

**MINUTES of the REGULAR MEETING
SALINA TOWN BOARD
Monday, October 25, 2021**

The Town Board of the Town of Salina held a regular meeting on Monday, October 25, 2021 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

PUBLIC INFORMATIONAL HEARING- CANNABIS LAW

Town Attorney Tim Frateschi gave a power point presentation outlining the new Cannabis Law that was passed by New York State in March of 2021. He said this law decriminalizes recreational marijuana in the state. He explained the state structure of the Cannabis Control Board, this entity will issue or deny various licenses for dispensaries. The Office of Cannabis Management provides the rules for the distribution. He said it will be at least two years before the state will be issuing licenses. He explained this law will generate revenue through the sale of cannabis. There are two levels of taxes on sales to consumer. A 9% excise tax will go to the state, the other a 4% will be a sales tax of which 25% will go to the counties and the remaining 75% will be shared between the cities, towns and villages. He said the town only has control over the retail dispensaries and onsite consumption.

The deadline to opt out is December 31, 2021. The Town can opt out of one or the other or both. If the town board passes a local law to opt out; any member of the public can pass a petition gathering 10% of the signatures that voted in the last gubernatorial election and the local law can be overturned.

Mr. Frateschi said if we do nothing, dispensaries and onsite consumption will be allowed. If we pass a Local Law opting out they will not be allowed. If we do nothing and allow dispensaries and onsite consumption we still would have the authority of Time, Place and Manner. We can regulate where, and when and this can take place.

Jim Charon said he is planning on becoming a dispensary. He said the town will benefit by receiving more revenue. He said there would be more control, and more control over product quality.

Matthew Bartholomew spoke in favor of opting in. He said the town should take advantage of the revenue that could be generated.

David Kashmir said he is favor of allowing cannabis sales because you know you are getting a safe product. He said the danger of synthetic marijuana would be lessened.

CLOSE PUBLIC HEARING

A motion was made by V. James Magnarelli and 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.

Ms. Gunnip encouraged anyone that would like to make comments to e-mail them to the Supervisor.

PUBLIC HEARING- 2022 PRELIMINARY BUDGET

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Ms. Gunnip said the rates have gone down since the Tentative Budget, a decrease of \$27.87 on a home assessed at \$100,000.00. The Village of Liverpool will see a slight increase \$13.85 on a home assessed at \$100,000.00. She also said that the Special District Budget will see a slight increase as the Town had opened the bids for the Yard Waste contract and the Pitcher Hill Fire Protection contract. She further said that there will be significant decreases in the sewer tax budget as additional fund balance was used.

Ms. Gunnip opened the public hearing for public comment.

Dominick Ciciarelli of Brookfield Rd asked for a justification for the increase to the Supervisor's salary.

Nicholas Paro said he thought the budget presented is a great budget. He said he is proud of the work accomplished by the board.

Jim Magnarelli said he is happy that the tax rate will be lowered again for the third year. He said he expressed his concern over the increase of the Supervisor's salary. He said he does understand the criteria used but feels that a five percent increase would be valid. He said he remembers this money is being transferred laterally within the budget. He said he would not support the budget until a reasonable change occurs.

Daniel Ciciarelli echoed the comments of the First Ward Councilor. He said he also agrees with Mr. Magnarelli, and said he feels uncomfortable going with more than a two percent increase which is more in line with the employees raises over the years. He said he would like to see what they accomplish in their first year in office before addressing a larger raise.

David Carnie said he is pleased with the budget presented and the fact that the budget has decreased for the third year in a row.

Ms. Gunnip said the Budget will be adopted at the next Town Board meeting on November 8, 2021.

CLOSE PUBLIC HEARING

A motion was made by Colleen Gunnip to close the Public Hearing on the 2022 Preliminary Budget. 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: Yes, David Carnie: Yes, Colleen Gunnip: Yes.

PUBLIC HEARING – 2022 SPECIAL IMPROVEMENT DISTRICT BUDGET

Ms. Gunnip opened the Public Hearing.

H. Pat Ehle complimented Mr. Wickman on the work that was done on the Sun Harbor Pond.

There were no comments from the board.

CLOSE PUBLIC HEARING

A motion was made by Colleen Gunnip to close the Public Hearing on the Special Improvement District Budget. 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.

PUBLIC HEARING- LOCAL LAW 2021 -11– TAX CAP LEVY OVERRIDE

Ms. Gunnip opened the Public Hearing on Local Law ___-2021 Tax Cap Override.

She stated this is just a formality, the budget is under the 2% cap.

No one from the public commented.

CLOSE PUBLIC HEARING

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A motion was made by Colleen Gunnip 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: Yes, David Carnie: Yes, Colleen Gunnip: Yes.

ADOPT LOCAL LAW 2021-11

A motion was made by Colleen Gunnip to adopt Local Law 2021-11 Tax Cap Levy Override. The motion was seconded by V. James Magnarelli and was put to a roll call vote which resulted as follows: Nicholas Paro: No, V. James Magnarelli: Yes, Daniel Ciciarelli: Yes, David Carnie: Yes, Colleen Gunnip: Yes.

IN THE MATTER

Of

Local Law 2021-11

**A Local Law Amending Chapter 215 Entitled
“Taxation” of the Code of the Town of Salina to
override the State Real Property Tax Cap**

**RESOLUTION PASSING
LOCAL LAW**

The **TOWN BOARD OF THE TOWN OF SALINA**, in the County of Onondaga, State of New York, met in regular session at the Town Hall in the Town of Salina, located at 201 School Road in the Liverpool, County of Onondaga, State of New York, on the 25th day of October 2021, at 6:30 p.m.

The meeting was called to order by Colleen A. Gunnip, Supervisor, and the following were present, namely:

Colleen A. Gunnip	Supervisor
Nicholas Paro	1 st Ward Councilor
V. James Magnarelli	2 nd Ward Councilor
Daniel Ciciarelli	3 rd Ward Councilor
David Carnie	4 th Ward Councilor

The following resolution was moved, seconded and adopted:

WHEREAS, a Local Law has been introduced before the Board, to wit: Local Law No. 2021-11 , amending Article X of Chapter 215 (“Taxation”) to override the tax levy limit established by General Municipal Law Section 3-c (the “Property Tax Cap”);

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LOCAL LAW 2021-11, A LOCAL LAW AMENDING
CHAPTER 215 ARTICLE X TAX LEVY LIMIT OVERRIDE OF THE CODE OF THE
TOWN OF SALINA:

Be it enacted by the Town Board of the Town of Salina, Onondaga County, New York as follows:

Section 1. Legislative Intent

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Salina County of Onondaga pursuant to General Municipal Law § 3-c, and to allow the Town of Salina, County of Onondaga to adopt a town budget for (a) town purposes (b) fire protection districts and (c) any other special or improvement district governed by the town board for the fiscal year 2020 *and 2022** that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law § 3-c, which expressly authorizes the town board to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the town board.

Section 3. Tax Levy Limit Override

The Town Board of the Town of Salina County of Onondaga is hereby authorized to adopt a budget for the fiscal year 2020 *and 2022* that requires a real property tax levy in excess of the limit specified in General Municipal Law, §3-c.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date.

This local law shall take effect immediately upon filing with the Secretary of State.

*Italics indicates new language

WHEREAS, upon review of the projected expenses facing the Town, especially State pension costs and other state mandated costs for which the Town has no control, the Town Board hereby finds that this override is a necessary prudent step;

WHEREAS, the Town Board is in the midst of the Town Budget review process for 2022 and cannot determine, with certainty, that it will be within the property tax cap, especially because the special district calculations have not been completed;

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WHEREAS, if the Town is above the property tax cap when all the final calculations have been completed, it would be subject to penalties by the State of New York;

WHEREAS, the Town Board held a public hearing on Local Law 2021-11, at which time the public was given an opportunity to speak for, or against, this Local Law;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Salina, County of Onondaga, State of New York, hereby enacts Local Law 2021-11 as set forth above; and be it further

RESOLVED, that the Town Clerk is directed to file Local Law 2021-11 with the Secretary of State within 20 days of its adoption.

I JEANNIE VENTRE, Town Clerk of the Town of Salina, **DO HEREBY CERTIFY** that the preceding Resolution was duly adopted by the Town Board of the Town of Salina at a regular meeting of the Board duly called and held on the 25th day of October 2021; that said Resolution was entered in the minutes of said meeting; that I have compared the foregoing copy with the original thereof now on file in my office; and that the same is a true and correct transcript of said Resolution and of the whole thereof.

I HEREBY CERTIFY that all members of said Board had due notice of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Salina, this 25th day of October, 2021.

DATED: October 25, 2021
Liverpool, New York

Jeannie Ventre
Town Clerk of the Town of Salina
Onondaga County, New York

RESIDENTS WISHING TO SPEAK – TOWN BOARD COMMENTS

Daniel Ciciarelli Mattydale Halloween Decorating Contest had 11 participants this year. He would like to see more involvement. The Holiday Decorating Contest will be coming up in December.

David Carnie said he has been working to establish a veterans group.

He also gave an update on the Sehr Park Improvements; the playground is being installed and the windows will be installed in the Alvord House.

Ms. Gunnip said the street lighting project is substantially complete. She said she hopes to have it completed by the end of the year.

DUERR PARK GRANT PROJECT

Ms. Gunnip stated there is need to approve the Capital Project for Duerr Park. The town is receiving \$100,000.00 from the State. The town will contribute \$70,000.00 toward the project. The project consists of a 20x30 pavilion and new playground equipment.

Mr. Paro said he is excited about moving forward with this project.

DECLARE LEAD AGENCY

A motion was made by Colleen Gunnip to declare the town as lead agency as it pertains to the Duerr Park Capital project. 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 reviewed Part 2 SEQR pertaining to the project (the construction of the pavilion and site work) with the board all questions were asked and answered with no impacts upon the environment. Based on the answers given Mr. Frateschi recommended a negative declaration

UNLISTED ACTION- SEQR-NEGATIVE DECLARATION

A motion was made by Nicholas Paro to declare this to be an unlisted action under SEQR having no significant environmental impact. 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 CAPITAL PROJECT- DUERR PARK

A motion was made by Nicholas Paro to approve the Duerr Park Capital Project. The motion was seconded by Colleen Gunnip and was put to roll call vote which resulted as follows: Nicholas Paro: Yes, V. James Magnarelli: Yes, Daniel Ciciarelli: Yes, David Carnie: Yes, Colleen Gunnip: Yes.

COMPTROLLER’S REPORT

A motion was made by Nicholas Paro to approve the transfers as submitted by the Comptroller. 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.

GENERAL FUND	ARPA re-	\$ 70,000.00
PART-TOWN FUND	fund	
HIGHWAY FUND		
GRANT	DASNY	\$100,000
Grant		
BOND		
		\$
TOTAL PROJECT COST		170,000.00

APPROVE MINUTES

A motion was made by V. James Magnarelli to approve the minutes of the October 12, 2021 regular Town Board. The motion was seconded by Colleen Gunnip and was put to a roll call vote

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which resulted as follows: Nicholas Paro: Abstain, V. James Magnarelli: Yes, Daniel Ciciarelli: Yes, David Carnie: Yes, Colleen Gunnip: Yes.

TOWN ATTORNEY'S REPORT

Mr. Frateschi said the Map Plan and Report for the extension of the Mattydale/ Pitcher Hill Sewer District done by CHA Companies is complete.

ACCEPT MAP PLAN & REPORT

A motion was made by Colleen Gunnip to accept the Map Plan and Report for the extension of the Mattydale Pitcher Hill Sewer District. 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.

TOWN ENGINEER'S REPORT

Mr. Wickman said at the last meeting there was discussion of an Environmental Site Assessment for the parcel next to Duerr Park that has been offered to the town. A quote of \$2,600.00 has been received.

APPROVE PROPOSAL- ENVIRONMENTAL ASSESSMENT- DUERR ROAD PARCEL

A motion was made by Colleen Gunnip to accept a proposal of \$2,600.00 for the Environmental Site Assessment for the parcel (Tax Map# 019.-01-22.2) next to Duerr Park. 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.

ACCEPT PROPOSAL CHA – PROFESSIONAL SERVICES- DUERR PARK PROJECT

A motion was by Nicholas Paro to made to adopt a resolution accepting a proposal from CHA for professional services for survey, design and bidding assistance not to exceed \$16,425.00. The motion was seconded by Colleen Gunnip and was put to roll call vote which resulted as follows: Nicholas Paro: Yes, V. James Magnarelli: Yes, Daniel Ciciarelli: Yes, David Carnie: Yes, Colleen Gunnip: Yes.

SCHEDULE PUBLIC HEARINGS -UNSAFE STRUCTURES

A motion was made by Colleen Gunnip to schedule Public Hearings for Unsafe Structures at 187, 189, 191 Beechwood Ave. for November 22, 2021 at 6:33 p.m. based on the Report of the Town Engineer. The motion was seconded by David Carnie 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 STANDARD WORK DAY RESOLUTION

A motion was made by Colleen Gunnip to adopt a Standard Work Day Reporting Resolution for Councilor Ciciarelli with a the Record of Activities Result of 1.05. 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: Yes, David Carnie: Yes, Colleen Gunnip: Yes.

APPROVE REVOCABLE LICENSE-5043 HOMEVIEW DR

A motion was made by V. James Magnarelli to approve a Revocable License for 5043 Homeview Drive per the recommendation and conditions set forth by the engineer. The motion was seconded by Nicholas Paro and was put to a roll call vote which resulted as follows: Nicholas

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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 V. James Magnarelli to waive Town Board policy to add the following items as supplements to this meeting's agenda. The motion was carried unanimously.

13. Consider clean-up charges for property at:

Tax Map #053.-04-15.0	1905 Brewerton Rd.
Tax Map #056.-01-15.0	2509 Brewerton Rd.
Tax Map #045.-05-10.0	3703 Brewerton Rd.
Tax Map #052.-02-14.0	305 Brookfield Rd.
Tax Map #072.-16-02.0	2701 Court St.
Tax Map #061.-02-62.0	119 Earl Ave.
Tax Map #052.-03-27.0	318 Garden City Dr.
Tax Map #072.-08-17.0	501&503 Hamden Dr.
Tax Map #059.-02-17.0	136 Hinsdale Ave.
Tax Map #062.-12-16.0	719 Matty Ave.
Tax Map #069.-16-31.0	101 Swansea Ave.
Tax Map #069.-02-16.0	1912 Teall Ave.

AUTHORIZED ISSUANCE OF CLEAN-UP ORDERS

A motion was made by Colleen Gunnip to adopt a resolution declaring that as to clean-up orders issued to a parcel at 1905 Brewerton Rd. (Tax Map #053.-04-15.0); 2509 Brewerton Rd. (Tax Map #056.-01-15.0); 3703 Brewerton Rd. (Tax Map #045.-05-10.0); 305 Brookfield Rd (Tax Map #052.-02-14.0); 2701 Court St. (Tax Map #072.-16-02.0); 119 Earl Ave. (Tax Map #061.-02-62.0); 318 Garden City Dr. (Tax Map #052.-03-27.0); 501&503 Hamden Dr (Tax Map #072.08-17.0); 136 Hinsdale Ave. (Tax Map #059.-02-17.0); 719 Matty Ave. (Tax Map #062.-12-16.0); 101 Swansea Ave. (Tax Map #069.-16-31.0); 1912 Teall Ave. (Tax Map# 069.-02-16.0); pursuant to provisions of Chapter 180 of the Salina Town Code, the requirements of § 180-5, 180-6 and as such may apply, §180-5B have been complied with and satisfied, and authorizing the costs incurred by the Town in performance of the work, including any quantifiable internal administrative costs to be paid for out of the general Town funds appropriated by the Town Board for such purpose with reimbursement made to the Town for the cost of the work performed or services rendered by direction of the Town Board, and for penalties assessed under §180-6B hereof by assessment and levy upon the lots or parcels of land wherein such work was performed or such services rendered with the expenses so assessed to constitute a lien and charge on the real property on which they are levied until paid or otherwise satisfied or discharged which costs and expenses to be collected in the same manner and at the same time as other Town charges. 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.

ADJOURNMENT

A motion was made by Colleen Gunnip to adjourn the meeting at 7:45 p.m. and 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: Yes, David Carnie: Yes, Colleen Gunnip: Yes.

Respectfully submitted

Jeannie P. Ventre, Town Clerk