

**VILLAGE OF FAYETTEVILLE
BOARD OF TRUSTEES
9/27/16**

Minutes of the Village of Fayetteville Board of Trustees meeting held Tuesday, September 27, 2016 at 6:00pm.

PRESENT:

Mayor Olson	Clerk Corsette	Ed Carey
Trustee Kinsella	Attorney Spencer	Javiar Barrios
Trustee Small	Supt. Massett	Marguerite Ross
Trustee Randall	Richard Greene	Kimberly Sweetser
Trustee Duggleby	Hayleigh Gowans, Eagle Bulletin	

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 SEPTEMBER 12, 2016

Trustee Small made a motion to accept the minutes of the September 12, 2016 meeting. Trustee Randall seconded the motion and it was carried by a unanimous vote.

ABSTRACT #6

Trustee Randall made a motion to approve Abstract #6 in the amount of \$132,807.41 Trustee Small seconded the motion and it was carried by unanimous vote.

PUBLIC HEARING – CHAPTER 81 FEMA/NYSDEC

Attorney Spencer provided some background information and why the Village needs to amend Chapter 81. FEMA has been examining the existing flood maps and will be adopting the new Flood Insurance Study and the Flood Insurance Rate Maps effective November 4, 2016. In order for the Village of Fayetteville to be eligible to participate in the National Flood Insurance Program (NFIP) the Village needs to amend Chapter 81 in order to comply with FEMA's community floodplain management regulations. The amendment must be passed and submitted to the NYS DEC no later than October 5, 2016.

Attorney Spencer stated that the draft amendment has been approved by the NYS DEC and Barton & Loguidice Engineering as part of the MS4 Stormwater Regulations.

Mayor Olson opened the Public Hearing at 6:10pm.

Marguerite Ross, 108 Camnot Lane, stated that she had several thoughts, in the larger scope she understands the legal mandate imposed on the Village and that it is necessary in order for property owners to be eligible for Flood Insurance, but Ms. Ross has reservations and wishes there was more time to review the new Flood Maps and Study. Ms. Ross asked if the local law had to be adopted tonight.

Attorney Spencer informed Ms. Ross that the amendment must be passed by October 5, 2016.

Ms. Ross asked the board to consider revisiting the Local Law amending Chapter 81 when there is more time to discuss village policy and also stated that there are some amendments that she would like the board to make that would be more specific to Fayetteville instead of the boiler plate language that is in the current amendment.

Attorney Spencer stated that there is nothing that would stop or prohibit the village from making amendments to Chapter 81 at a later date.

Mayor Olson closed the Public Hearing at 6:45pm.

Trustee Small made a motion to declare the Village Board of Trustees as Lead Agency for the purpose of SEQR as it related to Local Law #2 of 2016 amending Chapter 81 of the Code of the Village of Fayetteville. Trustee Kinsella seconded the motion and it was carried by unanimous vote.

The Village Board completed Part 2 of the SEQR Short Form.

Trustee Small made a motion to adopt the following resolution:

**RESOLUTION RELATIVE TO THE ADOPTION OF LOCAL LAW NO. 2 of 2016 AMENDING
CHAPTER 81 (FLOOD DAMAGE PROTECTION) OF THE CODE OF THE VILLAGE OF
FAYETTEVILLE.**

WHEREAS, pursuant to Article 8 of the New York State Environmental Conservation Law and regulations of the New York State Department of Environmental Conservation promulgated thereunder (collectively “SEQR”), the 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 here is the adoption of Local Law No.2 of 2016, amending Chapter 81 (Flood Damage Protection) of the Village of Fayetteville Code, sections 81-1 through 81-20 (plus Attachments A and B) so as to adopt new flood plain management regulations which meet Federal regulatory standards so that, among other things, the Village remains eligible for the National Flood Insurance Program, to minimize the threat of erosion and flooding damages in the Village, and to adopt and incorporate the most recent Flood Insurance Rate Maps and Flood Insurance Study into the laws of the Village as required by the Department of Homeland Security’s Federal Emergency Management Agency (“FEMA”).; and

WHEREAS, the proposed Local Law was forwarded to the New York State Department of Environmental Conservation for review and was found by the DEC to be in compliance with all applicable State and Federal regulations related to flood damage protection; 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 duly declares itself Lead Agency and classifies this action as Unlisted for purposes of uncoordinated review; and

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

WHEREAS, pursuant to the publication and posting of public notice authorized by Board resolution and as required by law, the Village Board duly held a public hearing at the Village Hall on September 27, 2016 and, upon the closing of said public hearing, there had been no comments offered in opposition to the proposed Local Law No. 2 of 2016;

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, and the Impact Assessment. Part Two, completed and filed with the Village Clerk, the Board makes the following determination with respect to the Action:

- A. The Action will not result in any significant adverse environmental impacts;
- B. The Board hereby issues a Negative Declaration with respect to the Action, which involves the legislative adoption of a local law only; and
- C. The requirements of SEQR have been met.

2. The Mayor is hereby authorized to execute and Village Clerk is hereby directed to file a Negative Declaration with respect to the Action in the Office of the Village Clerk in a file that will be readily accessible to the public.

3. The Board further determines, after due deliberation, that it is in the best interests of the Village to adopt, and hereby approves and adopts, Local Law No.2 of 2016 in its entirety so as to amend and replace existing Chapter 81 (Flood Damage Protection) of the Village of Fayetteville Code with new Chapter 81 (Flood Damage Protection) of the Village of Fayetteville Code, sections 81-1 through 81-20 (plus Attachments A and B) with the text attached hereto and incorporated herein by this reference.

4. The Village Clerk is hereby directed to enter said Local Law in the minutes of this meeting and in the Code of the Village of Fayetteville and to give due notice of the adoption of said Local Law to the New York Secretary of State. The Mayor and the Village attorney are further authorized and directed to execute any and all other documentation and to take any additional action as may be required or necessary to give this Resolution full force and effect.

5. This Resolution shall take effect immediately.

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

PUBLIC HEARING – COMMUNITY CHOICE AGGREGATION PROGRAM

Mayor Olson opened the Public Hearing to discuss the proposed Local Law that would allow Community Choice Aggregation to take initial steps to procure energy supply service for its residential and commercial customers, who will have the opportunity to opt out of the procurement while maintaining transmission and distribution service from the existing distribution utility, National Grid.

Mayor Olson further explained that the initial step is data collection that is done by the program administrator, Good Energy.

Mayor Olson opened the Public Hearing at 6:45pm.

Marguerite Ross, 108 Camnot Lane, read the following statement:

I urge the Board of Trustees not to allow Community Choice Aggregation to collect data on energy use in the Village of Fayetteville.

I consider that data on residents and businesses energy use is private information. I for one believe that no one should be allowed to access data about my energy use without my prior authorization. I have not and do not intend to authorize anyone to collect information about my energy use. I question whether the Village of Fayetteville has the authority to allow anyone to collect data on energy use in our village as a whole without the express consent of all of us who would be affected.

The concept of enrolling residents and businesses in a bulk program is repugnant to me. Any of us who so chooses is already free to seek an alternative energy supplier besides National Grid. That is satisfactory in my book. Personally, I am not interested in seeking alternative suppliers because I do not believe it would benefit me on balance, and I do not want the hassle of having to opt out of a bulk purchasing program.

The most important consideration in my mind is that National Grid has a monopoly on gas and electric distribution. Any savings that customers can realize by purchasing energy from another supplier will be offset by National Grid's raising prices for distribution. In addition, alternative suppliers do not necessarily have the capacity to provide energy as a reliably as National Grid over the long run and I don't believe the Village of Fayetteville should be in the business of selecting one alternative supplier over any others who might wish to compete in offering bulk purchase rates.

It's not worth it as far as I'm concerned for us to pursue this concept any further

Marguerite Ross

Ed Carey, Good Energy, stated that they are not supplying alternative energy.

Marguerite Ross clarified that she said alternative suppliers.

Javiar Barrios, Good Energy, stated that the PSC has included Community Choice Aggregate in the top 10 highest impact suppliers and suggested contacting the Public Service Commission.

Mayor Olson closed the Public Hearing at 7:30pm.

Mayor Olson polled the Board of Trustees for comments related to Community Choice Aggregation.

Trustee Randall stated that he is currently neutral and is not sure if he wants to make a choice for the entire village. Trustee Randall feels that public informational meetings outlining the program would be very important than the public hearing. Trustee Randall stated that he is okay with anonymous data collection.

Trustee Kinsella stated that he has had a positive response from the public. While he understands the comments made by Ms. Ross, Trustee Kinsella feels that this is an opportunity for residents.

Trustee Small understands the concerns but is in agreement with anonymous data collection and does not feel it is a negative thing for a village to try and offer programs that will help residents save money. Trustee Small said that the residents he has talked with are not opposed to the data collection.

Trustee Duggleby stated that he did not know where to start. He has talked to 30 or more residents who are opposed to the program. Trustee Duggleby said that there is no doubt that the data collection results will show a reduction of 8%-10% but feels that ultimately there is no choice and people will not actively seek out alternatives to this program. Trustee Duggleby does not agree with simply handing the entire village's energy use over to one company. There is no incentive on the part of Good Energy to compete for business. Trustee Duggleby does not believe that the Village Board should be deciding who residents will purchase their energy from.

Trustee Small made a motion to adopt Local Law #3 of 2016 adding a New Chapter to the Village Code entitled "Community Choice Aggregation (Energy) Program". Trustee Kinsella seconded the motion.

Poll of the Board:

Mayor Olson – aye

Trustee Kinsella – aye

Trustee Small- aye

Trustee Randall – aye

Trustee Duggleby – nay

Motion carried.

CHICKEN PERMIT APPLICATION- 606 CHAPEL STREET

Kimberly Sweetser, 606 Chapel Street, submitted a Chicken Permit Application to the Village Board requesting permission to construct or purchase an appropriate sized chicken coop to house no more than three (3) hens. Ms. Sweetser explained that her intention is to build, then purchase the hens sometime during the spring of 2017.

Trustee Kinsella made a motion to approve the Chicken Permit Application submitted by Kimberly Sweetser, 606 Chapel Street, to build a chicken coop and house no more than three (3) hens. Trustee Randall seconded the motion.

Poll of the Board:

Mayor Olson – aye

Trustee Kinsella – aye

Trustee Small- aye

Trustee Randall – aye

Trustee Duggleby – nay

Motion carried.

FENCE- LIMESTONE PLAZA

Clerk Corsette submitted three (3) written quotes to fabricate, paint and install 72 feet of hand railing on the East Side of Brooklea Drive in front of Skaneateles Jewelry and the Bundy Building.

1. King Fabricating, Inc. - \$91.67 /linear foot
2. Raulli & Sons - \$99.85 /linear foot
3. Tim Gottschall - \$97.15/linear foot

Mayor Olson made a motion to accept the quote from King Fabricating, Inc. in the amount of \$91.67/linear foot and a cost not to exceed \$6600. Trustee Randall seconded the motion and it was carried by unanimous vote.

ORCHARD STREET PARKING

The board discussed the request for handicap parking spaces on Orchard Street. Trustee Kinsella thinks that Chapel Street would be a better place for handicap spaces than Orchard. Trustee Small agreed.

The Board asked Superintendent Masset to look at Chapel Street and see if there is an area where handicap spaces would fit.

STREET LIGHT – LINCOLN STREET POLE #11

Trustee Kinsella made a motion to request National Grid install an overhead street light on Pole #11 located on Lincoln Street. Trustee Small seconded the motion and it was carried by unanimous vote.

BISHOP'S BLUFF SIGN REQUEST

Mr. & Mrs. Pierce, 101 Penwood Lane, requested permission to install a 48"x10" wooden sign at the corner of N. Manlius Street and Penwood Lane. The sign will read "Bishop's Bluff" circa 1961 and will be placed approximately 12 feet from Penwood Lane and 15 feet from N. Manlius Street.

Trustee Duggleby made a motion authorizing the Village Board of Trustees to approve the request from Marylou and Will Pierce to install a sign at the entrance of the housing development known as Bishop's Bluff at the corner of N. Manlius Street and Penwood Lane. Trustee Randall seconded the motion and it was carried by unanimous vote.

CHAPTER 55 UPDATE- RICHARD GREENE

Richard Greene stated that he has been working with Attorney Spencer and is preparing the Facts and Findings, he should have something for the next meeting.

SENIOR CENTER-

Trustee Randall has been working with Peter Tynan, Senior Center Board President, reviewing the second floor and what work needs to be done. Trustee Randall would like the board to authorize some investigative work to be done so we know what is behind the paneling on the walls and under the carpeting.

Trustee Randall made motion to authorize expenses up to \$500 for investigation of unforeseen conditions related to the renovations of the Senior Center second floor. Trustee Small seconded the motion and it was carried by unanimous vote.

DPW UPDATE

Superintendent Massett submitted the following update

Open Projects:

1. Western Gateway Project: Did a walk through with all contractors and only three small items are to be taken care of. The Gateway sign has been started.
2. 2016 SGIP: Brookside sewer lining is all done. There is three point repairs sleeve that will be done. One on Kessler, Margo and Brookside. B&L Engineers are looking into using left over money to camera other areas.
3. Stacks Animal Hospital: Starting demolition this week. All utilities have been notified to cut from building. Still waiting on Verizon and Time Warner.
4. Sidewalks Mill St.: Completed up to the curve.
5. Thompson Rd. No parking signs installed on south side from S. Burdick to first house going east. Businesses asked that no signs be put up in front of their property. North side signs were removed.
6. Parking lot: Craftsmen Inn off from South Burdick St. has been cleaned up by the contractor. The DPW will be working to clean up the drainage area in the back soon.
7. Wrought Iron fence: DPW to install as soon as fence is completed.
8. Leaf season: As soon as piles start forming the DPW is ready to go.
9. Street Lights: Some street lights have been fixed and others are being worked on. The three sidewalk lights under the Rt.5 Bridge need to be replaced. Leaking water from the bridge deck is corroding the aluminum light boxes. Two lights under the bridge on the east side of Mill St. need replacing.

Trustee Small made a motion to hire Noah Welker to work at the DPW part-time during leaf season at a rate of \$10/hour. Trustee Randall seconded the motion and it was carried by unanimous vote.

FIRE DEPARTMENT MEMBERSHIP APPLICATIONS

Trustee Kinsella made a motion to accept the application for membership to the Fayetteville Fire Department from Andrew Weis for Fire Police. Trustee Randall seconded the motion and it was carried by unanimous vote.

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

CREDIT CARD USE

Chief Hildreth requested authorization to use the Village Credit Card for incidental purchases needed when he goes to Wisconsin to finalize the build of the new Fire Engine. Most costs will be paid for by Pierce Manufacturing.

Trustee Kinsella made a motion to authorize Chief Hildreth to use the Village Credit Card for incidental costs, not to exceed \$250 in total. Trustee Small seconded the motion and it was carried by unanimous vote.

FIRE DEPARTMENT PURCHASES

Chief Hildreth requested authorization to purchase ten (10) High-Visibility Station Coats for a cost not to exceed \$2,800. Chief Hildreth has two (2) quotes and needs to get a third before making the purchase.

Trustee Kinsella made a motion authorizing Chief Hildreth to purchase ten (10) High-Visibility Station Coats for a cost not to exceed \$2,800. Trustee Randall seconded the motion and it was carried by unanimous vote.

WESTERN GATEWAY WELCOME SIGN

Trustee Duggleby made a motion authoring Superintendent Massett the use of the Village Credit Card to purchase 4" white letters for the Western Gateway Welcome Sign for a cost of \$548.64. Trustee Randall seconded the motion and it was carried by unanimous vote.

TRANE ANNUAL AGREEMENT

Trustee Kinsella made a motion to authorize Mayor Olson to sign the Annual Agreement with TRANE, Inc. for the maintenance of the HVAC in the Municipal Building in the amount of \$7,527. 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 7:55 pm for advice of counsel. Trustee Randall seconded the motion and it was carried by unanimous vote.

Trustee Kinsella made a motion to come out of Executive Session at 8:05pm. Trustee Small seconded the motion and it was carried by unanimous vote.

Trustee Small made a motion to adjourn the meeting at 8:05pm. Trustee Randall seconded the motion and it was carried by unanimous vote.

Respectfully submitted,

Lorie Corsette, Village Clerk