

**VILLAGE OF FAYETTEVILLE  
BOARD OF TRUSTEES  
10/10/2017**

Minutes of the Village of Fayetteville Board of Trustees meeting held Tuesday, October 10, 2017 at 6:00pm.

**PRESENT:**

Mayor Olson	Supt Massett		
Trustee Randall	Attorney Spencer	Nicholas Paro	Kyle Buelow
Trustee Small	Clerk Corsette	Mike Jones, CEO	Andrew Brainard
Trustee Duggleby	Chief Hildreth	Marty Brunet	

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 for Richard Silverman, a Village Resident and Zoning Board of Appeals Member.

**MINUTES SEPTEMBER 25, 2017**

Trustee Small made a motion to accept the minutes of the September 25, 2017 meeting. Trustee Duggleby seconded the motion and it was carried by a unanimous vote.

**ABSTRACT #7**

Trustee Small made a motion to approve Abstract #7 in the amount of \$118,906.07. Trustee Duggleby seconded the motion and it was carried by unanimous vote.

**ZONING BOARD OF APPEALS APPOINTMENT**

Mayor Olson made a motion to appoint Daniel Smolnycki, Associate Member of the Zoning Board of Appeals, to fill Richard Silverman's remaining term for the Village of Fayetteville Zoning Board of Appeals. Trustee Small seconded the motion:

Poll of the Board:  
Mayor Olson – aye  
Trustee Small – aye  
Trustee Randall- aye  
Trustee Duggleby – abstained

Motion carried.

## **STREAM IMPROVEMENT GRANT OPPORTUNITY**

Kyle Buelow and Andrew Brainard of O'Brien and Gere Engineering gave a presentation for Canal Landing Park Limestone Creek Improvements. The presentation outlined specific improvements that could be made to the creek that would improve the current conditions that create a poor fish habitat and depositing of sediment slightly north of the Pedestrian Bridge. The proposal included reshaping the channel per natural dimensions and installing rock cross vanes to center energy through the stream section. The proposal would have no flooding impact, reduce maintenance of sediment removal, improve aesthetics and improve fish habitat.

Mr. Brainard discussed funding opportunities that are available to assist the Village with the cost of the improvements specifically the NYS Consolidated Funding Application and the National Fish and Wildlife Foundation. The proposed improvements are eligible for both of the grant opportunities and do require a contribution from the municipality which can be In-Kind- Services, Funding or a combination of both.

Trustee Duggleby made a motion to authorize Mayor Olson to enter into an agreement with O'Brien and Gere Engineering to prepare a grant application to submit to both the National Fish and Wildlife Foundation and the NYS Consolidated Funding. Trustee Randall seconded the motion and it was carried by unanimous vote.

## **NYSMEC AGREEMENT**

Trustee Small made a motion to adopt the following resolution for the Village of Fayetteville to participate in the Cooperative Energy Purchasing Service for Electricity with NYSMEC:

### **RESOLUTION AUTHORIZING PARTICIPATION IN COOPERATIVE ENERGY PURCHASING SERVICE (NYSMEC) FOR ELECTRICITY**

**WHEREAS**, Article 5-G of the New York State General Municipal Law authorizes municipal corporations to enter into cooperative agreements for the performance or exercise of services, functions, powers or activities on a cooperative or contract basis among themselves or one for the other, and

**WHEREAS**, Section 119-n of the General Municipal Law defines the term "municipal corporation" for the purposes of Article 5-G as a county outside the city of New York, a city, a town, a village, a board of cooperative educational services, a fire district or a school district; and

**WHEREAS**, the Village of Fayetteville (hereinafter sometimes referred to as "Participant") is a "municipal corporation" as defined above; and

**WHEREAS**, this Board wishes for this municipal corporation to become or remain a Participant pursuant to the Municipal Cooperation Agreement For Energy Purchasing Services dated the 1st day of May 2005 (the "Agreement"), among municipal corporations collectively identified as the New York School and Municipal Energy Consortium ("NYSMEC") upon the terms of the Agreement and further wishes to authorize participation as an energy consumer as specified below.

**NOW THEREFORE, BE IT RESOLVED**, that this Board hereby determines that it is in the interests of the Village of Fayetteville to participate in the NYSMEC, and authorizes and directs Mark A. Olson, Mayor to sign the Agreement/and or the Billing Schedule and Agreement for electricity on its behalf; and

**BE IT FURTHER RESOLVED**, that this Board authorizes the Administrative Participant (as defined in the Agreement) to prepare, advertise, disseminate and open bids pursuant to the General Municipal Law and to award, execute and deliver binding contracts on behalf of this Board for the purchase of electricity delivered to the delivery point of the local utility distribution company for the Participant's facility or facilities, on a firm basis, for this Participant to the lowest responsible bidder as is determined by the Administrative Participant at a price for such commodity electricity not to exceed \$.1048 (dollars) per kWh for a term of at least one year and no more than three years commencing May 1,2018, and other terms and conditions, all as may be determined by the Administrative Participant, or to reject any or all such bids; and

**BE IT FURTHER RESOLVED**, that this Participant agrees to advertise said bid as may be directed by the Administrative Participant; and

**BE IT FURTHER RESOLVED**, that the officers and employees of this Participant are authorized to execute such other confirming agreements, certificates and other documents and take such other actions as may be necessary or appropriate to carry out the intent of this resolution.

This Resolution shall take effect immediately.

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

Trustee Small made a motion to adopt the following resolution for the Village of Fayetteville to participate in the Cooperative Energy Purchasing Service for Natural Gas with NYSMEC:

**RESOLUTION AUTHORIZING PARTICIPATION IN  
COOPERATIVE ENERGY PURCHASING SERVICE  
(NYSMEC) FOR NATURAL GAS**

**WHEREAS**, Article 5-G of the New York State General Municipal Law authorizes municipal corporations to enter into cooperative agreements for the performance or exercise of services, functions, powers or activities on a cooperative or contract basis among themselves or one for the other, and

**WHEREAS**, Section 119-n of the General Municipal Law defines the term "municipal corporation" for the purposes of Article 5-G as a county outside the city of New York, a city, a town, a village, a board of cooperative educational services, a fire district or a school district; and

**WHEREAS**, the Village of Fayetteville (hereinafter sometimes referred to as "Participant") is a "municipal corporation" as defined above; and

**WHEREAS**, this Board wishes for this municipal corporation to become or remain a Participant pursuant to the Municipal Cooperation Agreement For Energy Purchasing Services dated the 1st day of May, 2005 (the "Agreement"), among municipal corporations collectively identified as the New York School and Municipal Energy Consortium ("NYSMEC") upon the terms of the Agreement and further wishes to authorize participation as an energy consumer as specified below.

**NOW THEREFORE, BE IT RESOLVED**, that this Board hereby determines that it is in the interests of the Village of Fayetteville to participate in the NYSMEC, and authorizes and directs Mark A. Olson, Mayor to sign the Agreement/and or the Billing Schedule and Agreement for natural gas on its behalf; and

**BE IT FURTHER RESOLVED**, that this Board authorizes the Administrative Participant (as defined in the Agreement) to prepare, advertise, disseminate and open bids pursuant to the General Municipal Law and to award, execute and deliver binding contracts on behalf of this Board for the purchase of natural gas delivered to the city gate of the local utility distribution company for the Participant's facility

or facilities, on a firm basis, for this Participant to the lowest responsible bidder as is determined by the Administrative Participant at a price for such commodity natural gas not to exceed \$1.134 (dollars) per therm for a term of at least one year and no more than three years commencing May 1, 2018, and other terms and conditions, all as may be determined by the Administrative Participant, or to reject any or all such bids; and

**BE IT FURTHER RESOLVED**, that this Participant agrees to advertise said bid as may be directed by the Administrative Participant; and

**BE IT FURTHER RESOLVED**, that the officers and employees of this Participant are authorized to execute such other confirming agreements, certificates and other documents and take such other actions as may be necessary or appropriate to carry out the intent of this resolution.

This Resolution shall take effect immediately.

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

### **TRANE ANNUAL AGREEMENT**

Trustee Small 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 \$7,828. Trustee Duggleby seconded the motion and it was carried by unanimous vote.

### **JCAP GRANT**

Trustee Randall made a motion to adopt the following resolution:

**BE IT RESOLVED BY** the Village Board of Trustees of the Village of Fayetteville hereby authorizes the Village of Fayetteville Justice Court to request up to the maximum amount available from the Justice Court Assistance Program (JCAP) for 2017-18.

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

### **CHAPTER 187- SHED REGULATIONS**

Code Enforcement Officer, Mike Jones, discussed the regulations for Sheds, outlined in Chapter 187 of the Village of Fayetteville Codes. Mr. Jones explained that the current code allows a shed to be a maximum of 144 square feet but only allows a maximum height of 8 feet. Anything taller than 8 feet would require a variance. Mr. Jones explained that a max. height of 8 feet on a structure that is 144 sq. ft. is really not practical and would like the board to consider amending the code to allow for a maximum height greater than 8 feet.

The Board asked Mr. Jones to review Chapter 187 as it relates to sheds and present his recommendations for amending the code at the next board meeting.

### **DPW CERTIFICATE OF APPRECIATION**

Mayor Olson asked the board members to sign a Certificate of Appreciation that he will be giving to Steve Burns and Brennan McDonough in recognition of the assistance they provided a stranded motorist.

## **DPW REPORT**

Superintendent Massett submitted the following report:

### Open Projects:

1. Leaf Season. This week will be the third time around the Village.
2. Ledyard Dyke: Wynnridge Rd. drainage line cost \$6,000 to \$10,000? Should we do a temp fix for this year?
3. Canal Landing Phase 4: Spring 2018
4. PESH (OSHA) Consultation inspection DPW Oct. 5<sup>th</sup>. All went well need to update a few programs. Report will be sent out to confirm.
5. Brooklea Dr. Flexi pave cut outs have been repaired by National Grid contractor.
- 6.

## **PUBLICALLY OWNED SEWER SYSTEMS -POSS AGREEMENT**

Mayor Olson made a motion to authorize Patrick Massett, DPW Superintendent, to submit notifications required by Sewage Pollution Right to Know Act including entry of data into the NY-Alert System with respect to the collection system with POSS ID NYS700010. Trustee Randall seconded the motion and it was carried by unanimous vote.

## **BROOKSIDE LANE PARKING**

The board reviewed a parking plan for Brookside Lane to try and address some of the issues that residents in the area are having with people parking on the street to access Green Lakes State Park.

## **RFP/BID VILLAGE HALL PAINTING**

Trustee Randall explained that he put out a request for quotes to paint the cupola and fencing area on the top of the Municipal Building. To date, he has only received two quotes. One of the contractors said that there is a lot of rotted wood that will need to be replaced before it can be painted.

## **FIRE DEPARTMENT PURCHASES**

Trustee Duggleby made a motion to authorize Chief Hildreth to have Awning Mart make an awning for the rear door on the north side of the Fire Department Building in the amount of \$1,649. Trustee Duggleby seconded the motion and it was carried by unanimous vote.

Trustee Duggleby made a motion to authorize Chief Hildreth to purchase a McGrath Laryngoscope in the amount of \$2,750 and charge account A3411.4. Trustee Small seconded the motion and it was carried by unanimous vote.

## **FIRE DEPARTMENT MEMBERSHIP APPLICATIONS**

Trustee Small made a motion to accept the application for membership to the Fayetteville Fire Department from Sarah-Maria Jerjen. Trustee Duggleby seconded the motion and it was carried by unanimous vote.

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

## **NYCOM LEGISLATIVE MEETING**

Trustee Duggleby made a motion to authorize Mayor Olson to attend the NYCOM Legislative Meeting in Albany on November 13, 2017 from 9:30am-2pm. Trustee Randall seconded the motion and it was carried by unanimous vote.

## **ROUNDTABLE**

Mayor Olson informed the board that the Town of Manlius will be holding a Public Hearing for the Fayetteville Fire Protection District Contract on Wednesday October 11<sup>th</sup> at 7:00pm.

Mayor Olson informed Code Officer, Mike Jones, that he has received several complaints about the Former Fayetteville Dry Cleaners as well as the Car Wash and wants Mr. Jones to proceed immediately with Chapter 55.

## **EXECUTIVE SESSION**

Trustee Small made a motion to enter into an Executive Session at 7:10 pm for advice of counsel. Trustee Duggleby seconded the motion and it was carried by unanimous vote.

Trustee Small made a motion to come out of Executive Session at 7:20pm. Trustee Randall seconded the motion and it was carried by unanimous vote.

Trustee Duggleby made a motion to adjourn the meeting at 7:20pm. Trustee Small seconded the motion and it was carried by unanimous vote.

Respectfully submitted,  
Lorie Corsette, Village Clerk