

**VILLAGE OF FAYETTEVILLE
BOARD OF TRUSTEES
1/12/15**

Minutes of the Village of Fayetteville Board of Trustees meeting held Monday, January 12, 2015 at 6:00pm.

PRESENT:

Mayor Olson	Mike Rowe	Hayleigh Gowans
Trustee Kinsella	Clerk Corsette	Maryann Winters
Trustee Small	Attorney Spencer	Tom Goodfellow
Trustee Randall	Richard Greene	Ryan Goodfellow
Trustee Duggleby	Brian McAllister	Peter Fietta
Tina Fietta	Joe Girardi	Millie Richman
Shawn Meyers	John Wakefield	

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 DECEMBER 22, 2014

Trustee Small made a motion to accept the minutes of the December 22, 2014 meeting. Trustee Duggleby seconded the motion and it was carried by a unanimous vote.

ABSTRACT #13

Trustee Small made a motion to approve Abstract #13 in the amount of \$234,229.36. Trustee Randall seconded the motion and it was carried by unanimous vote.

Mayor Olson presented the board with a recap of goals and accomplishments for 2014 :

1. Canal Landing Phase 3 with \$150,000
2. Pass stable budget with increased reserves
3. DPW Garage improvements
4. New IT Program with CNYRIC
5. Solar Panel Project – DPW Roof
6. Signal Hill Sewer Improvement Project
7. Dredge & Clean Beard Pond
8. Complete Development of Syracuse Plastics, OBG, Jays Chevy, McIntyre Paper

9. Emerald Ash Bore Project & Recommendations
10. Implement a storm ready community awareness program

Mayor Olson reviewed the Top 10 goals for 2015:

1. E.F.C. Gateway Project
2. Stabilize Tax Rate
3. Canal Landing Phase 4 – Planning & Design 2016 completion
4. OBG Site Development with Developer
5. Mill Street Ledyard Dyke Rehab & Street Improvement
6. Health Insurance Review Committee
7. Develop New Fire & EMS Officer Structure
8. Long Term Capital Plan for Reserves & Implementation Plan
9. Complete development projects at Friendly's & Jay's Chevy
10. Start Senior Center Campus Plan

SOUTH BURDICK STREET – JOHN WAKEFIELD, PRESIDENT EMPOWER FCU

John Wakefield, President and CEO for Empower Federal Credit Union stated that he was referred to the Village Board by the Planning Board to discuss the issues he is having with Starbucks Customers parking in Empower's parking spaces and leaving the credit union customers nowhere to park. Mr. Wakefield informed the board that the credit union hired security to deter non customers from parking in their lot and that did not help so they have hired a tow truck on the week-ends hoping that the threat of having their vehicle towed would stop people from parking at Empower. Mr. Wakefield said that the tow truck was used only as a visual deterrent and as of this date they have not had any vehicles towed. The other concern that Mr. Wakefield discussed was the increased traffic on South Burdick Street since the "No Left Turn" from Route 5 onto Highbridge Street was put in place.

Mayor Olson explained that the Village is aware of the traffic issues along South Burdick Street, as well as the parking problems that Empower is having and feels that issues are part of an overall increase in traffic from Route 5, Starbucks and people that are using South Burdick Street as a cut through to get to Highbridge Street.

Mr. Wakefield believes that the high volume of business at Starbucks is what is creating the traffic issues as well as the parking issues at Empower. Mr. Wakefield told the board that he has no choice but to instruct the tow truck to start towing vehicles from the Empower Parking Lot so he can provide space for the credit union customers.

Mayor Olson said that if it is affecting business at the credit union then he should ticket and tow vehicles that are not doing business at Empower.

NORTH BURDICK STREET – CONT'D PUBLIC HEARING ZONE CHANGE

Mayor Olson summarized what was discussed at the December 22, 2014 meeting with regard to the proposed Planned Unit Development (PUD) zone change for North Burdick Street. Mayor Olson asked Clerk Corsette note for the record that the Village received a letter from COR Development stating their concern with regard to the SEQR process and that the developer had not provided a Traffic Study or a Drainage Study, two items that would be necessary before a determination could be made under SEQR.

Mayor Olson explained that Attorney Spencer had advised him that there will be 2 SEQR reviews, one done by the Village Board and the other done by the Village Planning Board as part of the Site Plan Approval. Attorney Spencer provided his opinion that the Village Board was responding to the SEQR questions based on the zone change only, not the proposed development. Attorney Spencer said that both the Traffic Study and the Drainage Study will need to be complete before the Village Planning Board can complete Part 2 of the Full Environmental Assessment Form under SEQR.

Mayor Olson reconvened the December 22, 2014 Public Hearing for the North Burdick Street Planned Unit Development (PUD) proposed zone change.

Tom Goodfellow, developer, provided those in attendance with an overview of the proposed development. The property consists of approximately 5 ½ acres on North Burdick Street, the vacant lot abuts the Town/Village Municipal Boundary. Mr. Goodfellow explained that he is proposing to commercially develop the property and build 2 buildings totaling 8,000 square feet that would be occupied by 3 retail/commercial businesses. Mr. Goodfellow stated that he is working with FEMA and the NYS DEC.

Shawn Meyers asked where the drainage culvert was in relation to the property.

Millie Richman has nothing against the proposed development but her back yard goes right to the creek and she is concerned with potential flooding. Ms. Richman said that she has lived in this house for 30 years and feels that it is important for the vacant lot to remain undeveloped.

Ms Richman asked Mr. Goodfellow has he received approval from FEMA?

Mr. Goodfellow stated that FEMA approved the proposed development, in concept, as long as it was engineered properly.

Ms. Richman asked who was going to guarantee that neither her nor her neighbors properties won't flood.

Brian McAllister submitted photos to the Village Board that showed the amount of water that is on the property.

Mayor Olson stated that the developer's engineer, Rudy Zona, will have to make sure that there is no flooding caused by this development. Mayor Olson feels that we have to let the process work and let the Planning Board review the proposal with all the information from the engineer, such as the traffic study, the drainage report and any issues with the NYSDEC and/or FEMA.

Trustee Randall asked who would be opposed to the proposed development if flooding was not a concern.

Brian McAllister said that even if there was no flooding concern he would still be concerned about the traffic.

Joe Girardi, COR Development, asked if the Village received their letter with regards to the SEQR process.

Mayor Olson stated that he did receive the letter from COR Development and discussed their concerns with Attorney Spencer and it was determined that the Village Board is lead agent for the zone change, only.

Mr. Girardi said that he respectfully disagrees with the opinion of the Village Attorney with regards to the Village Board and the SEQR Review. Mr. Girardi said that COR Development is not against the proposed development but feels that the developer should have provided a Traffic Study and a Drainage Study so the Village Board could analyze the project before they move forward with a zone change.

Trustee Kinsella made a motion to close the Public Hearing for the proposed Planned Unit Development Zone Change for North Burdick Street. Trustee Duggleby seconded the motion and it was carried by unanimous vote.

Trustee Kinsella made a motion to declare the Village Board of Trustees Lead Agent for Part 2 of the SEQR for purposes of the proposed Planned Unit Development (PUD) zone change for property located on North Burdick Street. Trustee Small seconded the motion and it was carried by unanimous decision.

Trustee Kinsella made a motion to adopt the following resolution:

**RESOLUTION UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT
RELATIVE TO THE ADOPTION OF LOCAL LAW NO. 1 of 2015 CHANGING THE
ZONING CLASSIFICATION.**

WHEREAS, pursuant to Article 8 of the New York State Environmental Conservation Law, as amended, and the regulations of the New York State Department of Environmental

Conservation promulgate thereunder (collectively “SEQR”), the Village Board of the Village of Fayetteville, Onondaga County, New York (the “Board”), is required to make a determination with respect to the environmental impact of any “action” (as defined by SEQR) to be taken by the Board (the “Action”); and

WHEREAS, the Action contemplated is the adoption of Local Law No. 1 of 2015 changing the zoning classification of two parcels on North Burdick Street; and

WHEREAS, pursuant to SEQR, the Board desires to determine whether the Action may have a significant adverse impact on the environment (as defined by SEQR); and

WHEREAS, to aid the Board in determining whether the Action may have a significant adverse impact upon the environment, the Board has reviewed a Full Environmental Assessment Form (the “EAF”), a copy of which is on file at the office of the Clerk of the Village; and

WHEREAS, the Board desires to declare itself Lead Agency for this Unlisted Action under SEQR with an uncoordinated review and the Board has also reviewed the reports submitted by GHD Consulting Services, Inc. and Environmental Solutions & Innovations, Inc.; and

WHEREAS, the Board and its representatives have consulted with various interested parties, viewed the site and otherwise undertaken the requisite “hard look” with respect to the Action;

NOW, THEREFORE,

BE IT RESOLVED by the Board as follows:

1. Based upon the foregoing, an examination of the EAF and the criteria contained in 6 NYCRR §617.7, the Board makes the following determination with respect to the Action:
 - A. The Board hereby declares itself as Lead Agency for this Unlisted Action with an uncoordinated review;
 - B. The Action will not have significant adverse impact on the environment;
 - C. As a consequence of the foregoing, the Board hereby directs that a Negative Declaration be issued with respect to the Action; and
 - D. The requirements of SEQR have been met.
2. The Clerk of the Village is hereby directed to file a Negative Declaration with respect to the Action in the Office of the Clerk in a file that will be readily accessible to the public.
3. This Resolution shall take effect immediately.

Trustee Small seconded the motion and it was carried by unanimous vote.

Trustee Randall understands the concerns with the flooding but he is more concerned with the idea of a commercial development encroaching a residential area.

Trustee Kinsella stated that at some point something will be built on this property and he is not opposed to what Mr. Goodfellow has presented.

Trustee Small agrees that there are concerns with flooding in this area but believes that these issues will be addressed during the Site Plan process, at the Village Planning Board. Trustee Small feels that the zone change will have a positive outcome for the area and that all issues will need to be mitigated before the developer can proceed. Trustee Small feels that the physical location and the various issues that have been discussed would not make this a suitable parcel to build a residential house.

Trustee Duggleby shares some of the same concerns as those that were previously stated as well as the impact that the proposed development will have on the adjacent properties. Trustee Duggleby feels that there are potentially more negative than positive impacts that would result from this proposal.

Mayor Olson understands the concerns that have been expressed during the Public Hearing and is confident that the Village Planning Board will address each issue during the Site Plan Process and make their determination based on the Engineer Studies as well as information that will be obtained from the various agencies, such as the NYS DEC, FEMA and the County Department of Transportation.

Trustee Small made a motion to adopt Local Law #1 of 2015 relating to changing the zoning classification of the Tax Parcel No. 07-01-18.0 and 07-01-19.0 North Burdick Street. Trustee Kinsella seconded the motion. Poll of the Board:

Mayor Olson- aye

Trustee Kinsella – aye

Trustee Small- aye

Trustee Randall- nay

Trustee Duggleby – nay

Motion carried

FIRE DEPARTMENT

Trustee Small made a motion to accept the application for membership to the Fayetteville Fire Department from Muhammed Qubaisy. Trustee Randall seconded the motion and it was carried by unanimous vote.

Trustee Small made a motion to authorize Chief Hildreth to purchase a Stryker Chair Lift, under State Contract. Trustee Randall seconded the motion and it was carried by unanimous vote.

Trustee Duggleby made a motion to authorize Mayor Olson to sign an agreement with 5 Star Medical to provide annual physicals for the members of the Fayetteville Fire Department. Trustee Randall seconded the motion and it was carried by unanimous vote.

Trustee Small made a motion to authorize Chief Hildreth to purchase a pump, under state contract from Code 4, to operate the Herst Tool for the new engine. Trustee Duggleby seconded the motion and it was carried by unanimous vote.

Trustee Small made a motion to authorize Mayor Olson to sign the Inter-Municipal Agreement for the Fit Test Machine, with approval of Council. Trustee Randall seconded the motion and it was carried by unanimous vote.

DEPARTMENT OF PUBLIC WORKS

Superintendent Massett provided the board with an update on the DPW Garage Renovation. The contractor has some miscellaneous items that need to be done, such as paving around the building. All major mechanical systems are working well.

Trustee Randall suggested that we hold a portion of the retainer from the contractor to ensure that he will be back to complete any open items.

BROOKSIDE SLIP LINING PROJECT-

Superintendent Massett reported that the contractor is not done with the slip lining there were more roots in the lines that needed to be cut than what was originally anticipated.

SIGNAL HILL AGREEMENT

The board reviewed the Signal Hill Agreement, prepared by Attorney Spencer, which states the Department of Public Works will salt and brine the cul-de-sacs within the development if there is less than an inch of snow on the roadways and only during their normal routes.

The board agreed with the contract and will send it to the Signal Hill Homeowners Association for their review.

ONONDAGA COUNTY RECOVERY & RECYCLING AGREEMENT

Trustee Kinsella made a motion to authorize the Mayor to sign the Agreement with Onondaga County Recovery and Recycling, with approval of counsel. Trustee Duggleby seconded the motion and it was carried by unanimous vote.

CANAL LANDING PHASE 4

Trustee Duggleby made a motion to authorize Mayor Olson to sign the agreement between the NYS Department of Transportation and the Village for Phase 4 of Canal Landing Park, with approval of counsel. Trustee Small seconded the motion and it was carried by unanimous vote.

EXECUTIVE SESSION

Trustee Small made a motion to enter into an Executive Session at 8:15 pm to discuss a personnel matter and to include Clerk Corsette. Trustee Duggleby seconded the motion and it was carried by unanimous vote.

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

Respectfully submitted,

Lorie Corsette, Village Clerk