

**VILLAGE OF FAYETTEVILLE
BOARD OF TRUSTEES
6/22/15**

Minutes of the Village of Fayetteville Board of Trustees meeting held Monday, June 22, 2015 at 7:00pm.

PRESENT:

Mayor Olson	Clerk Corsette	Will Pierce
Trustee Kinsella	Attorney Spencer	Ed Osada
Trustee Small	Chief Hildreth	Marguerite Ross
Trustee Duggleby	Richard Greene	Amy Sopchak
Maryann Winters	Jerry & Judy Dardzinski	Tess McKenney
Donald Rich	David Vickers	Marilou Pierce
Donna Smith	Mike Smith	Jerry Smith
Sharon Ames	Kelly Fumarola	Adam Fumarola
Jane Tretler	Sara Bollinger	Maryann Winters

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.

Mayor Olson asked for a moment of silence in memory of Dr. Hemmerlein who recently passed away.

MINUTES JUNE 8, 2015

Trustee Small made a motion to approve the minutes of the June 8, 2015 meeting. Trustee Duggleby seconded the motion and it was carried by a unanimous vote.

ABSTRACT #24

Trustee Small made a motion to approve Abstract #24 in the amount of \$6,116.95. Trustee Kinsella seconded the motion and it was carried by unanimous vote.

ABSTRACT #2

Trustee Kinsella made a motion to approve Abstract #2 in the amount of \$110,694.48. Trustee Small seconded the motion and it was carried by unanimous vote.

PUBLIC HEARING – PLANNED RESIDENTIAL DEVELOPEMNT – CONT'D

Attorney Spencer submitted the recommendations from SOCPA stating that they saw no implications with the proposed amendment.

Mayor Olson reconvened the Public Hearing

Don Rich, 121 Cashin Drive, read the following letter with regards to the proposed amendment to local law sections 187-7, J (1)(e)(h) and (i):

Good Evening,

My name is Donald G. Rich, a village resident residing at 121 Cashin Drive. I am speaking in opposition to the amendment to local law sections 187-7, J (1)(e)(h) and (i) that was proposed at the meeting of June 8, 2015. My reasons for opposing the amendment are as follows:

- The current law reads “No building or structure shall be erected more than two stories in height of 35 feet, whichever is less, from any point of measurement around the building or structure at ground level.” The amendment eliminates this height requirement, leaving it completely up to the board to decide on a height without any guidelines for reference. I, along with several other residents who spoke at the June 8 meeting, believe that removing this limit would have a devastating effect on the residential character of Fayetteville. High rise apartment buildings may be appropriate for cities, but certainly not for an historic, predominately residential village such as Fayetteville. The sky should not be the limit.
- The current law contains specific limits and requirements on lot area, percentage of lot coverage, lot yard dimensions, lot width, parking, signage, and open space. Again, the amendment eliminates these requirements leaving them up to the board. In these cases, however, the amendment does provide non-binding guidelines to the board. Based on my reading of the current law I believe it's clear that considerable thought went into writing it. I don't know what factors were considered, but also aesthetic issues. I can't think of any good reason to do away with the current law now. Certainly, changing the law to accommodate a specific builder or project would not be a good reason.

At the June 8th meeting the mayor asked us to trust the board to do the right thing, I have no reason not to trust him or any other member of the board, but I think it would be folly to trust all future boards to do the right thing when we don't know who the trustees will be or what kind of economic and political pressures they may face.

Before I end my remarks I would like to recite a little history, which I'm arguably qualified to do as the only remaining original resident on the side of Cashin Drive abutting the O'Brien & Gere property. My wife and I bought our present, first, and only home here on Cashin Drive in 1956. The development was then called Glenside. We moved in with our three pre-school sons along with about thirty or so other families who bought homes around that same time. The vast majority of were young married professionals with stay-at-home wives, small children and one car. (Think the fifty's) Cashin Drive ended in a cul-de-sac at Bishop's Brook, so it was a wonderful place for young children to grow up in. There was virtually no traffic whatsoever.

Shortly after we moved in, however we became aware that a developer on the other side of Bishop's Brook had obtained permission from the Village to build a bridge over the brook connecting Cashin Drive to a development in planning called Brookside. It also provided for the construction of a sewage treatment facility in what is now known as Coulter Park, this connection and facility allowed the creation of a much larger (and profitable) development on that side of the brook.

Almost every resident of Glenside came to a public meeting at the Village Hall to protest the bridge but our pleas were to no avail. The bridge was built, the sanitation system was built, Brookside expanded, traffic on Cashin Drive skyrocketed and the sanitation system claimed the life of my next door neighbor's dog.

A few years later Precision Casting Company, (the predecessor of Accurate Castings Company) was granted permission by the village to put an addition on their manufacturing facility. The addition included new and enlarged ventilating fans that ran 16-24 hours per day. The result was a dramatic increase in the ambient noise level, especially during the summer months when the doors to the addition were left open. This became so intolerable that eventually a group of residents in the Cammot Lane area filed a lawsuit against Precision. A trial was held, at which I testified. The judge admonished Precision management for their disregard of our complaints, but was unable to rule against them, presumably because the noise ordinances at that time (if any) gave him no basis.

But unbeknownst to any of us in our neighborhood a much more serious environmental problem was growing in the Precision/Accurate property. Toxic chemicals were being leached into the ground and flowing into Bishop's Brook. I was aware that some sort of drainage system was under the property because my oldest son fell into an open manhole there and came home covered with oil, but none of us were aware that the stuff that was draining was an environmental hazard. Now we know.

I'll conclude with a rhetorical question: Was I wise to put my trust in the Village board that allowed these things to happen? I think not.

Thank you for your attention

Jerry Smith, 124 Cammot Lane, asked if the mission statement, in the 2008 Master Plan, had changed.

Mayor Olson stated that the overall philosophy of the statement had not changed but the section relative to the property at 547 East Genesee Street has changed because of the deed restrictions that have been placed on the parcel by the NYS DEC.

Mr. Smith stated that he is opposed to the proposal at 547 East Genesee Street and does not believe we need high rises in Fayetteville and does not know why we need to change the PRD law.

Mayor Olson asked if the residents wanted to leave the toxicity in the ground or would they rather that it is cleaned up.

Mayor Olson explained that the changes in the proposed amendment to the PRD, excluding the height restriction, are unique to each PRD that is presented because each parcel of land has different issues that need to be addressed that cannot be done using generalized setback requirements.

Sharon Ames, 124 Cammot Lane, stated that the Local Law requires that the Comprehensive Plan is used as a guideline to development and that we should not change the rules for 1 developer, especially when it is not what the residents of the village want.

Mayor Olson explained that the proposed amendment to the Planned Residential District is not specific to one property, it would be for the entire village. Mayor Olson commented on the proposal to remove the height restriction, of 35 feet, by stating that after giving the proposal more thought and listening to the comments made at the last meeting, he is opposed to removing the 35 foot height limitation and he would not want to live next to a building that is taller than 35 feet.

Mary Lou Pierce, 101 Penwood Lane, said that prior to moving to Fayetteville she lived in Dewitt for 22 years, then moved to Phoenix where there are many rental properties that were not taken care of and when she decided to move to Fayetteville it was because Fayetteville is a village and stands alone with the quality of life that is offered to its residents.

Mayor Olson explained that while we very often boast quality of life he was recently told it is also quantity that is important.

Mike Smith, 111 Aladdin Drive, feels that laws are laws and what is clearly a requirement within the law should not be turned into a guideline.

Kelley Fumarola, Elm Street, asked if there was a way that the Village could communicate better with the Village Residents and provide information so people know what is going on in the Village. Mrs. Fumarola suggested that the Village become more active with Social Media as a possible means to communicate and provide information.

Dorothy Money, Barker Lane, asked what has been done to promote the use of the site as Industrial, as it is currently zoned.

Mayor Olson explained that we have had one person contact the Village to discuss the possibility of developing the site as Industrial and put in a manufacturing facility.

Donna Smith, 111 Aladdin Drive, asked why the Village Board would consider removing the height restriction and would rather see an applicant have to go the Zoning Board of Appeals for a variance.

Marguerite Ross, Cammot Lane, explained that she was at the last meeting and wanted to hear what others had to say about the proposed amendment. Ms Ross agrees that the 35 feet should not be changed and asked the board not to lift the 35 foot height restriction. Ms. Ross also stated that she is in favor of the village exploring the possibility of the site being used as industrial.

Tess McKenny, 204 Southfield Drive, said that she has been talking with people who live on the eastside of the development and shared her concerns with the increased traffic that the proposed development will create.

Maryanne Winters, 400 S. Manlius St, said that the village has a very nice website and suggested that people go there to get information about what is going on in the village.

Amy Sopchak, 14 Landgrove Drive, said that she lives just outside the village but the proposal is in her backyard, she also is not in favor of the added traffic.

Sharon Ames said that she looked for the minutes of the last meeting on the website and they were not posted.

Mayor Olson explained that the minutes are not posted until they are approved by the board.

Mayor Olson closed the Public Hearing at 7:05pm

Mayor Olson polled the Board of Trustees

Trustee Duggleby thanked those present for attending and commented that it was nice to hear comments from the public. Trustee Duggleby said that he is not a fan of tall buildings but he is not sure that he would be able to see the difference between a 32 foot building versus a 37 foot building. As for the traffic concerns, Trustee Duggleby stated that he is not sure how this can be resolved but the property needs to be developed with something, having it sit vacant is not good for the village or our residents.

Trustee Small agrees with Trustee Duggleby and feels that the Planned Residential Zoning (PRD) is an appropriate way to develop property. Trustee Small said that he is not necessarily opposed to limiting the height to 35 feet and feels that diversity of structures within a PRD is good.

Trustee Kinsella stated that the problem seems to be the 35 foot restriction and does not know if the use of the site as an Industrial Zone is a good thing. Trustee Kinsella is concerned that if a proposal for Industrial Development is presented, even if it is not something the village is in favor of, there will not be much the board can do to stop it because the property is zoned Industrial.

Mayor Olson thanked everyone for their comments and has faith in the current board, as well as future boards to make decisions that are in the best interest of the entire village.

SEQR REVIEW – LOCAL LAW TO AMEND THE PRD ZONING DISTRICT

Trustee Small made a motion to adopt the following resolution:

RESOLUTION UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT RELATIVE TO THE ADOPTION OF THE RESOLUTION APPROVING THE PROPOSED AMENDMENTS TO SECTION 187-7J.

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 Trustees of 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 a Resolution amending the provisions of Section 187-7J of the Village Code with respect to dimensional criteria and setbacks within a Planned Residential District; 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 been supplied with a Short Environmental Assessment Form (the “EAF”), a copy of which is on file at the office of the Clerk of the Board; and

WHEREAS, the Board desires to declare itself Lead Agency for this Unlisted Action under SEQR with an uncoordinated review; 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 Board 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 Kinsella seconded the motion and it was carried by unanimous vote

Mayor Olson made a motion to adopt Local Law #2 of 2015 to amend Chapter 187-7 of the Village of Fayetteville Code with respect to the Planned Residential Districts, as amended, that would allow the Village Board to determine the front, rear and side setbacks using the current setbacks as guidelines only, and retain the 35 foot maximum building height restriction but eliminate the maximum 2 stories restriction. Trustee Small seconded the motion and it was carried by unanimous vote.

PUBLIC HEARING – 308 SOUTHFIELD CHAPTER 55 (CONT'D)

Mr. Coughlin, property owner 308 Southfield, spoke to Richard Greene and told him that he will be signing a contract with Santaro Construction to restore and refinish the house, he estimated that it would take 3-4 months for the work to be completed.

Mayor Olson asked that Mr. Coughlin provide the Village with a copy of the signed contract and that he get his Building Permit signed by the Code Enforcement Officer no later than Friday, June 26th.

Mayor Olson made a motion to have the Code Enforcement Officer proceed with the Chapter 55 Facts and Findings in the event that Mr. Coughlin has not provided the Village with a copy of his signed contract or obtained a building permit by June 26, 2015. Trustee Small seconded the motion and it was carried by unanimous vote.

PUBLIC HEARING – CHAPTER 75 LOCAL LAW

Mayor Olson opened the Public Hearing at 7:30pm

Marguerite Ross, Cammot Lane, stated that she is in favor with the proposed Local Law and is on board with doing something that will help to control the deer population.

Mayor Olson closed the hearing at 7:40pm

Trustee Kinsella made a motion to adopt Local Law #3 of 2015 to repeal Chapter 75 of the Village of Fayetteville Code and replace it with a completely new Chapter 75, titled Firearms. Trustee Duggleby seconded the motion and it was carried by unanimous vote.

SEWER RATES 2015-2016

Mayor Olson tabled discussion until the next Village Board Meeting

TRAFFIC COMMITTEE

Mayor Olson spoke to the New York State Department of Transportation and would like to establish a committee to review what can be done to mitigate traffic issues within the Village, other than widening Genesee Street (NYS Route 5). Mayor Olson would like the following to make up the committee

1. Planning Board Member
2. Zoning Board Member
3. Historic Preservation Committee Member
4. Chamber of Commerce
5. 4 Village Residents

Mayor Olson asked Trustee Duggleby to Chair this committee

DPW – SUPERINTENDENT MASSETT

Superintendent Massett told the board that Suit-Kote should be starting the work next week. Roadwork will start in Signal Hill and Briar Brook.

Superintendent Massett started working on the property at 107 ½ North Street, he has taken down the fence and one shed.

Richard Greene submitted a proposal from Cral Inc. to remove the shingles and felt from the roof at 107 ½ North Street for an amount of \$13,800. Mr. Greene explained that he had solicited 3 written quotes and Cral Inc. was the low bidder.

Trustee Duggleby made a motion to authorize Mayor Olson to sign the contract with CRAL Inc. to remove the roofing materials, shingles and paper from 107 ½ North Street for a cost of \$13,800. Trustee Small seconded the motion and it was carried by unanimous vote.

SNOW PLOW PERMITS

Mayor Olson reported that the Village issued 47 Snow Plow Permits for the 2014-15 season and we took in \$845. The cost to repair damage to properties due to operators pushing snow across the road and damages to lawns was \$805.

Richard Greene, said that it seemed to help, having Snow Plow Operators permitted but it is a struggle getting the operators in to get the permit, initially.

BUCKET TRUCK UPDATE

Superintendent Massett has been unable to locate a new controller for the bucket truck, he will provide the board with an estimate of how much it will cost to hire Bartlett Tree Service to assist the DPW with work that needs to be done.

FIRE DEPARTMENT APPLICATIONS

Trustee Kinsella made a motion to accept the application for membership from Jenny VanHusen for the Fayetteville Fire Department, as an EMS Member. Trustee Small seconded the motion and it was carried by unanimous vote.

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

Trustee Kinsella made a motion to accept the application for membership from Brian Cole for the Fayetteville Fire Department. Trustee Duggleby seconded the motion and it was carried by unanimous vote.

Trustee Kinsella made a motion to accept the application for membership from Kaleigh Rockwood for the Fayetteville Fire Department. Trustee Duggleby seconded the motion and it was carried by unanimous vote.

FIRE DEPARTMENT – PURCHASES

Trustee Duggleby made a motion to authorize Chief Hildreth to purchase 2 stair chairs,. direct from Stryker under State Contract for a cost of \$2,742 per chair. Trustee Small seconded the motion and it was carried by unanimous vote.

FAYETTEVILLE FIRE DEPARTMENT – BATTALION CHIEF

Trustee Kinsella read a letter from Chief Hildreth recommending that the Village Board authorize Mayor Olson to appoint Jeb Benzing to fill the vacant position of Battalion Chief for the Fayetteville Fire Department.

Mayor Olson made a motion to appoint Jeb Benzing to the vacant position of Battalion Chief for the Fayetteville Fire Department for the remainder of the term, which expires March 31, 2016. Trustee Small seconded the motion and it was carried by unanimous vote.

DAVIS-ULMER FIRE SPRINKLER ANNUAL AGREEMENT

Trustee Duggleby made a motion to authorize Mayor Olson to sign a three (3) year agreement with Davis Ulmer for the Annual Fire Sprinkler Quarterly Inspections for the Fayetteville Fire Department and the Municipal Building for a cost of \$800/year. Trustee Small seconded the motion and it was carried by unanimous vote.

ANNUAL AGREEMENTS

Trustee Small made a motion to authorize Mayor Olson to sign the annual agreements between the Village of Fayetteville and the following organizations:

1. Matilda Joslyn Gage Foundation
2. Fayetteville Senior Center
3. Fayetteville Recreation, Inc.
4. F-M Schools
5. Manlius Historical Society

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

FAYETTEVILLE SENIOR CENTER – ARCHITECT REVIEW

Trustee Duggleby made a motion to authorize Mayor Olson to sign an agreement with Craig Polhamus Architect, to provide Architectural and Engineering Services related to the Fayetteville Senior Center. Trustee Small seconded the motion and it was carried by unanimous vote.

ROUNDTABLE

Trustee Kinsella would like to have “No Parking” on Orchard Street between Chapel and Walnut.

Mayor Olson tabled the discussion until the next meeting

Trustee Small reported that the Beautification Committee has received \$11,127 in donations for the flower pots.

EXECUTIVE SESSION

Trustee Kinsella made a motion to enter into an Executive Session at 8:40 pm for advice of counsel and to discuss a personnel matter and advice of counsel. Trustee Small seconded the motion and it was carried by unanimous vote.

Trustee Kinsella made a motion to come out of Executive Session at 9:25pm. Trustee Small seconded the motion and it was carried by unanimous vote.

Trustee Duggleby made a motion to adjourn the meeting at 9:25pm. Trustee Small seconded the motion and it was carried by unanimous vote.

Respectfully submitted,

Lorie Corsette, Village Clerk