

**REGULAR MEETING, VILLAGE BOARD OF TRUSTEES
MONDAY, AUGUST 24, 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, Municipal Board Commissioner Alan Dolmatch, Village Attorney Mike Byrne

OTHERS	Nate Robson	Skaneateles JOURNAL (Auburn CITIZEN)
PRESENT:	Miranda Pennock	Skaneateles PRESS
	Cliff Abrams	37 State Street
	Doug Clark	24 West Lake Street
	Richard Clayton	Severn Trent, Operator for Wastewater Treatment Plant
	Sue Dove	Executive Director, Chamber of Commerce
	Judy Gelston	for CROP Walk
	Jackie Keady	4 East Genesee Street
	Stu Lisson	4 Whitegate Drive
	Arnie Rubenstein	2 East Genesee (President, N. Shore Property Owners)
	Richard Schmidt	26 East Genesee Street
	Julie Sharpe	52 East Genesee Street
	Laurie Winship	Museum Director, Skaneateles Historical Society
	Kevin Young	Recipient, 30 Year Certificate of Public Service
	Mac Kerbey	Representing Verizon
	Tom Owens	Representing Verizon
	Jeremy Schofer	Representing Verizon

Certificates of Public Service

Presenting a 25-year certificate to Clerk Sally Sheehan and a 30-year certificate to Kevin Young, and noting that Lorraine Gleason was absent but also due a 25-year certificate, Mayor Green expressed appreciation for the employee's continuous years of service to the village and thanked them for all their hard work.

Public Hearing, Local Law #1 of 2009, Modify Off-Street Parking Requirements

At 7 p.m., Mayor Green read a statement, recounting the history of the off-street parking requirements.

(Insert the "Statement Regarding Article XII of the Village Code, Off-Street Parking and Loading")

Mayor Green opened the hearing for comments. CEO Batlle said he'd sent an e-mail to the Board this afternoon, expressing his concerns and Mayor Green indicated that his concerns would be addressed at the public hearing on the new local law to declare a moratorium. Sue Dove commended the Board, saying that she feels it is the right way to move at this time and encouraging that a committee be established to consider any further modifications. Mayor Green noted that a fundamental element of the proposed suspension of off-street parking requirements will be stepped up enforcement of parking violations and a committee has been formed to deal with that issue. Arnie Rubenstein asked if the \$7,500 parking deficit fee will still be in effect and Mayor Green responded, no, because of the moratorium. Julie Sharpe asked how the Village will get the judges to help enforce parking and Mayor Green answered that we'll work with the judges, but the Board thinks the Village has been lax in getting people to pay their fines and the committee will focus its efforts in that area. There were no further comments and the hearing was closed at 7:14 p.m. On the motion of Trustee Lynn, seconded by Trustee Jones, it was resolved and unanimously carried (5-0 in favor) to authorize advertising for a public hearing at 7 p.m. on Monday, September 28th, to consider a new Local Law #1 of 2009, to declare a limited moratorium of Article XII on off-street parking. Mayor Green noted that since the moratorium will not take effect until after the September 29th hearing, any current applications will still be subject to the old rules which remain in effect.

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 August 10, 2009, as presented.

Bills

On the motion of Trustee Lynn, seconded by Trustee Angelillo, it was resolved and unanimously carried (5-0 in favor) that bills from Abstract #6 be audited and paid as follows, including General Fund *check #11279 replacing lost check #10979 of 5/26/09 to Code 4 Fire & Rescue for \$6,500:

General Fund	Vouchers	226 - 268	Checks	11237 - 11279	\$60,781.06* (net)
Sewer Fund	Vouchers	51 - 59	Checks	3356 - 3364	13,736.96
Water Fund	Vouchers	39 - 47	Checks	2847 - 2855	2,158.36
Electric Utility Fund	Vouchers	59 - 70	Checks	3874 - 3885	104,856.75

Cocktail Reception at the Historical Society Museum

Museum Director Laurie Winship explained that author Lawrence Denton will be holding a lectures and book signing at the Seward House on Saturday, September 19th, and will be having another book signing on Sunday, September 20th, at the Creekside. The Historical Society would like permission to have a cocktail reception for approximately 30 people on Saturday, September 19th, from 5-7 p.m. The reception will be catered by the Sherwood Inn, who will provide their own liquor license and insurance. On the motion of Trustee Lynn, seconded by Trustee Jones, it was resolved and unanimously carried (5-0 in favor) to authorize the Historical Society hosting a cocktail reception at their museum as presented.

Land Rover Request for Parking

It was clarified that the request for parking of three vehicles on West Genesee Street near the gazebo is from Land Rover Webster and not the Skaneateles Festival. Mayor Green referenced a letter from Elizabeth Dreyfuss, objecting to the proposed commercial use near the park, and CEO Batlle reported calls objecting to the Land Rover being parked in the State right-of-way by the Presbyterian Church. On the motion of Trustee Jones, seconded by Trustee Carlson, it was resolved and unanimously carried (5-0 in favor) to deny the request of Land Rover Webster for three reserved parking spaces as it was felt to be a commercial activity even though the \$10 paid for a test drive is donated to the American Red Cross.

Request to Decorate the Gazebo for Fall

On the motion of Trustee Angelillo, seconded by Trustee Carlson, it was resolved and unanimously carried (5-0 in favor) to authorize the Chamber of Commerce to decorate the gazebo for fall as the Merchants have done in the past. The decorations will be in place from mid-September to the end of October, although Chamber Director Dove said the decorations will be taken down sooner if they start to look shabby. Director Dove also indicated to Trustees Angelillo and Jones that acknowledgment of the donated items will be through the Chamber newsletter, not with a sign at the gazebo.

Status of UV Project

DMO Lotkowitz said the UV project was discussed at the Municipal Board meeting and they will talk with another vendor. He indicated that he is looking for some guidance from Village Attorney Byrne with regard to bidding requirements. DMO Lotkowitz said we also need to find out where we stand with our DWSRF grant application. Trustee Angelillo indicated that he'll be dropping off collection materials to gather the historical water data.

Status of School Tennis Courts

Mayor Green reported that he and DMO Lotkowitz met with the school's engineers to review the electrical design, estimated at \$34,000, and developed a less costly plan which they feel will improve the tennis court lighting and be more efficient. By increasing the height of the light poles (from 30' to 40') and using a more powerful light that has less spillage, the number of poles can be reduced from 16 to 6. Superintendent D'Angelo approached PARCS and if the Village provides the poles and labor to install the poles, lights, and conduit, the school and PARCS will share the cost of the materials, except the 6 poles. On the motion of Trustee Lynn, seconded by Trustee Jones, it was resolved and unanimously carried (5-0 in favor) to authorize the Village contribution of poles and labor for the tennis courts at Austin Park.

Public Hearing, Verizon Cable Franchise Agreement

At 7:35 p.m., Mayor Green opened the hearing. Verizon New York Inc. provided a court stenographer whose official record of the hearing will be filed with the Public Service Commission. Verizon representatives Tom Owens and Mac Kerbey made opening statements, explaining the benefits of fiber optic service to the home, improved offerings and response in a competitive environment, and the approval process. Mr. Kerbey stated that once approved by the Public Service Commission, the regulations require that service be available to a substantial portion of the community, approximately 80%, be served within 12 months and 100% of the community within 5 years. He said Verizon is 83% built-out in the Village now, so that won't be a problem. Mayor Green indicated that the new school district office needs to be included on Schedule A for free service and Mr. Kerbey said that shouldn't be a problem. Verizon simply needs to see the location. Mayor Green asked about service to the newer subdivisions with underground utilities and Mr. Kerbey responded that replacing copper on poles is very straightforward; they just latch the fiber optic cable. Underground depends on when it was developed and whether space was provided for additional services. He said the engineering for that will be addressed in the fourth quarter of this year. Trustee Jones confirmed that 100% of the Village will have access to service within a maximum of 5 years. Mr. Kerbey mentioned that with condo associations, they will need access to the premises from the property owner (association, whatever) before contracting with individual occupants for service. Trustee Carlson asked about system reliability and Tom Owens responded that the Verizon tech call center in is Syracuse. Mr. Kerbey suggested that more importantly, the competitive environment requires good service. If folks aren't satisfied, they'll switch. Trustee Carlson asked if subscribers can really switch easily or are the contracts long-terms. Mr. Owen said marketing will drive the contracts. Stu Lisson commented that he feels offering residents a choice is good. At 8:10 p.m., the hearing was closed. On the motion of Trustee Lynn, seconded by Trustee Angelillo, it was resolved and unanimously carried (5-0 in favor) to authorize Mayor Green to sign the cable franchise agreement with Verizon New York Inc. subject to Verizon's approval and acceptance of amending Schedule A to include the Skaneateles Central School District Offices located at 45 East Elizabeth Street.

CROP Walk for Hunger

Judy Gelston explained that the 31st year of CROP Walk will be celebrated on Sunday, October 18th, with three different walks: an easy one, a 3-mile walk, and a longer one. Superintendent Phil D'Angelo will be grand marshal when volunteers walk in the Labor Day parade. They anticipate about 150 walkers who will register at 12:30 p.m. at the Community Center and will only be on Village sidewalks. On the motion of Trustee Carlson, seconded by Trustee Jones, it was resolved and unanimously carried (5-0 in favor) to authorize the CROP Walk as presented.

AMR Status Report

DMO Lotkowitz reported that installation of hardware continues with nearly 700 points installed. Work on the software interface with the billing software continues with the Sensus rep having been here today and returning tomorrow to demonstrate that we can produce a bill with the new system.

Thayer Park Sign

DMO Lotkowitz reported that he is still working with DPW Foreman Bill Perkins to replace the Thayer Park sign.

Abrams Letter on Illegal Signs

Mayor Green reported that he and Village Attorney Mike Byrne met with Special Counsel Ric Galbato last week and Attorney Galbato has drafted a letter to be sent to St. James Church with regard to their sign. Mr. Abrams thanked Trustee Jones for removal of the sign at her home.

Sidewalk Repairs

DMO Lotkowitz reported that in the next couple of weeks, the DPW will re-set bricks where there are gaps in the downtown business district sidewalks. Mayor Green said we need to be consistent with our handling of the sidewalk replacement program and he asked that DMO Lotkowitz and CEO Battie identify the areas where walks need work, including the stretch on East Lake from Genesee to Sachem, so the Village Office can send letters to the property owners with the estimated costs.

Status of Transfer of Ownership of the Community Center

Mayor Green reported that the Village participated in a public meeting on ownership of the Community Center on Saturday, August 15th. A second meeting will be held on Wednesday, September 16th, at 7 p.m. at the Community Center.

Joint Comprehensive Plan Update Committee

Mayor Green noted that when Supervisor Tierney appointed members to serve on a new Comprehensive Plan Update Committee there was no input from the Village, but two openings have been made available for the Village. On the motion of Trustee Jones, seconded by Trustee Carlson, it was resolved and unanimously carried (5-0 in favor) to appoint Julie Sharpe and Alan Dolmatch to represent the Village on the Joint Comprehensive Plan Update Committee.

County Request for Storm Damage Assessment

Mayor Green said he referred to DMO Lotkowitz the County Department of Emergency Management's request for completion of a damage assessment report from the August 9th storm, noting that he knows Commissioner Pete Alberti well and will invite him out to meet with DMO Lotkowitz.

Smoking Policy

Police Chief Lloyd Perkins reported that he and Village Attorney Byrne have not completed revision to the village's smoking policy, but will have it ready for the board to consider at their September 14th meeting.

Firemen's Field Days

Trustee Jones encouraged everyone to get out and support the firemen by attending their Labor Day Field Days.

The meeting was adjourned at 8:30 p.m.


Sally L. Sheehan
Village Clerk

STATEMENT REGARDING ARTICLE XII OF THE VILLAGE CODE OFF-STREET PARKING AND LOADING

For the past ten months, the Village Trustees have discussed and considered a variety of amendments to Article XII of the Village Code, which regulates off-street parking requirements. Article XII has existed for many years and imposes certain parking space requirements on residential and commercial properties in the Village. Its primary focus, and impact, is with regard to commercial buildings in the core of the Village. Many of those buildings have insufficient on-site parking for their tenants and the impact of that shortage has been felt by the community at large.

In 2005, the Trustees enacted revisions to Article XII which were intended to modernize the off-street parking requirements in the face of increased commercial development and redevelopment. One of the features of the 2005 revision was the creation of a parking trust fund, which would be used solely for the purpose of creating new public parking spaces and for purchasing parking-related equipment. Another feature was the imposition of a parking space variance fee on those applicants who could not provide a required minimum number of on-site parking spaces.

At the same time, the Trustees enacted extensive revisions to the public parking regulations in the Village, particularly in the municipal parking lot, with the intended purpose of creating turnover in those public spaces so that they would be more readily available.

In large measure, the new parking requirements have been very successful. However, some difficulties have been experienced in connection with the interpretation, application and enforcement of the off-street parking requirements, for properties in the core of the Village. The Planning and Zoning Boards found these regulations difficult to apply and, as a result, many matters were referred to the Trustees for some form of relief.

Beginning in the Fall of 2008, the Trustees undertook a complete review of the off-street parking regulations and requested the preparation of a draft local law to amend those regulations. That draft has been extensively reviewed and has been revised numerous times. During the drafting process, input was sought from a number of sources including the Planning and Zoning Boards, Code Enforcement Officer, local merchants, and architects and design professionals. It was our intention that the draft local law would simplify the off-street parking regulations, remove a number of outdated and unnecessary provisions, and provide clarity and simplicity for those who must interpret and enforce the regulations. Most importantly, the draft local law would have grandfathered all existing buildings so that they would be considered in compliance with the off-street parking requirements.

The proposed local law was put before the public and several public hearing sessions have been held. A number of people appeared and spoke at the public hearings and many raised objections to various elements of the draft local law. Some would like us to reduce or eliminate the parking space variance fee and others would like us to relax or eliminate, all together, the off-street parking requirements. Several speakers argued that, as a result of the changes made by the

Village to the regulation of the municipal lot and other public parking spaces, there is no longer a "parking problem" in the Village. While that may be an overstatement, it is clear that there has been improvement in the availability of public parking in the Village.

After much discussion and reflection, we have therefore decided to suspend work on revising the off-street parking requirements. Instead, we have decided to declare a moratorium on the enforcement of those requirements until December 31, 2010, for all properties excepting one and two family dwellings. That moratorium will be accomplished by a new local law, which we are in the process of drafting. It will be discussed at a new public hearing, which hopefully will be held in September.

The effect of a moratorium on the off-street parking requirements is that such requirements will not be applicable during the moratorium. We anticipate that projects may come before the Village during that time which would otherwise have been required to demonstrate the existence of adequate on-site parking or pay a fee in the alternative. In the absence of such requirements, we believe that those property owners or developers will still be required to make decisions based upon the availability of parking for their residents, tenants, etc. Any negative consequences associated with inadequate on-site parking are likely to have a greater impact on the developer than on the Village.

We will observe and study the impact of temporarily suspending the off-street parking requirements. We will then decide whether those requirements should be reinstated, revised or eliminated. It is also our intention, during the moratorium, to increase enforcement of parking violations, in order to ensure that we can accurately gauge the impact of the moratorium.

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

8/24 Verizon Franchise Village of Skaneateles

of which annexed is a printed copy, was published in said paper 1 time namely on the 12th day of August, 2009

Signed Kathleen Weldon

Sworn to before me, this 24th day of August 2009.

Carol Speech

Carol Speech, Notary Public

8/24 Verizon Franchise
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 24, 2009 at 7:30 p.m.** at the Village Office, 46 East Genesee Street, Skaneateles, New York, to receive public comment concerning a cable franchise agreement between the Village of Skaneateles and Verizon New York, Inc.
Copies of the franchise application and proposed franchise agreement are on file at the Village Office and may be viewed during normal business hours, 8 a.m. to 4:30 p.m., Monday-Friday.
Dated: July 27, 2009
Sally L. Sheehan, Village Clerk
Village of Skaneateles, New York
T1, 8/12

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