



VILLAGE OF FAIRPORT

Minutes of the Regular Meeting of the Village Board of Trustees August 10, 2015 held at 31 South Main Street

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

Absent: H. Kevin Clark

Also Present: Bryan L. White, Village Manager
Charlotte A. Williams, Deputy Village Clerk
William H. Walker, Attorney
Grant Castle, Youth Advisory Council
6 others were present

Visitors: Scott Winner, Director, Fairport Partnership for a Better Community
Presentation of Oktoberfest, October 2 & 3, 2015

Citizens' Forum

Mayor May opened the Citizens' Forum at 7:00 P.M. There were 2 people present. Elissa Ostrander, 126 West Avenue and Shannon Bones, 130 West Avenue, they expressed their concern regarding the vehicles speeding on West Avenue and whether signs could be put up. There being no one else to speak, Mayor May closed the Citizens' Forum at 7:06 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.

Minutes Approval

On the motion of Trustee Tandoi, seconded by Trustee Rohr, it was agreed to approve the minutes of the July 13, 2015 regular meeting of the Village Board by a roll call vote. Mayor May, Trustees Rohr and Tandoi voted aye, Trustee Slisz abstained due to absence.

On the motion of Trustee Rohr, seconded by Trustee Tandoi, it was agreed to approve the minutes of the July 17, 2015 special meeting of the Village Board by a roll call vote. Mayor May, Trustees Rohr and Tandoi voted aye, Trustee Slisz abstained due to absence.

On the motion of Trustee Slisz, seconded by Trustee Tandoi, it was unanimously agreed to approve the minutes of the July 28, 2015 Work Session of the Village Board.

On the motion of Trustee Slisz, seconded by Trustee Rohr, it was unanimously agreed to approve the minutes of the July 30, 2015 special meeting of the Village Board.

Local Law # 4 of 2015

On the motion of Trustee Slisz, seconded by Trustee Tandoi, it was unanimously agreed to introduce Local Law #4 of 2015.

LOCAL LAW NO. 4 OF 2015

A local law amending chapter five hundred-fifty of the Code of the village of Fairport (Uniform Zoning Law) in respect of transferring certain lands from the R-B Residential District to the R-A Residential District and directing the same amendment to the official zoning map of the Village, by notation thereon.

BE IT ENACTED by the board of trustees of the village of Fairport, as follows:

Section 1. Short title.

This local law shall be known, cited and referred to as the "Zone change local law number 1 of 2015."

Section 2. Legislative findings.

Certain parcels of land within the village of Fairport are situate in multiple zoning districts. When land is zoned predominantly for one zoning district but portions lie in other zoning districts its development may be facilitated by making the zoning classification uniform for the entire parcel. Premises commonly known as 175 West Church Street (tax parcel #152.16-1-42) lie predominantly in the R-A Residential District, with three small portions lying in the R-B Residential District. Such split zoning serves no rational purpose.

Section 3. Zone district classification change from R-B Residential to R-A Residential District.

The real property described on Schedule "A" annexed hereto and made part hereof, shall be, and the same hereby is, transferred from the R-B Residential District to the R-A Residential District as said use districts are defined and regulated by chapter 550 of

the Code of the village of Fairport (Uniform Zoning Law), as amended and as amended by this local law.

Section 4. Amendment of official zoning map by notation by the village clerk.

The Village Clerk is hereby directed to amend the official zoning map of the village of Fairport to reflect the changes in zoning district classification accomplished by this local law, in conformance with section 4 of Local Law #5 of 1976.

Section 5. Authority and supersession effect.

This local law is enacted pursuant to authority conferred by the municipal home rule law. To the extent that this local law, or the manner of its adoption, is inconsistent with article 7 of the village law, the Uniform Zoning Law of the village of Fairport, or any other statute or local law, this local law shall prevail, pursuant to the supersession power granted villages by the municipal home rule law section 10(1) (ii) (e) (3).

Section 6. Saving clause.

The provisions of this local law shall not affect or impair any action done, offense committed or right accruing, accrued or acquired, or liability or penalty, forfeiture or punishment incurred prior to the time this local law takes effect but the same may be enjoyed, asserted, enforced, prosecuted or inflicted as fully and to the same extent as if such local law had not been enacted.

Section 7. Partial invalidity.

If any provision of this local law or the application thereof to any person or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unenforceable, such judgment shall not affect, impair or invalidate the remainder of this local law, but shall be confined in its operation to the provision, person or circumstance directly involved in the controversy in which said judgment shall have been rendered.

Section 8. Effective date.

This local law shall take effect in accordance with section 27 of the municipal home rule law.

SCHEDULE A

All those three portions of that tract or parcel of land, situate in the village of Fairport, Monroe County, New York, known as 175 West Church Street and identified upon the tax rolls as parcel number 152.16-1-42, identified upon the attached map with cross hatching and

are currently classified as R-B Residential District, such that the entire tax parcel number is classified as R-A Residential District.

Public Hearing

Mayor May opened the public hearing at 7:34 P.M. on Local Law #4 of 2015. A local law amending chapter five hundred-fifty of the Code of the Village of Fairport (Uniform Zoning Law) in respect of transferring certain lands from the R-B Residential District to the R-A Residential District and directing the same amendment to the official zoning map of the Village, by notation thereon. There being no one present to speak to the board, Mayor May stated he would sign the law and closed the hearing at 7:36 P.M.

Public Hearing

Mayor May opened the public hearing at 7:36 P.M. on allowing the construction of a structure exceeding 6,000 square feet of gross floor area at 92 South Main Street. There being no one present to speak to the board, Mayor May closed the hearing at 7:37 P.M.

On the motion of Trustee Slisz, seconded by Trustee Rohr, it was unanimously agreed to grant a special permit to Jeffrey Seidel for the construction of a structure exceeding 6,000 square feet of floor area at 92 South Main Street.

Manor Hill Block Party

On the motion of Trustee Tandoi, seconded by Trustee Slisz, it was unanimously agreed to authorize the residents of Manor Hill Drive to hold a block party on Sunday August 15, 2015 from 2:00 P.M. to 8:00 P.M. The street will be blocked off from Winding Brook Drive to the cul-de-sac, except for emergency traffic. Barricades will be provided by the Department of Public Works.

Local Development Corporation

On the motion of Trustee Slisz, seconded by Trustee Tandoi, it was agreed by a roll call vote the following resolution by a roll call vote. Mayor May, Trustees Slisz and Tandoi voted aye, Trustee Rohr abstained.

A Resolution Electing the Board of Directors to the Village of Fairport Local Development Corporation

WHEREAS, the Village of Fairport is the sole member of the Village of Fairport Local Development Corporation; and

WHEREAS, the terms of the first classified board of directors were staggered as set forth in the By-Laws.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Fairport hereby elect the following directors for the terms stated; and

BE IT FURTHER RESOLVED that the Board of Trustees of the Village of Fairport hereby ratify the appointments per the dates indicated.

Director First Class – Frederica Mazzola, October 15, 2012 through January 31, 2018

Director Second Class – Donna Yawman, February 1, 2014 through January 31, 2019

Director Third Class – Kenneth Rohr, February 1, 2015 through January 31, 2020

Director Fifth Class – Joseph Kosiorek, October 21, 2013 through January 31, 2017

Procurement Policy Amendment

On the motion of Trustee Rohr, seconded by Trustee Slisz, it was unanimously agreed to amend section 2 of the Procurement Policy to read as follows:

Whenever prudent and cost-effective, utilization of any state, county, or local government contract, the Empire State Purchasing Group, the National Joint Powers Alliance (NJPA), or other purchasing groups will be used provided the contract is let in a manner that constitutes competitive bidding consistent with New York State law, made available for use by other governmental entities and approved by the Village Manager. Surplus and second-hand purchases are permissible when purchased from a reliable vendor or other governmental entity. All other goods and services will be secured by use of written requests for proposals, written quotations, verbal quotations, or any other method as described in section 3 of this policy that assures that goods will be purchased at the lowest price and that favoritism will be avoided.

Purchases made in the following circumstances: goods purchased from agencies for the blind or severely handicapped pursuant to Section 175-b of the New York State Finance Law; goods purchased from correction institutions pursuant to section 186 of the Correction Law; or purchases pursuant to Section 104-b (2) (f) of General municipal law as described in subdivision 6 of this policy are not subject to verbal or written quotations or to competitive bidding for purchases over \$20,000 and public works contracts over \$35,000.

Cyber Liability Insurance

On the motion of Trustee Tandoi, seconded by Trustee Slisz, it was unanimously agreed to purchase Cyber Liability Insurance as proposed by Illinois National Insurance Co., a subsidiary of AIG, with the premium not to exceed \$8,515.00 and to authorize Frederick H. May to sign said contract.

Cash Flow Reports

On the motion of Trustee Tandoi, seconded by Trustee Slisz, it was unanimously resolved to accept the July 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 \$92,441.06

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 August to \$37,794.54.

On the motion of Trustee Rohr, seconded by Trustee Slisz, it was unanimously resolved to authorize the Clerk-Treasurer to pay health and dental insurance premiums, for the month of September, 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 September meeting.

Announcements and Committee Reports

Mayor May stated that after a previously cancelled gathering due to rain, on Tuesday, July 28th, the Fairport Perinton Merchants Association held a party to honor Howard and Doug Sharp for winning 1st place in the 2015 Hemming Motor Sport News Great Race. Their 1916 Hudson Pikes Peak Hillclimber was the oldest vehicle of the 108 entries. In addition to a substantial cash prize, they won the honor to compete in a Great Race in Japan 2016. The Monroe County Water Authority continues to make progress as new lines are laid and others are removed. The business district on South Main Street is finally free of pipes. The Village of Fairport will be receiving 8 new additional ladders for installation between the Lift Bridge and the Parker Street Bridge. State representatives were here last week measuring for the installation locations. We should expect to see the ladders installed late in the boating season. The Village will be slurry sealing the Village Landing Parking Lot on Friday, August 21st and Monday and Tuesday, August 24th and 25th between 6:00 A.M. and 10:00 A.M. Cole Street, Prospect Street, South Avenue, Dewey Avenue, and Fiora Drive will also be sealed. North and South Main Streets are currently scheduled to be milled and paved sometime early to mid- September.

Trustee Slisz mentioned the Pharmaceutical Drop is now available Monday thru Friday 8:30 A.M. to 4:30 P.M. in the Police Department. School will be opening soon, please be aware of children and buses. The Fairport Music Festival is Friday August 28th and Saturday August 29th. You can get information regarding the festival at www.fairportmusicfestival.com.

Trustee Rohr mentioned the Village Department of Public Works helped the Town of Perinton Department of Public Works do paving recently. This is another example of inter-municipal Cooperation between the Village of Fairport and the Town of Perinton. When the Village does paving, the towns sends workforce to help the village.

Trustee Tandoi mentioned the Code Enforcement Officer, Jim Steen retired July 31, 2015 and thanked him for his service. In regards to the Village Landing Parking Lot, the Perrin Street entrance will be closed on Monday, August 24th. The South Main Street entrance will be closed on Tuesday, August 25th. Remember that kids run around at all times of year so please be careful with driving. There will not be a Homecoming parade this year, instead there will be the First Annual Raider Nation on October 9th at Fairport High School. There will be food trucks from

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5:30 P.M. to 9:00 P.M., a kid zone from 5:30 P.M. to 7:00 P.M. to allow kids of all ages join in the fun, a pep rally at 7:00 P.M., a traditional bon fire, and at 8:30 P.M., there will be fireworks.

The next Village Board Work Session will be on Tuesday, September 1, 2015 at 4:00 P.M.

The next regular meeting of the Village Board will be Monday, September 14, 2015 at 7:30 P.M. with the Citizens' Forum at 7:00 P.M.

Adjourn

On the motion of Trustee Clark, seconded by Trustee Rohr, it was unanimously agreed to adjourn at 8:10 P.M.

Respectfully submitted,

Charlotte Williams
Deputy Village Clerk