

**VILLAGE OF FAYETTEVILLE
BOARD OF TRUSTEES
10/27/14**

Minutes of the Village of Fayetteville Board of Trustees meeting held Monday, October 27, 2014 at 6:00pm.

PRESENT:

Deputy Mayor Kinsella	Clerk Corsette	Simone Lepine
Trustee Small	Attorney Spencer	Cathleen Brown
Trustee Duggleby	Richard Greene	Sara & Chris Bollinger
Trustee Randall	Mike Rowe	Hayleigh Gowens
Kass Nethercott	Maureen Sweeney	Thomas Heister
Rebecca Brown	Craig Polhamus	Mark Shaheen

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

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

MINUTES OCTOBER 14, 2014

Trustee Small made a motion to accept the minutes of the October 14, 2014 meeting. Trustee Duggleby seconded the motion and it was carried by a unanimous vote.

ABSTRACT #7

Trustee Small made a motion to approve Abstract #7 in the amount of \$54,056.50. Trustee Randall seconded the motion and it was carried by unanimous vote.

FIRE DEPARTMENT

Chief Hildreth reported that both of the new ambulances are in service and he will be meeting with Rescue One on November 3rd to get an update on the new Rescue Pumper. The Rescue Pumper was anticipated to be delivered in October but Chief Hildreth said that they have pushed the delivery date out to February.

EBOLA PROTOCOL

Chief Hildreth told the board that he is coordinating with both the state and county regarding the EBOLA Protocol. Chief Hildreth said that the department will be doing a training exercise that mirrors what is being done by the state and county.

207-A REQUEST: MICHAEL GREVELDING

Chief Hildreth received a 207-A request from Michael Grevelding who is currently out of work because of an issue with his rotator cuff, which he injured while on duty.

Trustee Randall made a motion to approve the 207-A request for Michael Grevelding. Trustee Small seconded the motion and it was carried by unanimous vote.

COMMUNITY TRAINING AND EDUCATION

Chief Hildreth told the board that the Fire Department will be starting a program to provide various training and education services to the community. Chief Hildreth said that the Fire Department would schedule a class, once a month, and offer the people in the community the opportunity to participate.

THE ORCHARD

Chief Hildreth told the board that there was an issue with a call that the department responded to at The Orchard, there was an issue with locating the correct address. Chief Hildreth will be meeting with a representative from the Homeowners Association to discuss what can be done with the lighting and better identifying the house numbers so they are more easily seen.

PESH INSPECTION

Chief Hildreth received the report back from PESH on the inspection that was done several weeks ago. The report came back positive and there were no issues that needed to be addressed.

RECREATION BUILDING- WORTLEY WAY

Attorney Spencer provided some background regarding the need for a Use Variance under 1-102 of the Village Law. Attorney Spencer stated that Village Law gives Statutory Authority to the Village Board to lease municipal property to Public and/or Private Organizations, the municipality must be fairly compensated and there must be no current need to use the property by the municipality.

Attorney Spencer stated that he has reviewed NYS Village Law, as well as Case Law, and his opinion is that the Village Board has the authority to lease the Recreation Building.

Simone Lepine, 317 Brooklea Drive, has done some research as to whether or not the Village can lease the Recreation Building to an individual for private use/business and she feels that based on the information that was on the Village Website that the Recreation Building is located in a park and that NYS Law would prohibit the Village to lease the property because it is in a park.

The Village Board reviewed the information that Ms. Lepine provided and will review what is on file to determine if the building is actually in a designated park.

Attorney Spencer suggested that the Village should review the original deed and see if the land was deeded to the Village with restrictions that it was to be used as a park.

Tom Heister, 333 Brooklea Drive, agrees that the building is a "White Elephant" for the Village and that it is better for the Village to lease the building rather than have it empty. Mr. Heister is concerned with the prospective tenant and their proposed use of the building as a daycare, as he believes that there would be an increased liability to the Village as well as an increase in the amount of daily traffic when children are dropped off and picked up.

Kass Nethercott, Genesee Street, stated that she is the prospective tenant. Ms. Nethercott explained that she has been running a daycare for 12 years, previously in Auburn for 5 years and in Fayetteville for the past 7 years, currently she runs a daycare from her home. Ms. Nethercott explained that there is not enough daycare in Fayetteville and that there is already a waiting list for her program, her daycare will be limited to 30 children, some are from the same family so there should only be approximately 15-16 cars dropping off and picking up, which will not happen at the same exact time, so there should not be an issue with traffic. As for the insurance concerns, Ms. Nethercott is required by NYS to have her own Liability Insurance. Ms. Nethercott believes that she will be helping the community with her business that would be providing quality daycare. Ms. Nethercott stated that she had a brochure from the Town of Manlius where it lists a Pre-School Program as one of the services that they offered, so she feels that her proposed business would be very similar to what was previously offered by the Town of Manlius as recent as last year.

Craig Polhamus, 114 East Genesee Street, explained that he is an architect and he has reviewed the building and it is in good shape. Mr. Polhamus further stated that the Recreation Building was created to serve the youth of the community and that the proposed daycare would continue to do the same.

Trustee Randall stated that he does have concern for noise and does not want to disrupt those who live next door to the Recreation Building.

Trustee Small agrees that the Village Board needs to find out if the Recreation Building and the property is a Park. Trustee Small further stated that he does not feel a daycare program would be uncharacteristic and that information that has been provided may not be 100% accurate and would like all the information before making a decision.

Trustee Duggleby commended Ms. Lepine on the work she did to present her argument against the Village allowing a Daycare Program in the building. Trustee Duggleby stated that he sympathizes with the concerns that have been expressed but feels the quandary could be true of any proposed business.

CERTIFICATION TO COUNTY OF UNPAID TAXES

Clerk Corsette presented the Board with a list of all unpaid Village Taxes.

Trustee Small made a motion to send a Certification of unpaid Village Taxes to Onondaga County. Trustee Duggleby seconded the motion and it was carried by unanimous vote.

DPW PROJECT

Trustee Duggleby reported that the DPW Renovation Project is moving along, the Oil & Water Separator is in place, the addition is nearly complete, the HVAC is complete and the Air Curtains are in place, substantial completion is anticipated to be November 14, 2014.

Clerk Corsette submitted a request from Superintendent Massett to purchase a switch, cabinet, hardware and a cable management panel from OCM BOCES under NYSOGS for an amount not to exceed \$2807.

Trustee Duggleby made a motion to authorize Superintendent Massett to purchase a switch, cabinet, hardware and cable management panel from OCM BOCES under NYSOGS for an amount not to exceed \$2807. Trustee Randall seconded the motion and it was carried by unanimous vote.

Trustee Duggleby made a motion to transfer \$2,807 from the A5410.4 to A1623.4. Trustee Randall seconded the motion and it was carried by unanimous vote.

ROUNDTABLE

Trustee Randall stated that the Street Lights for Brooklea Drive are expected to be delivered on November 27th. Trustee Randall gave Superintendent Massett all the materials to pull the wire for the lights, the Parking Lot lights should be delivered the week of November 17th.

Trustee Small reported that the Bare Root Tree Order will be delivered on Monday and the Tree Commission will coordinate with the DPW to get the trees planted.

Trustee Duggleby has received the Climate Action Document from CNY Regional Planning and he will provide a copy to each of the board members.

Trustee Duggleby said the Emerald Ash Borer has been found in the Village and Bartlett Tree Experts have injected all of the trees that were scheduled to be treated. The next phase in minimizing the infestation of the EAB is to remove the Ash Trees that were determined should be cut down as opposed to trying to save.

EXECUTIVE SESSION

Trustee Duggleby made a motion to enter into an Executive Session at 7:25 pm to discuss a pending legal matter and to include the Village Clerk , Attorney Spencer, Code Officer Richard Greene and Mark Shaheen. Trustee Randall seconded the motion and it was carried by unanimous vote.

Trustee Small made a motion to come out of Executive Session at 7:50pm. Trustee Randall seconded the motion and it was carried by unanimous vote.

Trustee Duggleby made a motion to adjourn the meeting at 7:50pm. Trustee Small seconded the motion and it was carried by unanimous vote.

Respectfully submitted,

Lorie Corsette, Village Clerk