

**REGULAR MEETING, VILLAGE BOARD OF TRUSTEES
MONDAY, AUGUST 10, 2009
7:00 P.M.**

PRESENT: Mayor Bob Green, Trustees Marc Angelillo, Kathryn Carlson, Sue Jones, and Tim Lynn, Code Enforcement Officer (CEO) Jorge Batlle, Director of Municipal Operations (DMO) Bob Lotkowitz, Police Chief Lloyd Perkins, SFD Chief Bob Frank, Village Attorney Mike Byrne

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| OTHERS PRESENT: | Nate Robson Miranda Pennock Cliff Abrams Bob Eggleston Paul Cowley Megan Markley Richard Schmidt Marcelle Riter | Skaneateles JOURNAL (Auburn CITIZEN) Skaneateles PRESS 37 State Street Architect with offices at 4361 Jordan Road Milfoil Eradication Committee Milfoil Eradication Committee 26 East Genesee Street 14 Onondaga Street |
|--------------------|--|--|

Public Hearing, Amend Critical Impact Permit for Legg Subdivision

At 7 p.m., Mayor Green referenced the Affidavit of Publication from the July 23, 2009, issue of the Skaneateles JOURNAL for a public hearing to consider amending the Critical Impact Permit granted to Andrew Legg in order to review provisions for water and sewer service to the two “flag” lots, Lot 2 and 3, subdivided from the property of Andrew Legg at 20 Highland Street.

(Insert Affidavit of Publication)

Mayor Green quoted from the draft “Resolution Amending Critical Impact Approval”, noting that following approval of the permit by the Village Board on June 22nd, the Onondaga County Health Department rejected the plan because the water and sanitary sewer lines serving the two new lots were to be shared. He opened the hearing for comments and there were none, pro or con. CEO Batlle did clarify that following DMO Lotkowitz’ approval of the drawings (for installation of private and separate sewer laterals and water services connecting to the public services within Highland Street), he may issue building permits. The installation of the water and sewer services would then require approval by County Health before CEO Batlle would issue a Certificate of Occupancy. The hearing was closed at 7:08 p.m. On the motion of Trustee Jones, seconded by Trustee Angelillo, it was resolved and unanimously carried (5-0 in favor) to approve the amended Critical Impact Permit to include DMO Lotkowitz being given 24-hour notice of commencement of construction of the sewer laterals.

(Insert “Resolution Amending Critical Impact Approval”)

Minutes

On the motion of Trustee Carlson, seconded by Trustee Jones, it was resolved and unanimously carried (5-0 in favor) to approve the minutes of the Regular Meeting of July 27, 2009, as presented.

Bills

On the motion of Trustee Angelillo, seconded by Trustee Carlson, it was resolved and unanimously carried (5-0 in favor) that bills from Abstract #5 be audited and paid as follows:

| | | | | | |
|-----------------------|----------|-----------|--------|---------------|-------------|
| General Fund | Vouchers | 187 - 225 | Checks | 11198 - 11236 | \$26,293.59 |
| Sewer Fund | Vouchers | 42 - 50 | Checks | 3347 - 3355 | 4,333.85 |
| Water Fund | Vouchers | 32 - 38 | Checks | 2840 - 2846 | 11,923.82 |
| Electric Utility Fund | Vouchers | 53 - 58 | Checks | 3868 - 3873 | 3,707.46 |

It was further resolved to close out the Capital Joint Village/Town Municipal Offices Account (HC) with reimbursement to the Town of \$8,756.53 (Check #1012) for legal services in the amount of \$6,512.50 and its share of the final account balance (\$2,244.03) and the Village’s \$2,244.30 share (Check #1013).

Scavenger Hunt for Milfoil Monster Fundraising

Megan Markley explained that the Scavenger Hunt on Sunday, September 6th, will culminate the fundraising efforts of the Tri County Skaneateles Lake Pure Water Association. Volunteers will meet at the park at 11 a.m. to receive instruction, then teams will arrive at 1 p.m. to receive their clues, and at about 3:30 p.m. the Milfoil Monster will be captured on the Judge Ben Wiles and led through the Labor Day Parade to the field days where the mascot will be photographed with attendees for \$1. Each team will seek sponsors for their Scavenger Hunt participation. On the motion of Trustee Jones, seconded by Trustee Carlson, it was resolved and unanimously carried (5-0 in favor) to authorize the use of Clift Park for the Scavenger Hunt, contingent upon their working around the firemen's Sink-The-Boat competition, if that competition is being held.

State DOT's Revised Truck Regulations

Mayor Green reported that Governor Paterson has approved draft regulations to restrict large trucks from using seven highways through Finger Lakes communities as short cuts to the Seneca Meadows landfill. He added that he will be attending a meeting in Aurora this Thursday and a representative from Senator DeFrancisco's office will be present with contact information so residents can comment on the regulations. Mayor Green asked that the news media print the address of the DOT website www.nysdot.gov/programs/truckpolicy and he encouraged residents to click and provide "feedback" (upper right corner of page, between "print" and "font") on the website.

Public Meetings on Ownership of the Community Center

Mayor Green announced that the Village has agreed to participate in two public meetings on ownership of the Community Center. The first will be this Saturday, August 15th at 10 a.m. at the Fire Station.

Public Hearing on Verizon Franchise to be Held on Monday, August 24th at 7:30 p.m.

Mayor Green announced that a public hearing on the Verizon Cable Franchise will be held on Monday, August 24th at 7:30 p.m.

Status of School Projects (Waterline and Tennis Courts)

DMO Lotkowitz reported that the school's new waterline is complete. He and Steve Krause reviewed the final plans for the tennis courts and had a few questions which they've resolved with the engineers. The only outstanding item now for the engineers to address is the lighting between the courts. DMO Lotkowitz had questions regarding the design, construction and funding for the 6 additional lights. Village Attorney Byrne said he still has the approved (July 20, 2009 Operations Meeting) Intermunicipal Agreement and will continue to hold it until DMO Lotkowitz has signed off.

Status of UV Project

DMO Lotkowitz indicated that based on a vendor's quoted price for installation, the cost of UV equipment, and assuming some work being done by Village forces, he believes that the engineer's original estimate can be cut by 50-60%. Village Attorney Byrne commented that he feels the project will have rate consequences for all water customers, including the Town, and that it is important to keep the Town informed beyond their having their engineer present at Municipal Board meetings. He asked DMO Lotkowitz to send letters to the Town, from time to time. DMO Lotkowitz noted that on the latest Intended Use Plan, the Village of Jordan had double our point score and Mayor Green volunteered to contact Ken Lynch at the DEC to learn what we might do to increase our score.

AMR Status Report

DMO Lotkowitz reported that 495 electric and 151 water meters have been installed or approximately 25% of the system. He said we are still having trouble getting the electric meters from the supplier. In response to Trustee Lynn, DMO Lotkowitz said he expects to have the electric hardware up and running by the end of the year, but water will be next year.

Flooding from Storm of August 9th

Jorge Battle reported that we received 3-1/2 inches of rain within a 4-hour period yesterday and another 3/4 inch today. DMO Lotkowitz said things were back in order this morning with debris picked up and the

Flooding from Storm of August 9th (Cont'd)

streets swept. He said a couple of residential electric services were down, but crews were out to 2:30 a.m. and service was restored. SFD Chief Bob Frank said the fire department was still pumping basements this morning, including one on Orchard Road resulting from a crack in the basement. There were no calls for sanitary sewer problems on Orchard Road.

Police and Dispatch Activity

Police Chief Perkins confirmed that the Board had e-mailed copies of the July Activity Reports for the Police and Dispatch Offices and he encouraged anyone with questions regarding the reports to contact him. With last night's torrential rains, the Dispatch Office was very busy and extra help was called in. Chief Perkins said the Governor signed legislation which will allow the County to increase the surcharge on land lines to pay for the interoperable system which means we'll be able to participate without cost to the municipality. Chief Perkins said he is updating the NIMS (National Incident Management System) report to show how many personnel have had training, noting that if we do not participate in NIMS, we can be denied any Federal funding. Chief Perkins said they are still working to identify who stole the street signs, but several of the signs have been turned in although they are damaged and cannot be used again.

Inspection of Fire Department

Mayor Green announced and Fire Chief Frank confirmed that inspection of the Fire Department personnel will take place on Sunday, September 6th, at 3 p.m. before the 4 p.m. Parade.

Building and Zoning

Codes Enforcement Officer (CEO) Batlle reported that permit activity has increased. A new house is being built in the Parkside Subdivision, following review of the proposed site plan by Stearns and Wheler. CEO Batlle said the Planning Board and ZBA are still struggling with the village parking regulations. A recent case has been referred by the Planning Board to the ZBA, and he expects that the ZBA will pass it on to the Village Board. CEO Batlle also reported that the Town has developed a mini park at the end of the Charlie Major Nature Trail in Mottville, which he encouraged folks to visit.

WWTP Activity Report for July

Trustee Angelillo reported that due to problems with the influent and effluent meters, we don't have a report on July flows. The DEC was notified and Zlatko is working with the manufacturer to have the meters fixed. DMO Lotkowitz said the meters were not both down at the same time, so Zlatko will estimate the flows. In response to Village Attorney Byrne, DMO Lotkowitz said the ammonia readings are the same, downstream or upstream, so the plant is having no impact on the stream from ammonia.

Public Hearing, Violation of Village Code Section 154 (Local Law #3 of 1995)

At 7:30 p.m., Mayor Green referenced the Affidavit of Publication from the July 23, 2009, issue of the Skaneateles JOURNAL for a public hearing to consider a violation at 14 Onondaga Street of Local Law #3 of 1995 which provides for the control of brush, grass, rubbish and weeds on private property within the Village of Skaneateles.

(Insert Affidavit of Publication)

Mayor Green reported that the public hearing is being held as the result of the following actions:

- 1) Receipt of a written complaint (July 12, 2009) from Duane Weaver concerning the condition of the property at 14 Onondaga Street.
- 2) CEO Batlle's inspection (July 14, 2009) with written report and photographs of the property.
- 3) Issuance of a Notice and Order, dated July 20, 2009, (per directive of Village Board at their meeting of July 20, 2009), to Marcelle Riter, directing that she "cut and remove the grass, weeds and brush" from her property by Monday, July 27, 2009, at which time it would be reinspected, and notice that a Public Hearing has been scheduled for August 10, 2009. Said Notice was sent Regular Mail and Certified Mail. The Notice sent Regular Mail was not

Public Hearing, Violation of Village Code Section 154 (Cont'd)

returned. The Notice sent Certified Mail was returned. The Certified Mail notice was later hand carried and, after numerous attempts by the Police Department, was signed for by Marcelle Riter on August 5, 2009.

- 4) CEO Battle's inspection (July 27, 2009) with written report and photographs.
- 5) Letter from Marcelle Riter (received by Village Attorney Byrne on August 5, 2009), requesting a delay in the proceedings and his response of that date indicating that the hearing would go forward on August 10, 2009.

Mayor Green opened the floor for comments and Ms. Riter quoted from Duane Weaver's letter of July 12th that "no lawn maintenance has been done to the back yard", stating that this is simply not true, showing numerous photographs to demonstrate her position that there are 30% fewer berry bushes in her patch now than were present last year. The photos included a wheelbarrow full of removed bushes, piles of brush and bushes which she said were repeatedly picked up by the DPW as soon as she got them curbside, yard waste under a tarp on a pick-up truck (photographed last Friday, August 7th), as well as photos the fence line by Weaver's property taken from the road looking toward the back, and photos of phlox and violets among the berry bushes. She showed a package of orange phlox, sold at three plants for \$5, and said she has a treasure. Ms. Riter indicated that the berry bush ("a not very robust one") closest to Mr. Weaver's deck is 15' from the fence and 40-50' from his deck. She noted that his complaint was filed just when the berries were bearing fruit, which activity has now tapered off. Ms. Riter explained that Mr. Weaver's lot is about 15' deeper than hers and she showed a photo of his unkempt property behind the fence which backs up onto Chestnut Circle (a property which is for sale), noting that it demonstrates his lack of care for this area. She said he criticizes her, putting her through great stress and expense, but then doesn't maintain this area. Ms. Riter said she attended an auction further up Onondaga Street and the back yard of that property was not maintained, and that she has been mowing and pruning. She said if the berry bushes are snipped down early in the season, they won't bear fruit.

Mayor Green asked if Ms. Riter could cultivate paths and she answered, to an extent. The bushes grow 8-10' tall and arch over. Trustee Jones acknowledged that Ms. Riter has done a better job maintaining the property in front of the house, but said the back is a berry thicket, not a berry patch. Trustee Jones said it doesn't need to be manicured, but there should be one path around the outside and a path straight through the middle. In response to Mayor Green, Ms. Riter said she has owned the property for 35 years and has always had berries there, but may have planted some of them originally and certainly has nurtured the phlox. Trustee Jones observed that there are maple saplings coming up. Trustee Carlson said she met with Ms. Riter this afternoon, suggesting that she have a fence to delineate the patch. In response to Mayor Green, Ms. Riter said in a good year she gets 20 quarts of berries. She feels the patch is neater and thinner and fully intends to continue maintaining it.

Trustee Jones said she doesn't want to be here a year from now. She said she wants to work with Ms. Riter and urged her to follow Trustee Carlson's suggestion. At a minimum she feels Ms. Riter could improve the area by mowing a path line through and around the patch. She said she'd like Mr. Riter to be more considerate of her neighbor's view.

Mayor Green said we've received the complaint, have investigated, held the hearing to receive comments, and now the Board needs to make a determination. Ms. Riter said it's hard to understand how there was no finding last year and this year the property has been improved. She'd just like it to go away. Mayor Green asked if she'd be satisfied if the Board were to take up a collection and buy 20 quarts of berries for her and Ms. Riter responded no, that she enjoys growing the plants. Mayor Green said the plants need a lot more cultivating and Trustee Jones said the garden needs to look a little more loved. Trustee Jones reiterated that Mr. Weaver has a right to sit on his back deck and she believes Trustee Carlson has given a good suggestion. The hearing was closed at 8:10 p.m.

Village Attorney Byrne clarified for Trustee Angelillo that the Code reference to "property fronting" relates to establishing who the owner is, not front versus back yard, and that the policy addresses

Public Hearing, Violation of Village Code Section 154 (Cont'd)

“unhealthful, hazardous, unsightly or dangerous conditions”. Because of the word “or”, it means that if any of the conditions exists, there is a violation. Trustee Lynn commented that he does not feel the property is different, or in worse condition, than the neighbors. He noted that throughout the Village, back yards are of varying depth and often become woods and undergrowth, such as behind the homes on Leitch Avenue. He noted that the backyard crazy growth may be way back or closer to the house, but you don’t see it from the street or sidewalk and he doesn’t feel it’s an out-of-control situation. Trustee Jones said Mr. Weaver has no other way to complain. Trustee Carlson said she agrees with Trustee Lynn and would like to have Ms. Riter clean up the front area by Weavers and offered to help, but would not favor mowing down the berry bushes. Trustee Angelillo weighed in with Trustees Lynn and Carlson, noting that Ms. Riter has made an effort with the garden, but it’s subjective and not the look her neighbor would like. He said he feels the law doesn’t apply to her back yard.

Mayor Green moved and Trustee Jones seconded to make the determination that an unhealthy and unsightly condition does exist at 14 Onondaga Street. Voting in favor: Mayor Green and Trustee Jones. Voting against: Trustees Angelillo, Carlson, and Lynn. The motion was defeated 3-2.

Thayer Park Sign

Mayor Green reported that DMO Lotkowitz and DPW Foreman Perkins are looking into a durable replacement for the Thayer Park sign which was vandalized and broken.

Abrams Letter on Illegal Signs

Mayor Green said that Cliff Abrams’ letter on illegal signs has been referred to Special Counsel Galbato who is assembling a group to review the sign ordinance.

Request to Extend Sidewalk on East Lake Road

Mayor Green clarified that there is a sidewalk on the east side of East Lake Road from Genesee Street to Sagem Drive, but it needs repair and he has asked DMO Lotkowitz to look at the bad sections of the walk. CEO Battle said his report of three years ago showed where those areas are. Letters will be sent to the property owners, offering participation in the Village’s sidewalk replacement program.

Authorize Extension of SRCT Agreement of 1999

On the motion of Trustee Jones, seconded by Trustee Carlson, it was resolved and unanimously carried (5-0 in favor) to authorize Mayor Green to sign the extension of the SRCT agreement to September 30, 2009.

Community Water Authority

Mayor Green reported that Supervisor Tierney’s early July inquiry with regard to the creation of a Community Water Authority was referred to the Municipal Board. He read the Municipal Board’s position statement: “The Municipal Board recommends that the Village not consider an Authority comprising the Village and Town of Skaneateles. Such an Authority affords no distinct administrative advantage nor does it offer either the opportunity to reduce either the present or future technical support required to operate the Village water system. Conversely, an Authority would add significantly to the present administrative costs as compared to those costs now being borne by the Village. Additionally, inasmuch as the Village has adequate capital facilities to serve Village properties, there is a distinct disadvantage to village taxpayers to sharing the costs of creating additional capital facilities to serve the Town, notwithstanding the Disinfection facilities which it is proposed to be shared under a separate formula. However, the Village and Town should continue their mutual assistance and cooperation and enter into discussions to develop a written Protocol for the purpose of ensuring that future staffs continue such assistance and cooperation”. Mayor Green said he responded to Supervisor Tierney on August 6th, expressing concern over the effect of an Authority on the village’s water supply contract with the City of Syracuse, but expressing a willingness to listen to a detailed proposal from the Town so long as cost relating to the development of such a proposal be paid by the Town. Trustee Lynn agreed that an Authority consolidating the systems would be an unwise step, but felt there might be features of

Community Water Authority (Cont'd)

consolidation worth consideration which might make better use of personnel. It was agreed that legally the Village's jurisdiction ends at the corporate line, but by contract the Village could take over operation and billing, with the Town continuing to plan and pay for any capital improvements made outside the Village. Mayor Green said the Town faces some serious and expensive capital improvements, the cost of which they'd like to spread over a wider area, but there would be no benefit to Village ratepayers.

Downtown Sidewalks

Mayor Green reported that he's spoken with DMO Lotkowitz with regard to the complaints we've received about the condition of some of the downtown sidewalks. Where there has been minor settling, the DPW will raise the brick and level the concrete sections as part of the sidewalk replacement program. Trustee Jones said she thought Trustee Carlson's suggestion of placing orange cones at the dangerous spots is a good temporary solution.

Treasurer's Reports for July

On the motion of Trustee Lynn, seconded by Trustee Carlson, it was resolved and unanimously carried (5-0 in favor) to acknowledge receipt of the Treasurer's Reports for July, 2009.

Joint Comprehensive Plan Update Committee

Mayor Green explained that Supervisor Tierney appointed members to serve on a new Comprehensive Plan Update Committee with no input from the Village. He noted that Supervisor Tierney included Jessica Milman (a village resident at 25 East Elizabeth Street) and Sue Dove (who resides at 9 East Lake Street and serves as Executive Director of the Skaneateles Area Chamber of Commerce). Additionally the following individuals were appointed to the committee: Tom Bersani, Dessa Bergen, Bob Eggleston, Bob Lotkowitz, Ken Richards, Irene Stafford, Ken Scott, and Howard Brodsky. Mayor Green recently met with Supervisor Tierney and Bob Lotkowitz (former Town Planning Board Member and Chairman of the Comprehensive Plan Update Committee) and Supervisor Tierney agreed to open two slots for Village representation. Trustee Lynn asked why the update is being undertaken and Bob Eggleston said it is required by the adopted plan, to keep it "living" and useful. Mr. Eggleston said he raised the question of Village representation at the first meeting of the committee, feeling that the Village needs ownership of the effort, too. It is a joint Village-Town plan and there usually is some spin-off from the review prompting further review of the zoning by the Village and Town. He added that joint involvement is helpful with grant applications, such as the western gateway effort. Trustee Jones suggested Lauren Waite and Mayor Green said he'd thought of Doug Sutherland, but added that Supervisor Tierney didn't include any Village or Town Board, Planning Board, or ZBA members as he felt they would all have an opportunity to review any changes before adoption anyway. Mr. Eggleston said the Committee is scheduled to next meet on August 26th and were asked to read the plan and highlight items for discussion. Mayor Green asked the Trustees to identify candidates in hopes that two can be appointed at the Operational Meeting of August 17th or the Regular Board Meeting of August 24th, in time to attend the Committee's next meeting.

Award Bid for Survey Work

On the motion of Trustee Jones, seconded by Trustee Angelillo, it was resolved and unanimously carried (5-0 in favor) to award the low bid for surveying behind the downtown business block for electrical easements to David Love at \$3,920.

Adjust Utility Account #20080

On the motion of Trustee Jones, seconded by Trustee Carlson, it was resolved and unanimously carried (5-0 in favor) to authorize adjusting the July consumption for Utility Account #20080 from 5,900 cubic feet to 1400 cubic feet and the resultant water and sewer charges.

Executive Meeting

At 8:50 p.m., on the motion of Trustee Angelillo, seconded by Trustee Carlson, it was resolved and unanimously carried (5-0 in favor) to enter into an Executive Session to discuss a personnel matter. The Executive Session ended at 9:35 p.m.

Unpaid Vacation Day

On the motion of Trustee Carlson, seconded by Trustee Jones, it was resolved and unanimously carried (5-0 in favor) to authorize Village Clerk/Treasurer Sheehan to take Friday, August 21st, as an unpaid vacation day.

The meeting was adjourned at 9:35 p.m.



Sally L. Sheehan
Village Clerk

State of New York

Onondaga County, Village/Town of Skaneateles

Kathleen Weldon of the City of Auburn, in Cayuga County, being duly sworn, deposes and says:

That she is the Advertising Assistant of Lee Publications, Inc. publishers of The Skaneateles Journal, a public newspaper printed and published weekly in the City of Auburn, and distributed in Onondaga County, and duly authorized to make this affidavit, and regarding

8/10 LL#3 Violation Onondaga St. Village of Skaneateles

of which annexed is a printed copy, was published in said paper 1 time namely on the **22nd** day of **July, 2009**

Signed Kathleen Weldon

Sworn to before me, this 23rd day of July 2009.

Carol Speach

Carol Speach, Notary Public

NOTICE OF PUBLIC HEARING
- VILLAGE OF SKANEATELES
NOTICE IS HEREBY GIVEN that the Board of Trustees of the Village of Skaneateles, Onondaga County, New York, will hold a public hearing at the Regular Meeting of the Village Board of Trustees on Monday, August 10, 2009 at 7:30 p.m. at the Village Office, 46 East Genesee Street, Skaneateles, New York, to consider a violation at 14 Onondaga Street of Local Law #3 of 1995 which provides for the control of brush, grass, rubbish and weeds on private property within the Village of Skaneateles.
Dated: July 14, 2009
Sally L. Sheehan, Village Clerk
Village of Skaneateles, New York
T1, 7/22

Carol Speach
Notary Public
State of New York
OISP6139936
Qualified in Cayuga County
Commission Expires 01/17/2010

**REGARDING THE APPLICATION OF ANDREW AND JULIE LEGG
FOR CRITICAL IMPACT APPROVAL – 20 HIGHLAND STREET**

**RESOLUTION
Amending Critical Impact Approval**

BACKGROUND

This matter comes before the Board of Trustees for amended Critical Impact Approval, pursuant to Article XI of Chapter 225 of the Village Code. The matter was referred to the Board of Trustees following Conditional Preliminary and Final Subdivision approval, and a positive recommendation to this Board for Critical Impact Approval, by the Planning Board, subject to certain conditions.

Following a public hearing held on June 22, 2009, the Board of Trustees adopted a formal written resolution granting Critical Impact Approval. Subsequently, the applicants submitted their subdivision plans to the Onondaga County Health Department, which rejected the plan because it contained a provision for shared sanitary sewer and water lines to serve Lots 2 and 3 of the proposed subdivision. The Onondaga County Sanitary Sewer Code, Article 6, Section G(1) requires that, if the sewer and water services are to be private there must be separate sewer and water services for each lot in the subdivision or, in the alternative, the public sewer and water systems may be extended to serve the individual lots.

After consideration of those options, the Board of Trustees has indicated that it prefers not to extend the public sewer and water systems in a way that would create “dead-end” extensions of the water and sewer systems. The only viable alternative is to allow separate, private sewer laterals and water services for each lot.

REQUIRED FINDINGS

The findings contained in the June 22, 2009 Resolution of this Board are incorporated herein by reference.

ADDITIONAL CONSIDERATION

The additional considerations recited in the June 22, 2009 Resolution of this Board are incorporated herein by reference, with the following exception. Item “d” is hereby amended to read as follows:

“d. As required by the Onondaga County Sanitary Sewer Code, the two new houses to be constructed in this subdivision, on Lots 2 and 3, will each be served by private, separate sanitary sewer laterals and water services connecting to public services located within Highland Street, to be placed within a utility easement corridor as

established by the filed Subdivision Map. The sanitary sewer laterals will extend approximately 200 feet each from Highland Street, which creates an increased risk for infiltration and inflow of ground water into the laterals. In order to minimize said risk, the applicants will be required to submit engineered drawings for the sewer laterals to the Village's Director of Municipal Operations for his approval, prior to construction, and shall obtain the approval of the Onondaga County Health Department. The Director of Municipal Operations is to be provided with notice of commencement of construction at least 24 hours prior to the installation of the sewer laterals."

DETERMINATION

Therefore, based upon all of the foregoing, the Critical Impact Approval granted by this Board on June 22, 2009 is restated, subject only to the following amendment:

1.) As required by the Onondaga County Sanitary Sewer Code, the two new houses to be constructed in this subdivision, on Lots 2 and 3, will each be served by private, separate sanitary sewer laterals and water services connecting to public services located within Highland Street, to be placed within a utility easement corridor as established by the filed Subdivision Map. The sanitary sewer laterals will extend approximately 200 feet each from Highland Street, which creates an increased risk for infiltration and inflow of ground water into the laterals. In order to minimize said risk, the applicants will be required to submit engineered drawings for the sewer laterals to the Village's Director of Municipal Operations for his approval, prior to construction, and shall obtain the approval of the Onondaga County Health Department. The Director of Municipal Operations is to be provided with notice of commencement of construction at least 24 hours prior to the installation of the sewer laterals.

Adopted this 10th day of August, 2009

Motion made by Jones

Seconded by Angelillo

Those voting in favor Trustees Jones, Angelillo, Lynn and Carlson and Mayor Green

Those voting in opposition None

State of New York

Onondaga County, Village/Town of Skaneateles

Kathleen Weldon of the City of Auburn, in Cayuga County, being duly sworn, deposes and says:

That she is the Advertising Assistant of Lee Publications, Inc. publishers of The Skaneateles Journal, a public newspaper printed and published weekly in the City of Auburn, and distributed in Onondaga County, and duly authorized to make this affidavit, and regarding

8/10 Legg Critical Impact Amendment Village of Skaneateles

of which annexed is a printed copy, was published in said paper **1** time namely on the **22nd** day of **July, 2009**

Signed Kathleen Weldon

Sworn to before me, this 23rd day of July 2009.

Carol Speech

Carol Speech, Notary Public

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Dated: July 14, 2009
Sally L. Sheehan, Village Clerk
Village of Skaneateles, New York
T1, 7/22

**Carol Speech
Notary Public
State of New York
OISP6139936
Qualified in Cayuga County
Commission Expires 01/17/2010**