

**VILLAGE OF FAYETTEVILLE
BOARD OF TRUSTEES
12/20/16**

Minutes of the Village of Fayetteville Board of Trustees meeting held Tuesday, December 20, 2016 at 5:00pm.

PRESENT:

Mayor Olson	Clerk Corsette	Brian McAllister
Trustee Kinsella	Attorney Spencer	Sara Bollinger
Trustee Small	Richard Greene	Marguerite Ross
Trustee Randall	Pamela Bender	
Trustee Duggleby	Craig Polhamus	

Mayor Olson called the meeting to order at 5:00pm in the Board Room of the Fayetteville Village Hall.

Mayor Olson led those present in a recitation of the Pledge of Allegiance

EXECUTIVE SESSION

Trustee Duggleby made a motion to enter into an Executive Session at 5:05 pm for 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 5:15pm. Trustee Duggleby seconded the motion and it was carried by unanimous vote.

NORTH BURDICK STREET PLANNED UNIT DEVELOPMENT LL#1 2015

Attorney Spencer explained that the Village Board of Trustees adopted a local law to rezone to parcels on North Burdick Street, since the local law was adopted, 2 years ago, during the Site Plan review, by the Village Planning Board, the project has gone through an evolution. The Planning Board has been tracking the current proposal to what was originally proposed to be developed and believe that what is currently being presented by the developer no longer fits into a Planned Unit Development and may fit into another, more appropriate zoning classification. The Planning Board, at its last meeting, asked that the Village Board of Trustees provide them with some clarity with regards to the conditional approval of the Planned Unit Development, Local Law #1 of 2015.

SHORT ENVIRONMENTAL ASSESSMENT FORM (EAF)

Attorney Spencer reviewed the Short Environmental Assessment Form with the Village Board of Trustees and completed Parts 1, 2 and 3.

Trustee Small made a motion to adopt the following resolution:

RESOLUTION UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT RELATIVE TO THE RECESSION 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 recession 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 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 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 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 Duggleby seconded the motion and it was carried by unanimous vote

RESCIND LOCAL LAW #1 OF 2015

Trustee Small made a motion to adopt the following resolution:

WHEREAS, the Village Board of the Village of Fayetteville has previously adopted Local Law No. 1 of 2015 approving conditionally to change the zoning classification of the following parcels located off N. Burdick Street.

Tax Map Parcel No.

07-01-18.0

07-01-19.0

To allow for proposed development within a Planned Unit Development involving potential retail use, financial institutions and/or restaurants; and

WHEREAS, the original proposal for development has gone through a number of iterations and the current proposal appears to fit within an existing traditional zoning classification that does not require utilization of a Planned Unit Development.

NOW THEREFORE, BE IT RESOLVED that the Village Board hereby rescinds Local Law No. 1 of 2015 pursuant to Section 3 of Local Law No. 1 of 2015.

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

MINUTES NOVEMBER 28, 2016

Trustee Small made a motion to accept the minutes of the November 28, 2016 meeting. Trustee Duggleby seconded the motion and it was carried by a unanimous vote.

ABSTRACT #11

Mayor Olson asked that the minutes show that there is a payment to both himself and Karen Shepardson for reimbursement of costs associated with the Holiday Party.

Trustee Kinsella made a motion to approve Abstract #11 in the amount of \$145,092.39. Trustee Small seconded the motion and it was carried by unanimous vote.

RIVERFRONT MEDICAL- RANDOM DRUG & ALCOHOL MANAGEMENT AGREEMENT

Trustee Small made a motion to authorize Mayor Olson to sign the agreement with Riverfront Medical for the renewal of the Random Drug and Alcohol Management Program. Trustee Duggleby seconded the motion and it was carried by unanimous vote.

HISTORIC PRESERVATION COMMISSION

Craig Polhamus, HPC Chairman, came to discuss various grant opportunities that are available, one possible grant would be assessing Historic Homes that are in the village but not in the Historic District.

Both Trustee Kinsella and Trustee Small said that this was looked at in the past by the HPC and Barbara Rivette.

Trustee Kinsella said that there was a discussion about adding houses on Elm Street to the Historic District but since the homes selected were not continuous it could not be done. Trustee Kinsella asked that if this is something the HPC is looking at getting a grant for that we need to notify all property owners.

Trustee Kinsella made a motion to authorize the Historic Preservation Commission to proceed with a grant application to explore the idea of expanding the Historic District. Trustee Small seconded the motion and it was carried by unanimous vote.

PARKS MASTER PLAN UPDATE

Trustee Duggleby made a motion to award the contract to update the Parks Master Plan to Maxian & Horst, the sole bidder, for an amount of \$15,600. Trustee Small seconded the motion and it was carried by unanimous vote.

CANAL LANDING PHASE IV: SEQRA REVIEW

Trustee Kinsella made a motion to adopt the following resolution:

WHEREAS, the Village of Fayetteville (Village) is progressing the Canal Landing Park Project Phase IV (Project); and

WHEREAS, the Project has been classified as a “Type 1 Action” as defined by the State Environmental Quality Review Act (SEQRA) in 6 NYCRR Part 617.2; and

WHEREAS, it is the intent of the Village of Fayetteville Board of Trustees to assume the role of “Lead Agency” for purposes of conducting a SEQRA review of the Project; and

WHEREAS, Part 1 of a Full Environmental Assessment Form (FEAF) has been completed and will be circulated to all Interested and Involved Agencies for purposes of establishing the Village of Fayetteville Board of Trustees as “Lead Agency” in accordance with 6 NYCRR Part 617.6; and

WHEREAS, at the direction of the Village Board of Trustees, Barton & Loguidice, D.P.C. (B&L) has been authorized to proceed with planning and design services associated with the Canal Landing Park, including assistance in compliance with the State Environmental Quality Review Act (SEQRA).

NOW, THEREFORE, BE IT

RESOLVED AND DETERMINED, that the Mayor of the Village of Fayetteville is hereby authorized to sign Part 1 of the Full Environmental Assessment Form (page 13); and it is further

RESOLVED AND DETERMINED, that the Village of Fayetteville Mayor and Village Board of Trustees will circulate said Part 1 of the Full Environmental Assessment Form to the Project’s identified Interested and Involved Agencies under cover of a “Notice of Intent to Establish Lead Agency” letter for purposes of establishing Lead Agency status under the SEQRA; and it is further

RESOLVED, that the Village of Fayetteville Mayor and Village Board of Trustees, together with the Village Attorney and B&L, are hereby authorized to take all actions, serve all notices, and complete all documents required to give full force and effect to this determination.

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

ENERGY BENCHMARKING

Trustee Randall made a motion to adopt the following resolution:

WHEREAS, buildings are the single largest user of energy in the State of New York; the poorest performing buildings typically use several times the energy of the highest performing buildings—for the exact same building use; and

WHEREAS, collecting, reporting, and sharing building energy data on a regular basis allows municipal officials and the public to understand the energy performance of municipal buildings relative to similar buildings nationwide, and equipped with this information the Village of Fayetteville is able to make smarter, more cost-effective operational and capital investment decisions, reward efficiency, and drive widespread, continuous improvement; and

WHEREAS, the Village of Fayetteville Board of Trustees desires to use Building Energy Benchmarking, a process of measuring a building's energy use, tracking that use over time, and comparing performance to similar buildings, to promote the public health, safety, and welfare by making available good, actionable information on municipal building energy use to help identify opportunities to cut costs and reduce pollution in the Village; and

WHEREAS, as such the Village Board desires to establish procedure or guideline for Village staff to conduct such Building Energy Benchmarking; and

NOW THEREFORE, IT IS HEREBY RESOLVED AND DETERMINED, that the following specific policies and procedures are hereby adopted and imposed as active and affirmative financial internal control procedures of the Village of Fayetteville;

BUILDING ENERGY BENCHMARKING POLICY/PROCEDURES

§1. DEFINITIONS

(A) "Benchmarking Information" shall mean information generated by Portfolio Manager, as herein defined including descriptive information about the physical building and its operational characteristics.

(B) "Building Energy Benchmarking" shall mean the process of measuring a building's Energy use, tracking that use over time, and comparing performance to similar buildings.

(C) "Commissioner" shall mean the head of the Department.

(4) "Covered Municipal Building" shall mean a building or facility that is owned or occupied by the Village of Fayetteville that is 1,000 square feet or larger in size.

(5) "Department" shall mean the Village of Fayetteville Clerk's Office.

(6) "Energy" shall mean electricity, natural gas, steam, hot or chilled water, fuel oil, or other product for use in a building, or renewable on-site electricity generation, for purposes of providing heating, cooling, lighting, water heating, or for powering or fueling other end-uses in the building and related facilities, as reflected in Utility bills or other documentation of actual Energy use.

(7) "Energy Performance Score" shall mean the numeric rating generated by Portfolio Manager that compares the Energy usage of the building to that of similar buildings.

(8) "Energy Use Intensity (EUI)" shall mean the kBtus (1,000 British Thermal Units) used per square foot of gross floor area.

(9) “Gross Floor Area” shall mean the total number of enclosed square feet measured between the exterior surfaces of the fixed walls within any structure used or intended for supporting or sheltering any use or occupancy.

(11) “Portfolio Manager” shall mean ENERGY STAR Portfolio Manager, the internet-based tool developed and maintained by the United States Environmental Protection Agency to track and assess the relative Energy performance of buildings nationwide, or successor.

(12) “Utility” shall mean an entity that distributes and sells Energy to Covered Municipal Buildings.

(13) “Weather Normalized Site EUP” shall mean the amount of Energy that would have been used by a property under 30-year average temperatures, accounting for the difference between average temperatures and yearly fluctuations.

§2. APPLICABILITY

(1) This policy is applicable to all Covered Municipal Buildings as defined in Section 2 of this policy.

(2) The Commissioner may exempt a particular Covered Municipal Building from the benchmarking requirement if the Commissioner determines that it has characteristics that make benchmarking impractical.

§3. BENCHMARKING REQUIRED FOR COVERED MUNICIPAL BUILDINGS

(1) No later than December 31, 2016, and no later than May 1 every year thereafter, the Commissioner or his or her designee from the Department shall enter into Portfolio Manager the total Energy consumed by each Covered Municipal Building, along with all other descriptive information required by Portfolio Manager for the previous calendar year.

(2) For new Covered Municipal Buildings that have not accumulated 12 months of Energy use data by the first applicable date following occupancy for inputting Energy use into Portfolio Manager, the Commissioner or his or her designee from the Department shall begin inputting data in the following year.

§4. DISCLOSURE AND PUBLICATION OF BENCHMARKING INFORMATION

(1) The Department shall make available to the public on the internet Benchmarking Information for the previous calendar year:

(a) no later than December 31, 2016 and by September 1 of each year thereafter for Covered Municipal Buildings; and

(2) The Department shall make available to the public on the internet and update at least annually, the following Benchmarking Information:

(a) Summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information; and

(b) For each Covered Municipal Building individually:

(i) The status of compliance with the requirements of this Policy; and

- (ii) The building address, primary use type, and gross floor area; and
- (iii) Annual summary statistics, including site EUI, Weather Normalized Source EUI, annual GHG emissions, and an Energy Performance Score where available; and
- (iv) A comparison of the annual summary statistics (as required by Section 5(2)(b)(iii) of this Policy) across calendar years for all years since annual reporting under this Policy has been required for said building.

§5. MAINTENANCE OF RECORDS

The Department shall maintain records as necessary for carrying out the purposes of this Policy, including but not limited to Energy bills and other documents received from tenants and/or Utilities. Such records shall be preserved by the Department for a period of three (3) years.

§6. ENFORCEMENT AND ADMINISTRATION

(1) The Commissioner or his or her designee from the Department shall be the Chief Enforcement Officer of this Policy.

(2) The Chief Enforcement Officer of this Policy may promulgate regulations necessary for the administration of the requirements of this Policy.

(3) Within thirty days after each anniversary date of the effective date of this Policy, the Chief Enforcement Officer shall submit a report to the Village of Fayetteville Board of Trustees including but not limited to summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information, a list of all Covered Municipal Buildings identifying each Covered Municipal Building that the Commissioner determined to be exempt from the benchmarking requirement and the reason for the exemption, and the status of compliance with the requirements of this Policy.

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

FAYETTEVILLE FREE LIBRARY-INTERMUNICIPAL AGREEMENT

Mayor Olson explained that the Fayetteville Free Library has had difficulty obtaining funds to complete the parking lot project as approved. Mayor Olson talked to the Library President and Richard Greene, Code Officer and wanted to see the original plan. Mayor Olson would like the Village Board to consider helping the FFL with an Intermunicipal Agreement to install the sidewalk as long as the FFL provided the materials.

Sara Bollinger, Associate Member of the Village Planning Board, stated that the Planning Board wants to see a pedestrian walkway from the parking lot to the building.

Trustee Randall made a motion to authorize Mayor Olson to work on an Intermunicipal Agreement between the Village and the Fayetteville Free Library that would allow the

village to install the pedestrian walkway from the parking lot to the building and the FFL will pay for the materials. Trustee Small seconded the motion, poll of the board

Trustee Kinsella – aye
Trustee Small – aye
Trustee Randall – aye
Trustee Duggleby – nay

Motion carried

PLANNING BOARD RESIGNATION

Trustee Kinsella made a motion to accept the resignation, with regrets, from Eamon Lee, Associate Member Village Planning Board. Trustee Small seconded the motion and it was carried by unanimous vote.

VACATION BUYBACK REQUESTS

Trustee Small made a motion to approve the Vacation Buy Back Requests and requests to convert remaining Vacation or Personal Time to Sick Time from the following employees:

Chief Hildreth
Patrick Massett
Lorie Corsette
John Falgiatano
Dan Martin
Joe Shernesky

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

2017 HOLIDAY SCHEDULE

Trustee Kinsella made a motion to approve the 12 Standard Holidays observed by the Village as well as the Floating Holiday scheduled for July 3, 2017. Trustee Small seconded the motion and it was carried by unanimous vote.

DEBRIS/CONTRACTOR POLICY

Mayor Olson tabled this issue until the next board meeting

DPW UPDATE

Trustee Small submitted the following DPW Update

Purchases: New grapple truck should be built by the end of this month. Looking for delivery end of this month or early next.

Open Projects:

1. Tree trimming and removal: Bartlett to start in the near future DPW has put out notices.
2. Lights under Rt. 5 Bridge: Working on this project.
3. Hanukah (Menorah) DPW to build one from metal and electric \$1,000 to \$1,200
4. Western Gateway: Meeting with the grant group to finalize the project. Did a walk thru.
5. S. Burdick St.: Signage on hold.
6. Winter season 16-17: Ordered 400 tons Rock Salt.

MENORAH DISPLAY

Mayor Olson met with Rabi Rappaport from Dewitt. Rabi Rappaport asked the mayor if the Village would consider placing a Menorah on display in the village.

Trustee Kinsella made a motion to authorize Superintendent Massett to place a Menorah, provided by Rabi Rappaport, on display near the NW corner of NYS Route 5 and NYS Route 257. Trustee Randall seconded the motion and it was carried by unanimous vote.

FIRE DEPARTMENT

Trustee Kinsella made a motion to approve the Training Requests made by Linda Vaught to attend the SUNY Upstate AEMT Original Course, \$1,395, and for Richard Tait to attend the SUNY Upstate Advanced EMT Course, \$1,175. Trustee Small seconded the motion and it was carried by unanimous vote.

FIRE DEPT. PROBATIONARY EMPLOYEE- ERIC MILLS

Trustee Small made a motion to authorize Clerk Corsette to change the status of Firefighter/EMT, Eric Mills from Probationary to Permanent effective 12/20/16. Trustee Kinsella seconded the motion and it was carried by unanimous vote.

ROUNDTABLE

Trustee Randall wished everyone a Merry Christmas

Trustee Small thanked Sara Bollinger for coming to the board meeting and thinks that it is important for a representative to be at the various board meetings

Trustee Kinsella emphasized that we need to send notifications to adjacent property owners when there are proposals being reviewed by the Planning Board.

Brian McAllister thanked the Board of Trustees for all they have done for the residents that would have been directly impacted by Planned Unit Development for the North Burdick Street Retail Development Proposal.

Code Officer, Richard Greene, suggested that the Village Board consider using a 3rd Party Inspector to enforce the Energy Code. Mr. Greene stated that the Code is being compiled and it is quite extensive.

Mayor Olson wished everyone a Happy Hanukkah and a Merry Christmas.

Trustee Randall made a motion to adjourn the meeting at 6:45pm. Trustee Small seconded the motion and it was carried by unanimous vote.

Respectfully submitted,
Lorie Corsette, Village Clerk