

**VILLAGE OF FAYETTEVILLE
BOARD OF TRUSTEES
11/23/15**

Minutes of the Village of Fayetteville Board of Trustees meeting held Monday, November 23, 2015 at 6:00pm.

PRESENT:

Mayor Olson	Clerk Corsette	Judge Hughes
Trustee Small	Attorney Spencer	Tony Corasaniti
Trustee Duggleby	Chief Hildreth	Judy Dardzinski
Trustee Kinsella	Tom Talbot	Jerry Dardzinski
Dave Cassel	Chris Bollinger	Sara Bollinger
Bryce Ballway	Gordon Scheyedy	Jim Coughlin
Richard Greene, CEO	Liz Doran	Terry Coughlin

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 NOVEMBER 9, 2015

Trustee Small made a motion to accept the minutes of the November 9, 2015 meeting. Trustee Duggleby seconded the motion and it was carried by a unanimous vote.

ABSTRACT #11

Trustee Small made a motion to approve Abstract #11 in the amount of \$457,991.92. Trustee Duggleby seconded the motion and it was carried by unanimous vote.

SOLICITORS PERMIT

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

Trustee Kinsella made a motion to approve the Solicitors License Application submitted by Top Flight Marketing, to go door to door, Monday – Saturday 10am - (dusk), no solicitation on Sundays. Trustee Duggleby seconded the motion and it was carried by unanimous vote.

DEER MANAGEMENT PLAN

Attorney Spencer reviewed the Deer Management Plan and the Public Hearing that the Village Board held at the last meeting. The next step in the process is for the Village

Board of Trustees to follow the State Environmental Quality Review process and prepare a full Environmental Assessment Form.

Trustee Kinsella made a motion to adopt the following resolution under the State Environmental Review Act:

RESOLUTION UNDER THE STATE ENVIRONMENTAL REVIEW ACT

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 promulgated 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 a Deer Management Plan; 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 prepared an 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 declares itself Lead Agency for this unlisted action; and

WHEREAS, the Board and its representatives have notified and worked with various interested parties and have undertaken the requisite “hard look” with respect to the Action.

NOW, THEREFORE,

BE IT RESOLVED by the Board as follows:

1. Based on 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;
- 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 Small made a motion to adopt the Deer Management Plan for the Village of Fayetteville. Trustee Duggleby seconded the motion and it was carried by unanimous vote.

Mayor Olson thanked the committee for all of the work they did developing the plan and said if there is anything that they need moving forward with the implantation of the plan to let him know.

Marguerite Ross, resident, stated that the large deer population is a serious issue and applauds both the Village Board and the Deer Committee for their efforts and stated that she stands ready to support the plan in any way she can.

FITCH STREET ABANDONMENT – PUBLIC HEARING

Attorney Spencer reviewed the request that was received by the Village Board to consider abandoning Fitch Street and selling the one block stretch to Five Point Development, who is proposing to develop the property located at the corner of Highbridge Street and Genesee Street. Attorney Spencer explained that records show that Fitch Street was established in 1936, pursuant to a resolution by the Village Board.

There are two properties that would be affected by this transaction, 117 Highbridge Street and 100 Thompson Street, both properties are part of a sub-division that was done in 1997. Attorney Spencer explained that tonight' s Public Hearing will provide an opportunity for residents or property owners to make comments on the proposal to abandon Fitch Street.

Mayor Olson opened the Public Hearing at 6:20pm.

Tom Talbot, owner of 100 Thompson Street, asked Attorney Spencer if he found anything that allows the Village to abandon Fitch Street, even though he has an easement to access his property from Fitch Street.

Attorney Spencer explained that abandoning Fitch Street would not create a land-locked situation for Mr. Talbot because he still has access to his property from Thompson Street.

Mr. Talbot stated that as the property owner of 100 Thompson Street he has access to his easement from both Fitch Street and Thompson Street and he believes that both access points are important to his property. Mr. Talbot wants to make sure that his interest in Fitch Street is protected and he has continued access to that portion of his property.

Mayor Olson closed the Public Hearing at 6:45pm. Mayor Olson stated that the consideration to abandon Fitch Street will be tabled until a later date.

Trustee Kinsella stated that when the Village Board looks at the proposal to abandon Fitch Street at a later date that they take into consideration the concessions that the Village Planning Board requested of the property owners.

308 SOUTHFIELD DRIVE – CHAPTER 55

Codes Enforcement Officer, Richard Greene, provided the Village Board with an update for 308 Southfield Drive. Mr. Greene recommends that the Village Board move forward with the Facts and Findings under Chapter 55 and if the owners wish to move forward with the repairs that they will need to provide the village with a Bond Guarantee that will remain in place until the house has reached substantial completion, and also that the property owners submit a set of stamped and signed architectural drawings.

Trustee Small made a motion to continue to move forward, under Chapter 55, with 308 Southfield Drive. Trustee Duggleby seconded the motion and it was carried by unanimous vote.

RADAR SIGN REPLACEMENT

Trustee Small made a motion to purchase a new Radar Sign for a cost of \$3,685. Trustee Duggleby seconded the motion and it was carried by unanimous decision.

FUEL OIL TANK REMOVAL

Trustee Small made a motion to accept the proposal from Environmental Products & Services, in the amount of \$4500, for the removal and disposal of the underground fuel oil tank located at 305 1/2 Wortley Way. Trustee Duggleby seconded the motion and it was carried by unanimous vote.

VACATION BUYBACK

Trustee Small made a motion for the Village to buy back 1 week of vacation time from Patrick Massett. Trustee Kinsella seconded the motion and it was carried by unanimous vote.

LEAF PICK UP

The DPW has been working diligently to get all of the leaves picked up around the village, to date the cost of this program is about \$10,000 less than last year.

DPW SUPERINTENDENT'S REPORT

Superintendent Massett submitted the following report:

Open Projects:

1. Still waiting for Army Corps of engineers to give us the ok in the wet land area on East side of the Ledyard Canal.
2. Natural Gas line for Day Care building. The gas line will be installed on the South side of the road. In 3 to 4 weeks National Grid will install the 2" gas main 275 ft. from Brooklea Dr. on Wortley Way. Charles Heating will do the 1" service line to the building and remove and install the new furnace. The DPW will do the digging and backfill of both trenches. Called Charles Heating and waiting for service line date.
3. Removal of the old fuel oil tank at the Day Care building. See quotes.
4. New Refuse Truck: Talked to the body salesman today and still no answers for a delivery date.
5. Leaf season 2015 is going well. See attach sheet.
6. S. Burdick St. Do Not Enter Signs. See attach
7. Radar Sign see attach
8. Holiday lights are up and ready for lighting ceremony.

FIRE DEPARTMENT MEMBERSHIP APPLICATIONS

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

JUSTICE COURT REPORT

Judge Hughes provided the Village Board with an update regarding the Village Court, the number of tickets that are being handled as well as the criminal cases. Over the last 10 months the court has handles 831 matters of which 757 were V&T tickets, 53 Penal Law matters and 102 arraignments. Judge Hughes said that he is fortunate to have a great staff to work with that includes the Court Clerk, Assistant Clerk and the Bailiffs. Judge Hughes explained the JCAP Grant that the court recently applied for and also reviewed the work that was done under the last grant that included re-keying entry doors and re-coding the elevator both necessary actions needed to make the court room safer and controlled while in session.

Trustee Kinsella commented that he has come and watched while court is in session and was very impressed especially with the level of patience that is exhibited by Judge Hughes.

Mayor Olson thanked Judge Hughes taking time to give the board an update.

CERTIFICATE OF NON-CONFORMING USE

Trustee Small made a motion to issue the following Certificate of Legal Non-Conformity to Timothy and Joyce Nevelndine, 109 Center Street. Trustee Kinsella seconded the motion and it was carried by unanimous vote

This certificate of Legal Non-Conformity is issued by the Village of Fayetteville Board of Trustees by resolution pursuant to Section 187-14F of the Code of the Village of Fayetteville.

Upon application of Timothy & Joyce Nevelndine, it is hereby found as follows:

1. That the property is- located in an R-2 Zone.
2. That the current use of the property is a single-family residence.
3. That the existing parking provisions predate the current zoning provisions, therefore allowing a vehicle to be lawfully parked on the designated driveway area, regardless of the existence of sidewalk

4. That this is a legal non-conformity to the extent that the above described use of the property was lawfully in existence as of the effective date of the Zoning Chapter of the Code of the Village of Fayetteville and any relevant amendments thereto.

A copy of this Certificate of Legal Non-Conformity shall be transmitted to the property owner and kept on file in the office of the Village Clerk.

OCRRA HAULERS AGREEMENT

Trustee Small made a motion to authorize Mayor Olson to sign the annual Hauler's Agreement with Onondaga County Resource & Recovery Agency (OCRRA). Trustee Kinsella seconded the motion and it was carried by unanimous vote.

NORTH BURDICK STREET- GHD CONSULTANT AGREEMENT

Trustee Small made a motion to authorize Mayor Olson to sign the agreement with GHD Consultant for engineering services related to the North Burdick Street Development. Invoices billed to this proposal will be charged to the escrow account previously established. Trustee Duggleby seconded the motion and it was carried by unanimous vote.

BONADIO GROUP

Trustee Small made a motion to authorize Mayor Olson to sign the agreement with The Bonadio Group confirming the understanding of services that they will be providing as part of their audit of our Financial Statements. Trustee Duggleby seconded the motion and it was carried by unanimous vote.

ONONDAGA COUNTY YOUTH BUREAU

Trustee Kinsella made a motion to authorize Mayor Olson to sign the agreement with Onondaga County Youth Bureau to provide funding for the Fayetteville Recreation Program. Trustee Small seconded the motion and it was carried by unanimous vote.

DUNKIN DONUT BANNER/WINDJAMMER SIGN REQUEST

Trustee Small made a motion to allow Dunkin Donuts to display a total of three (3) temporary signs which will be a combination of banners and wind jammer displays to advertise their grand opening. Trustee Kinsella seconded the motion and it was carried by unanimous vote.

EXECUTIVE SESSION

Trustee Duggleby made a motion to enter into an Executive Session at 6:50 pm for advice of counsel, to include Clerk Corsette, Attorney Spencer and Richard Greene. Trustee Small seconded the motion and it was carried by unanimous vote.

Trustee Duggleby made a motion to come out of Executive Session at 7:15pm. Trustee Small seconded the motion and it was carried by unanimous vote.

Trustee Small made a motion to adjourn the meeting at 7:15pm. Trustee Duggleby seconded the motion and it was carried by unanimous vote.

Respectfully submitted,

Lorie C. Corsette
Village Clerk