

**VILLAGE BOARD MEETING MINUTES
OCTOBER 22, 2015
7:30 P.M.**

PRESENT: Mayor Hubbard, Trustees Dove, Lanning, and Stokes-Cawley, DMO Harty, Planning Board Member Carvalho, Police Sgt. Gates, Village Attorney Byrne

EXCUSED: Trustee Angelillo

Others:	Jonathan Monfiletto	Skaneateles JOURNAL
	Jason Gabak	Skaneateles PRESS
	Bob Eggleston	1391 E. Genesee Street
	Diane & Steve Mueller	8 Fennell Street

7:30 p.m. – Public Hearing continuation– CIP Charles –Mayor Hubbard said the first item on the agenda is a continuation of a Public Hearing regarding a Critical Impact on Richard Charles property at 37 Jordan Street. Trustees have copies of the Minutes of our meeting on October 8th and they have also been given copies of the Planning Board Meeting which was going on concurrently on October 8th. The Public Hearing that we conducted here had a resident concerned about several items. Mayor Hubbard said he'd like to first stick with the Public Hearing aspect of this application. Initially the recommendation from the Planning Board with regards to this application was a blanket approval of three generalized uses, but the applicant was asking for consideration of five uses. Is it the pleasure of the Board to continue discussion on the expansion of that question or to deal with what the Planning Board recommended to the Village Board? Mayor Hubbard noted that Brian Carvalho, a Planning Board Member is in attendance. Mayor Hubbard asked again what the pleasure of the Board is. Planning Board Member Carvalho said their recommendation was the three because the five was much too broad. We were trying to be receptive of the fact that there are residences in the area and we were trying to whittle it down for use that wouldn't be disturbing to the neighbors. Mayor Hubbard said the hearing is not use specific in terms of the actual application of Salt Fit. The Public Hearing is limited to the consideration of the three elements that the Planning Board has suggested. The applicant was asking for a wider range so the consideration of the Trustees is are we going to have discussion about the three elements referred to us by the Planning Board or are we going to have some other consideration. We should get that out on the table before we open this up for further comments. Trustee Dove asked if the applicant is okay with just going for the three or if he still wants five. Mayor Hubbard said he wants to make it clear that the Planning Board has referred this as three. In response to Mayor Hubbard, Atty. Byrne said he understands it correctly. Mayor Hubbard asked if we are at liberty to vary off that. Atty. Byrne said yes, you have that discretion. Trustee Lanning clarified that the three uses are office general business, office licensed professional, and physical fitness. Atty. Byrne said those are the generic uses recommended by the Planning Board for blanket approval. Trustee Lanning recognized the other two that were not recommended by the Planning Board are commercial services and personal services. Mayor Hubbard said he'd like to underscore that the Planning Board has recommended the three, but we do have latitude. Trustee Dove said her point is that if the applicant doesn't care about the five, then the three is the only issue and we can move forward. Mayor Hubbard opened comments to the floor. Architect Bob Eggleston said of course Mr. Charles would take three versus none, but he'd prefer five. The Planning Board discussion initially said they didn't know about all five, but maybe three. Historically, we have done this three times on three other properties – the Byrne Dairy, the old Framboise building, and the Hood building. In each case you have in each time and the Planning Board has allowed in the past four to five different uses which were similar in critical impact criteria as far as the elements of village services which is really what critical impact is about. Does the Village have the services and is it appropriate for the area. Mr. Eggleston said he has addressed all seven criteria in his presentation. It was after that discussion of having three versus five that eliminated personal or commercial services that they then imposed another criteria which they hadn't imposed on the other three and that is that the specific application once a use comes in be reviewed by the Planning Board for site plan or special permit or whatever the criteria was. In the past they had granted the necessary site plan reviews or recommendations for special use permit on that blanket use categories without requesting to see any

specific proposal by a specific application. This is a little different and gives back to the Planning Board the ability to scrutinize the specific use at any time and helps to expedite the zoning process by not requiring this extra month and a half to go through critical impact. It is just the way that the law is written that it takes a minimum of a month and half additional beyond any site plan review or special use permit or variances to add the critical impact. Mr. Eggleston said this is a small building. It is not like it is large or a large impact. All these uses are very similar in that they are low water usage, no change in storm water, there is not a lot of power, electric use, and there is not a lot of traffic generated by most of these. For instance personal service would be a beauty salon or something of that nature, there are examples of that in the zoning law which is not really very different from an office, a professional office. The commercial services could be a little broader with a little more implication, but again this is a site that sets back and is not on the main street. It is a challenging property to attract a tenant to and what we were hoping for by having a general critical impact for the similar uses for what you did on three other properties it would help ease the ability to rent and get someone in quicker and then we'd go back to the Planning Board for the specific use. That is new criteria, and maybe not bad criteria, that the Planning Board hadn't imposed on the other three properties. Mayor Hubbard noted that the floor is open for anyone else who like to speak on the critical impact. He recognized Diane Mueller and thanked her for coming. Mayor Hubbard said Ms. Mueller is more than welcome to speak if she wants to. He promised her that she has been heard loud and clear and is so noted. Your statements were very impressionable with the Trustees. Ms. Mueller said she would like to speak again and introduced herself as living at 8 Fennell Street. She said this is not a personal attack on Bob Eggleston. They have known each other for a very long time – he has clients and he represents them to the highest regard. My question tonight is where the recourse is for me if something changes after the Board makes a motion to approve this. Ms. Mueller recognized that things change – people have a right to change their mind and that's what happened at 6 Fennell Street. It came to this Board as a single family dwelling with a family living there for the summer with it being vacant for the winter. Now, it is a vacation rental by owner. That is my concern, not personally with Bob, not with Rick Moscarito, but with the Board for me to have a place to go if those things occur. Ms. Mueller said she doesn't want to become the person who calls the police because Salt Fit is outside with the metal sleds at 6:00 in the morning on a Sunday. I want the Board to give me an opportunity to come back to them and say it is not what you approved, that's not what is going on there. It's been seven years now and I finally have a place to stand up say how I feel. I know I can't change 6 Fennell Street, but I have an opportunity now to be heard. If this Board approves what is being presented tonight and it does not stay in those parameters, what recourse do I have? Ms. Mueller thanked the Board for listening to her two weeks ago and again this evening. Mayor Hubbard said he very much understands the confusion of what this hearing is about and what this process is about. We are really going to talk about three elements tonight – 1) Public Hearing on this Critical Impact for this blanket approval of the critical impact elements which is relative to the Village infrastructure; 2) specifics of the Planning Board application that is not going to be a public hearing; and 3) say something about 6 Fennell Street – those other two items are after the Public Hearing. Mayor Hubbard asked if there is anyone else on the floor that would like to speak with regards to the Critical Impact of the three uses. Trustee Lanning stated that in his mind it is still the three uses. Mayor Hubbard said he just wants to make sure that we understand what we voting on and what we are doing here. Trustee Dove asked Planning Board Carvalho why they decided no personal services – the commercial I totally understand. Planning Board Member Carvalho said without the Code in front of him, but there were a number of items (i.e. laundry mat) that did not seem appropriate for that location. Trustee Stokes-Cawley recalled Mr. Eggleston mentioning a hair dresser who would use a lot more water than these other services. Member Carvalho said he thinks the Planning Board Minutes of October 8 lists all those uses. Trustee Stokes-Cawley said she thinks we should be talking just about the three uses that the Planning Board recommended and not the other two. Mr. Eggleston said he'd like to reassure Ms. Mueller and the Board that Richard Charles is not applying for a dwelling unit, he is not applying for a hotel, lodging or short-term rental for this property. So, those concerns you can rest assured we are not talking about. We are talking about office, professional office, and physical fitness. The responsibility of this Board is to look at the Critical Impact criteria and not the specific site plan review issues. Mr. Eggleston he forwarded a copy of the month-to-month rental agreement that Richard Charles has with David Kerr as it relates to the other application of site plan review for the specific use which they requested to look at. There is an addendum to this month-

to-month rent. Mr. Charles knows that this tenant has a history and he wanted to have the control that if for some reason Mr. Kerr did not live up to his responsibilities or expectations he was not tied into a long term lease. In response to Trustee Lanning, Mr. Eggleston confirmed that David Kerr is the Salt Fit operator. That is a separate application that is now before the Planning Board, but it is one of the uses and that is the physical fitness use. Having Critical Impact allows that use for any physical fitness and the Planning Board approval of site plan review – in other words, once approved, one person can move out and another person can come in. There happen to be quite a few personal trainers in town, which seems to be a new up and coming need. The approval goes with the property, not the applicant. Just like a store – one moves out, another goes in without another application because there is no change of use. Mr. Eggleston reiterated that the agreement is month-to-month and there is an insurance requirement. Specially stated is the on-site parking – limited to 6 cars in the back and 2 in the back with a handicapped parking. It specifically states that there is no loud music outside and it is only to be in the building with the doors down, so it is not like the overhead doors could be raised allowing music to come out. The agreement was drafted back in September and not as a result of the October 8 meeting. The exterior grounds must be kept clean and orderly, and the tenant accepts the building entirely as-is. Again, the tenant is month-to-month for one year, after which if there has been a successful business relationship they will consider renewing the lease. Mr. Eggleston said he just wanted everyone to see that his client is aware that specific applicant does have a track record and things were brought by Ms. Mueller and he has already put into the lease some protections so that he is not stuck with a less than appropriate tenant. Relative to the stipulation about no loud music, Atty. Byrne asked how a Code Enforcement Officer or Police Officer determine, in response to a complaint from the neighbor, whether music at a site is too loud. Atty. Byrne asked how Mr. Charles would determine what's acceptable in terms of exterior music. Mr. Eggleston said he is reminded of Ms. Mueller's comment that she doesn't want to call the Police. Actually, her appropriate action would be to go to the Code Enforcement Officer who would investigate the situation to determine is there music being played outside or too loud. Atty. Byrne asked how the CEO would decide that. Mr. Eggleston said that if neighbors are complaining that becomes the first barometer. Whether it is no loud music or no music period, the point is you can't have a nuisance outside, everything has to be inside. If you want Mr. Charles to change this to no music outside, we can do that. Mayor Hubbard asked if anyone else cared to say anything. **Resolution #2015-212: Stokes-Cawley**, seconded by Trustee Dove, it was resolved and unanimously carried (4-0 in favor) to close the Public Hearing at 7:57 p.m. Atty. Byrne said he'd like to ask Planning Board Member Carvalho a question as he is confused about where it stands with the Planning Board. At the meeting two weeks ago the Planning Board recommended blanket approval for the three specific uses but has not yet approved the proposed change of use. Member Carvalho confirmed that as correct. Mr. Eggleston said there are two applications. There is the Critical Impact application and then the Planning Board said in addition to recommending approval of these three uses they want any specific change of use to go back to them for specific review. It so happens that we have a tenant waiting and ready. Mr. Eggleston said this is a downtown D District intended for mixed uses. The uses in the area include a two-family house, a three or a four family house, a Byrne Dairy, an office space, a bank, a restaurant, a funeral home, a church, a hotel, a number of different mixed use which is the whole purpose of the downtown D District. This is totally appropriate for this location. Trustee Lanning asked if it is totally enclosed in the downtown D District. Mr. Eggleston said the closest residential district would be on the corner of Academy and Jordan which is past the Byrne Dairy and then the condominiums. The house on the corner is the beginning of the A2 District. Trustee Lanning said we are here to decide infrastructure and one of his concerns is the number of pedestrian athletic activities that take place in the downtown community and whether that impacts our Police force – do we consider that when we consider Critical Impact. I think we can provide water, sewer, but does it place an additional burden on our Police force for the external athletic activities that were part of the old Salt Fit. Atty. Byrne said the Board has the right to ask and answer that question if you determine, based on what you understand, that the proposed use may impact police protection. Trustee Lanning said he lives on Hannum Street and when Salt Fit was in operation they were carrying tires, bricks, balls – it was bizarre and they were very aggressively going through the community. We have a pedestrian vehicular possibility because we are a town that has a lot of visitors. If a business is promoting those activities, I think it does impact our Police activities and puts an additional burden on the one Police Officer that is on during the day. Trustee Lanning said he is concerned about that – there is

more to it than just the music that was blaring from the sidewalk. Mayor Hubbard once again asked the pleasure of the Board noting that this is specific to Critical Impact for the blanket approval of the three uses. Atty. Byrne said the Village Board has the ability to attach conditions to a Critical Impact approval as the Planning Board does for a specific change of use request. There is concern about the extent of activity conducted by this business at another location outside of its building and there is a concern about music. If you find that is a legitimate concern based upon prior experience with this business at another location, you have the ability in the context of this approval to impose conditions on the blanket approvals that you are being asked to give. Trustee Dove noted that physical fitness has to be held within the building. Atty. Byrne said you could require all activity within the confines of the building and no outside music; you have that ability if you want. **Resolution #2015-213:** On the motion of Trustee Stokes-Cawley, seconded by Trustee Lanning, it was resolved and carried (3-1 in favor with Mayor Hubbard voting no) to approve the blanket approval of the three specific uses with the condition that all activities will be inside the building and that there will be no outside music and with these conditions, the Village Board is comfortable making these specific findings that the Critical Impact criteria are satisfied.

Mayor Hubbard said the Planning Board has every right to invoke conditions on this application that is now going to be pending in front of them and you have heard from the neighbor/resident concerns. I hope and trust that the Planning Board will take all those considerations in on their consideration of this approval. Mayor Hubbard said it is his understanding that the Planning Board has the ability to invoke conditions. He advised Ms. Mueller that the application for this specific vendor, Salt Fit, is going to commence on November 5 at 7:30 P.M. at which the public can speak on the continuation of this application.

Mayor Hubbard said to get to the troubling part that you have and the concern that I have, I did research after your comments that were made at the last meeting and it is very concerning to me. So, I want the Planning Board to know this too. The investor, because I am not going to call him neighbor, said to the Planning Board that he wanted to turn this home into a place for them to live and occupy. That was on January 7, 2010. That was recited by a resident very concerned about that use. Then, on March 22, 2011, to the Zoning Board of Appeals the investor changed their mind. I am not trying to pick on member Carvalho, because I can't tell you how much I don't want to be involved in Planning and Zoning matters, but the bottom line is we are getting enlisted with people who are saying one thing one time and then they are coming in with the Zoning Board of Appeals through some convenient loop-hole, or however you want to describe it, a year later and doing something entirely different. We have a very disgruntled resident who signed the paper because of what they were told and then a year later the investor changed their mind. So, I am just invoking that the Planning Board be concerned. I had asked the Zoning Board to be here tonight too, but no one is here from the Zoning Board. I will be speaking to the chairman because it goes to the Zoning Board on this change of use when they changed their mind or deceived the Village, whichever you prefer. That is what the concern is that this resident brought to our attention and that is what I want to make sure is understood. Trustee Dove asked if the investor did anything illegal. Atty. Byrne said illegal is a big word and difficult question to answer. Someone may have deceived a board by making representations which they did not intend to keep, but we can't know what was in someone's mind at the time.

Minutes – Resolution #2015-214: On the motion of Trustee Dove, seconded by Trustee Stokes-Cawley, it was resolved and carried (4-0 in favor) to approve the minutes of the Regular Meeting of October 8, 2015 as presented. Trustee Dove complimented Admin./Clerk-Treasurer Couch on transcribing the minutes.

Correspondence & Announcements - Mayor Hubbard reviewed the following:

- Letter dated 10/7/15 from Atty. Michael Fogel (representing Richard Moscarito/Fingerlakes Luxury Homes), Zoning Outline, & Response to Planning Bd. Recommendation relative to short-term rentals
- Cornell Local Roads Program Drainage and Stormwater Workshop Nov. 18, 2015 8:00 a.m.-3:00 p.m. at the Spafford Town Hall, 1984 State Route 174, Skaneateles. To register: reg.cce.cornell.edu/CLRPDrainage_231

- Cornell Cooperative Extension Your Land and Your Conservation: It's Your Choice workshop Nov. 20, 2015 9:00 a.m.-1:00 p.m. at the Skaneateles United Methodist Church, 26 Jordan Street. Extension Septic & Well Maintenance Workshop Dec. 9, 2015 4:00 p.m.-6:00 p.m. at The Creamery, 28 Hannum Street
- Note from Joyce Meltzer, East Aurora, NY regarding short-term rentals in the downtown district
- NYCOM's Planning and Zoning "Training Tuesdays" Webinars each at 10:30-11:30 a.m.-11:30 a.m.: Nov. 10, – A Refresher on Planning and Zoning; Nov. 17 – Ethics for Planning Boards and Zoning Boards of Appeals; Nov. 24 – Meeting and Hearing Procedures for ZBAs and Planning Boards; Dec. 1 – Planning and Zoning Hot Topics and Case Law Update. \$15 each, register for each webinar separately at www.nycom.org
- October 13, 2015 letter from Syracuse Metropolitan Transportation Council relative to initiating the 2016-2017 Unified Planning Work Program (UPWP) for the Syracuse Metropolitan Area
- October 6, 2015 letter from Onondaga County Traffic Safety Advisory Board seeking recommendations of individuals or agencies for the Deitz, Coburn, Mulroy and Pirro Awards-nomination forms due by Nov. 5, 2015. Mayor Hubbard recalled that Crossing Guards Brown and Woodford were recipients of the award last year. He suggested that the letter be copied to Lt. Coon as he may have someone to nominate this year.
- Glens Falls National Bank LOSAP Statement of Value for September, 2015
- Invitation to the 2015 CNY Veterans Parade and Expo at noon on Sat., Nov. 7 at the NYS Fairgrounds
- Letter from Skaneateles Volunteer Fire Department, Inc. relative to their High Stakes Raffle
- Letter from Town Atty. Taylor relative to the SEQR Review: Gateway Application for Annexation, Rezoning and Zoning Approvals – October 26, 2015, 7:00 P.M. at Town Hall
- Email from Kevin & Betsy Sio, 37 East Street, complementing the Village crew for the great job on re-surfacing the road and mailbox support

*** Other Matters That Have Come Before the Board since Posting the Agenda***

- Letter from Ronald Beavers relative to sewer rates
- Letter from Skaneateles Central School District regarding their recent audit
- Re: short-term rentals: Email letter from Tyde Richards; letter from Elizabeth Dreyfuss; letter from Jackie Keady

Director of Municipal Operations (DMO) – DMO Harty reported the following:

DPW – done with brush pick-up, leaves continue; vehicle maintenance in preparation for winter.

Electric – installing transformers behind 11 Fennell Street; meters

Site Improvements – paving within the next two weeks or so. In response to Trustee Dove, DMO Harty said this phase of the project does not include paving in back of the Village Hall, so patching will be done. Atty. Byrne asked about work out front next week. DMO Harty said sidewalks will be installed and paving, then the hard and soft landscaping. Trustee Lanning asked if the work will be completed by Thanksgiving. DMO Harty said yes, she thinks it will be finished by then.

In response to Trustee Lanning asking how the Dicken's actors will access the public bathrooms in Village Hall, Mayor Hubbard said through the back and Jim Greene will monitor access.

Status of NYSERDA Grant – DMO Harty said the last key step, soil testing, is done.

Status / schedule Village Hall Site Improvements – Mayor Hubbard noted that DMO Harty already reported on this topic.

Status of Masonic Temple and Gazebo Restrooms – Mayor Hubbard said this topic is on-going.

Status of Parking/Downtown Committee – Mayor Hubbard noted that the Parking/Downtown Committee made some recommendations and Atty. Byrne confirmed that he reviewed them. Trustee Dove suggested scheduling an Operations Meeting to discuss the recommendations as well as how to deal with the current trust fund. Trustee Dove reported that the committee is making progress.

NEW BUSINESS

Authorize Publication of CIP Public Hearing for White Birch, 18 West Genesee St. – Mayor Hubbard advised that Special Counsel Galbato emailed that the Planning Board gave site plan approval and a positive recommendation to the Trustees for Critical Impact on the White Birch/Falcone application. However, Atty. Galbato researched and concluded that the application requires GML 239 Referral as it is Site Plan Approval adjacent to the City of Syracuse owned parcel i.e. Water Department. Atty. Galbato recommended that the Village Board delay the public hearing on Critical Impact until we have heard back from the County. Atty. Byrne agreed that it makes sense to wait for the County's response.

YMCA Request – In response to Trustee Lanning, Trustee Stokes-Cawley said the event is just in Austin Park – it does not go out into the streets. **Resolution #2015-215:** On the motion of Trustee Stokes-Cawley, seconded by Trustee Dove, it was resolved and unanimously carried (4 -0 in favor) to approve the Skaneateles YMCA and Community Center's request to use Austin Park for its 2nd Annual Spooktacular Run for Your Life on Saturday, October 31, 2015 between 11:00 a.m. and 12:30 p.m.

Second Meeting of the month dates for November and December – In discussing dates for the second meeting in the months of November and December, Atty. Byrne talked about the moratorium timeline. The following dates were established: Operations Meeting on Thursday, November 12, 2015, 5:00 p.m. at the Village Hall (note that the regular Village Board Meeting will follow at 7:30 p.m.); Regular Meeting on Tuesday, November 24, 2015, 7:30 p.m. at the Village Hall; and Regular Meeting on Monday, December 21, 2015, 7:30 p.m. at the Village Hall. The Board tentatively identified three topics for the Operations Meeting – the Planning Board draft of recommendations relative to short-term rentals; Public Hearing protocol; and the Parking Trust.

NYMPA Semi-Annual Meeting – **Resolution #2015-216:** On the motion of Trustee Lanning, seconded by Trustee Stokes-Cawley, it was resolved and unanimously carried (4-0 in favor) to designate DMO Harty as the accredited delegate of the Village of Skaneateles at the NYMPA Semi-Annual Meeting on October 28, 2015.

Public Comment – Relative to the White Birch Critical Impact Public Hearing, Bob Eggleston said the application was sent to the County. Once the response is received it will then take about a month to schedule the public hearing. The Village Board could set the date for the public hearing and adjourn if they haven't heard back from the County. In response to Trustee Lanning, Mr. Eggleston said there are two triggers that necessitated sending the application to the County – the property is next to the City of Syracuse Gate House and on a State Highway. Trustee Dove asked if the work would most likely not start until spring. Mr. Eggleston said most likely, but other work could commence sooner.

Approval of Bills – In response to Trustee Lanning asking about General Fund vouchers 1704 and 1706, DMO Harty said payments to Comfort Radiant Heating are for the primary handicap access to Village Hall and extension of the heated walk from where it terminated out front of Village Hall. DMO Harty confirmed for Trustee Stokes-Cawley that we purchased LED street lights. Relative to General Fund voucher 1697, Trustee Lanning asked when the lease is up. Atty. Byrne said the initial term is up next year – mid year 2016. However, there is also a Sub-lease with Bob Hood with its own commencement and expiration dates. This topic will be discussed more at budget time. In response to Trustee Lanning asking about Electric Fund voucher 461 for Irby, DMO Harty said this is the final meter purchase for this phase. **Resolution #2015-217:** On the motion of Trustee Stokes-Cawley, seconded by Trustee Lanning, it was resolved and unanimously carried (5-0 in favor) that bills from Abstract #10 be audited and paid as follows:

General Fund	Vouchers #1665-1709	Checks #17906-17950	\$ 86,657.59
Sewer Fund	Vouchers #378-383	Checks #5054-5059	\$ 5,958.55
Electric Fund	Vouchers #450-468	Checks #5818-5836	\$240,910.66
Water Fund	Vouchers #226-234	Checks #3959-3967	\$ 1,459.13

Executive Session – **Resolution #2015-218:** On the motion of Trustee Dove, seconded by Trustee Stokes-Cawley, it was resolved and unanimously carried (5-0 in favor) to enter into an Executive Session at 8:39 p.m. Trustee Lanning said the Board is aware of his position on conducting business after an Executive Session and asked if that will be the case this evening. Mayor Hubbard said we ought to err on the side of re-convening. Atty. Byrne said there is a good possibility that action could be taken tonight – the press is welcome to wait in the lobby. **Resolution #2015-219:** On the motion of Trustee Lanning, seconded by Trustee Stokes-Cawley, it was resolved and unanimously carried (4-0 in favor) to move out of Executive Session at 9:15 p.m.

Appoint Special Counsel – Trustee Lanning said that while he generally doesn't like to conduct business after an Executive Session, we did let the press know of the likelihood of doing so this evening. Inasmuch as Jonathan Monfiletto and Jason Gabak left, the Board directed Admin./Clerk-Treasurer Couch to notify them in the morning. Noting Atty. Smith's extensive experience in land use and municipal law, as well as short-term rental experience, **Resolution #2015-220:** On the motion of Mayor Hubbard, seconded by Trustee Stokes-Cawley, it was resolved and unanimously carried (4-0 in favor) to appoint Body Smith, of Bond, Schoeneck & King (BS&K) as Special Counsel for Code Enforcement, specifically engaged to commence enforcement action against those who may be illegally engaging in short-term rentals in the Village. In discussing the resolution, Mayor Hubbard stated that the Trustees are determined to eliminate that problem wherever it exists in residential areas of the Village. Residents were put on notice last summer that the practice is illegal in residential neighborhoods, and the Village allowed time for owners who had made contractual commitments to fulfill them but, for now on, there will be an all-out effort to eliminate that practice in those neighborhoods. Mayor Hubbard encouraged a case-by-case assessment. Atty. Byrne said the code allows for an initial fine of up to \$350 and treats each week as a violation. He added that we have the strength of State Law and Village Law. Atty. Smith indicated that he will provide an engagement letter. Admin./Clerk-Treasurer Couch will send an Official Constitutional Oath to Atty. Smith. The Board directed CEO Cromp to pull together the pending complaints and review them with Atty. Smith. Trustee Lanning asked Atty. Smith to review our complaint form and procedure. Tentatively, Tuesday, October 27 at 9:00 a.m. was scheduled for a meeting with Atty. Smith, CEO Cromp, and Clerk to the Boards Dundon.

Adjournment – **Resolution #2015-221:** On the motion of Trustee Lanning, seconded by Trustee Stokes-Cawley, it was resolved and unanimously carried (4-0 in favor) to adjourn the meeting at 9:30 p.m.



Patty Couch, Vil. Admin./Clerk-Treasurer