



VILLAGE OF FAIRPORT

Minutes of the Regular Meeting of the Village Board of Trustees October 14, 2014 held at 31 South Main Street

Present: Frederick H. May, Mayor
Trustees: H. Kevin Clark
Kenneth G. Rohr
Timothy J. Slisz
Debra D. Tandoi

Also Present: Bryan L. White, Village Manager
Laura K. Wharmby, Clerk-Treasurer
William H. Walker, Attorney
Graham Klimasewski, Youth Advisory Council
38 others were present

Visitors: Robert Salmon, Planning Board Chair
Jerry Goldman, Attorney for Reidman Development
Bob Cantwell, Associate for BME

Citizens' Forum

Mayor May opened the Citizens' Forum at 7:00 p.m. Nate Ruder, 52 Clarks Crossing, mentioned his appreciation for all that is being done on the Veterans Memorial at Potter Park. John Stadt, 140 West Ave, Tim & Brenda Garman, 7 Melnotte Lane, Mary Carbonaro, 177 South Main Street, expressed concerns with the building department processes. Isaiah Organ 145 N. Main Street, Jim Gondoli, John Pierre, Landing Bar and Grill, Chris Alberti, High Street, and Chris Casa, Box Factory mentioned how helpful the Building Department was to them. Cathe Murray, 21 Ten Bury Way, would like to see the condos at 15 Parkers Street happen. Nancy Shadd, 18 Fifth Avenue and Eileen Wierzbicki, 104 Roselawn Avenue were not in favor of the proposal at 15 Parker Street. Bryan White, Village Manager, addressed the residences regarding requirements needed to bring a business to the Village. Mayor May closed the Citizens' Forum at 7:28 p.m.

Board Meeting

Mayor May opened the regular Board Meeting at 7:30 p.m. and asked all present to rise for the Pledge of Allegiance to the Flag of the United States of America. The attendance was taken.

Public Hearing

Mayor May opened the public hearing at 7:43 p.m. Trustees Rohr and Clark recuse themselves from the hearing. Bob Salmon, Planning Board Chair, discussed the Incentive Zoning Relief relating to the density of the planned development at Residences at Canalside Project. Jerry Goldman, Attorney for Riedman Development mentioned the request for incentive zoning is consistent with other reliefs that have been granted in the Village. The relief would be instead of 3,500 square foot of land area per unit to be 2,586 square foot per unit. Final site plan approval will go back to the planning board. Bob Cantwell, Project Engineer, BME, stated that the nature of this project goes back 3 years ago when it comes to the component of the project that dealt with environmental review. The trigger for that was the public promenade. The environmental review was done for the entire project not just the public promenade and there was a traffic study

October 14, 2014

done by the New York State Department of Transportation. When Riedman Developer was selected for this project a new plan was submitted to the planning board and they reviewed the previous SEQR and updates were made. Denise Roody, 6 Shagbark Way, is looking to downsize and to stay in Fairport and feels this would be a great place to live. John Sawyer, 8 Galusha Street, wanted to know if there will be final drawings and where will they be found. Richard Taft, 19 Parker Street, Joe Feeney, 35 West Street, expressed concerns as to traffic, size and appearance of the project. Eileen Wierzbicki, 104 Roselawn Avenue, questioned the process of this relief. There being no one else to speak, Mayor May closed the public hearing at 8:01 p.m.

Minutes Approval

On the motion of Trustee Tandoi, seconded by Trustee Rohr, it was agreed to approve the minutes of the August 26, 2014 Work Session of the Village Board by a roll call vote: Mayor May, Trustees Tandoi, Rohr, Clark voted aye, Trustee Slisz abstained.

On the motion of Trustee Slisz, seconded by Trustee Tandoi, it was unanimously agreed to approve the minutes of the September 8, 2014 regular meeting of the Village Board.

On the motion of Trustee Slisz, seconded by Trustee Clark, it was unanimously agreed to approve the minutes of the September 23, 2014 Work Session of the Village Board.

State Environmental Quality Review

On the motion of Trustee Tandoi, seconded by Trustee Slisz, it was agreed by roll call vote, Mayor May, Trustees Slisz and Tandoi voting aye while Trustees Clark and Rohr recused themselves from voting, to adopt the following resolution:

The Village of Fairport Board of Trustees has determined that the proposed action at the Residences at Canalside (formerly known as the 15 Parker Street Development) will not have a significant adverse environmental impact and therefore issue a negative declaration pursuant to State Environmental Quality Review (SEQR).

Incentive Zoning Relief

On the motion of Trustee Slisz, seconded by Trustee Tandoi, it was agreed by roll call vote, Mayor May, Trustees Slisz and Tandoi voting aye while Trustee Clark and Rohr recused themselves from voting, to approve the recommendation of the Incentive Zoning Review Committee as it pertains to the application for the Incentive Zoning Relief on behalf of Riedman Development and the Residences at Canalside project.

1. All requirements of SEQR have been met.
2. The proposed project, including the incentive, can be supported adequately by public facilities available or provided as a result of the project, including sewer, water, transportation, waste disposal and fire protection, without diminishing the availability of such services for projects permitted as a matter of course.
3. The public benefit is compatible with the purpose and intent of this chapter; that the project is sufficiently advantageous to make it appropriate for the grant of the requested incentive; and that the project will enhance the long-range asset-base of the Village.

October 14, 2014

4. The use of incentive zoning in the particular instance is consistent with the Comprehensive Plan.

Potter Memorial South Wall

On the motion of Trustee Clark seconded by Trustee Rohr, it was unanimously agreed to accept and award a bid for the Potter Memorial South Wall to Ontario Exteriors, Inc. as the lowest responsive bidder in an amount not to exceed \$36,770.00.

On the motion of Trustee Slisz, seconded by Trustee Clark. It was unanimously agreed to authorize Frederick H. May, as Mayor, to enter into a construction services agreement with Ontario Exteriors, Inc. for the Potter Memorial South Wall renovations, in an amount not to exceed \$36,770.00

Boy Scout Christmas Tree Sales

On the motion of Trustee Slisz, seconded by Trustee Tandoi, it was unanimously agreed to authorize Boy Scout Troop 209 to sell Christmas Trees in the parking lot behind the Bank of America from Sunday, November 23, 2014 thru Wednesday, December 24, 2014. The hours of operation will be Monday thru Friday 5:00 p.m. to 8:00 p.m., Saturday 9:00 a.m. to 8:00 p.m. and Sunday 10:00 a.m. to 7:00 p.m.

Halloween Parade

On the motion of Trustee Tandoi, seconded by Trustee Slisz, it was unanimously agreed to authorize the Town of Perinton to hold their annual Halloween Parade on Friday, October 24, 2014 at 6:00 p.m. The parade will begin at Minerva Deland parking lot, travel north to Potter Park. Potter Place will be closed for the duration of the parade. Cider and doughnuts will be served by the Fairport Rotary and Fairport Fire Department at the end of the parade.

Urban Forestry, LLC

On the motion of Trustee Rohr, seconded by Trustee Clark, it was unanimously agreed to authorize Frederick H. May, as Mayor, to enter into an agreement with Urban Forestry, LLC, 2553 Creek Road, Palmyra, NY 14522 for a partial village tree risk inventory and consulting services as needed. The contract term shall be June 1, 2014 thru May 31, 2015. The cost of the partial tree risk inventory shall not exceed \$1,200 and consulting services fees will be \$135 for the first onsite hour and \$90 for off-site or onsite after the first hour.

Local Law #2 of 2014

On the motion of Trustee Tandoi, seconded by Trustee Slisz, it was unanimously agreed to introduce Local Law 2 of 2014 amending Chapter §358-3 of the Code of the Village of Fairport Pertaining to the Issuance of Permits to Peddler's, Solicitors and Canvassers.

Local Law No. 2 of 2014

A Local Law Amending Chapter §358-3 of the Code of the Village of Fairport Pertaining to the Issuance of Permits to Peddler's, Solicitors and Canvassers

§358-3 Procedure for Issuance of License

A license, as required by this chapter, shall be issued in accordance with the following procedure:

October 14, 2014

A. The applicant shall pay to the Village Clerk the applicable fee, as hereinafter set forth and shall file with the Village Clerk a written application which shall set forth the following information

(10) The application shall be accompanied by two photographs of the applicant, showing the applicant's head and shoulders, and taken not more than 60 days prior to the date on which the application is filed.

C. The Village Board or designee shall grant or deny the license application after the Chief of Police's recommendation has been filed with the Village Clerk.

Public Hearing will be November 10, 2014 at 7:30 p.m.

Cash Flow Reports

On the motion of Trustee Slisz, seconded by Trustee Rohr, it was unanimously resolved to accept the August Cash Flow reports of the Village of Fairport and the Fairport Municipal Commission.

Bills

On the motion of Trustee Rohr, seconded by Trustee Slisz, it was unanimously resolved to pay the audited bills in the amount of \$319,116.45.

On the motion of Trustee Tandoi, seconded by Trustee Slisz, it was unanimously resolved to amend the previously approved amount of \$48,000 to pay health and dental insurance premiums for the month of October to \$41,562.86.

On the motion of Trustee Slisz, seconded by Trustee Tandoi, it was unanimously resolved to authorize the Clerk-Treasurer to pay health and dental insurance premiums, for the month of November, in an initial estimated amount not to exceed \$48,000, subject to audit and amending authorization by the Village Board at their regularly scheduled November meeting.

Announcements and Committee Reports

Mayor May mentioned the Scarecrow Festival and the Safe Journey walk was very successful last Saturday. The weather was great. Thank you to the Fairport Perinton Merchant members for the decorations to the Village Hall. The Parker Street Bridge has been downgraded from a maximum load of 16 tons to 12 tons. We will be working with the appropriate agencies to determine the future plans for the bridge and corrective action moving forward. The Village Hall roof insulation project is moving forward. Plaster and other materials are being removed from the ceiling of what had once been a 3rd floor auditorium. We have discovered some structural issues that need to be addressed during this project as well. The building will be more comfortable and energy efficient when this project is completed.

Trustee Rohr mentioned that last winter he and Clerk Treasurer Wharmby attended the State Comptrollers Fiscal Stress Monitoring System in which the state monitors the fiscal stress of individual municipalities. The report shows that Fairport is not experiencing any fiscal stress at this time. We have a combined grade of 12.9%. Susceptibility begins at 45% in the states scale. The State Comptrollers grade does not include the results of the most recent concluded fiscal year of 2013-2014 and if it did the grade would be even better. Trustee Slisz, Village Manager White, Police Chief Chisholm, IT Professional Luke Wenschhof and I attended a fire training exercise at the fire training facility. There was a tour of the facility and we watched a live burn exercise. He was very impressed by the facility and thanked Fire Chiefs Jay Dewitt and Logan

October 14, 2014

Muster, and Mike Gropp for taking the time to explain what they were doing and the equipment they were using. The professionalism and skills of our many volunteer fire fighters that were on hand that evening was very evident.

Trustee Slisz mentioned the Fire Training Facility is a joint facility between the Bushnell's Basin, Egypt, and Fairport Fire Departments. November 5, 2014 from 9:00 a.m. to 1:00 p.m. is the pharmaceutical drop off at the police department. Please be careful as you walk on the sidewalks as orange cones have been placed on sidewalks where work is being done.

Trustee Tandoi stated next week October 19-26 is Red Ribbon Week in our community. We strive to have a drug free future for our youth. The Red Ribbons were designed by our 5th grade D.A.R.E students. They will be at various places in the community. Please wear them as a symbol of our commitment to provide this drug free future for our youth. The theme this year is Love Yourself, Be Drug Free. This started in 1985 and it is the oldest, largest, most successful campaign in the nation. In regards to the Citizens Forum, she is very proud that people feel free to come and discuss problems in a respectful professional manner and that as a community we can all learn and work together. Thank you to the Village Manager for reaching out and communicating with the citizens.

Trustee Clark stated the Veterans Memorial at Potter is underway, the foundations and poured, the ground face block has been delivered to the site and the columns have already started to go up. The sidewalks have been prepped to be poured. The key component is a large steel trellis that will be installed has been built and will be the last to be installed. As long as the weather holds, the project should be completed by November 11, 2014. The Village Landing improvements are appreciated.

The next Village Board Work Session will be on Tuesday October 28, 2014 at 4:00.

The next regular meeting of the Village Board will be Tuesday, October 14, 2014 at 7:30 p.m. with the Citizen's Forum at 7:00 p.m.

Executive Session

On the motion of Trustee Rohr, seconded by Trustee Slisz it was unanimously agreed at 8:34 p.m. to go into executive session to discuss the employment of a particular individual.

On the motion of Trustee Rohr, seconded by Trustee Slisz, it was unanimously agreed at 9:07 to end executive session.

Adjourn

On the motion of Trustee Slisz, seconded by Trustee Tandoi, it was unanimously agreed to adjourn at 9:24 p.m.

Respectfully submitted,

Charlotte Williams
Deputy Village Clerk