

VILLAGE BOARD MEETING MINUTES
MAY 26, 2016
7:30 P.M.

PRESENT: Mayor Hubbard, Trustees Angelillo, Dove, Eriksen and Stokes-Cawley, DMO Harty, Police Sgt. Wawro, Village Atty. Pavlus

Others:	Jonathan Monfiletto	Skaneateles JOURNAL
	Jason Gabak	Skaneateles PRESS
	Doc Huston	P.O. Box 187
	Doreen Simmons	38 W. Lake St. / Weitsman
	Andy Ramsgard	181 E. Genesee Street
	Jim Lanning	12 Hannum St. / Town Supervisor
	Maureen Wopperer	24 E. Genesee Street
	Bob Eggleston	1391 E. Genesee Street / Weitsman
	Janice Miller	4357 Jordan Rd. / Veterans Memorial
	Jon Shingledecker	Candidate for P/T Police position

Public Hearing on Local Law #5 – Mayor Hubbard said Clerk to the Boards Dundon researched NYCOM’s Village Officials Handbook and put together the matrix that is displayed on the overhead screen outlining the tasks of the Mayor and the Trustees. Mayor Hubbard said \$5,000 is appropriate for the Mayor’s salary and not an arbitrary number. The tasks identified in green are responsibilities of the entire board; he read aloud the Mayor’s seven sole authority duties. He said there are no real distinguishing features of the mayor, thus, reiterated that the \$5,000 salary is not arbitrary and is the correct number. Trustee Angelillo asked how this came to light. Mayor Hubbard explained that he has always taken \$5,000 as salary for being Mayor. When Atty. Pavlus became the new Village Attorney he reviewed our local laws and noted that the Mayor’s salary was established by local law at \$12,000.00. However, since Mayor Hubbard became Mayor we have budgeted \$5,000 so we should have a local law reflecting the same. Trustee Angelillo said there is no difference if the mayor was being overpaid – we’d be having this same discussion. With no other comments from the Trustees, **Resolution #2016-110:** On the motion of Trustee Dove, seconded by Trustee Stokes-Cawley, it was resolved and unanimously carried (5-0 in favor) to open the Public Hearing on Local Law #5 of 2016 at 7:34 p.m. Jim Lanning said that while it is admirable of Marty Hubbard to take only \$5,000 as mayor, our nation’s founding fathers talked about salaries that wouldn’t limit the number of people who could run for Mayor. People with lesser incomes couldn’t afford to take a job with a small salary. With no other comments from the floor, **Resolution #2016-111:** On the motion of Trustee Stokes-Cawley, seconded by Trustee Eriksen, it was resolved and unanimously carried (5-0 in favor) to close the public hearing at 7:36 p.m. Mayor Hubbard asked what the pleasure of the Board is. Trustee Dove said her only thought is that perhaps the salary for the position ought to be more - \$12,000 is too much and she doesn’t know what the right number is, but maybe \$6,000 or \$7,000 because a mayor spends significantly more time on the job. She reiterated that \$12,000 is too much, so maybe somewhere in the middle. Trustee Eriksen researched mayors’ salaries and they are all over the board. Mayor Hubbard said he is not sitting in this seat for the money and a mayor shouldn’t be. He said he thinks \$5,000 is an appropriate difference between the Trustee’s \$3,000 salaries. A greater differential fosters an unfair perception that the Mayor has more authority than the Trustees. Trustee Angelillo said he has been a Trustee for ten years and never thought of the money. He agreed with Mayor Hubbard about the parity and noted that it is a personal decision as to how much time to put into the job. There have been Trustees who make it a full-time job, but others quite the opposite. Trustee Angelillo said he is in favor of reducing the Mayor’s salary to \$5,000. Trustee Eriksen said he agrees with Trustee Angelillo’s rationale and the chart shows the duties objectively, not the person. The salary should be commensurate with the job duties. If you look at the job description and duties and de-personalize the review, the baseline salary is proportionate. Trustee Dove asked Atty. Pavlus if the amount in the local law should be the same as the amount Mayor Hubbard is taking; i.e. could the local law indicate a salary of \$7,000.00, but Mayor Hubbard choose to take only \$5,000.00? Atty. Pavlus said the local law should match with reality. **Resolution #2016-112:** On the motion of Trustee Angelillo,

seconded by Trustee Stokes-Cawley, it was resolved and unanimously carried (5-0 in favor) to adopt Local Law #5 of 2016 Salary of the Mayor at \$5,000.00.

Critical Impact Permit for The Krebs – Mayor Hubbard noted that Atty. Doreen Simmons is present, so this item will be moved up from Old Business. Atty. Pavlus advised that the Krebs CIP was tabled on May 11, 2016 pending receipt of two outstanding documents – the Easement Agreement and the Declaration of Restrictive Covenants. Atty. Pavlus said he and Special Counsel Galbato approved the documents and Atty. Simmons is satisfied. Two weeks ago, during the Public Hearing, Architect Bob Eggleston went through all the required findings and now that the two conditions have been met, Atty. Pavlus said he recommends that the Trustees approve the documents and grant critical impact approval. **Resolution 2016-113:** On the motion of Trustee Angelillo, seconded by Trustee Dove, it was resolved and unanimously carried (5-0 in favor) to grant Critical Impact approval to Kim Weitsman - 53 West Genesee Street.

RESOLUTION

BACKGROUND

This matter comes before the Board of Trustees for Critical Impact approval, pursuant to Article XI of Chapter 225 of the Village Code.

This project involves a proposed ten car parking lot and plantings at the Krebs restaurant located at 53 West Genesee Street.

The matter was referred to the Board of Trustees following the adoption of the Resolution by the Village Planning Board on February 4, 2016 in which it granted Site Plan Approval, recommended the approval of variances for the reduction of open area on numbers 53 and 57 West Genesee Street by the Zoning Board of Appeals, and recommended the granting of a Critical Impact Permit by the Board of Trustees, subject to certain conditions as set forth in its approval.

Thereafter by Resolution adopted March 22, 2016, the Zoning Board of Appeals granted certain variances, subject to the conditions previously imposed by the Planning Board and several additional conditions imposed by the Zoning Board of Appeals.

The matter is now before the Board of Trustees for Critical Impact review.

A public hearing was held on May 11, 2016, at which time the Trustees heard a presentation by the applicant. Following an opportunity for public comment, the public hearing was closed.

The Trustees have considered the determinations made by, and rationale expressed by, the Planning Board and Zoning Board of Appeals in connection with this project.

REQUIRED FINDINGS

Pursuant to Village Zoning Law Section 225-54 (Critical Impact Permits), Subsection F (Basis for Determination), the Board of Trustees is required to take into consideration the public health, safety, morals and general welfare...” and are required to make various findings. After full consideration of all information and material presented, the Board of Trustees finds as follows:

- a. The plans submitted for the proposed improvements meet the prescribed requirements of Article XI (Critical Impact) and all applicable regulations and Code provisions.
- b. The proposed project will not have an adverse impact upon the character or integrity of any land use within the immediate neighborhood having a unique cultural, historical, geographical, architectural or other special quality of similar magnitude.
- c. The proposed project is in harmony with the visual and physical context of the immediate neighborhood.
- d. The proposed project is in harmony with and will not impede the orderly development or redevelopment of the general neighborhood and the location, nature and height of buildings, structures, walls, fences and parking areas will not discourage the appropriate development and use of adjacent lands or adversely affect existing land use in close proximity to the subject site.
- e. The proposed project will be developed in such a way as to insure maximum amenities will be available to the site and the new structures will be reasonably accessible for police and fire protection, and the water supply, sewage disposal and surface drainage systems are adequate to serve the proposed project.

- f. Traffic controls for vehicular and pedestrian movement are adequate to protect the safety of the general public and the occupants of the proposed project.
- g. The proposed project will comply with the provisions of Chapter 167, Article III (Use of Sewers) of the Village code.

APPROVAL

Therefore, based upon all of the foregoing, the Board of Trustees hereby grants Critical Impact approval to the applicant, subject to the conditions imposed by the Planning Board, and by the Zoning Board of Appeals, which are recited below:

- A. Conditions Imposed by the Planning Board;
 1. Subject to the applicant providing an immediately impenetrable barrier consisting of evergreen plantings and/or six foot high temporary fence;
 2. Subject to the parties agreeing on a declaration of restrictive covenants naming the Village and adjoining property owners as having standing to enforce the restrictive covenants that will run with the land;
 3. The declaration of restrictive covenants be subject to approval by the Village Attorney and Special Counsel;
 4. Subject to Special Counsel approving an easement for parking spots 16 through 20;
 5. Subject to all prior conditions of the property that have been a part of the original (December 2010) and any subsequent approvals, which shall remain in full force and effect, except as modified by the drawing before the Planning Board.
- B. Conditions Imposed by the Zoning Board of Appeals:
 1. Approval is based on the Clark Landscape Construction Plans dated February 2016 and the site plan dated February 5, 2016;
 2. The approval is subject to conditions that all prior approvals and conditions imposed by this Board, the Planning Board and the Board of Trustees are to remain in full force and effect, with the exception of the approval of the additional parking as proposed and adopted;
 3. Subject to approval by the Board of Trustees, Village Attorney and Special Counsel of the Declaration of Restrictive Covenants and an amendment to the easement for ingress/egress to include the additional parking area and the planting area that are going to be located, or partially located, on 57 West Genesee Street;
 4. The applicant shall have until June 30, 2017 to complete this project.

FURTHER CONDITIONS IMPOSED BY BOARD OF TRUSTEES

- C. Critical Impact Approval is conditioned on the applicant filing the Declaration of Restrictive Covenants and Easement Agreement with the Onondaga County Clerk's Office.

Adopted this 26th day of May, 2016.

Motion made by: Trustee Angelillo

Seconded by: Trustee Dove

Those voting in favor: Mayor Hubbard, Trustees Angelillo, Dove, Eriksen and Stokes-Cawley

Those voting in opposition: none

Certified by: Patty Couch
Clerk/Treasurer

Atty. Simmons said this was a bit of a long process, but she is pleased and thanked the Board.

Minutes – Resolution #2016-114: On the motion of Trustee Dove, seconded by Trustee Eriksen, it was resolved and carried (5-0 in favor) to approve the minutes of the Regular Meeting of May 11, 2016 as presented.

Correspondence & Announcements –Mayor Hubbard reviewed the following:

- Notice of Onondaga County DOT 2016 Utility Meeting – Monday, May 23, 2016
- NYS DEC Letter relative to National Flood Insurance Program Flood Insurance Rate Map for Onondaga County
- Receipt of Draft Revisions to 2015 Skaneateles Comprehensive Plan

- String of Emails relative to a Pig Farm west of Skaneateles
- NYMPA Memo regarding Congestion Mitigation Program (CMP) Update – Call for Funds. DMO Harty said she will be addressing the Board with a recommendation and briefly explained that NYMPA is asking for an additional \$500,000 for congestion in western NY. This was discussed at the NYMPA Annual Meeting yesterday and will commence with May's NYMPA billing which will occur in June 2016. DMO Harty advised that the purchased power cost is down significantly; NYMPA will be enacting a summer rate that will benefit us and be a savings.
- Letter from Cohen Law Group – Solicitation to Represent the Village in its Renewal of the Verizon Franchise Agreement. Mayor Hubbard said he will ask Clerk to the Boards Dundon to represent the Village similar to negotiations with Time Warner.
- MRB Group invitation to their next roundtable exclusively for local community leaders – Municipal Efficiencies in the Tax-Freeze Era: June 9, 12:30 pm-3:30 pm at Salina Meadows Conference Center
- Letter to the Editor from Carol Shannon thanking Sergeant Wawro and Account Clerk Shappell for being alert to a water leak and doing their part to lessen the severity of the problem. Clerk-Treasurer Couch thanked Dave and Roben noting that it is caring and attention to detail such as this that makes living in the Village of Skaneateles such a special place to call home. Sgt. Wawro gave all the credit to Account Clerk Shappell for noting the high readings and asking him to take a look. The problem turned out to be a shut off valve for the washing machine.
- In response to a letter from Fran Murphy, acknowledged as received at the May 11, 2016 meeting, the Housing Authority (HA) met on May 10. Mayor Hubbard said the Village Board has not in the past asked for a response of the autonomous committee. The HA did meet on the matter and if any of the Trustees want to know more, they can reach out to a member of the HA. The public sector is not the place for conversation of their business. Trustee Dove said fire safety is her concern; Mayor Hubbard suggested she reach out to HA member Anne Buehler.
- Information about the 24th Annual New York State ReLeaf Conference July 14-16, 2016, Skidmore College, Saratoga Springs, NY
- Thank you note from Bill Davis expressing gratitude to Sgt. Wawro for coming to his aid on Wed., May 18, 2016 when he locked his keys in his car in Doug's Parking Lot. Mayor Hubbard commented that Sgt. Wawro seems to be the main recipient of kudos this evening. He said we appreciate details of the Skaneateles Police Department.
- * Other Matters That Have Come Before the Board since Posting the Agenda***
- Letter from ZBA Member Curt Coville informing of his move from the Village to the Town of Skaneateles. Mayor Hubbard noted that Mr. Coville indicated that he'd love the opportunity to fulfill the remainder of his term or serve until someone else is appointed. Trustee Stokes-Cawley said she appreciates Mr. Coville's offer, but would like to see the appointment of a Village resident. Trustee Dove said she talked to Mr. Coville who understands that position and concurs. Trustee Angelillo said that Mr. Coville referenced other boards (i.e. Municipal Board with Town resident Ed Dienst as an advisor) with member advisors. Mayor Hubbard said the difference is that ZBA actions can be taken to task. Trustee Eriksen said as long as we have candidates he will talk to ZBA Chair Phinney. **Resolution #2016-114:** On the motion of Trustee Stokes-Cawley, seconded by Trustee Eriksen, it was resolved and unanimously carried (5-0 in favor) to accept Curt Coville's resignation from the ZBA with appreciation for his service. Mayor Hubbard said an appointment could be made at the June 9, 2016 Village Board Meeting.
- Phone call from Bonnie Dunn, 41 Griffin St., expressing concern about the properties at 35 & 39 Griffin. Mayor Hubbard noted that CEO Crompt wrote the owner of those properties and asked that a copy of the letter be provided to Ms. Dunn.
- Mayor Hubbard said there is a Municipal Board Commissioner vacancy with the resignation of Peter Moffa and asked for press coverage. Trustee Stokes-Cawley noted that the Municipal Board meets on the 4th Wednesday of the month at 6:00 p.m.
- NYCOM Legislative Update

DMO – Director of Municipal Operations (DMO) Harty gave a brief report on three items: 1) the DPW has done a tremendous job with preparations for Memorial Day – the parks and the cemetery look spectacular and she commends them on their efforts; 2) the new parking rate fees will be rolled out in the Municipal Lot in mid-June and on-street the end of next week; 3) the last day to put brush out is Sunday,

June 5. Trustee Eriksen said we have been getting feedback on the parking fee code for residents and wonders how we will disseminate the information. DMO Harty said postcards will be sent explaining that the discount code will be the first five digits of their utility account and an example will be included. She encouraged use of the monthly parking pass as that is the least expensive way to pay to park. Parking pass holders will be required to park in the north end of the lot. Town Supervisor Lanning asked if there will be any relief for Town residents. Mayor Hubbard said the discount code will be the Village residents' utility code.

Status of Critical Impact Permit for the Krebs – discussed and resolved earlier in the meeting.

Status of NYSERDA Grant – Mayor Hubbard said there is no update although DMO Harty has been meeting with contractors doing performance monitoring.

Status of Annexation of W. Genesee Street / Mirbeau – Atty. Pavlus confirmed that this item should be maintained on the Agenda.

Status of Renewal of Time Warner Cable TV Franchise Agreement – Mayor Hubbard said that Clerk to the Boards Dundon and Town Councilman Badami met with Time Warner on June 9. He commented that Clerk to the Boards Dundon will represent the Village well.

NEW BUSINESS

Kay DiNardo Request – Relative to Vermont Green Mountain Specialty Co. owner Kay DiNardo's request to hold a special anniversary celebration at her 50 E. Genesee Street shop on July 7 from 6:30 am to 8 pm, Trustee Stokes-Cawley recognized that she had outdoor seating (two round tables with chairs and umbrellas out on the street directly in front of her shop) during the sidewalk sales. Trustee Dove said this will be a one-day event and it's a nice thing similar to what Kay does during the sidewalk sales. **Resolution #2016-115:** On the motion of Trustee Stokes-Cawley, seconded by Trustee Dove, it was resolved and unanimously carried (5-0 in favor) to approve Kay DiNardo's request to put a couple of tables and chairs on the street directly in front of her business on Thursday, July 7, 2016 from 6:30 am to 8:00 pm.

New Memorial Wall – DMO Harty recognized that Architect Janice Miller is here to make a presentation. Referencing a drawing displayed on the overhead screen, Ms. Miller said the memorial wall for the men and women of Skaneateles who served in the military from 1990-present will be kept low on the south side of the fountain in Shotwell Park so as to not block the view. There will be space for three plaques and lettering size and font will match the other existing plaques as will the stone, grouting, etc. Currently, there are one hundred names for the center plaque. Ms. Miller said the Skaneateles Veteran Memorial Committee is not asking for funding, but of course will certainly appreciate any donations that are made. In response to Mayor Hubbard, Ms. Miller said the wall is the same endeavor, but smaller than the one originally proposed by Kurt Reilley. The work would commence after Memorial Day. In response to Mayor Hubbard, Ms. Miller said the contractor will be Dave Bean and he is planning on doing the entire project, including excavation, removals and all construction, in 3-4 weeks from the start of construction to the completion, assuming the weather cooperates. In response to Trustee Angelillo, Ms. Miller confirmed that the memorial wall will be for all military branches. Trustee Dove recognized that there are specific rules to get a name on the plaque; plaques will be mounted the same as the other plaques with concealed mounting hardware. DMO Harty said we have received feedback from the Tree Committee and Skaneateles Garden Club. She said the bonsai tree got prettier, but she is not sure we could save the tree – we may end up losing it as there is not enough room to put the wall up with it there. Referencing the current burning bushes that are 5-6 feet tall, DMO Harty said the top of the proposed wall will be significantly lower. Mayor Hubbard asked that every effort be made to save the tree if the Tree Committee desires. **Resolution #2016-116:** On the motion of Trustee Dove, seconded by Trustee Angelillo, it was resolved and unanimously carried (5-0 in favor) to approve the construction of a memorial wall as outlined by Architect Miller, conditioned upon receipt of the contractor's Certificate of

Liability Insurance naming the Village as an additional insured. DMO Harty said she wants a pre-construction meeting.

Resolution Designating Accredited Delegate – **Resolution #2016-117:** On the motion of Trustee Stokes-Cawley, seconded by Trustee Dove, it was resolved and unanimously carried (5-0 in favor) to designate Shannon Harty the accredited delegate of the Village of Skaneateles at the 19th Annual NYMPA meeting that was held yesterday. Clerk-Treasurer Couch said while done after the fact, NYMPA will have the resolution for their records.

New P/T Police Officer – Sgt. Wawro introduced Jon Shingledecker and said he is present on behalf of Lt. Coon who recommends hiring Mr. Shingledecker as a part-time Police Officer. Mr. Shingledecker graduated from the Niagara County Law Enforcement Academy, has prior experience with the Village of Homer Police Department, the Village of Groton Police Department, Ithaca College, Kaleida Health, and Darien Lake Theme Park. Village of Homer Chief Bob Pitman, who previously worked for the Village of Skaneateles, highly recommends Mr. Shingledecker. Sgt. Wawro said we are having staffing problems with the loss of a part-time Police Officer due to medical problems. In response to Trustee Angelillo, Mr. Shingledecker said he is in the process of moving into the Village of Skaneateles. **Resolution #2016-118:** On the motion of Trustee Angelillo, seconded by Trustee Dove, it was resolved and unanimously carried (5-0 in favor) to authorize hiring Jon P. Shingledecker as a part-time Police Officer at an hourly rate of \$27.05. The Board said they look forward to Mr. Shingledecker's service.

Shelly Strang Request – Mayor Hubbard explained that because the property at 1410 East Genesee Street Road is in Town Sewer District No. 6, the Town Planning Board requires a change of use approval from the Village. Shelly Kennedy Strang, owner of Drooz Studio Inc., is applying for a change of use from a fitness studio to a wholesale art studio at 1410 East Genesee Street Road with no anticipated increase in sewer use beyond the two existing bathrooms and in all likelihood less than the prior tenant. **Resolution #2016-119:** On the motion of Trustee Eriksen, seconded by Trustee Stokes-Cawley, it was resolved and unanimously carried (5-0 in favor) to approve the request of Shelly Kennedy Strang to open Drooz Studio Inc. at 1410 East Genesee Street Road, in Town Sewer District No. 6. Clerk-Treasurer Couch will formally notify Town Planning Board Chairman Tucker.

Public Comment – Town Supervisor Lanning said he appreciates the Village's participation in Syracuse Metropolitan Transportation Council's (SMTC) planning services relative to a Multi-Use Corridor and Trails.

Approval of Bills – **Resolution #2016-120:** On the motion of Trustee Stokes-Cawley, seconded by Trustee Eriksen, it was resolved and unanimously carried (5-0 in favor) that bills from Abstract #24 be audited and paid as follows:

<i>Abstract #24</i>	General Fund	Vouchers #2336-2392	Checks #18594-18650	\$88,604.28
	Sewer Fund	Vouchers #536-543	Checks #5211-5218	\$10,221.79
	Electric Fund	Vouchers #638-646	Checks #6007-6015	\$67,704.74
	Water Fund	Vouchers #322-324	Checks #4055-4057	\$ 554.22

In discussing the resolution, in response to Trustee Dove, Mayor Hubbard and DMO Harty said vouchers for Bean's Handywork, LLC for siding projects were approved by SFVD Chief Evans; SFVD expenses are coded in the A3400's. Mayor Hubbard noted payment to Fernando Araya for spring street tree planting. DMO Harty said she talked to Tree Committee Chair Ann Neibert about planting late April, early May in the future as to not run into Memorial Day preparations. In response to Trustee Dove, DMO Harty said if a tree is planted in front of a residence, the property owner waters the tree. The street trees planted on Fennell Street this spring require care by the DPW. Clerk-Treasurer Couch explained that when a tree is planted in front of a residence, the property owner receives a letter congratulating them on receiving a tree – the species is identified and care instructions provided.

Executive Session: Resolution #2016-121: On the motion of Trustee Stokes-Cawley, seconded by Trustee Eriksen, it was resolved and unanimously carried (5-0 in favor) to enter into an Executive Session at 8:32 p.m. to discuss a Police Department Personnel Matter. **Resolution #2016-122:** On the motion of Trustee Angelillo, seconded by Trustee Stokes-Cawley, it was resolved and unanimously carried (5-0 in favor) to move out of Executive Session at 8:44 p.m.

Adjournment – Resolution #2016- 123: On the motion of Trustee Angelillo, seconded by Trustee Dove, it was resolved and unanimously carried (5-0 in favor) to adjourn the meeting at 8:44 p.m.


Patty Couch
Village Admin./Clerk-Treasurer

