

**VILLAGE OF FAYETTEVILLE
BOARD OF TRUSTEES
11/26/2018**

Minutes of the Village of Fayetteville Board of Trustees meeting held Monday, November 26, 2018 at 6:00pm.

PRESENT:

Mayor Olson	Chief Hildreth	Arnold Poltenson
Trustee Small	Attorney Spencer	Brad Marmon
Trustee Duggleby	Superintendent Massett	Sara Bollinger
Trustee Ashby	Clerk Corsette	
Trustee Kinsella	Jason Emerson	

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 13, 2018

Trustee Small made a motion to accept the minutes of the November 13, 2018 meeting. Trustee Duggleby seconded the motion and it was carried by a unanimous vote.

ABSTRACT #10

Trustee Small made a motion to approve Abstract #10 in the amount of \$51,742.33. Trustee Kinsella seconded the motion and it was carried by unanimous vote.

FEEDER STREET EMINENT DOMAIN

Attorney Spencer prepared a Full Environmental Assessment Form Part 1 for the acquisition of 103-105 Feeder Street by Eminent Domain Procedure Law to add the parcel to Canal Landing Park and extend the park amenities to include a pavilion, picnic area and play area.

Trustee Duggleby made a motion to adopt the following resolution:

RESOLUTION UNDER THE STATE ENVIRONMENTAL QUALITY 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 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 acquisition of 103-105 Feeder Street pursuant to New York State Eminent Domain Procedure Law; 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.

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

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 made a motion to adopt the following Determination and Findings for 103-105 Feeder Street. Trustee Duggleby seconded the motion and it was carried by unanimous vote.

**DETERMINATION AND FINDINGS
PURSUANT TO SECTION 204 OF EMINENT DOMAIN PROCEDURE LAW
ACQUISITION OF 103-105 FEEDER STREET**

A public hearing was held September 24, 2018 at the Village of Fayetteville offices, 425 E. Genesee Street, Fayetteville, NY in accordance with Article 2 of the New York State Eminent Domain Procedure Law (EDPL) in connection with the proposed acquisition of 103-105 Feeder Street in order to incorporate that parcel in Canal Landing Park Phase IV project (“Project”). The public hearing provided an opportunity for the public to comment on the proposed Project and acquisition.

As provided by Section 202 of the EDPL, notice of the public hearing was sent by certified mail to the property owner affected. The hearing notice was also published in the Syracuse Post Standard as well as the Village website advising that a public hearing would be held September 24, 2018 and that comments would be received concerning the public use, benefits and purposes to be served by the Project and the acquisition of 103-105 Feeder Street.

The September 24, 2018 public hearing provided an opportunity for the public to comment on the proposed project. At the hearing, the Village Mayor and members of the Village Park Commission presented information concerning the public use, benefits and purposes to be served by the proposed acquisition and the reasons for the selection of that location as well as the general effect of the acquisition on the environment and residents. Remarks were made regarding the deteriorated structures located at 103-105 Feeder Street and the negative impact they have on the park experience as well as the property’s location in a designated Floodway. The Town of Manlius tax map which includes this parcel (tax map no. 007-03-58.2) does not show that the parcel abuts any public road. Public sewers are not available at the property which has not been occupied for several years. The property is surrounded by Village owned parcels to the north, south and west (all part of Canal Landing Park) and New York State property to the east. Four people provided verbal comments at the hearing in favor of the acquisition by the Village. No written comments were submitted by letter or email regarding the acquisition.

The Village made available to the public the record of the hearing as well as the notice of public hearing.

Pursuant to the Section 204(B)(1) of the EDPL and having been given due consideration to the complete hearing record, the Village of Fayetteville makes the following Determination and Findings with respect to the proposed acquisition of 103-105 Feeder Street.

Project Description.

Built in 2011, Canal Landing Park is the Village of Fayetteville’s newest park located along Limestone Creek off Limestone Plaza. Canal Landing is the most popular park in the Village. Easily accessible from the street, there is a good sized parking lot, restrooms, pavilion, large modern playground, and adult fitness stations along a trail network that follows Limestone

Creek offering views and connection to the water. The park serves the entire community for walking, sitting on benches enjoying the creek, playing, fishing and dog walking.

Since the initial construction the park has had two more construction phases adding trails and a bridge over Limestone Creek connecting with Fietta Park and Feeder Canal. The phase four improvements to the park consists of paving, lighting, new pedestrian bridge and added recreation areas in the park that lead to the Feeder Canal. The Village plans to acquire one private parcel (103-105 Feeder Street) contiguous to the existing park, for future expansion of the park.

Improvements to Limestone Creek have been ongoing to prevent flooding and sedimentation, enhance fish habitat and enhance fishing opportunities. Additional signage and mapping will be provided to direct visitors to parks, features and other destinations, such as the Feeder Canal Trail, Old Erie Canal State Park and the YMCA. A sign kiosk will advertise to visitors traveling the Erie Canal to shops and restaurants that the Village has to offer as well as historical significance. Interpretive signage could also be provided at various locations in and around the park and throughout the Village.

Public Benefits.

The proposed acquisition and project

- will provide residents and visitors with an enlarged and enhanced facility to enjoy the social and recreational benefits associated with the park as well as access to Limestone Creek.
- will provide the Village the opportunity to establish a safer and better continuity between Canal Landing Park and The Feeder Canal Trail.
- will eliminate an isolated, non-conforming, privately owned parcel that is otherwise surrounded by public property.
- will provide Village additional space for improvements such as a pavilion, picnic area and nature play area for the benefit of its residents and visitors.
- will provide benefits to Village businesses as a result of increased utilization of the Park.
- will provide the Village additional access to Limestone Creek and the Creek's bank to implement and/or maintain mitigation measures that reduce the damage resulting from flooding, erosion and sedimentation.
- will provide the Village additional access to Limestone Creek to enhance fish habitat and fishing opportunities for its residents.

- will provide the Village the opportunity to eliminate a private septic system (untested) currently in place and located immediately adjacent to Canal Landing Park and Limestone Creek.
- will improve the scenic quality of the Park and waterway, by the removal of existing unoccupied structures located at 103-105 Feeder Street.

Effects of the Project on the Environment.

The project is being progressed in accordance with the New York State Eminent Domain Procedures Law (EDPL). The proposed project is classified as an Unlisted Project under the State Environmental Quality Review (SEQR) Act, with the Village of Fayetteville Board of Trustees as the lead agency. The project as proposed has not been found to have significant, negative environmental impacts, no substantial controversy on environmental grounds, no significant negatives impacts to public parks, historic buildings or cultural resources, and no inconsistencies with laws relating to environmental aspects. Based on this classification, neither an Environmental Impact Statement (EIS) nor an Environmental Assessment (EA) is required for the project.

Additional Information and Contacts.

This Determination and Findings has been made in consideration of statements submitted by the public and municipal offices during the public hearing held for this project. Copies of this Determination and Findings will be forwarded upon written request without cost. The complete Determination and Findings are available to review at: Village of Fayetteville office, 425 E. Genesee Street, Fayetteville, NY 13066.

Those property owners who may wish to challenge condemnation of their property via judicial review may do so only on the basis of issues, facts and objections raised at the hearing (§202 (C) (2) of the Article 2, EDPL).

Each individual assessment record billing owner (“property owner”) or his or her attorney of record whose property may be acquired shall note that, under §207 of the Eminent Domain Procedure Law, a petition to seek judicial review of the condemnor’s Determination and Findings must be filed within 30 days after the condemnor’s completion of Newspaper publication of its Determination and Findings. Further, the exclusive venue for judicial review of the condemnor’s Determination and Findings is the appellate division of the supreme court in the judicial department where any part of the property to be condemned is located in accordance with §207 and §208 of the Eminent Domain Property Law.

INTERMUNICIPAL AGREEMENT TOWN OF MANLIUS DEER CULLING

Marty Poltenson came to the board to thank them for their cooperation with the Town of Manlius and the Intermunicipal Agreement for their Deer Management Plan. Mr. Poltenson said that he is looking forward to this being done to reduce the deer population in the town.

NYCOM PRIORITIES UPDATE

Mayor Olson attended a NYCOM Legislative Meeting on November 19th in Albany and reviewed what was discussed at the meeting and the approach that NYCOM will be taking by taking on a fewer number of issues with the hopes of being more effective.

DPW REPORT

Superintendent Massett submitted the following report

Open Projects:

1. Permit for road work. Office is typing up the permit.
2. Bridges: Walnut St. Bridge & W. Franklin St. Bridge: No report from B& L Engineers
3. Canal Landing Phase 4: On hold until spring.
4. Signs: Senior Center & Coulter Park lettering is all done. Will change lighting over to new Senior Center sign and remove old sign.
5. Sidewalks: Stone walls next to sidewalks and plowing?
6. Leaf Season: Picking up with open trucks at this time.
7. Day Care building roof to be done by Jessie Alan. He has yet to give me a date.
8. Policy: Working on a policy for Beard Pond winter activates.
9. New trash dump site January 1, 2019

Mayor Olson told the board that he had a telephone conference with Slate Hill Construction regarding the paving for the Canal Landing 4 Project. Because of the weather conditions Slate Hill has asked that the Village allow them to finish the paving in the spring, they feel we will get a better product if we wait for better conditions.

SAFE ROUTES TO SCHOOL PROJECT

Trustee Kinsella made motion to pass the following resolution:

**Proposed Action: Fayetteville Sidewalk Project – South Manlius Street and Salt Springs Road
Road
(PIN 3950.65)**

RESOLUTION DECLARING THE INTENT OF THE VILLAGE OF FAYETTEVILLE TO ACT AS LEAD AGENCY

WHEREAS, the Village of Fayetteville (Village) is proposing to install and replace sidewalks along South Manlius Road and Salt Springs Road (PIN 3950.65) (Project), located in the Village of Fayetteville, Onondaga County, New York; and

WHEREAS, the Project is assumed to be an “Unlisted 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 assessment of the Project; and

WHEREAS, Part I of a Short Environmental Assessment Form (SEAF) has been completed, reviewed by the Village of Fayetteville Board of Trustees, 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(b).

NOW, THEREFORE, BE IT

RESOLVED AND DETERMINED, that the Village of Fayetteville Village Clerk hereby is authorized to sign Part I of the SEAF (page 3); and it is further

RESOLVED AND DETERMINED, that the Village of Fayetteville will send said Part I of the SEAF to the attached list of “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 Village Clerk and Board of Trustees, together with the Village of Fayetteville Attorney and Barton & Loguidice, D.P.C., 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 Duggleby seconded the motion and it was carried by unanimous vote.

ROUNDTABLE

Trustee Small reminded the board that the Manlius Historical Society will be holding the Festival of Trees on November 29th at 5:30pm.

The Tree Commission will be holding a meeting on Wednesday November 28th.

Trustee Duggleby thanked everyone for their participation for the Village Tree Lighting.

VACATION BUY-BACKS AND CARRY-OVER REQUESTS

Trustee Duggleby made a motion to approve the following vacation buy- back requests or remaining vacation and personal time to be converted to sick leave per the Town of Manlius Professional Firefighter Contract:

Jeff Jones
Matthew Parker
Ross Hoham
Joe Shernesky

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

Trustee Duggleby made a motion to approve the vacation buy back request from Chief Hildreth and Captain Falgiatano, to each cash in one week of vacation and convert any remaining time to sick leave. Trustee Kinsella seconded the motion and it was carried by unanimous vote.

VARIDESK PURCHASE

Trustee Duggleby made a motion to authorize Clerk Corsette to purchase two Varidesks and three (3) standing mats for the Village Clerks Office and use the Village Credit Card. Trustee Small seconded the motion and it was carried by unanimous vote.

CLIMATE SMART COMMUNITY

Clerk Corsette requested that the Mayor select a Climate Smart Community Committee. This committee is part of the Climate Smart Community Certification.

Mayor Olson reminded the board that Friendly Honda will be holding their ribbon cutting ceremony on Friday at 10am.

The Highbridge Commons proposal will not be reviewed at the December Planning Board Meeting. The developer will be submitting a new proposal to FEMA and the NYSDOT.

Mayor Olson reviewed the Top Ten initiatives from 2018. We have currently completed six (6) items and two more should be done by the end of the year.

Trustee Kinsella would like the Board to draft a policy that would waive ambulance fees for Village Employees regardless of where they reside.

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

Respectfully submitted,

Lorie Corsette, Village Clerk