

**VILLAGE OF FAYETTEVILLE
BOARD OF TRUSTEES
7/14/14**

Minutes of the Village of Fayetteville Board of Trustees meeting held Monday, July 14, 2014 at 6:00pm.

PRESENT:

Mayor Olson	Clerk Corsette	DPW Supt. Massett	William Harris
Trustee Kinsella	Attorney Spencer	Barbara Wagner	Maryann Winters
Trustee Randall	Richard Greene	Karen Harris	Ashley Wolf
Trustee Duggleby	Mike Rowe	Patty Hughes	Sara Bollinger
Trustee Small	Chief Hildreth	Craig Polhamus	Kathy Nason
David Nason	Kristen Pechacek	Mary Coleman	Tracy Cifra
Fred Micale	Nancy Needham	Bernie Cheyne	Kevin Morrow
Becky Morrow	Jacqueline Meyer	Madeline Bort	Tom O'Shea

Mayor Olson called the meeting to order at 6:00pm in the Board Room of the Fayetteville Village Hall.

Mayor Olson led those present in a recitation of the Pledge of Allegiance.

MINUTES JUNE 23, 2014

Trustee Small made a motion to accept the minutes of the June 23, 2014 meeting. Trustee Randall seconded the motion and it was carried by a unanimous vote.

ABSTRACT #3

Trustee Duggleby made a motion to approve Abstract #3 in the amount of \$95,890.15. Trustee Small seconded the motion and it was carried by unanimous vote.

LITTLE LIBRARY – 121 EUCLID DRIVE

Kathy Nason, 121 Euclid Drive, came to the board to request permission to set up a "Little Library" box/stand in front of her house. The box would be set back from the roadway approximately 6 feet and it would be filled with various books that could be borrowed and/or exchanged for another book. Mrs. Nason told the board that there is currently one that is located in Jamesville and that she has asked her neighbors and they are in favor of having this in their neighborhood.

Trustee Kinsella made a motion to approve the “Little Library” at 121 Euclid Drive. Trustee Duggleby seconded the motion and it was carried by unanimous vote.

PUBLIC HEARING – CHAPTER 187-7

Trustee Small explained that a request was presented to the Village Board to review the allowed uses on the R-3 District, specifically that of a Home Occupation by anyone other than the resident of the property. After several attempts to amend the current zoning code, which included public hearings and also a public workshop to get additional input from the residents, the committee that was established to review and recommend changes felt that the proposed Local Law to amend Chapter 187-7 of the Village of Fayetteville Code would be a positive change for the Village. Variations of Single Family, 2 Family and Multi-Family zoned properties would allow, with a special permit, a Home Occupation, with special conditions that would define what types of business would be allowed, as well as the number of employees, parking spaces and percentage of the structures square footage that could be utilized by the business. The proposal also would require that a permit would have to be renewed annually.

Mayor Olson opened the Public Hearing at 6:15pm.

Nancy Needham, 109 Academy Street, asked the Board who is required to be notified of this change.

The Board stated that anyone within 500 feet of the property that is requesting a Special Permit would be notified.

Ms. Needham asked how the 25% square footage allowance related to the available parking.

Mary Coleman, 126 E. Genesee Street, just recently found out that for purposes of the Historic District, the street view is now the view of the property from any street.

Maryann Winters, 400 South Manlius Street, is opposed to the concept because she is concerned with the potential of creeping commercialism and also believes that it will have an effect on traffic and it will also provide over 100 properties the option of being commercial. Ms. Winters asked that if the Board did adopt the proposed Local Law that they reconsider and eliminate the number of employees that would be allowed and only allow the professional and no employees.

Tracy Cifra, E. Genesee Street, stated that she is in favor of the proposed changes and also stated that her property was previously used as a professional space by a previous family member.

Madeline Bort, 308 Elm Street, stated that she agreed with the comments made by Maryann Winters.

Kevin Morrow, 102 Warren Street, asked if the Village Board had any information from other communities that allow this type of use and, if so, what were the results.

Trustee Small said that they did not have any information from other communities, per say, but that the Town of Manlius changed Genesee Street from Towne Center to Lyndon Corner and, except for the signage, the residential neighborhood look has been preserved.

Bill Harris, 200 East Genesee Street, said that he has lived here since 1966 and East Genesee Street has been residential in nature and he wants to maintain that environment and feels that there are plenty of opportunities for commercial uses outside of the R-3 District. Mr. Harris told the board that if they pass this law that we are potentially ruining the quality of Fayetteville; there would be increased parking, increased traffic and yards could be transformed into paved parking lots. Mr. Harris said that he was opposed to the new law and does not believe that there is a need to change what is in place.

Karen Harris, 200 East Genesee Street, believes that the proposed local law is seeking to solve a problem that doesn't exist. Ms. Harris feels that there is ample spaces available to rent for commercial use other than in a residential district.

Sara Bollinger, 99 Thompson Street, is concerned with the number of employees allowed and believes that the number of employees should be limited to one.

Trustee Small said that every property would not be compatible with the proposed Local Law.

Attorney Fred Micale stated that he can sympathize with those who do not agree with this proposed local law but there is no presumption that a property owner could just do this without the Planning Board's approval.

Barbara Wagner, 206 E. Genesee St, said that she has lived in her house for 63 years and has had to live with and accept the rules and regulations that have been established by the Village and does not think that we should consider passing the proposed local law.

Maryann Winters is concerned with the follow through of the Special Use Permit, the board is considering legislation that will affect 113 parcels and there may not be any issues while the current board is still here, but is concerned how things will be handled by future boards.

Kristen Pechacek, 401 Elm Street, feels that there would be an added burden to the parking issues that already exist on streets in the R-3 District, specifically Academy Street.

Patty Hughes, 132 E. Genesee, is concerned that if anything is adopted related to this proposal that we are setting a precedent and everyone can't be treated equally.

Tom O'Shea, 308 Clinton Street, is in favor of creative zoning, such as 400 Clinton Street, where there is ample space to put offices.

Mr. Sweeney, 302 E. Genesee Street, stated that he felt the proposal was a thoughtful draft, but believes that the Village Board should listen to the people in the R-3 District who are being affected. Mr. Sweeney believes that taking in more codes may become burdensome and also believes this change could cause assessments to go up in the R-3 District.

Mayor Olson closed the Public Hearing at 7:15pm

Mayor Olson stated that it is encouraging to here the positive comments from the residents, with Gov. Cuomo's agenda to reduce government and get rid of Villages. Mayor Olson encourages the residents of the Village to get involved.

Trustee Kinsella appreciates the residents that do not live in the R-3 District who are here and their concern for the Village not just in the R-3 District but in the Village as a whole.

Trustee Duggleby listened to the comments made and does believe that the Village is changing and that the status quo will not work 20 years down the road. Many of the properties that will be affected are large homes that are becoming financially difficult to maintain as single family homes and this proposed local law may offer another alternative to preserve the single family home instead of cutting the house up to create multi-family residences.

SEQR LEAD AGENCY – LEDYARD CANAL

Trustee Small made a motion to declare the Village of Fayetteville the Lead Agency for the proposed improvements to the Ledyard Canal. Trustee Duggleby seconded the motion and it was carried by unanimous vote.

STREET LIGHT BID – LIMESTONE PLAZA

Trustee Randall received two bids for the streets lights in Limestone Plaza. The two bids that were received came in higher than anticipated.

Trustee Randall would like to modify the specifications to meet the minimum needs that would be required for the street lights in Limestone Plaza.

Trustee Randall made a motion to approve the unit price as submitted by Graybar for Sternberg Prairie Style Street Lights up to \$60,000. Trustee Duggleby seconded the motion and it was carried by unanimous vote.

FIRE DEPARTMENT- PURCHASES

Chief Hildreth received a FEMA Grant in the amount of \$223,440 for the acquisition and purchase of Air Packs for the Fayetteville Fire Department. The Federal share of the grant is \$212,268 and the Villages share is \$11,172. Chief Hildreth would like the board to authorize him to purchase the Air Packs under NYS Contract.

Mayor Olson made a motion to authorize Chief Hildreth to purchase new Air Packs that are being funded through a FEMA Grant received, under New York State Contract. Trustee Kinsella seconded the motion and it was carried by unanimous vote.

Chief Hildreth would like to surplus the old Air Packs and sell them to a qualified buyer for the appraised cost of the used equipment.

Trustee Duggleby made a motion to surplus the old Fayetteville Fire Department Air Packs and authorize Chief Hildreth to sell the old equipment to a qualified buyer for the appraised cost. Trustee Small seconded the motion and it was carried by unanimous vote.

Chief Hildreth would like to enter into a Service Contract with Coyne Textile to supply floor runners and entry mats for both the Fire Department and the Municipal Building. The cost is \$1039/year.

Trustee Duggleby made a motion to authorize Mayor Olson to sign a Service Contract with Coyne Textile to provide the Fire Department and the Municipal Building with 10 Floor Mats, varying sizes, and provide weekly service October through April and monthly service May through September for an annual cost of \$1,039.33. Trustee Small seconded the motion and it was carried by unanimous vote.

Chief Hildreth requested authorization to send four members to the Fire Symposium in Florida this November 2014 for a cost of \$4,890.

Trustee Kinsella made a motion to authorize Chief Hildreth to send four department members to the November 2014 Fire Symposium in Florida for a cost not to exceed \$4,890.00. Trustee Small seconded the motion and it was carried by unanimous vote.

FIRE DEPARTMENT MEMBERSHIP APPLICATIONS

Trustee Small made a motion to accept the application for membership to the Fayetteville Fire Department from Sarunporn Cheerasiri as an Administrative Member. Trustee Duggleby seconded the motion and it was carried by unanimous vote.

Trustee Small made a motion to accept the application for membership to the Fayetteville Fire Department from Nicholas Byrne as an EMT. Trustee Kinsella seconded the motion and it was carried by unanimous vote.

LEASE AGREEMENT – ENGINE ONE

Trustee Small made a motion to accept the following Resolution:

BE IT RESOLVED, by the Village of Fayetteville Village Board of Trustees that the terms of the Lease-Purchase Agreement and Escrow Agreement are in the best interest of the Village of Fayetteville for the acquisition of a 2014 Fire Engine Rescue Pumper, and the Village Board of Fayetteville designates and confirms the Village Clerk-Treasurer to execute and deliver, and to witness(or attest), respectively, Leasing 2 Inc. Lease Purchase Agreement and Escrow Agreement and any related documents necessary to consummation of the transactions contemplated by the Lease-Purchase Agreement and Escrow Agreement.

Trustee Duggleby seconded motion and it was carried by unanimous vote.

JOHN DEERE GATOR VEHICLE- FFD ASSOCIATION DONATION

Trustee Small made a motion to accept the John Deere Gator Vehicle from the Fayetteville Fire Department Association as a donation to the Village of Fayetteville Fire Department, to assist the department when providing emergency medical services in remote areas that are not as easily accessible with an ambulance. Trustee Duggleby seconded the motion and it was carried by unanimous vote.

DPW GARAGE RENOVATION/ADDITION PROJECT

Trustee Duggleby presented the board with the list of bidders for the DPW Garage Project

1. Bouley Associates, Inc - \$353,000
2. James and Son Construction - \$283,000

Trustee Kinsella made a motion to accept the low bid from James and Son Construction in the amount of \$283,000 for the DPW Garage Renovation/Addition Project. Trustee Duggleby seconded the motion and it was carried by unanimous vote.

Trustee Randall abstained from voting on the above motion to accept the low bid from James and Son Construction because he is related to the Principal Owner of the Contracting Company.

Trustee Kinsella made a motion to authorize Mayor Olson to negotiate with James and Son Construction to provide a letter of credit to the Village in lieu of a Performance Bond and Payment Bond. Trustee Randall seconded the motion and it was carried by unanimous vote.

Trustee Kinsella made a motion to authorize Mayor Olson to sign a change order #1 to eliminate from the scope of the contract the value of the base bid floor coating, shot blast and two (2) coats of epoxy for a credit to the Village of Fayetteville in the amount of \$17,800. Trustee Duggleby seconded the motion and it was carried by unanimous vote.

Trustee Kinsella made a motion to authorize Mayor Olson to negotiate with James and Son Construction four (4) change orders up to \$20,000. Trustee Randall seconded the motion and it was carried by unanimous vote.

LEDYARD CANAL IMPROVEMENTS

Mayor Olson provided the board with an update on the Ledyard Canal Improvement Project. Barton and Loguidice conducted the study for the Indiana Bats and there were no bats present at the site. Once the 30-day notification period has expired and the necessary permits have been issued by the regulatory agencies the DPW will start work on the Ledyard Canal.

SIGNAL HILL SEWER IMPROVEMENT PROJECT

Mayor Olson reported that the Signal Hill Sewer Improvement Project was substantially completed. There are a few small punch list items that need to be completed and the project will be done.

LOWER VILLAGE – SAVE THE RAIN PORJECT

Mayor Olson told the board that the 1-year warranty period for the Lower Village – Save the Rain Project is almost up and the engineers will be scheduling a final walk-through to review with the contractor and areas that have failed and need to be corrected before the Village releases the bond.

DPW – CREW LEADER POSITION

Superintendent Massett informed the board that the probationary period for William Way, Crew Leader, has expired and recommended that the Village Board permanently appoint him to the position.

Trustee Duggleby made a motion to permanently appoint William Way to the position of Crew Leader for the Village of Fayetteville Department of Public Works. Trustee Small seconded the motion and it was carried by unanimous vote.

2015 FREIGHTLINER VACUUM STREET SWEEPER

Trustee Duggleby made a motion to accept the bid from CYNCON for a 2015 Freightliner Vacuum Street Sweeper, Demo Model, in the amount of \$214,870 and that

the purchase will be financed through a Lease–Purchase Agreement with First Niagara Leasing for a period not to exceed five (5) years. Trustee Small seconded the motion and it was carried by unanimous vote.

JOHN DEERE LOADER PURCHASE- TRADE IN

Superintendent Massett received the final trade-in value for the John Deere Loader that we will be using as a trade-in credit towards the purchase of the new loader. The trade-in value came in \$18,000, higher than originally quoted.

SOLICITORS PERMIT

Clerk Corsette submitted a Solicitor’s License Application for board approval.

Trustee Small made a motion to approve the Solicitors License Application submitted by Ellen Riggs, Southwest Advantage, to go door to door selling educational material and books, Monday – Saturday 9am -7pm (dusk), no solicitation on Sundays. Trustee Duggleby seconded the motion and it was carried by unanimous vote.

Trustee Small made a motion to approve the application for a solicitor’s permit from NYPIRG, Monday –Saturday 9am-7pm and no soliciting on Sundays. Trustee Kinsella seconded the motion and it was carried by unanimous vote.

Trustee Small made a motion to authorize the Village Clerk to issue a Solicitors Permit to Skylar Stairs and Colin McNamara, Verizon FIOS, to solicit door to door, between the hours of 10:00am – 7:00pm Monday through Friday and on Saturdays 10:00 am – 4:00pm. Trustee Randall seconded the motion and it was carried by unanimous vote.

ROUNDTABLE

Mayor Olson reminded everyone that the Jazz Concert is scheduled for Thursday at 7pm.

Mayor Olson had a request from the Planning Board that the Village hire an Environmental Engineer for the 400 Chapel Street PUD Project.

Trustee Kinsella made a motion to hire Barton & Loguidice as the Environmental Engineer for the 400 Chapel Street Project. Trustee Randall seconded the motion and it was carried by unanimous vote.

Mayor Olson reviewed the Senior Center Cottage abatement with the Board. Codes Enforcement Officer, Richard Greene, had three written proposals and the lowest quote was from CRAL Contracting Inc. in the amount of \$28,890.

Trustee Small made a motion to hire CRAL Contracting, Inc. in the amount of \$28,890 to abate the Senior Center Cottage and dumpster. Trustee Randall seconded the motion and it was carried by unanimous vote.

Richard Greene reported that 409 Brooklea Drive is almost all cleaned out. There is only a small amount left to be done.

EXECUTIVE SESSION

Trustee Small made a motion to enter into an Executive Session at 8:10 pm to discuss a legal matter and to include the Village Clerk and Attorney Spencer. Trustee Small seconded the motion and it was carried by unanimous vote.

Trustee Randall made a motion to come out of Executive Session at 8:40pm. Trustee Duggleby seconded the motion and it was carried by unanimous vote.

Trustee Duggleby made a motion to adjourn the meeting at 8:40pm. Trustee Small seconded the motion and it was carried by unanimous vote.

Respectfully submitted,

Lorie Corsette, Village Clerk