

VILLAGE BOARD MEETING MINUTES

June 23, 2016

7:30 P.M.

PRESENT: Mayor Hubbard, Trustees Dove, Eriksen and Stokes-Cawley, DMO Harty, Police Chief Coon, Village Atty. Pavlus

EXCUSED: Trustee Angelillo

Others:

Ellen Leahy	Skaneateles JOURNAL
Jason Gabak	Skaneateles PRESS
C&W – Audit Planning	
Doreen Simmons	for Weitsman 38 W. Lake St.
Doc Huston	PO Box 187
Kim Weitsman	9 E. Genesee Street
Tara Lynn	38 Academy Street
Bob Eggleston	1391 E. Genesee Street
Romy Callahan	123 E. Genesee Street

CIP Public Hearing on 9 East Genesee Street Restaurant – Mayor Hubbard said this public hearing is for an application submitted by Kim Weitsman for a change of use from office to restaurant at 9 East Genesee Street. The Planning Board granted site plan approval and recommended that the Village Board grant Critical Impact Permit contingent on agreement on the I&I Mitigation fee. In response to Mayor Hubbard, Architect Bob Eggleston said we are not ready yet. Atty. Doreen Simmons asked to let Mr. Eggleston and DMO Harty speak for five minutes. DMO Harty said she believes we settled on a number, but will need to discuss it with the Board. Mr. Eggleston asked if it would be appropriate to have the public hearing without concurrence on I&I. Mayor Hubbard said it is a pre-requisite. Mr. Eggleston said he knows how busy DMO Harty is and doesn't want to throw her under the bus. Trustee Dove suggested giving them five minutes to further discuss the I&I calculation and then hold the public hearing. Mayor Hubbard read aloud the sewer analysis for the Elephant & Dove restaurant, noting a discrepancy between the "Eggleston method" and the Metcalf & Eddy method. He concluded that the pre-requisite is not done. Kim Weitsman said they are not trying to be deceitful. DMO Harty said she takes responsibility for not having this done. Mayor Hubbard said they are welcome to discuss this in the hall and if they can come to agreement prior to the Public Hearing scheduled for 8 p.m., we can proceed. DMO Harty, Architect Eggleston, Atty. Simmons and applicant Weitsman gathered in the hallway for further discussion

Minutes – Resolution #2016-138: On the motion of Trustee Dove, seconded by Trustee Stokes-Cawley, it was resolved and unanimously carried (4-0 in favor) to approve the minutes of the Regular Meeting of June 9, 2016 and Operations Meeting of June 20, 2016 as presented.

Correspondence & Announcements – Mayor Hubbard reviewed the following:

- Email from Chamber of Commerce Executive Director Tara Lynn regarding recent changes to the Municipal Lot; email from Sarah Panzarella; email from Roben Shappell; email from John Crompt
- Onondaga County Health Department letter advising that they are hosting a "Fight the BITE in CNY" forum on Thursday, June 30, 2016 from 1-2:30 p.m. at the Carrier Theater
- Email from Sarah Kiefer regarding bike racks downtown. Mayor Hubbard noted that a bike rack was put in the pedestrian alley way between Doug's Fish Fry and Johnny Angel's.
- Email from NYCOM regarding Zombie Property Legislation; Syracuse.com article Governor "Cuomo signs zombie property bill in Solvay, chides banks for "shirking" duty"

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

- NYS Public Service Commission Notice in the Matter of the 2015 Compliance Report on Stray Voltage Testing and Inspections
- Chief Coon says... The IRS scams are continuing. The most recent scam is that they contacted a person and told them they needed to pay their taxes by purchasing 3 \$500 iTunes gift cards. If the IRS needs to

contact you they will do so by mail with IRS letterhead, they will not call you and demand money. Some tips to help prevent residents from becoming potential victims of a phone scam:

- The IRS will never call to demand immediate payment, nor will the agency call about taxes owed without first having mailed you a bill.
- The IRS will not demand that you pay your taxes without giving you the opportunity to question or appeal the amount they say you owe.
- The IRS will not require you to use a specific payment method to pay your taxes, such as prepaid debit card.
- The IRS will not ask for credit or debit card numbers over the phone, nor threaten to bring in local police or other Law Enforcement groups to have you arrested for not paying.
- Residents who receive calls do not give out any information; just hang up the phone immediately.

Pets left in parked cars

Leaving pets locked in cars is never safe. High temperatures can cause irreparable organ damage and even death.

Rolling the windows down has been shown to have little effect on the temperature inside a car.

Some facts:

- When it is 72 degrees outside, the temperature inside your car can heat up to 116 degrees within 10 minutes.
- When it is 80 degrees outside, the temperature inside your car can heat up to 99 degrees within 10 minutes.
- The best advice is, if you are going to be going shopping, out to dinner or just running errands during the warmer temperatures leave your dog at home for their own safety.
- For more information you can go to the following website:
www.humanesociety.org/animals/resources/tips/help-in-hot-car.html

Trustee Dove noted that Sarah Panzarella's letter commented that there should have been a better job getting the new parking rates out to the public. The community should have been notified ahead of time.

CIP Public Hearing on 9 East Genesee Street Restaurant – DMO Harty confirmed that they did resolve the I&I calculations agreeing to 3,000/gpd and a fee of \$36,000. She said she looked at three different methods of analyzing flows and we have consensus on the set of assumptions. The Metcalf & Eddy method was basically used and that is the one she picked as her preference as it breaks it out by restaurant customer, bar seat and employee. DMO Harty said she is comfortable with the number. Mayor Hubbard said we can now continue with the CIP Public Hearing. **Resolution #2016-139:** On the motion of Trustee Stokes-Cawley, seconded by Trustee Dove, it was resolved and unanimously carried (4-0 in favor) to open the Public Hearing to the floor. Mr. Eggleston said the 9 East Genesee Street lot is 24 by 100 foot and in 1996 when Framboise restaurant was approved, a second stairway was put in, a sprinkler system, etc. He provided details of the Elephant & Dove as follows: Mexican cuisine; mid-priced restaurant; kitchen in the basement; trash room will be inside – no outside dumpster; dumbwaiters will serve a pantry on each floor; 2 dining areas on the main floor – a private dining area for 8 people in the back and a dining area in the front off the street with a very small bar; a total of 44 seats and 4 bar seats on the main level; 2 dining rooms upstairs with a larger bar – 12 bar seats and 56 seats; a total of 100 seats dining and 16 seats for the bar; open Tuesday through Friday from 11 am to 10 pm and Saturday and Sunday from 10 to 10; closed Monday; lunch and dinner menu; deliverers in the morning through the back; up to 15 employees at a 6hr. shift; parking not an issue in the Downtown D district; one on-site handicapped space in the rear; an impact of 11-26 cars depending on the method used; and 3,000/gpd and an I&I mitigation fee of \$36,000. Mr. Eggleston said the design standards were reviewed by DMO Harty and the layout was displayed on the overhead screen. Mr. Eggleston read aloud each of the seven required findings A-G. Mayor Hubbard asked for public comment, but there was none. **Resolution #2016-140:** On the motion of Trustee Eriksen, seconded by Trustee Stokes-Cawley, it was resolved and unanimously carried (4-0 in favor) to close the public hearing at 7:57 p.m. Mayor Hubbard noted that the Planning Board recommended approving the Critical Impact Permit at their meeting of May 5, 2016. **Resolution #2016-141:** On the motion of Trustee Eriksen, seconded by Trustee Stokes-Cawley, it was

resolved and unanimously carried (4-0 in favor) to grant Critical Impact approval of the Weitsman application regarding a restaurant at 9 E. Genesee St.

DMO – Director of Municipal Operations (DMO) Harty noted that because of unanticipated circumstances that needed her immediate attention prior to the last Village Board Meeting, she is giving her monthly report this evening and read aloud as follows:

2016 Capital Improvement Projects

- Completed Municipal Lot Paving and Striping
- Next up – milling & paving north end of Jordan, portions of Academy and Lakeview Circle, crosswalk areas on State and Jordan and E. Genesee Street – working on updated pricing County Contract changed contractors in late May/early June

DPW

- Installation of foundations for new Pay Stations
- Water main repair on East Lake Street and Water service and sewer lateral repair on E. Genesee Street
- Miscellaneous paving and prep for mill & pave
- Working on street parking striping, north end of Municipal Lot, crosswalks
- Will continue next week with new striping on West Genesee
- Summer help are busy with mowing, garbage, tree maintenance
- Scoping out projects for new plantings/painting in mini-park, landscaping in Shotwell Park
- New Memorial Wall construction pushed back to August

Electric

- Completed transformer upgrades on Talcott Lane
- Receiving meters for Phase 2 of L+G meter replacement

Water

- Month of May
 - Produced a total of 18.5 Million Gallons of Water = 598,000 gallons per day
 - No raw water turbidity exceedances
 - All 3 microbial samples in distribution system came back negative
- Water Main Break on 6" on East Lake Street. Two points of failure. Broken pipe is outside my office.
- Water service break on E. Genesee Street

Sewer

- Month of May
 - Treated a total of 12.354 Million Gallons of Water = 399,000 gallons per day
 - 12 month rolling average = 0.56 MGD (permit limit 0.85 MGD)
 - Total Precipitation = 2.46 inches
 - Discharge to ORF = 0 gallons
 - Discharge from ORF to outfall = 0 gallons
 - Sludge Disposal = 57,000 gallons of sludge sent to Auburn WWTP

Misc:

- Library Book Sale will be moving into the truck bays on Monday 6/27
- Some of the trees on Fennell are crooked = please do not try to straighten them. We are waiting for the soil to adjust/loosen before the root balls can be moved.
- Parking equipment commissioning is ongoing. Please be patient!

In response to Trustee Stokes-Cawley, DMO Harty said the striping she referred to is from Kane Ave. to West Lake Street which will be looked at again at a later date.

CIP Public Hearing on 5 East Genesee Street – Mayor Hubbard said this public hearing is to consider an application for a Critical Impact Permit submitted by Steven Moore for a change of use at 5 East Genesee Street. At their meeting of May 5, 2016, the Planning Board recommended that the Board of Trustees grant a Critical Impact Permit for the change of use contingent upon the applicant providing a statement from the building owner consenting to the change. Mayor Hubbard said that pre-requisite was

met with a letter, dated June 17, 2016, from the Pioneer Management Group, LLC approving the tenant's (Mr. Moore) request to open an art gallery in its leased space. **Resolution #2016-142:** On the motion of Trustee Stokes-Cawley, seconded by Trustee Dove, it was resolved and unanimously carried (4-0 in favor) to open the Public Hearing to the floor at 8:04 p.m. Mr. Moore presented his Certificate of Occupancy fee check to Clerk/Treasurer Couch. Trustee Dove asked if the space has been similarly used in the past. Mr. Moore said it was used for storage before. He said this will be nice with work from local artists and others. In response to Ellen Leahy, Mr. Moore said the space is on the north side of the building and only accessible from the back of the building. Mr. Moore said it is currently being renovated. **Resolution #2016-143:** On the motion of Trustee Dove, seconded by Trustee Eriksen, it was resolved and unanimously carried (4-0 in favor) to close the Public Hearing at 8:05 p.m. **Resolution #2016-144:** On the motion of Trustee Dove, seconded by Trustee Stokes-Cawley, it was resolved and unanimously carried (4-0 in favor) to grant Critical Impact Permit approval as submitted by Steven Moore to use currently vacant space behind an existing retail jewelry store as a retail art store and gallery at 5 East Genesee Street.

Status of NYSERDA Grant – DMO Harty said there is no news.

Status of Annexation of W. Genesee Street / Mirbeau – Architect Bob Eggleston presented a preliminary conceptual description of relocating the waterline that, if left where it is currently located, would cut through four of the six houses planned for on Franklin Street. He explained that he is talking with the Town about the project that would be done by the developer at their cost. The mechanical/technical clean-up would get the waterline off private property and in the right-of-way where it should be. Atty. Pavlus asked how the waterline affects the final filing of the map. Mr. Eggleston said he doesn't think it does. In response to Mayor Hubbard, Atty. Pavlus said the map only shows the new Village and Town line. With the waterline in the public right-of-way there wouldn't be any easement issues. Mayor Hubbard thanked Mr. Eggleston for the explanation.

Status of Renewal of Time Warner Cable TV Franchise Agreement – Mayor Hubbard said there is no news.

Consideration of the Updated and Revised Comprehensive Plan – Trustee Stokes-Cawley recalled that we are waiting to hear from our various boards. Trustee Eriksen said the Town asked for feedback and we are waiting to hear from the Planning Board and want to give them opportunity to comment. He added that this will be a resolution. Mayor Hubbard noted that the Planning Board's July meeting has been re-scheduled to July 14 which is also the Village Board's first meeting in July. Therefore, the Village Board could take action at its 2nd meeting, July 28. Atty. Pavlus noted that the Town requested comments within 30 days, so we should let them know the Village's revised timeline.

NEW BUSINESS

Appoint New ZBA Member – Relative to the ZBA vacancy, Mayor Hubbard said ZBA Chair Phinney and Trustee Eriksen interviewed the candidates and recommended Kathleen Zapata. Trustee Eriksen said they had a good interview with Kathleen and were impressed with her commitment to objectivity and applying the code in a reasonable manner. **Resolution #2016-145:** On the motion of Mayor Hubbard, seconded by Trustee Stokes-Cawley, it was resolved and unanimously carried (3-0 in favor with Trustee Dove abstaining) to appoint Kathleen Zapata to the Zoning Board of Appeals.

Diesel Spill Remediation – DMO Harty reported that she secured two initial quotes for the diesel spill remediation, but wants this item held for a third quote.

SVFD 2016 Labor Day Field Days – **Resolution #2016-146:** On the motion of Trustee Dove, seconded by Trustee Stokes-Cawley, it was resolved and unanimously carried (4-0 in favor) to authorize the Skaneateles Volunteer Fire Department's 2016 Field Days (Sat. 9/3-Sun. 9/4), parade (Sun. 9/4 at 4:00 p.m.), and 5k (Sun. 9/4 at 3:45 p.m.).

Mid-Lakes Navigation Lease Agreement – Atty. Pavlus explained that the lease agreement with Mid-Lakes Navigation was revised because of the new boat “Spray” and to include an option for Mid-Lakes to hire a third party waste disposal contractor. **Resolution #2016-147:** On the motion of Trustee Dove, seconded by Trustee Eriksen, it was resolved and unanimously carried (4-0 in favor) to authorize Mayor Hubbard’s execution of the 2016 License Agreement.

Fixed Price TCC Renewal – DMO Harty said the Historic Fixed Price Transmission Congestion Contracts (TCC) are related to the NY Independent System Operator (NYISO) and have been a helpful tool to offset congestion costs. The contracts were reviewed by the Municipal Board and NYMPA and found to be successful in doing cost control. DMO Harty suggested thinking of it as an insurance policy that helps reduce our risk. **Resolution #2016-148:** On the motion of Trustee Stokes-Cawley, seconded by Trustee Eriksen, it was resolved and unanimously carried (4-0 in favor) to authorize Mayor Hubbard’s execution of the Fixed Price TCC Renewal as recommended by the Municipal Board May 25, 2016.

SMTC Scope of Work – Trustee Eriksen said this is relative to the Syracuse Metropolitan Transportation Council’s (SMTC) Scope of Work – A Feasibility and Community Interest Assessment – Skaneateles Creek Pathway and Adjacent Roadway Enhancements. He explained that the Town of Skaneateles enlisted SMTC (an organization to exist by Federal Law) and it is not a grant. Initially the Town wanted to take the trail north, but met with opposition so wants to take it south to the Village. Trustee Eriksen made the following points: we can look at the SMTC’s suggestions – we don’t have to do any of it; nothing goes public until later on – this is all very preliminary; SMTC is not the enacting agency; we can decide that this is not for us; and SMTC will provide a joint document, but they can put the Town and Village on different tracks. Trustee Eriksen said there is no cost to the Village or taxpayers – this is an opportunity to work with them at no cost. In response to Trustee Stokes-Cawley, Trustee Eriksen confirmed that the scope of work includes ample opportunity for public dialogue. The SMTC is experienced with engaging the public. Trustee Dove said she thinks this is a good way to dust off the Fennell Street Masterplan. Trustee Stokes-Cawley said bike lanes have been talked about on Fennell, but no one has looked at feasibility, street size, etc. In response to Mayor Hubbard, Trustee Eriksen said we have a draft scope of work from SMTC and we can add concerns such as being too close to backyards and the creek. Atty. Pavlus said we can include items of particular concern in our correspondence. **Resolution #2016-149:** On the motion of Trustee Eriksen, seconded by Trustee Stokes-Cawley, it was resolved and unanimously carried (4-0 in favor) to authorize Mayor Hubbard to send a written statement in support of SMTC proceeding.

Public Comment – Parking - Trustee Stokes-Cawley said we have heard from some town residents about being excluded from the discounted parking rate fee in the municipal lot and may want to reconsider some sort of discount. Initial thought is that there’d be a processing fee because it will take additional time from the village staff. It was noted that with Trustee Angelillo not being able to attend this evening’s meeting, he wrote an email indicating that he is not in favor of changing the original resolution which was decided 5-0 in favor to increase the rates and was silent on extending discounts to town residents. Trustee Dove said more time is needed to discuss this. She recognized letters from Village residents Roben Shappell and John Crompt who both said that Village residents shouldn’t bear all the cost of the municipal lot. Trustee Dove said there are two sides to every story and it is about all of Skaneateles – about being a community. Trustee Eriksen said he is open to reconsidering, but wants feedback from the Village staff. He recognized that there is an opportunity for good will, but also noted that there are 2500 residents in the Village and 7500 in the Town. The Village staff is constructed to serve 2500 not 7500. Logistically it is difficult as we don’t usually service all those people. Trustee Eriksen said he recognizes how much work there is for the staffs who are already engaged in codes enforcement, taxes, utilities, etc. The topic can be opened, but we must talk about the logistics with the office. Chamber of Commerce Executive Director Tara Lynn’s email was recognized – it spoke about: keeping town residents coming to the Village; the Downtown Group agreed to increase rates thinking that the discount would be extended to town residents too; would love to sit and talk about this; rowdy week at the Chamber office – complaints from people upset and angry; feedback made it all very real; if town

residents are not a part of a discount, go back and look at the rates; big deal for residents; make some adjustments-everyone looking for a coupon code - better way to put out there; and get to a better place. Romy Callahan noted that right now is the busiest time of year, so this may not be the time to think of additional changes. There was a suggestion to involve the Police Department in the Downtown Group's discussion as they'd be a nice addition and everyone has to be in the know. Bob Eggleston said it was interesting to hear Trustee Eriksen's concerns for the Village staff and suggested letting the Town administer it. He said as a Town resident he feels he is contributing to the entire community. Ms. Callahan suggested pulling everyone together, communicating, and making it as simple and as inclusive as possible. She said there will still be feedback about a processing fee. Trustee Dove said she has talked to Town Clerk Aaron and wants more time to discuss it. Mayor Hubbard said DMO Harty is under water with a lot going on and he is concerned about staffing. **Comprehensive Plan** – Trustee Eriksen said he may or may not be here for the July 28 Village Board Meeting when we are considering the Comprehensive Plan so wants to express concern now about what is going on at the Town level. The Comprehensive Plan is a multi-year process and nowhere was it suggested that zoning would be done at a certain time. It is logistically difficult to pass each at once and makes no logical sense. The comprehensive plan is the framework, the meat on the bones – a guiding philosophy to development, not an enforceable statute. To draft appropriate statute, we need guidance of the plan. Trustee Eriksen said he is very concerned to hear that the plan may be delayed until later. He understands that resolving the Article 78 suit is most important, but the plan must come next. There is large interest to have that document. Supervisor Lanning says the process may have been rushed, but he was part of the process as a member of this board. Trustee Eriksen said Supervisor Lanning's statement is disingenuous and there is no evidence of a rushed process. He reiterated that it has been a multi-year process with outside expertise and broad public support. If Supervisor Lanning really felt the process was rushed, he had a duty to say so at the time and cannot now claim this out of perceived political expedience. Supervisor Lanning presented no evidence of a rushed process, just a casual statement. Trustee Eriksen said communities that work, plan. Planning is nonpartisan, planning is a Skaneateles value, foresight is a Skaneateles value and we are entitled to leadership that supports it. The Plan should come first. **Parking** – In response to Executive Director Lynn, Trustee Dove said the current parking rates are in affect now until further review. Trustee Stokes-Cawley encouraged written comments.

Approval of Bills – Resolution #2016-150: On the motion of Trustee Dove, seconded by Trustee Stokes-Cawley, it was resolved and unanimously carried (4-0 in favor) that bills from Abstract #2 be audited and paid as follows:

<i>Abstract #2</i>	General Fund	Vouchers #2444-2513	Checks #18702-18771	\$224,035.39
	Sewer Fund	Vouchers #556-572	Checks #5231-5247	\$ 33,754.61
	Electric Fund	Vouchers #662-679	Checks #6031-6048	\$187,278.79
	Water Fund	Vouchers #332-343	Checks #4065-4076	\$ 37,335.88

Adjournment – Resolution #2016-151: On the motion of Trustee Eriksen, seconded by Trustee Dove, it was resolved and unanimously carried (4-0 in favor) to adjourn the meeting at 8:57 p.m.


 Patty Couch
 Village Admin./Clerk-Treasurer