

**VILLAGE OF FAYETTEVILLE  
BOARD OF TRUSTEES  
2/21/2017**

Minutes of the Village of Fayetteville Board of Trustees meeting held Tuesday, February 21, 2017 at 7:30pm.

**PRESENT:**

Mayor Olson	Trustee Duggleby	Brian McAllister	Carmella Peters
Trustee Kinsella	Attorney Spencer	Sara Bollinger	Pamela Bender
Trustee Small	Clerk Corsette	Chris Bollinger	Malcolm Bender
Trustee Randall	Chief Hildreth	Hayleigh Gowans	

Mayor Olson called the meeting to order at 7:30pm in the Board Room of the Fayetteville Village Hall.

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

**MINUTES FEBRUARY 6, 2017**

Trustee Small made a motion to accept the minutes of the February 6, 2017 meeting. Trustee Duggleby seconded the motion and it was carried by a unanimous vote.

**ABSTRACT #15**

Mayor Olson noted that there was a claim submitted for mileage to the NYCOM Legislative Meeting he attended in Albany on February 12<sup>th</sup>–February 14<sup>th</sup>.

Trustee Randall made a motion to approve Abstract #15 in the amount of \$120,928.37 Trustee Small seconded the motion and it was carried by unanimous vote.

**PUBLIC HEARING – CHAPTER 187-7 (C) – BED AND BREAKFAST**

Attorney Spencer provided some background information regarding the proposed amendment to add a Bed and Breakfast as a permitted use in an R-3 District. Previously a Commercial Residence A and B ,which included Bed and Breakfasts, were an allowable use in the R-3 District but a change to the Zoning Code in 2010 eliminated both as a permitted use.

Attorney Spencer referred the proposed local law to SOCPA for review and resolved that the amendment would have no significant implications.

Mayor Olson opened the Public Hearing at 7:35pm

Carmella Peters, 116 Warner Road, asked if there was a minimal number of rooms allowed before a bed and breakfast would have to pay a room occupancy tax.

Pamela Bender stated that the bed and breakfast she has proposed would pay an occupancy tax.

Malcolm Bender, 303 East Genesee Street, was concerned about language in the proposed local law that stated the Code Enforcement Officer would have unlimited access to inspect the property. Mr. Bender is specifically concerned that inspections can occur without notice.

Attorney Spencer stated that access could be denied to the Code Officer, forcing him to go to court.

Public Hearing closed at 7:40pm

Attorney Spencer explained to the board the amending Chapter 187-7 (C) is an Unlisted Action under the State Environmental Quality Review and that the Village Board of Trustees would be Lead Agent in the determination under SEQR.

Trustee Kinsella made a motion to declare the Village Board of Trustees as Lead Agent for SEQR to amend Chapter 187-7 (C) allowing Bed & Breakfast Establishments as a permitted use in the R-3 District. Trustee Duggleby seconded the motion and it was carried by unanimous vote.

Trustee Kinsella made a motion to adopt a Negative Declaration for purposes of SEQR to amend Chapter 187-7(C) allowing Bed and Breakfasts as a permitted use in an R-3 District. Trustee Duggleby seconded the motion and it was carried by unanimous vote.

Trustee Kinsella made a motion to adopt Local Law #1 of 2017 amending Chapter 187-7 (C) of the Village of Fayetteville Code. Trustee Duggleby seconded the motion and it was carried by unanimous vote.

## **PUBLIC HEARING – THIRD PARTY INDEPENDENT ENERGY CODE COMPLIANCE**

Mayor Olson opened the Public Hearing at 7:45pm

Brian McAllister, North Burdick Street, asked about the cost of having a third party inspection and review.

Mike Jones, Code Officer, stated that he would be doing reviews and inspections for residential projects so there would not be an additional cost, the 3<sup>rd</sup> Party reviews and inspections, if any, would be primarily used for commercial projects and some multiple family projects that might have several units.

Attorney Spencer stated that he spoke to Mike Jones and there will be added language in Section 72-1 stating “At the discretion of the Code Enforcement Officer.”

Mayor Olson closed the hearing at 7:50pm

Trustee Kinsella made motion to adopt Local Law #2 of 2017 to add Chapter 72, entitled Energy Inspection Standards, to the Village of Fayetteville Code. Trustee Randall seconded the motion and it was carried by unanimous vote.

### **PUBLIC NOTIFICATION POLICY**

Trustee Duggleby made a motion to adopt the following Public Notification Policy:

#### VILLAGE OF FAYETTEVILLE NOTIFICATION OF APPLICATION POLICY

The Village of Fayetteville Board of Trustees has set forth the following standards to ensure that the adjoining and neighboring property owners are given proper and ample notification with regards to applications that have been submitted to either the Village Board of Trustees, the Village Planning Board, Historic Preservation Commission and the Village Zoning Board of Appeals, the same standards will also be adhered to by the various village committees where an application for approval is needed. Applications may include Site Plan Review, Special Permit, Home Occupation, Chicken Law and Driveway Additions.

Absent any legislation state or local, that would require otherwise, the Village Clerk will notify, via U.S Postal Service or Email, if available, property owners that are situated within 500 feet of the property seeking application approval. Notifications must be mailed at least 5 business days in advance of any scheduled meeting where the application will be approved. The notice should include such information as the time and place of the meeting as well as a description of the application to which the applicant is seeking approval in a manner clear enough to sufficiently explain the nature of the matter under consideration.

Applications may be received and reviewed by either the Village Board of Trustees, Planning Board, Zoning Board of Appeals or the Historic Preservation Commission but it is the intent of this policy that there is no approval given prior to notification.

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

### **DEBRIS POLICY**

Mayor Olson explained that the Debris Policy is an effort to control what and how much the village will pick up. Mayor Olson asked Trustee Small and Mike Jones to review the draft policy and present any changes at the next meeting.

## **SENIOR CENTER BARN REPAIR**

Trustee Randall made a motion to hire Wally MacCrae to make emergency repairs to the Senior Center Barn Roof for a cost not to exceed \$2,000. Trustee Small seconded the motion and it was carried by unanimous vote.

## **DEPARTMENT OF PUBLIC WORKS**

Trustee Small submitted the following update

Open Projects:

1. Mapping system: Getting a price from Cartegraph on asset maps. This will be for Sanitary and Storm Sewer Systems.
2. DPW 2017-18 Budget turned into the village clerk.
3. 100 Mill Street: Working on parking lot again.
4. Winter Season: Salt in the shed is at 150 to 200 tons left. Have only ordered 400 tons this season from the 1000 tons that was budgeted. Might need to order 200 tons to get through the season.
5. Pot Holes: Checking Village streets and filling pot holes.

## **MS4 STORMWATER DESIGNATION**

Trustee Duggleby made a motion to designate Mike Jones, Codes Officer, as a MS4 Stormwater Representative for the Village of Fayetteville. Trustee Small seconded the motion and it was carried by unanimous vote.

## **FIRE DEPARTMENT APPLICATIONS**

Trustee Kinsella made a motion to approve the application from Bradley Oastler to the Fayetteville Fire Department for record keeping. Trustee Randall seconded the motion and it was carried by unanimous vote.

Trustee Kinsella made a motion to approve the application submitted by Tim McCarthy for the Fayetteville Fire Department as Fire Police pending a background check and Chief Hildreth's approval. Trustee Randall seconded the motion and it was carried by unanimous vote.

## **FIRE DEPARTMENT PURCHASES**

Chief Hildreth submitted the following requests for purchases:

1. ALS Mannequin Repair- \$2,200
2. Paint first floor hallway - \$750

3. Installation of wall panels 1<sup>st</sup> floor hall - \$3,840
4. Wall Panel Material - \$6100

Trustee Duggleby made a motion to accept the quote to repair the ALS Mannequin for an amount not to exceed \$2200. Trustee Small seconded the motion and it was carried by unanimous vote.

Trustee Kinsella made a motion to hire Tim West, Painting with Passion, to paint the 1<sup>st</sup> floor hallway at the Fayetteville Fire Department for an amount not to exceed \$750 not including materials. Trustee Duggleby seconded the motion and it was carried by unanimous vote.

Trustee Randall made a motion to accept the quote from Tubby Installations to install the wall covering panels along the walls on the first floor of the Fayetteville Fire Department for a cost not to exceed \$3,840. Trustee Duggleby seconded the motion and it was carried by unanimous vote.

Trustee Duggleby made a motion to purchase the wall panel material from Ken Low, LLC for an amount not to exceed \$6100. Trustee Small seconded the motion and it was carried by unanimous vote.

### **FIRE DEPARTMENT ANNUAL MAINTENANCE AGREEMENTS**

Trustee Kinsella made a motion to accept the Hose Testing Quote from First Due in the amount of 19 cents per foot. Trustee Small seconded the motion and it was carried by unanimous vote.

Trustee Kinsella made a motion to accept the Aerial Ladder Testing Quote from Aerial One in the amount of \$715. Trustee Duggleby seconded the motion and it was carried by unanimous vote.

Chief Hildreth submitted the following bids for a 1 year HVAC Maintenance Contract

1. Holbrook Heating - \$2,350
2. Cooney - \$2,840
3. Airside - \$4,020

Trustee Kinsella made a motion to award the HVAC Maintenance Contract to Holbrook Heating in the amount of \$2,350. Trustee Small seconded the motion and it was carried by unanimous vote.

Trustee Duggleby made a motion to renew the contract with Feher Rubbish Removal for a rate of \$115/month. Trustee Small seconded the motion and it was carried by unanimous vote.

### **SURPLUS FIRE VEHICLE**

Trustee Kinsella made a motion to accept the bid from Martha Cay Nerehausen in the amount of \$3300 for the 2005 Ford Expedition. Trustee Small seconded the motion and it was carried by unanimous vote.

### **FIRE DEPARTMENT PART TIME HIRE**

Trustee Kinsella made a motion to hire Jonathan Wasicki as a part time Firefighter/Paramedic at a rate of \$19/hour. Trustee Small seconded the motion and it was carried by unanimous vote.

### **AMBULANCE HARDSHIP REQUEST**

Mayor Olson made a motion to grant the hardship request for service provided by the Fayetteville Fire Department to Richard Boysen who is now deceased and to notify Multi Med Ambulance to discontinue any attempts to collect any outstanding balances owed by either Richard Boysen or his estate. Trustee Duggleby seconded the motion and it was carried by unanimous vote.

Trustee Randall made a motion grant the request from Nancy Smith to waive the outstanding balance owed for ambulance service provided by the Village of Fayetteville based on the fact that she owns property located within the Fayetteville Fire Protection District. Trustee Small seconded the motion and it was carried by unanimous vote.

### **TREE COMMISSION GRANT**

Trustee Small met with the Tree Commission and they would like to submit an application to the NYS DEC Urban Forestry and Renewal for a Tree Maintenance Grant, the maximum amount that can be applied for is \$50,000 per grant and there is a 25% match from the municipality required.

Trustee Kinsella made a motion to authorize Mayor Olson to allow the Fayetteville Tree Commission to apply for a Tree Maintenance grant up to \$50,000. Trustee Duggleby seconded the motion and it was carried by unanimous vote.

### **ROUNDTABLE**

Mayor Olson scheduled budget workshops for 5:00pm on Monday, March 13<sup>th</sup> and Monday, March 27<sup>th</sup>.

The Preliminary Budget will be distributed on Monday, February 27<sup>th</sup>

## **EXECUTIVE SESSION**

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

Trustee Duggleby made a motion to come out of Executive Session at 8:55 pm. Trustee Small seconded the motion and it was carried by unanimous vote.

Trustee Duggleby made a motion to adjourn the meeting at 8:55 pm. Trustee Small seconded the motion and it was carried by unanimous vote.

Respectfully submitted,  
Lorie Corsette, Village Clerk