



## VILLAGE OF FAIRPORT

### Minutes of the Regular Meeting of the Village Board of Trustees June 8, 2015 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  
Jean-Paul Rattelade, Youth Advisory Council  
8 others were present

Visitors:

#### Citizens' Forum

Mayor May opened the Citizens' Forum at 7:00 P.M. There were 3 people present. Ginny Maher, 51 Dewey Avenue, requested the review of the zoning requirements. She would like the board to consider changing the set back and height requirements. Michelle and Gregg Gorcica, 10 Schoolmaster Circle, would like to start "Home Town Banners" in the village from High Street to Church Street honoring active duty military personnel. The banners would be 18"x45" and hang 12' from the ground. The brackets are \$50.00. There being no one else to speak, Mayor May closed the Citizens' Forum at 7:16 P.M.

#### Board Meeting

Mayor May opened the regular Board Meeting at 7:16 P.M.

#### Executive Session

On the motion of Trustee Clark, seconded by Trustee Rohr, it was unanimously agreed at 7:17 P.M. to go into an executive session to discuss a the employment history of a particular employee.

On the motion of Trustee Clark, seconded by Trustee Slisz, it was unanimously agreed at 7:28 P.M. to end the executive session.

#### Board Meeting

Mayor May re-opened the regular Board Meeting at 7:33 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.

#### Minutes Approval

On the motion of Trustee Tandoi, seconded by Trustee Slisz, it was unanimously agreed to approve the minutes of the May 11, 2015 regular meeting of the Village Board.

Fourth Avenue Block Party

On the motion of Trustee Slisz, seconded by Trustee Clark, it was unanimously agreed to authorize the Fourth Avenue residents to close the street for their annual street picnic on Saturday September 12, 2015, from 2:00 P.M. to 9:00 P.M. Barricades will be provided for each end of the street.

Backflow Preventer Inspection and Repair Agreement

On the motion of Trustee Tandoi, seconded by Trustee Rohr, it was unanimously agreed to enter into a Backflow Preventer Inspection and Repair Agreement with Colonial Fire Protection Systems, Inc. and for Frederick H. May, as Mayor, to execute the agreement.

DPW Work Management Software Agreement

On the motion of Trustee Slisz, seconded by Trustee Tandoi, it was unanimously agreed to enter into a DPW Work Management Software Agreement with iWorQ and for Frederick H. May, as Mayor, to execute the agreement.

Preservation of the Municipal Bond Tax Exemption Resolution

On the motion of Trustee Rohr, seconded by Trustee Clark, it was unanimously agreed to pass the resolution in support of the Preservation of the Municipal Bond Tax Exemption.

**A RESOLUTION OF THE VILLAGE OF FAIRPORT IN SUPPORT OF THE PRESERVATION OF THE MUNICIPAL BOND TAX EXEMPTION**

**WHEREAS**, the Village of Fairport, a local government doing business and providing essential services in New York State, relies heavily on the acquisition and use of municipal bonds; and

**WHEREAS**, the Village of Fairport is concerned about the provisions in the White House FY 2016 budget that seeks to end the long-standing tax exempt status of municipal bond interest; and

**WHEREAS**, the tax exemption has been a successful cornerstone of state and local infrastructure development for over 100 years, and has been effectively used to finance the vast majority of the nation's infrastructure and capital projects; and

**WHEREAS**, any proposal to reduce or repeal the tax exemption of municipal bonds would have a severely detrimental impact on local and national infrastructure development and the municipal bond market, thereby increasing the borrowing costs of state and local governments and creating uncertainty for potential investors; and

**WHEREAS**, through this critical financing tool, state and local governments are able to save approximately two-percentage (2%) points on their borrowing costs to finance public infrastructure improvements; and

**WHEREAS**, eliminating or limiting the exclusion of interest on municipal bonds will increase the costs borne by taxpayers for critical infrastructure projects,

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**NOW, THEREFORE, BE IT RESOLVED**, that the Village Board of the Village of Fairport is in support of the preservation of the municipal bond tax exemption and adamantly opposes eliminating or limiting the exclusion of interest on municipal bonds.

Modifications to the New York State Real Property Tax Cap Resolution

On the motion of Trustee Tandoi, seconded by Trustee Clark, it was unanimously agreed to pass a resolution in support of Modifications to the New York State Real Property Tax Cap.

**A RESOLUTION OF THE VILLAGE OF FAIRPORT IN SUPPORT OF  
MODIFICATIONS TO THE NEW YORK STATE REAL PROPERTY TAX CAP**

**WHEREAS**, on June 24, 2011, New York State (NYS) instituted the Real Property Tax Cap (Tax Cap); and

**WHEREAS**, the Tax Cap law established a limit on the annual growth of property taxes levied by local governments and school districts to two percent (2%) or the rate of inflation, whichever is less; and

**WHEREAS**, the Tax Cap applies to all independent school districts and local governments including counties, cities, towns, villages and special districts outside of New York City; and

**WHEREAS**, exceptions to the Tax Cap are limited to narrow exclusions arising from significant judgements of tort claims and unusually large year-to-year increases in pension contribution rates; and

**WHEREAS**, the current Tax Cap legislation is set to expire on June 15, 2016; and

**WHEREAS**, the Governor's Office would like to extend the Tax Cap for a significant period of time, if not indefinitely; and

**WHEREAS**, due to the fiscal constraints the Tax Cap places on local governments and the on-going and mandated costs that burden communities throughout NYS, the Village of Fairport would appreciate the opportunity to recommend modifications to the Tax Cap; and

**WHEREAS**, modifications to the current law include capital budget appropriations for any project for which a period of probable usefulness is established through §11.00 of the New York State Local Finance Law should be exempt from the property tax calculation as well as the amount of any year-to-year health insurance premium increases in excess of the property tax cap calculation, or 2%, should be exempt from the property tax cap calculation,

**NOW, THEREFORE, BE IT RESOLVED**, that the Village Board of the Village of Fairport is in support of modifying the New York State Real Property Tax Cap by proposing to include capital budget appropriations for any project for which a period of probable usefulness is established through §11.00 of the New York State Local Finance Law should be exempt from the property tax calculation as well as the amount of any year-to-year health insurance premium increases in excess of the property tax cap calculation, or 2%, should be exempt from the property tax cap calculation.

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On the motion of Trustee Clark, seconded by Trustee Slisz, it was unanimously agreed to increase Lieutenant Nielsen salary from \$95,133 to \$96,071 effective June 1, 2015.

### Fund Balance

On the motion of Trustee Slisz, seconded by Trustee Tandoi, it was unanimously agreed appropriate from fund balance, an amount not to exceed \$8,000, for the purposes of constructing a conference room and break room.

### Cash Flow Reports

On the motion of Trustee Tandoi, seconded by Trustee Clark, it was unanimously resolved to accept the April and May 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 \$149,531.00

On the motion of Trustee Slisz, seconded by Trustee Tandoi, it was unanimously resolved to amend the previously approved amount of \$48,000 to pay health and dental insurance premiums for the month of June to \$38,484.80.

On the motion of Trustee Rohr, seconded by Trustee Clark, it was unanimously resolved to authorize the Clerk-Treasurer to pay health and dental insurance premiums, for the month of July, 2015 in an initial estimated amount not to exceed \$48,000, subject to audit and amending authorization by the Village Board at their regularly scheduled July meeting.

### Announcements and Committee Reports

Mayor May mentioned the hi-lights of the May 26<sup>th</sup> Village Board Workshop are as follows:

- The Upstate New York Municipal Workers' Compensation Program of which we are creators and original members, is a self-insuring program has worked very well for us this year. We have had very few job related injuries this year and as a result, Fairport is getting \$43,000 returned back into our general fund with an addition \$11,000 going to the Fairport Municipal Commission.
- There was discussion regarding the Municipal Bond Tax Exemption, the Real Property Tax Cap Modifications, the Consolidated Funding Application Program and Potential Projects and Boundary Line Agreement with the former Blue Cactus Property.
- On May 16<sup>th</sup> the Department of Environmental Services held a Household Hazardous Waste Collection event at the Perinton Department of Public Works garage. 573 residents participated with a total collection of over 16.5 tons of hazardous materials which were saved from possibly entering our ecosystem through the storm sewers or improperly disposed of into area landfills. Thank you to all who participated.
- The 39<sup>th</sup> annual Fairport Canal Days was very successful. We were very fortunate to have great weather on Saturday and Sunday with record crowds. Thanks to all who came to support and enjoy the first major festival of the summer season. The committee will take a few weeks away from each other and in August start planning for 2016.

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- The Village Board held a special meeting on Thursday May 28<sup>th</sup> to learn about how the police department is functioning with limited staff as we continue to search for a new police chief. The department is working well.
- The Fourth of July Parade will be held on the Fourth of July.

Trustee Rohr mentioned an article in the newspaper regarding the large amount of time it takes to manage a Farmers Market. He thanked Mayor May for his all his time and effort in creating a successful Farmers Market. He attended the Fairport Municipal Commission meeting today and was very impressed by how very busy and well run it is. He thanked the employees and the Commissioners for doing a great job.

Trustee Slisz mentioned that now that it is summer to please be mindful of crosswalks. Thank you to the Department of Public Works, the Police Department and the Volunteer Fire Department for all their hard work on Canal Days. Please be aware the traffic problems and pay attention to the signs as the paving starts on Route 250.

Trustee Tandoi thanked everyone who helped make a wonderful Memorial Day parade and service. It was a great success. This month we have kept very busy with hospitality and ethic training. Canal Days was spectacular. There is a prescription drug drop off box located at the Police department and old medications can be dropped off between 8:30 A.M. to 4:30 P.M. Please everyone watch your speed limit as children are out at play.

Trustee Clark thanked the Fairport Perinton Merchants Association and all the volunteers who worked on the Canal Days. The construction on Route 250 time line will be entered on the website.

Clerk-Treasurer Wharmby mentioned that the property tax bills are out. Please notify the Clerk's office if you have not received one. You can no longer pay your bills at Chase bank. Please either mail your payment to the lock box in Binghamton or you can pay in the Clerk's office. Thank you to the 50 parents and Rugby team members who worked very hard in the Mount Pleasant Cemetery, all day on a Saturday. They mulched, raked and weeded. It is very much appreciated.

Manager White thanked all who worked on the Veteran's Memorial and Canal Days. There was a lot of hard work put in to make the village look great. Thank you to Egypt Fire Department for covering for the Canal Days. There was over 640 hours of volunteer work put in for the Canal Days between all the fire departments.

The next regular meeting of the Village Board will be Monday, July 13, 2015 at 7:30 P.M. with the Citizens' Forum at 7:00 P.M.

### Executive Session

On the motion of Trustee Rohr, seconded by Trustee Slisz, it was unanimously agreed at 8:08 P.M. to go into an executive session to discuss a the employment history of a particular employee.

On the motion of Trustee Slisz, seconded by Trustee Tandoi, it was unanimously agreed at 8:54 P.M. to end the executive session.

### Adjourn

On the motion of Trustee Clark, seconded by Trustee Rohr, it was unanimously agreed to adjourn at 9:05 P.M.

June 8, 2015  
Respectfully submitted,

Charlotte Williams  
Deputy Village Clerk