

**Final**

**VILLAGE OF FAYETTEVILLE  
BOARD OF TRUSTEES  
6/24/2019**

Minutes of the Village of Fayetteville Board of Trustees meeting held Monday, June 24, 2019 at 6:00pm.

**PRESENT:**

Mayor Olson	Clerk Corsette	Bob Duncanson	Mary Stewart
Trustee Kinsella	Attorney Spencer	Marguerite Ross	Penny Sills
Trustee Small	Supt Massett	Mike Sills	Janet Hiemstra
Trustee Ashby	Mike Jones, CEO	Jason Fuelner	Mary Stewart
Trustee Duggleby	Tim McCarthy	Jessica McCarthy	David Harding
Sara Bollinger	Elaine Denton	Scott Taylor	Ed Osada
Chris Bollinger	Joseph Adams	Madeline Bort	Jennifer Osada
Linda Lovy	Martin Butts	Dorothy Hall	Patricia Greenberg
Nicole Halbig	Gerald Greenberg	Lisa Caldwell	Laura Podesta
Harlen Lavine	Ronald Bort	Jim Matthews	Heather Waters
Robyn Gilels-Aiello	Patricia Welch		

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 JUNE 10, 2019**

Trustee Ashby made a motion to accept the minutes of the June 10, 2019 meeting. Trustee Duggleby seconded the motion and it was carried by a unanimous vote.

**ABSTRACT #2**

Trustee Kinsella made a motion to approve Abstract #2 in the amount of \$108,216.31. Trustee Duggleby seconded the motion and it was carried by unanimous vote.

**PUBLIC INFORMATION MEETING – 547 E. GENESEE STREET**

Mayor Olson introduced Attorney Holly Austin and Engineer Matt Napierela who are working with the Village on SEQR and the Draft Environmental Impact Statement. Mayor Olson stated that the meeting is a Public Information Meeting only, not a Public Hearing, and he would give anyone that would like to make a comment two minutes to speak.

Attorney Holly Austin explained the SEQR Process and the Draft Environmental Impact Statement (DEIS) as well as the applicant's response to the initial comments. Attorney Austin further explained that we are currently in the 30-day Public Comment Period which goes from June 11<sup>th</sup> to July 11<sup>th</sup>. This is the period of time where both the public and the village can submit

their comments on the DEIS to the applicant prior to them submitting the Final Environmental Impact Statement (FEIS).

Matt Napierala, Engineer, reviewed the DEIS submitted by the Applicant and provided the following initial comments:

### **Comments**

The following is an outline summary of initial review items that we believe require further attention by the applicant:

- Direct Response to EAF “moderate to significant impact” items: In the village’s review of the project EAF several items of environmental concern were raised. It is our opinion that each and every EAF paragraph that the Village identified as an environmental impact should be re-numerated, the issue in question discussed and the applicant’s proposed mitigation for that item be directly discussed and supported with technical reports and / or detailed plans and specifications. In this manner the Village and the public can see the issues that were raised (line by line) and be able to review the applicant’s direct response to each item.

Based on the Village Trustee’s resolution the following major topics were identified as areas of moderate to large impact: Impact on Land; Impact on Aesthetic Resources; Impact on Transportation; Impact on Noise, Odor and Light; Impact on Human Health; Consistency with Community Plans; and Consistency with Community Character.

- Alternative Analysis: It is our opinion that the Alternative analysis presented do not adequately review all of the alternatives available for the subject site. The applicant should review and discuss other alternatives that conform to the current zoning (not requiring a zone change) as well as alternatives that review a less dense development and thus less impacts.

- Stormwater: The stormwater report provides calculation for the water quantity analysis. However, the report does not provide analysis and calculation for “Runoff Reduction” and “Water Quality Mitigation”. By implementing runoff reduction and water quality practices the overall layout of the development can be impacted and thus the configuration and density of the development differ than what has been presented. Noting as well NYSDEC requires water quality treatment practices closer to the source and frowns upon “end of the pipe” treatment solutions. As such rain gardens and micro-bio retention areas within parking areas and adjacent to buildings become the preferred solutions.

The Stormwater mitigation needs to review the impacts of mitigation practices with regards to the site being a hazardous waste site and thus a ‘hotspot’. This classification will require appropriate stormwater management in accordance with the NYSDEC design manual.

With regards to the proposed quantity mitigation basin, the proposed grading plan for the basin indicates that the basin is to occur in over 30 feet of cut. Borings should verify the depth to rock refusal and ground water depth in the area of this cut to verify that this mitigation basin can actually be constructed and that it will function properly. It is our opinion that the 30 foot cut poses an environment condition that needs to be addressed in the DEIS.

- Traffic: We understand that NYSDOT has agreed in concept to the applicant providing for a “two way left turn lane” from the project driveway to the Route 5 / Route 257 intersection. This agreement does not alleviate the need for the applicant to thoroughly review and discuss the impact that the project will have on the village and the public with regards to the traffic impact caused by the project. The DEIS needs to clearly and concisely outline the impacts to peak hour que lengths, additional delays and any and all impacts to the bottleneck at the Route 5 / Route 257 intersection. (Stating an intersection level of service alpha does not adequately outline the impact.

The DEIS needs to look closely at the design of this two way left turn lane and is there enough DOT Right of Way to fit a 3<sup>rd</sup> lane in all the way to the Route 5 / Route 257 intersection or will additional land acquisition be required to implement this solution. Design plans to date have not detailed this project improvement and should be included in the DEIS (along with any property acquisitions proposed).

We believe that it would be helpful for the applicant to provide a “SYNCRO” animation video of the traffic movements, signal operations, and backups today and provide a contrasting video of the same in the full build scenario to give the village and the public a visual view of the impact on traffic in the Village due to the development.

- Hazardous Waste Site: There remains unknowns with regards to the subsurface conditions below the building areas. In direct terms, NYSDEC has indicated no basements on the site and no groundwater use. NYS DEC has released the site for redevelopment under the Brownfield program. The DEIS should directly and more specifically discuss the health concerns and factors of construction approximately 250 residential apartment units on this site. What are the contaminants that remain in the groundwater and the potential contaminants that remain in the subsurface and what are the risks of accidental public contact with these contaminants?

Attached to this summary is a review letter from Jim Blasting. The applicant should respond to Mr. Blasting comments as they deal in detail to the hazardous waste aspects of the proposed development.

- Sanitary Sewer: The Limestone Meadowbrook WWTP is in discussions with NYSDEC and USEPA regarding frequent raw sewage overflows. The DEIS has acknowledged that the project will have to pay appropriate OCWEP sewer offsets. The DEIS should specifically address the sewer connection issue and obtain letter concurrence form OCWEP that a sewer connection for over 50,000 GPD will be allowed and supported by the sewer authority.

- Layout: Based on previous review of the plotted to scale project plan, it appears that the parking spaces size provided does not conform to the village code requirement of every parking space to be 200 sf (10x20). As well the layout provides parking spaces in the residential spaces where one car is stacked directly behind another (requiring the rear car to be moved to get the front car out). The DEIS needs to address these layout concerns to provide conforming parking space size and a parking layout that does not rely on cars to be moved to exit. The impact could be adding additional impervious surface to the proposed plan and thus propagating to further environmental impacts.

As well the current layout does not provide for adequate adjacent parking for the mixed use retail buildings in a convenient and marketable manner. We have seen in the local area where projects have failed when the parking is not direct and convenient (i.e.: Madison Row in Village of Manlius). Again these layout issues will affect the overall development and thus become an environmental impact.

Mayor Olson opened the meeting for Public Comment:

Joseph Adams – 202 Euclid Drive commented that the traffic study should be done during a peak time of the year, not during the summer when school is not in session or over the 4<sup>th</sup> of July Holiday.

Pat Greenburg, 129 Brookside Lane, is concerned with traffic especially in the afternoon; she has had tradesmen unwilling to come to her house to do work because of how long it takes to get through the village.

Madeline Bort, Elm Street, stated that she is concerned about the burden that a development so large would put on the Police, Fire and Schools.

Scott Taylor, Brooklea Drive, is concerned that there will be many vacancies if there are not enough people renting the apartments.

Lisa Caldwell, 7957 East Genesee Street, is concerned with safety and what will happen because of the increased traffic; we are already seeing an increase in the traffic because of development in Chittenango

Bob Jureller, 108 Brookside Lane, asked if there was any discussion of funding for the increase in Wastewater Capacity.

Mayor Olson explained that the village is working towards reducing Inflow and Infiltration and there is enough capacity during the dry weather to accommodate the additional development.

Jim Matthews, 830 Oakwood Street, would like to see the property remain an Industrial Zone and a factory site.

Bob Duncanson, Oakwood Street, is concerned about the increase in traffic

Mrs. Aeillo, Cleveland Boulevard, does not think we need the development and the increased traffic and believes there is more of a need for Retirement Housing

Jason Fuelner, 831 Oakwood Street, feels that the density of the project does not fit the character of the village and surrounding neighborhoods

Marguerite Ross, Cammot Lane, stated that she had been following this project since its conception and agrees strongly with comments made by Matt Napierala and also believes that the applicant has given the village a lot of misinformation specifically on the Environmental Issues. Ms. Ross believes that the applicant has intentionally deceived the public on what can and can't be done with the property.

Martin Butts, 104 Vollmer Road, said that he moved here from Florida and chose Fayetteville for its character and does not feel that the proposed project would fit into the character of the Village, the traffic and density of the project is too large for the area

Betsy Bower, 313 S. Manlius Street, is concerned about traffic and motorists that try and take alternate routes to avoid traffic and create safety issues.

Harlan Lavine, 1 Bishop Drive, asked if the applicant addressed Bishop Brook and any run off into the stream that would be caused by the project.

Engineer Matt Napierala said that they are maintaining a large set back from Bishops Brook and, with proper design, it can be done properly and mitigated.

Mr. Lavine feels that OBG are trying to bail themselves out of their situation and does not feel that the village should have to be responsible for their mess.

Jennifer Weekes Osada, 110 Cammot Lane, is concerned because her property backs up to the proposed project site and she is not comfortable with what is being proposed and transient living.

Mary Teske, Redfield Avenue, is concerned about many factors with the proposal and she does not want to see her property taxes increased because of the strain this project may put on services such as Police, Fire and the School District.

Nicole Halbig, 112 Cammot Lane, is not in favor of the project

Patricia Welch, Spring Street, is not in favor of the proposed project

## **FORESTRY PLAN**

Trustee Duggleby handed out information to the Board of Trustees to review regarding the Forestry Management Plan from the NYSDEC as it pertains to Duguid Park as well as information on an invasive species of vine that is taking over and needs to be eradicated.

## **SAFE ROUTES TO SCHOOL SIDEWALK BIDS**

Mayor Olson informed the Board that the village did not receive any bids for the Fayetteville Sidewalk Project. Mayor Olson is meeting with the NYSDOT on July 3<sup>rd</sup> to discuss what are our options and possibly awarding from the County Contract.

## **CODES REPORT**

Code Officer Jones submitted a Code Report to the Village Board that included all open and closed code violations and a current list of the Zombie Properties for June.

## **DPW REPORT**

Superintendent Massett submitted the following report:

### Purchases:

1. Replace 2008 Large 6 wheel dump truck with plows, dump body, salter and liquid tank. Estimate for new replacement \$270,000 on contract. Truck would not be delivered until spring of next year and lease would start 20-21 budget year.
2. Replace 1994 Vermeer stump cutter. Estimate for a new replacement \$51,000 to \$54,000. Lease this year.
3. Replace 2008 and 2012 pickup trucks. Estimate \$40,000 each. Lease this year.

### Open Projects:

1. Village Signs: Gary Way will start building new signs.
2. Elm St. Drainage: Residents letters have been signed. Will start as soon as possible.
3. Sidewalks Grant: 2019 Salt Springs St. and S. Manlius St. project waiting on bid opening.
4. Brush: Clifton Recycling will be here as soon as possible to grind brush in June.
5. Road Work Schedule: Cape sealing Southfield Area, John St. and Green St. Oil and stone done on June 4<sup>th</sup>. Later this summer a top seal will be applied. Roads Ledyard Ave. and Elm St. are done.
6. Bridges: Walnut St. Rehab or repair bridge report from B&L Engineers has been sent to the village. Franklin St. Bridge on watch list.

7. Western Gateway: DPW will be running wire for new street lights in preparation of new street lights being delivered this summer. Light have been ordered.
8. Ice Clearing Policy: PESH/ Labor department notice of violation and order to comply has been received. Will meet with Labor Board representative tomorrow to go over notice of violation. Prepare a contract for clearing the pond ice for August meeting.
9. The DPW will start 10 hour days from July to end of August and will be back on normal work schedule of 8 hour days starting in September.  
Work week in July and August will be Tuesday to Friday 6:30 am to 5 pm.  
Brush will be picked up starting on Tuesdays. Thursday July 4<sup>th</sup> pick up will be moved to July 1<sup>st</sup> and notices will be dropped off this week.
10. Senior Center: See sheet

**List of things to be done at the Senior Center**

1. Electrical, Old wires, conduit on west side and porch
2. Porch Roof removal
3. Replace cellar window west side
4. Remove all bushes on east, west and south sides
5. Remove trees, Maples on west side and south side by ramp
6. Quote for tree removal and trim Bartlett
7. Pressure wash back ramp
8. Re-work east side deck and stairs

Trustee Small made a motion to authorize Superintendent Massett to purchase a 2020 International HV507 Chassis from Stadium Equipment under County Contract #8996 for a cost of \$258,164 to replace the 2008 large 6-wheel dump truck and to pay for the truck with a Lease Purchase Agreement. Trustee Kinsella seconded the motion and it was carried by unanimous vote.

Trustee Small made a motion to authorize Superintendent Massett to purchase a Bandit Stump Cutter under National Contract for a cost not to exceed \$48,000. Trustee Duggleby seconded the motion and it was carried by unanimous vote.

Trustee Small made a motion to authorize Superintendent Massett to purchase two (2) pickup trucks to replace the 2008 and 2012 pick-up trucks for a cost not to exceed \$40,000 per truck. Trustee Kinsella seconded the motion and it was carried by unanimous vote.

**FIRE DEPARTMENT APPLICATIONS**

Trustee Kinsella made a motion to approve the application from Anthony Fedele to the Fayetteville Fire Department. Trustee Ashby seconded the motion and it was carried by unanimous vote.

Trustee Ashby made a motion to approve the application from Shaundell Terry to the Fayetteville Fire Department. Trustee Kinsella seconded the motion and it was carried by unanimous vote.

### **AMBULANCE BID APPROVAL**

Trustee Small made motion to accept the bid from North Eastern Rescue Vehicles for the purchase of three (3) Braun Chief XL Ambulances for a total cost of \$479,140 and to pay for the purchase with a Lease Purchase Agreement. Trustee Ashby seconded the motion and it was carried by unanimous vote.

### **DONATION OF SICK TIME- MATTHEW PARKER**

Trustee Kinsella made motion to authorize Mayor Olson to sign a Memorandum of Understanding with the Fayetteville Career Firefighters allowing them to transfer Sick Leave Credits to Firefighter Parker. Trustee Small seconded the motion and it was carried by unanimous vote.

### **FEEDER STREET – EMINENT DOMAIN**

Attorney Spencer has been working with Attorney James to draft a letter to the County Court to move the Eminent Domain Process forward and seek the assistance of the court to allow the village access to the property for purposes of obtaining an appraisal.

### **LETTER OF REQUEST – DAVID VICKERS**

Attorney Spencer addressed the letter the village received from David Vickers requesting that the Village remove his property from the incorporated Village Boundaries. Attorney Spencer explained that there is a process that has been established but it is not something that the Village Board of Trustees can do by a simple board motion. Attorney Spencer also pointed out that it does not make practical sense to consider removing this piece of property because it is surrounded on all sides by Village Property.

### **CNY RPB AGREEMENT**

Trustee Small made a motion to enter an agreement with Central New York Regional Planning and Development to participate in a Water Quality Improvement Project Grant for purposes of a MS4 Mapping Project. Trustee Kinsella seconded the motion and it was carried by unanimous vote.

### **ROUNDTABLE**

Mayor Olson informed the board that we will be receiving Extreme Winter Condition funding through the NYSDOT Program and with this additional funding we will be able to pave Mill Street and/or Pratt Lane.

### **EXECUTIVE SESSION**

Trustee Small made a motion to go into Executive Session at 8:00pm for a personnel matter and to include Clerk Corsette and Attorney Spencer. Trustee Ashby seconded the motion and it was carried by unanimous vote.

Trustee Duggleby made a motion to come out of Executive Session at 8:20pm and reconvene the regular meeting. Trustee Small seconded the motion and it was carried by unanimous vote

No further business discussed.

Trustee Duggleby made a motion to adjourn the meeting at 8:20pm. Trustee Small seconded the motion and it was carried by unanimous vote.

Respectfully submitted,

Lorie Corsette, Village Clerk