

VILLAGE OF SKANEATELES
BOARD OF TRUSTEES
REGULAR MEETING
THURSDAY, OCTOBER 10, 2013

PRESENT: Mayor Hubbard, Trustees Angelillo, Jones, Lanning and Sennett, DMO Lotkowitz, Codes Enforcement Officer D'Amico, Village Attorney Byrne

Others: Carrie Chantler *Skaneateles Journal*
Jonathan Monfiletto *Skaneateles Journal*
Joe Genco *Skaneateles PRESS*
Charley Hannigan *The Post Standard*
Bam Bam SCS Participation in Government student
Sue Dove Skaneateles Chamber of Commerce

Public Hearing – At 7:30 p.m., Mayor Hubbard welcomed everyone to the Village Board Meeting and Public Hearing on Local Law #2 of 2013 to repeal language of the Village Code which regulates political signs. He asked the Village Board for comments. Trustee Sennett said two residents expressed concern about allowing political signs in the right-of-way and would like that to be addressed in the local law. She also noted that Town law stipulates that political signs are to be removed within five days after an election. She asked if we thought to incorporate a removal time into our law. Trustee Angelillo asked for clarification on exactly what we are discussing. Atty. Byrne said Section 225-65 (d) Political Posters is only three sentences relative to size, time, and identification. The Supreme Court doesn't tolerate many limits on protected free speech and you can't impose limits on political signs if the same limits are not imposed on other signs. Atty. Byrne said he is comfortable with addressing a restriction in the right-of-way as long it is on all signs. Trustee Jones said she is fine with that; Trustee Lanning asked for a definition. Atty. Byrne said a certain distance from the edge of the paved surface could be permissible. DMO Lotkowitz said Village right-of-ways are measured from the center line and are defined on a list. He doesn't know the State right-of-ways, but he could get them. Atty. Byrne noted that because sidewalks are not on all Village streets, we can identify the right-of-ways, but we couldn't use the sidewalk as the defining measure. Trustee Jones said that could create a lot of extra work for CEO D'Amico. Trustee Lanning said the purpose is not to waste tax payer dollars - could we request that political signs not be placed before 30 days prior to an election. Atty. Byrne said laws are laws - either the signs are permitted or they aren't. It has been the mind set in the community that political signs not go up too early or be left out too long. Atty. Byrne said he doesn't see the value in a written law that's not enforceable. Trustee Jones said we could state that signs are not to be placed within the sidewalk and street. Atty. Byrne said a certain set back from the street could be defined. DMO Lotkowitz said that for the most part that is 2-4 feet, but not everywhere. Discussion about the right-of-way continued; Atty. Byrne eventually recommended repealing all three sentences relative to political posters. CEO D'Amico recognized that there are size limitations on certain other signs. Atty. Byrne recalled suggesting previously that it would be a good idea to review the entire section of the code - doing a comprehensive review. However, the interim measure would be to get rid of this particular section. Mayor Hubbard asked if it is possible to have the local law drafted with certain criteria for all signs - if there is a sidewalk, all signs would be placed behind the sidewalk; if there isn't a sidewalk there'd be a defined dimension. Atty. Byrne said he'd be comfortable with all signs. At 7:44 p.m., Mayor Hubbard opened the public hearing to the floor for comments pro or con. Chamber of Commerce Executive Director Sue Dove was the only one to speak encouraging that the total sign law be looked at - give considerable thought in entirety. With no further comments, **Resolution #2013-153:** On the motion of Trustee Jones, seconded by Trustee Lanning, it was resolved and unanimously carried (5-0 in favor) to close the public hearing at 7:45 p.m. Mayor Hubbard said the Board is open to further discussion. Trustee Angelillo asked what happens on Genesee Street. CEO D'Amico said there are sections dealing with signs in windows and on buildings. For example, window signs are not to exceed 25% of the window. In response to Trustee Angelillo, CEO D'Amico said if a 15' set back was stipulated but there's not 15', it would be treated separately. Mayor Hubbard clarified that on the table now is to repeal the entire section dealing with political signs. Atty. Byrne said if someone were to propose a substantive change, we might have to have another public hearing. He suggested that the ZBA and Planning Board

look at the sign code for changes that should and could be changed. Trustee Jones said we should do the work we set out to do tonight, but added that she'd be willing to head up an effort to look into this topic further. Trustee Lanning said we should repeal the unconstitutional section. **Resolution #2013-154:** On the motion of Trustee Jones, seconded by Trustee Lanning, it was resolved and unanimously carried (5-0 in favor) to adopt Local Law #2 of 213 to repeal a provision of the Village Code, at Section 225-63(D) to remove unlawful restrictions on political signs.

Minutes - Resolution #2013-155 : On Motion of Trustee Sennett, seconded by Trustee Angelillo, it was resolved and carried (3 -0 in favor with Trustees Jones and Lanning abstaining from the vote as they were not present at the meeting) to approve the minutes of the Regular Meeting of September 26, 2013 as submitted.

Correspondence & Announcements – Mayor Hubbard noted the following:

- Receipt of Treasurer's Report for September, 2013
- Onondaga County Traffic Safety Advisory Board Request for Nominations for Deitz, Coburn, Mulroy and Pirro Awards
- Relative to the Planning Board Vacancy – Letter of interest from Brian Carvalho
- Copy of NYS DEC letter to City of Syracuse Water Department regarding Skaneateles Lake Dam
- Letter from Syracuse-Onondaga County Planning Agency (SOCPA) Director Andrew M. Maxwell introducing himself, the new agency structure, and to offer the services of SOCPA
- Note from Evan Dreyfuss – “Liz and I had a great experience with the HLPC last night at our hearing for a new driveway/sidewalk. Great tenor, professional, kind and they knew the Codes well. Thank you for re-constituting the Board. You have picked good Board Members! It was a pleasure working with them last night.”
- Relative to President Obama's visit to NYS on August 22 and 23, 2013 - NYS Police Superintendent Joseph D'Amico letter to Chief Perkins expressing thanks and sincere appreciation for providing the best support possible during the President's visit.
- Letter from Town Supervisor Roney regarding Proposed Sr. Housing Project, Bombard Property. Mayor Hubbard read aloud Town Supervisor Roney's letter of October 7, 2013 addressed to the Mayor and Village Trustees as follows: *Please be advised that the Town Board is ready, willing and able to meet with your Board to discuss the possibility of annexation of the Bombard property and other properties into the Village in order to facilitate development of the senior housing project proposed by Robin Casper and Mike McCracken. Please propose several dates and times so that we can have as many Board members participate as possible. Thank you.* Mayor Hubbard then read aloud the following statement: *We believe it is both premature and unwise for the Village and Town Boards to meet in a joint session now in order to discuss a possible annexation which has not yet been formally proposed. Annexation is a statutory process governed by state law. It begins with the filing of a Petition by the property owners who seek to have their properties annexed. Upon receipt of proper petition, the Village and Town Boards must schedule a joint public hearing and must then follow other procedural steps required by law. For the Boards to meet in a joint public session prior to the receipt of the petition could have negative consequences. If Board members were to express any views on the proposed annexation in a joint meeting, it could compromise their ability to vote on a formal proposal following a public hearing.* Trustee Lanning said he senses more than one property is being considered for annexation. Atty. Byrne said it is his understanding that there are five separate properties, but the Village has not been approached formally. He said it is not a good idea for the boards to meet at this point and he supports Mayor Hubbard's statement. Trustee Jones said she does as well and endorses the statement becoming a letter to the Town as a formal response. Mayor Hubbard said a letter will be sent tomorrow.

Police Department – Mayor Hubbard noted that the Board received the Police Monthly Activity report for September, 2013 that recorded statistics as follows: 191 Calls for Service; 2 Felonies; 9 Misdemeanors; 1 Violation; 2 DWI's; 36 V&T tickets (total); 10 Courtesy V&T's; 103 Parking Tickets; 296 Courtesy Cards; 4 MV Accidents; 1 Pers Injury; 6 Property Damage; 1 Larceny; 1 Burglary/Robbery; 30 Assist Fire/SAVES; 6 Alarm Calls; 900 Property Checks; and 1 Car Lockout.

Director of Municipal Operations – DMO Lotkowitz reported that the DPW started brush pick up, street and storm system cleaning, and helped here at the Village Hall before the ribbon cutting and open house. With the help

of Groton Electric, to replace a pole hit by a car, the Electric Department rewired and put up a new pole; the Electric Dept. is making good progress on the Community Center. Relative to the Village Hall lettering on the Front of the building, in response to Trustee Jones, DMO Lotkowitz said he is aware that the second "L" is not lit – it will be worked on next week.

WWTP – Trustee Angelillo gave the WWTP report for the month of September noting that the monthly inflow average was slightly above the 12-month rolling average, the plant met B.O.D. and suspended solids removal, a fair amount of work was done at the facility, the system is tighter, and there were no violations. DMO Lotkowitz said the ORF filled on Tuesday with the heavy rain, but did not overflow. Mayor Hubbard said WWTP reports may sound kind of "vanilla" as of late, but that is a complement to our crews. WWTP and Water Operator Psenicnik and Seasonal Laborer Merriman do an amazing job. A result of their work is the renewal of our SPDES permit thru 2019 without conditions - that is unheard of and the Village is very fortunate. DMO Lotkowitz agreed that Zlatko and Vince are amazing - they rebuild and maintain the plant unbelievably well. Mayor Hubbard added, and "within a balanced budget".

Codes Enforcement – Codes Enforcement Officer (CEO) D'Amico reported that for the period of September 13 – October 10, 2013 noting the following: 5 Building Permits Issued (YTD 47); 1 Demolition Permit (YTD 4); 14 Total Inspections performed during the period, breakdown as follows: 1 Backfill; 1 Waterproofing; 2 Fire Safety; 1 Wall Form; 9 Misc. site visits. CEO D'Amico said if you are thinking of putting a swimming pool in time to use next summer season, the fall and winter are perfect Seasons to start the application process. Most pools in the Village require a variance from the ZBA to install – this process could take several months. If you are planning on using your pool next summer, don't wait for next year's warm weather to apply or you may run out of "pool weather" before the proper approvals and permits are issued.

Skaneateles Volunteer Fire Department- Mayor Hubbard noted that SVFD Chief Sell submitted the monthly report for September, 2013 that reported the following: 22 Fire; 2 Rescue; 1 Water Rescue; 5 EMS (assist SAVES); 3 Mutual Aid; 33 Total calls for August; 196.79 Personnel Hours; 14.76 Personnel Average; 273 Total Calls for 2013; 6098.78 Total Personnel Hours for 2013; 13.58 Personnel Average for 2013. 4 Drills for August with 24 Personnel Average for September drills; 214 Personnel Hours for September; 585.51 Total personnel hours spent on calls and drills only for September; 7522.95 Total personnel hours spent on calls and drills only for 2013. Mayor Hubbard further reported that members of the Skaneateles Volunteer Fire Department attended the state's annual Fallen Firefighters Memorial Ceremony in Albany in honor of Skaneateles Firefighter George Dove who was honored in addition to West Webster firefighters Michael Chiapperini and Tomasz Kaczowka. Chief Sell advised that there is also a separate plaque on the Memorial wall at our fire house with Firefighter Dove's name on it as he died in 1965 while responding to a grass fire at Lake View Cemetery. Borodino Fire Department's Gerard Marcheterre was also added to the memorial as he died while responding to a fire in 2010. The memorial now honors 2,381 firefighters who died in the line of duty. CEO D'Amico said he attended the ceremony in Albany along with six other firefighters from Skaneateles. The ceremony was nice and Skaneateles was well represented, but he hopes we don't have to go back to another one. He added that when Jorge Batlle was cleaning out the old Village Office, he discovered that George Dove died in the line of duty. Trustee Jones noted that the Fire Department's open house is this Friday, October 11 from 7:00 – 9:00 p.m. at the station.

Status of NYS LGE Grant/Elevated Water Tower Painting Project – DMO Lotkowitz reported that the project is complete and Rockwood Corporation's payment is included in tonight's bills. There was a change order to inspect the tank's interior and we are waiting for the report that we should receive by the end of the month. Mayor Hubbard noted that the Water System Improvements Ad hoc committee is meeting next Friday at 7:30 a.m. and encouraged DMO Lotkowitz to get the report in time for that meeting. DMO Lotkowitz confirmed that the work was routine maintenance. Atty. Byrne recalled that a thorough survey and report were done a couple of years ago and this work was done in response to that. Trustee Angelillo said he read an article and tweet comments that made it sound like the Village spent \$93,000 to have the tower painted because of the vandalism. He clarified that it had nothing to do with the vandalism and the work was planned prior to that incident. Atty. Byrne agreed, adding that the tank was last painted twenty-five or so years ago. DMO Lotkowitz said the routine maintenance addressed rust and bare spots and a final over coat. Atty. Byrne said the project also included an examination of the interior and a report that we will get.

Status of new Village Hall Project – DMO Lotkowitz said the ribbon cutting was last week and we are producing electricity. Although there are still punch list items to address and sidewalks to pour, the architects, engineers, and contractors did a great job. Trustee Sennett noted that we had a good crowd on Saturday at the Open House and Sustainable Skaneateles Alternative Energy Tour. She said there are a lot of people interested and she is very proud of this project.

Status of NYSERDA Grant – DMO Lotkowitz said the construction was part of the grant and is complete so we can submit bills on that. Mayor Hubbard said NYSERDA will come for an audit at some point.

Status of Consideration of Additional Bench Locations – Mayor Hubbard reported that Jorge Batlle is looking at locations for additional benches.

Status of UV Disinfection Project Debt – Atty. Byrne said the bond sale is final and the average interest rate is 3.75%. Clerk/Treasurer Couch drafted a letter to the Town relative to their \$300,000 share of the debt and included their repayment schedule for the 15-year term that they chose. She is also working on modifying the Village billing.

Status of Chief Sell's Parking Concerns (including Holy Trinity Lutheran Church and Preschool request to consider changing the parking restrictions in front of the church and preschool) – Trustee Sennett said Chief Perkins is doing a comprehensive review of all the Village streets and recommends No Parking Here to the Corner signs that feed into Jordan Street, Fennell Street, and State Street. Relative to parking at the Lutheran Church Pre-School, concerned persons are calling the Police and that seems to be working well.

Adopt Proclamation – Mayor Hubbard read part of the New York Healthy Workplace Advocates email that said they are a coalition of citizens dedicated to ensuring civility and professionalism within the workplace. They are working to increase awareness of the growing bullying problem that affects both the public and private sectors and requested that a proclamation be adopted. **Resolution #2013-156:** On the motion of Trustee Sennett, seconded by Trustee Jones, it was resolved and unanimously carried (5-0 in favor) to adopt the following:

PROCLAMATION OF THE VILLAGE OF SKANEATELES

DECLARING OCTOBER 20 – 26, 2013

“FREEDOM FROM WORKPLACE BULLIES WEEK”

WHEREAS, the Village of Skaneateles has an interest in promoting the social and economic well-being of its employees and citizens; and

WHEREAS, that well-being depends upon the existence of healthy and productive employees working in safe and abuse-free environments; and

WHEREAS, surveys and studies have documented the stress-related health consequences for individuals caused by exposure to abusive work environments; and

WHEREAS, abusive work environments can create costly consequences for employers, including reduced productivity, absenteeism, turnover, employee health-related expenses and if left unchecked, costly litigation; and

WHEREAS, protection from abusive work environments should apply to every worker, and not limited to legally protected class status based only on race, color, gender, national origin, age or disability;

NOW, THEREFORE, the Mayor and Trustees of the Village of Skaneateles hereby proclaim October 20 – 26 “Freedom From Workplace Bullies Week”.

Re-new Snow Plowing Agreement – Mayor Hubbard noted that we received a current certificate of insurance from Trason Skaneateles’ agent reflecting the existence of liability insurance on their Parkside lands and also reflecting the Village of Skaneateles as certificate holder. Atty. Byrne said he doesn’t have any further questions or concerns. **Resolution #2013-157:** On the motion of Trustee Jones, seconded by Trustee Angelillo, it was resolved and unanimously carried (5-0 in favor) to approve renewing (for one calendar year) the snow plowing agreement between the Village of Skaneateles and Trason Skaneateles, LLC, as the owner of the streets in the Parkside Subdivision. In discussing the resolution, Trustee Jones asked that we make sure to receive the insurance certificate. Atty. Byrne said Kimberly Griffing, Property Manager/Bookkeeper indicated that the when the policy renews, new ones will be sent to the Village, so he will advise her that the renewal has been approved.

Re-schedule Meeting Dates – Noting that the second meeting in November falls on Thanksgiving and the second meeting in December is the day after Christmas, the Board discussed alternate dates. The meetings were re-scheduled for Tuesday, November 26, 2013 and Monday, December 30, 2013.

Consider Village Hall Common Area Accessibility – Mayor Hubbard said he was hoping that Chief Perkins would be present. This topic has been discussed, but he wants Chief Perkins to speak.

Consider Use of old Police Station/SAVES building for Dickens Cast – Mayor Hubbard said there have a few emails and Chamber Executive Director Dove contacted their insurance agent to confirm that the Chamber can obtain a certificate of insurance making the Village of Skaneateles a “named insured party” on the Chamber’s liability insurance as requested by Atty. Byrne. Trustee Lanning noted that having the Dickens cast park behind the Police Station will free up other parking. Trustee Sennett said she appreciates Mrs. Dove’s thorough response to Atty. Byrne’s request for a written summary of the proposal. **Resolution #2013-158:** On the motion of Trustee Jones, seconded by Trustee Sennett, it was resolved and unanimously carried (5-0 in favor) to approve Executive Director Dove’s request to use the old Police Station/SAVES building for the cast members with the Dickens program as outlined in her formal request letter.

Five Minute Recess – at 8:33 p.m., Mayor Hubbard announced that after the recess the Board will review and approve the bills.

Approval of Bills - Resolution #2013-159 : On the motion of Trustee Jones, seconded by Trustee Sennett it was resolved and carried (5-0 in favor) that bills from Abstract #9 be audited and paid as follows:

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| General Fund | Vouchers #371-419 | Checks #15361-15409 | \$70,114.01 |
| Sewer Fund | Vouchers #99-112 | Checks #4494-4507 | \$ 8,284.15 |
| Electric Fund | Vouchers #113-123 | Checks #5124-5133 | \$ 43,601.65 |
| Water Fund | Vouchers #67-77 | Checks #3607-3617 | \$ 96,012.96 |

Legg Hall – Mayor Hubbard mentioned that a Legg Hall resident approached him about changing all of the balconies in one project and asked about accessing the rear of the building from the park. DMO Lotkowitz said CHA has suggested another primary feed from the park around Legg Hall. Atty. Byrne said he thinks Legg Hall has an association; Mayor Hubbard will find out who serves as the President of the association.

Executive Session – Personnel Matter – Resolution #2013-160: On the motion of Trustee Jones, seconded by Trustee Angelillo, it was resolved and unanimously carried (5-0 in favor) to move into an Executive Session at 9:01 p.m. to discuss a personnel matter.

Adjournment - Resolution #2013-161: On the motion of Trustee Sennett, seconded by Trustee Jones, it was resolved and unanimously carried (5-0 in favor) to end the Executive Session and adjourn the meeting at 9:20 p.m.


 Patty Couch, Village Clerk/Treasurer