli favored tabling until next meeting. He said he was disgruntled with the response from the Codes Department regarding information that was requested but not received in a timely manner.

Ms. Gunnip said since the law needs revisions, she would like to close the Public Hearing.

CLOSE PUBLIC HEARING

Ms. Gunnip made a motion to close the Public Hearing. The motion was seconded by V. James Magnarelli and was put to a roll call vote which resulted as follows: Nicholas Paro: Yes, V. James Magnarelli: Yes, Daniel Ciciarelli: No, David Carnie: Yes, Colleen Gunnip: Yes.

Ms. Gunnip asked if there is motion to approve the proposed law. No motion was offered.

RESIDENTS WISHING TO SPEAK – TOWN BOARD COMMENTS

Bill Russell of 104 Wilson Ave. spoke about the drainage project that is being done on Wilson Ave. and the problems he is having with erosion and drainage issues.

Mr. Paro said he was excited about the Cold Springs Sidewalk Installation project that will be discussed later on the agenda.

Daniel Ciciarelli announced Mattydale Meditation Monday's at Richfield Park at 7:00 p.m.

Ms. Gunnip said she investigated the cost of video recording of the board meetings.. She said she was presented with two options one in the amount of \$279.90 and the second of \$610.94. She said

she would reach out to the former supervisor Mr. Nicotra for his opinion on which would be the best for the town.

COMPTROLLER'S REPORT

A motion was made by V. James Magnarelli to adopt a resolution approving the transfers as submitted by the Town Comptroller. The motion was seconded by Nicholas Paro and was put to a roll call vote which resulted as follows: Nicholas Paro: Yes, V. James Magnarelli: Yes, Daniel Ciciarelli: Yes, David Carnie: Yes, Colleen Gunnip: Yes.

Budget transfer	
001.4068.0490 Pest Control	\$(1,700.00)
001.-7110.0474 Parks maintenance	\$ 1,700.00

APPROVE MINUTES

A motion was made by Colleen Gunnip to approve the minutes of the July 13, 2020 regular Town Board Meeting the motion was seconded by V. James Magnarelli and was put to a roll call vote which resulted as follows: Nicholas Paro: Yes, V. James Magnarelli: Abstain, Daniel Ciciarelli: Yes, David Carnie: Yes, Colleen Gunnip: Yes.

SCHEDULE PUBLIC HEARING- LOCAL LAW 2020 -VACANT PROPERTY AND FORECLOSURE REGISTRY

A motion was made by Colleen Gunnip to schedule a Public Hearing on August 10, 2020 at 6:33 p.m. to consider Local Law ____ 2020 creating a vacant property and foreclosure registry. The motion was seconded by Daniel Ciciarelli and was put to a roll call vote which resulted as follows: Nicholas Paro: Yes, V. James Magnarelli: Yes, Daniel Ciciarelli: Yes, David Carnie: Abstain, Colleen Gunnip: Yes.

TOWN ATTORNEY'S REPORT

APPROVE AGREEMENT- SIP LLC

A motion was made by V. James Magnarelli to authorize the Supervisor to sign an agreement with SIP LLC which will continue to fulfill all the environmental obligations that were to be done by Racer Trust. The motion was seconded by Nicholas Paro and was put to a roll call vote which resulted as follows: Nicholas Paro: Yes, V. James Magnarelli: Yes, Daniel Ciciarelli: Yes, David Carnie: Yes, Colleen Gunnip: Yes.

Mr. Frateschi said he will have to excuse himself from an upcoming dangerous dog case, due to a conflict. He recommended Robert Germaine from the Town of Clay to handle the case.

APPOINT GERMAINE & GERMAINE- DANGEROUS DOG CASE

A motion was made by V. James Magnarelli to appoint the firm of Germaine and Germaine to handle a dangerous dog case at a rate of \$180.00 per hour. The motion was seconded by Colleen Gunnip and was put to a roll call vote which resulted as follows: Nicholas Paro: Yes, V. James Magnarelli: Yes, Daniel Ciciarelli: Yes, David Carnie: Yes, Colleen Gunnip: Yes.

TOWN ENGINEER'S REPORT

Mr. Wickman spoke of two projects that require Highway Access and Work Permits. The first is for the reconstruction and improvements to storm sewers for Unifirst on Luther Ave. The second project is for OCWA to connect to a sanitary sewer near their property.

APPROVE HIGHWAY ACCESS & WORK PERMIT- UNIFIRST

A motion was made by David Carnie to approve a Highway Access Agreement and Work Permit and authorize the Supervisor to sign for Unifirst on Luther Ave. to reconstruct and improve storm sewers. The motion was seconded by Colleen Gunnip and was put to a roll call vote which resulted as follows: Nicholas Paro: Yes, V. James Magnarelli: Yes, Daniel Ciciarelli: Yes, David Carnie: Yes, Colleen Gunnip: Yes.

APPROVE HIGHWAY ACCESS & WORK PERMIT-OCWA

A motion was made by Daniel Ciciarelli to approve a Highway Access and Work Permit and authorize the Supervisor to sign for OCWA to connect to a sanitary sewer at their facility. The motion was seconded by Colleen Gunnip and was put to a roll call vote which resulted as follows: Nicholas Paro: Yes, V. James Magnarelli: Yes, Daniel Ciciarelli: Yes, David Carnie: Yes, Colleen Gunnip: Yes.

AMENDED AGENDA

A motion was made by Colleen Gunnip and seconded by David Carnie to waive Town Board policy to add the following items as supplements to this meeting's agenda. The motion was carried unanimously.

9. Consider a Revocable License for 6861 Thomas Dr. Liverpool NY 13088.

10. Consider the award of a bid for the Cold Springs Road Sidewalk Installation.

Consider a resolution to freeze the following accounts in the Parks and Recreation budget due to not opening the pools or having recreational programs this season and to allocate this funding toward the 2021 Budget:

001.7020.0461 Rec. Program Cost	\$ 6,000
001.7140.0101 Playground Salaries	\$ 15,000
001.7180.0101 Pool Wages	\$130,000
001.7180.0220 Pool Equipment	\$ 13,400
001.7180.0492 Chemical & Test	\$ 10,000
001.7620.0466 Adult Rec	\$ 20,000
001.7110.0440 Training	<u>\$ 1,600</u>
Total	\$196,000

APPROVE REVOCABLE LICENSE- 6861 THOMAS DR LIVERPOOL

A motion was made by V. James Magnarelli to approve a Revocable License for 6861 Thomas Dr. Liverpool NY 13088 per the recommendation of the town engineer. The motion was seconded by Colleen Gunnip and was put to a roll call vote which resulted as follows: Nicholas Paro: Yes, V. James Magnarelli: Yes, Daniel Ciciarelli: Yes, David Carnie: Yes, Colleen Gunnip: Yes.

AWARD BID COLD SPRINGS ROAD SIDEWALK INSTALLATION

A motion was made by Nicholas Paro to award the bid for the Cold Springs Road Sidewalk Installation to E-Z Paving /Sealcoat LLC in the amount of \$53,800.00. The motion was seconded by Colleen Gunnip and was put to a roll call vote which resulted as follows: Nicholas Paro: Yes, V. James Magnarelli: Yes, Daniel Ciciarelli: Yes, David Carnie: Yes, Colleen Gunnip: Yes.

FREEZE PARKS AND RECREATION BUDGET LINES

A motion was made by Colleen Gunnip to freeze accounts in the Parks & Recreation budget due to not opening the pools or having recreational programs this season and to allocate this funding toward the 2021 budget. The motion was seconded by Daniel Ciciarelli and was put to a roll call vote which resulted as follows: Nicholas Paro: Yes, V. James Magnarelli: Yes, Daniel Ciciarelli: Yes, David Carnie: Yes, Colleen Gunnip: Yes.

001.7020.0461 Rec. Program Cost	\$ 6,000
001.7140.0101 Playground Salaries	\$ 15,000
001.7180.0101 Pool Wages	\$130,000
001.7180.0220 Pool Equipment	\$ 13,400
001.7180.0492 Chemical & Test	\$ 10,000
001.7620.0466 Adult Rec	\$ 20,000
001.7110.0440 Training	<u>\$ 1,600</u>
Total	\$196,000

ADJOURNMENT

A motion was made by Colleen Gunnip to adjourn the meeting at 8:30 p.m. The motion was seconded by Nicholas Paro and was unanimously carried.

Respectfully submitted

Jeannie P. Ventre, Town Clerk
