

**REGULAR MEETING, VILLAGE BOARD OF TRUSTEES
MONDAY, OCTOBER 12, 2009
7:00 P.M.**

PRESENT: Mayor Bob Green, Trustees Marc Angelillo, Kathryn Carlson, Sue Jones, and *Tim Lynn, Director of Municipal Operations (DMO) Bob Lotkowitz, Police Chief Lloyd Perkins, SFD Chief Bob Frank, Joint Comprehensive Plan Update Committee Member Alan Dolmatch, Village Historian Pat Blackler, Village Attorney Mike Byrne

OTHERS: Nate Robson Skaneateles JOURNAL (Auburn CITIZEN)
PRESENT: Miranda Pennock Skaneateles PRESS
Cliff Abrams 37 State Street
Anne Perkins 5106 Onondaga, Syracuse (Mrs. Lloyd Perkins)

Minutes

On the motion of Trustee Jones, seconded by Trustee Carlson, it was resolved and unanimously carried (4-0 in favor) to approve the minutes of the Regular Meeting of September 28, 2009, as presented. Trustee Lynn was absent at this time.

Bills

On the motion of Trustee Carlson, seconded by Trustee Angelillo, it was resolved and unanimously carried (4-0 in favor) that bills from Abstract #9 be audited and paid as follows:

General Fund	Vouchers	347 - 383	Checks	11358 - 11394	\$65,462.90
Sewer Fund	Vouchers	79 - 90	Checks	3384 - 3395	16,285.62
Water Fund	Vouchers	60 - 65	Checks	2868 - 2873	2,712.91
Electric Utility Fund	Vouchers	93 - 101	Checks	3908 - 3916	7,374.01

It was further resolved to authorize the transfer of \$170 from DPW Salaries (A5110.1) to pay for the final week of setting up the gazebo for the Community Band Concert (A5110.11). *Trustee Lynn arrived after this vote was taken.

Treasurer's Reports for September

Clerk/Treasurer Sheehan noted that she is now including a cumulative spreadsheet to explain any overdrawn accounts and unanticipated revenues. On the motion of Trustee Lynn, seconded by Trustee Jones, it was resolved and unanimously carried (5-0 in favor) to acknowledge receipt of the Treasurer's Reports for September, 2009.

SECNY Federal Credit Union Opening

Mayor Green, and Trustees Carlson and Jones indicated that they will attend the Grand Opening Celebration of SECNY's new office at 32 Fennell Street on October 20th from 5-7 p.m.

Public Hearings, October 26th on Local Laws 2 & 3 of 2009

Mayor Green reminded attendees that the public hearings on proposed Local Laws 2 and 3 of 2009 will be at the next Village Board meeting, October 26th, and he said he is especially hopeful that folks in favor of Local Law 2 will show up as he has serious reservations about establishing the two, 3-way stops on Fennell Street.

NYCOM Forum on Local Government Consolidation

Mayor Green said he will be attending the NYCOM Special Forum on "Local Government Consolidation and Dissolution: Myth vs. Reality and How to Lead on the Issue" on October 22nd in East Syracuse from 6-8 p.m. and he'd be happy to have any Trustee interested attending drive in with him.

State Civil Service Grants 211 Waiver for Police Chief Perkins

Mayor Green announced that Chief Perkins was granted a 211 waiver from the NYS Civil Service Commission to June 30, 2010. We'll need to re-apply in late March and then re-canvass in June when the results of the (March, 2010) Chief's exam are published.

Missing & Exploited Children

Mayor Green referenced the letter from the New York Branch of the National Center for Missing & Exploited Children thanking Chief Lloyd Perkins for participating in and assisting with their "Finger Lakes Ride" held September 18th. Chief Perkins noted that they raised \$27,000.

WWTP Activity Report for September

Trustee Angelillo reported that our average September flow was 350,000 gpd and we received 2.64 inches of rain. BOD removal and suspended solids removal were both at 98%. The report also showed liquid sludge being transferred to the Auburn WWTP. Village Attorney Byrne commented on last month's article that Auburn was shutting down its incinerator and he inquired what impact that will have on us. DMO Lotkowitz agreed to look into it.

Police and Dispatch Activity

Police Chief Perkins confirmed that the Board had e-mailed copies of the September Activity Reports for the Police and Dispatch Offices. He said he attended a County-sponsored terrorism response workshop last Thursday and Friday. Given the critical need to protect the lake along with other key infrastructure, he found it most worthwhile. Chief Perkins said he'll be attending the meeting with Fire Chief Frank, DMO Lotkowitz, and Finger Lakes Communication to discuss the service problems we experience during high winds. With regard to the period of time when we did not have caller ID on the SFD emergency line (but were paying for it), Chief Perkins said he doesn't have a good answer as to why we didn't learn about it sooner, but he is instituting a procedure to have the dispatch supervisor check weekly to confirm that the necessary features are functioning properly. Chief Perkins also reported that the Officers are finishing up their annual fire arms training.

AMR Status Report

DMO Lotkowitz said he's been comparing the AMR readings to the manual readings and they look good. Mayor Green asked DMO Lotkowitz if he's satisfied with the rate of meter installation and CMO Lotkowitz responded that he has met with the Water Department and they will put out tags asking customers to call and schedule a time for meter change-out. Trustee Angelillo asked if we have electric meters on hand to be installed and DMO Lotkowitz said there are about 25 single-phase meters left and we have 15 three-phase meters on back order. Trustee Angelillo asked whether we can print a bill with the AMR system. Clerk Sheehan said we've demonstrated that we can get AMR readings into our billing system and the vast majority of the readings look good. There are a few instances where we need to accommodate a different dial size and use a leading zero or have a decimal before the last digit or two, but overall the AMR readings tie into the manual readings. Some of our questions were brought to Dick Kauffuss' attention last Friday and he's coming back on the 16th. She said once the readings are in, it is our system that calculates the usage and prints the bills. EJ Prescott is not responsible for that.

School Tennis Courts at Austin Park

DMO Lotkowitz said he doesn't know if the paving is done or not. The Village has installed three of the six poles and they'll begin trenching for the conduit. He confirmed that the stone path is temporary.

Parkside Subdivision

Mayor Green said he told them they are absolutely not to bring run-of-crush into the subdivision over Orchard Road as the subdivision approval clearly stated that everything in Phase II and III was to be brought in off Fennell Street. DMO Lotkowitz said that as of October 7th, they were using the bridge.

Hazardous Mitigation Plan Workshop

Mayor Green reported that he attended the County's workshop with Chief Perkins and DMO Lotkowitz and they agreed to meet again tomorrow at 8 a.m.

Fire Department's Open House

SFD Chief Frank said the weather was bad and attendance down at Friday night's Open House. He said calls continue to average 30-40 per month, with spikes in service when there is a storm, such as last July.

Sidewalk Repairs on East Lake Street

DMO Lotkowitz reported that all the walks on the east side of East Lake Street between Genesee Street and Sachem Drive have been poured and restoration work will be done this week.

Truck Regulations

Trustee Jones commented on the NYS Department of Transportation accepting the request of the NYS Motor Truck Association to extend the comment period on the state's proposed regulations an additional 45 days to November 30th. Mayor Green said he thinks it's a stall tactic to give the truck association more time to put their legal answer together and he concurred with Trustee Jones that residents should continue to send their comments to the State DOT.

Resolution on Amending the Community Center Development Agreement

Mayor Green read the proposed resolution. Trustee Jones asked if the current extension of the development agreement runs to the end of October and Mayor Green said the Town Board voted not to extend the agreement so it expired September 30th. Responding to Trustee Jones' concerns, Village Attorney Byrne said passing this resolution will not place the SRCT or PARCS under any obligation or deadline. Trustee Carlson confirmed with Attorney Byrne that this resolution and the Town's (of October 1st), effectively remove the Village and Town from the discussion. Attorney Byrne said he doesn't know when a transfer of title might take place. On the motion of Trustee Angelillo, seconded by Trustee Lynn, it was resolved and unanimously carried (5-0 in favor) to adopt the resolution as read by Mayor Green.

(Insert Copy of Resolution Regarding 1999 Development Agreement)

Service Award Program Service Fee Agreement with Penflex, Inc.

Mayor Green noted that there is a \$2 increase in the per participant fee (from \$12 to \$14), but the other fees are the same as last year. VC/T Sheehan said inasmuch as we are not having our books audited this year, she would like to engage Penflex to perform the audit footnote to our financial statements. Village Attorney Byrne said approving this agreement is purely administrative and presents no conflict for Trustee Jones as there is no benefit change. 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 Service Fee Agreement with Penflex for an estimated standard service fee of \$3,900 plus \$495 for the LOSAP audit package.

Identity Theft Prevention Program

Village Attorney Byrne explained that the Village is required by the Federal Trade Commission to have this program in place. Following a self assessment to identify areas of exposure, we concluded that we have very "low risk" in that we only generate tax and utility bills with minimal customer information and we don't accept credit card payments. On the motion of Trustee Jones, seconded by Trustee Carlson, it was resolved and unanimously carried (5-0 in favor) to adopt the Identity Theft Prevention Program.

(Insert Copy of the Identity Theft Prevention Program)

Adjust Utility Account #90520

On the motion of Trustee Jones, seconded by Trustee Carlson, it was resolved and unanimously carried (5-0 in favor) to authorize adjusting the September consumption for billing purposes on Utility Account #790520 from 6900 cubic feet to zero cubic feet as the property is vacant but had a toilet valve stuck. The water charge will not be adjusted but the sewer charge of \$293.25 will be forgiven.

Deputy VC/T Couch Recipient of a Credentialed Municipal Finance Officer (CMFO) Certificate

Mayor Green reported that Deputy Village Clerk/Treasurer Couch was presented with a renewal certificate as a Credentialed Municipal Finance Officer at NYCOM's Fall Training School in Albany. He offered congratulations to Deputy VC/T Couch for her achievement and commitment to continued professional growth.

Cemetery Street Signs

Cemetery Board Commissioner Blackler showed photos of the first five street signs to be installed.

Locally Designated Historic District on West Lake Street

Mayor Green and Trustee Angelillo said they have been getting calls from West Lake Street residents who are opposed to the creation of a locally designated historic district. Village Historian Blackler said she feels there is confusion and concern that such a district would be overly restrictive and Mayor Green agreed that the property owners don't want to be told what they can do. Mrs. Blackler said they are turning down the only protection they can get and in practice, the regulations have not been strictly applied. Trustee Angelillo suggested that when the meeting is held to discuss putting the electric service underground for a portion of West Lake Street, the invitation list be expanded and the locally designated historic district should be added to the agenda.

Executive Session for Attorney/Client Meeting

At 7:55 p.m., on the motion of Trustee Jones, seconded by Trustee Carlson, it was resolved and unanimously carried (5-0 in favor) to enter into an Executive Session for an attorney-client meeting with SFD Chief Bob Frank in attendance. The Executive Session ended at 8:50 p.m.

The meeting was adjourned at 8:50 p.m.


Sally L. Sheehan
Village Clerk

**RESOLUTION REGARDING
SKANEATELES COMMUNITY CENTER**

WHEREAS, the Village of Skaneateles (“Village”), Town of Skaneateles (“Town”) and the Skaneateles Recreational Charitable Trust (“SRCT”) entered into a written agreement dated October 11, 1999 (the “Development Agreement”); and

WHEREAS, the Development Agreement provided for the acquisition of land and development of the Skaneateles Community Center by SRCT; and

WHEREAS, the Development Agreement provided that the Community Center, upon completion, would be leased by SRCT to the Town, to be operated by the Town; and

WHEREAS, the Development Agreement further provided that the ownership of the land and building would be conveyed by SRCT to the Village, with such transfer of title to occur not later than December 31, 2007; and

WHEREAS, by reason of a number of factors, including significant changes in circumstances which have occurred since October 11, 1999, the ownership of the property has not been transferred to the Village; and

WHEREAS, said changes in circumstances include (1) the realization that user fees established for the Community Center have been insufficient to cover its operating costs, contrary to Section 8(A) of the Development Agreement, and (2) the Town had been required to subsidize the operating costs of the facility using Town property tax revenues, and (3) the Town has been unable to establish appropriate capital reserves for the Community Center, as contemplated by Section 8(B) of the Development Agreement, because of the substantial contribution of property tax revenues required to subsidize operating deficits, and (4) the establishment of an endowment for future capital reserves and replacements at the facility, as contemplated by the Development Agreement, has not materialized, and

WHEREAS, the Village has concluded that the changes in circumstances occurring since the date of the Development Agreement make it inappropriate for the Village to accept a transfer of ownership of the property, and

WHEREAS, SRCT was formed exclusively for charitable and educational purposes and to benefit four specified entities: the Town of Skaneateles, the Village of Skaneateles, Skaneateles

Central School District, and Austin Park Development Fund, Inc. (now known as the Parks and Recreation Council of Skaneateles, Inc. ("PARCS")); and

WHEREAS, the organization known as PARCS has reconstituted its Board of Directors, with the intention of establishing itself as an appropriate organization to acquire title to the property; and

WHEREAS, PARCS has demonstrated a willingness and an ability to acquire ownership of the property and to manage, safeguard and maintain the property; and

WHEREAS, the Town Board, by Resolution adopted October 1, 2009 has authorized an amendment to the Development Agreement for the purpose of authorizing a transfer of ownership of the property from SRCT to PARCS;

NOW, THEREFORE, it is resolved, by the Village Trustees as follows:

RESOLVED, that the Village authorizes an amendment to the Development Agreement for the purpose of approving a transfer of title of the Community Center land and building to PARCS, and it is further

RESOLVED, that the Mayor is authorized to execute such amendment and such other related documents as may be necessary or appropriate to accomplish such amendment and transfer of ownership of the property, and it is further

RESOLVED, that the Development Agreement, which has been renewed and extended by the parties since December 31, 2007, may not be renewed or extended again by the Village.

This Resolution adopted the 12th day of October, 2009.

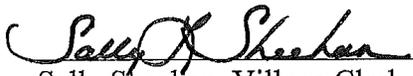
Motion Made by Trustee Angelillo

Motion Seconded by Trustee Lynn

Voting in Favor: Trustees Angelillo, Lynn, Carlson and Jones, and Mayor Green

Voting in Opposition: none

Certified this 12th day of October, 2009 by:


Sally Sheehan, Village Clerk

Village of Skaneateles

IDENTITY THEFT PREVENTION PROGRAM

I. Program Adoption

The Village of Skaneateles ("Village") developed this Identity Theft Prevention Program ("Program") pursuant to the Federal Trade Commission's Identity Theft Prevention Red Flags Rule ("Rule") at 16 CFR 681.2 which implements Sections 114 and 315 of the Fair and Accurate Credit Transactions Act of 2003. This Program was developed in consultation with the Village's Board of Trustees, Clerk and department heads, and legal counsel, after conducting an assessment of risk of Identity Theft associated with certain Covered Accounts (as defined below) held by the Village. After consideration of the size and complexity of the Village's operations and account systems, and the nature and scope of the Village's activities, and the Guidelines set forth in Appendix A of the Rule, the Board of Trustees determined that this Program was appropriate for the Village, and therefore approved this Program on the 12th day of October, 2009.

In accordance with the applicable law and regulations, and based upon an analysis of the Village's handling of Customer Accounts and Identifying Information, the Village hereby determines that it is a low risk for identify theft. Some of the reasons for that determination are as follows:

- Village staff know its "Customers" (residents) personally.
- The Village generates annual property tax bills which are sent to its residents and paid by them.
- The Village provides utility services directly to its residents homes or businesses and sends periodic invoices for those services and receives payment directly from residents.
- The Village has not experienced an incident of identify theft to date.
- The Village does not accept payments by credit card.

II. Program Definitions

For the purposes of this Program, the following definitions of terms that are capitalized in this document apply, unless the context clearly requires otherwise:

1. Account. "Account" means a continuing relationship established by a person with the Village to obtain a product or service for personal, family, household or business purposes.
2. Covered Account. A "Covered Account" means (a) any Account the Village offers or maintains primarily for personal, family or household purposes, that involves multiple payments or transactions, including one or more deferred payments; and (b) any other Account the Village identifies for which there is a reasonably foreseeable risk to customers or to the safety and soundness of the Village from Identity Theft.

Collection, utilization, and storage of Identifying Information occurs at certain points of public contact with the Village. Because some components of the data incorporated into records could be used to perpetrate Identity Theft, all records maintained by the Village are pertinent to "Covered Accounts" for the purpose of our identity theft prevention program. This includes:

- a. Personally identifying information such as a drivers license, address, or phone numbers used to communicate with Village residents.

The Village has identified the following types of Accounts as Covered Accounts:

- Utility accounts (water, sewer and electric)
- Property tax accounts

3. Customer. A "Customer" means a person or business entity that has a Covered Account with the Village.
4. Identifying Information. "Identifying Information" means any name or number that may be used, alone or in conjunction with any other information, to identify a specific person, including name, address, telephone number, social security number, date of birth, government-issued driver's license or identification number, alien registration number, government passport number, employer or taxpayer identification number or unique electronic identification number.
5. Identity Theft. "Identity Theft" means fraud committed using the Identifying Information of another person.
6. Red Flag. A "Red Flag" means a pattern, practice, or specific activity that indicates the possible existence of Identity Theft.
7. Service Provider. "Service Provider" means a person or business entity that the Village has engaged to perform an activity in connection with a Covered Account.

III. Program Purposes

The purposes of the Program are to:

1. Identify the relevant Red Flags based on the risk factors associated with the Village's new and existing Covered Accounts and incorporate those Red Flags into the Program;
2. Institute policies and procedures for detecting Red Flags;
3. Identify steps the Village will take to respond appropriately to detected Red Flags, in order to prevent and mitigate Identity Theft; and
4. Create a system for regular updates and administrative oversight to the Program.

IV. Identification of Red Flags

In light of its low risk status for identity theft, the Village has identified the following Red Flags to be most relevant to the Village.

1. Requests for billing account information or payment status of a customer received from a third party.
2. Alerts received from a customer, an identify theft victim or law enforcement.

V. Detection of Red Flags

In order to facilitate detection of the Red Flags identified in Section IV, staff of the Village will take the following steps to obtain and verify the identity of Customers.

A. Existing Accounts

1. Verify identification of Customers and individuals purporting to act on behalf of Customers if they request information (in person, via telephone, via facsimile, via email) before giving out any personal information;
2. Verify the validity of requests to change billing addresses.
3. Unusual or suspicious inquires or occurrences will be referred to the Skaneateles Police Department without delay. The responding Officer will document the information and conduct an investigation regarding the circumstances. In the event that the investigation leads outside the Skaneateles Police jurisdiction and cannot be handled locally, the Chief or Sergeant will decide on the appropriate agency to turn the case over to.

VI. Preventing and Mitigating Identity Theft

In order to prevent and mitigate the effects of Identity Theft, staff will follow the appropriate steps identified in Section V.

VII. Program Updates

The Program will be periodically reviewed and updated to reflect changes in risks to Customers and to the safety and soundness of the Village from Identity Theft. The Program Administrator shall at least annually consider the Village's experiences with Identity Theft, changes in Identity Theft methods, changes in Identity Theft detection and prevention methods, changes in types of Accounts the Village maintains and changes in its business arrangements with other entities and Service Providers. After considering these factors, the Program Administrator shall determine whether changes to the Program, including the listing of Red Flags, are warranted. The Program Administrator shall present any recommendations for material changes to the Board of Trustees for review and approval.

VIII. Program Administration

A. Oversight

The Village Clerk/Treasurer is appointed as the Program Administrator. The Program Administrator, in conjunction with the Board of Trustees, is responsible for developing, implementing, administering and updating the Program. The Program Administrator shall be responsible for the Program administration, for oversight of appropriate training of staff on the Program, for reviewing any staff reports regarding the detection of Red Flags and the steps for preventing and mitigating Identity Theft, determining which steps of prevention and mitigation be taken in particular circumstances, and considering periodic changes to the Program.

B. Staff Training and Reports

New employees to the Village will be informed that the Village has an approved Identity Theft Program in place. Village staff responsible for implementing the Program shall be trained upon hire under the direction of the Program Administrator in the detection of Red Flags, and the responsive steps to be taken when a Red Flag is detected. This training shall be reinforced annually and as warranted by changes in the Program. Staff will be responsible for reporting any incidents of Identity Theft to the Program Administrator for review and follow up. The Program Administrator will report annually to the Board of Trustees on the Program's compliance with the Program and the effectiveness of the Program.

C. Service Provider Arrangements

In the event the Village engages a Service Provider to perform an activity in connection with one or more Covered Accounts, the Village shall exercise appropriate and effective oversight of Service Provider arrangements so as to substantiate their obligation and readiness to detect, prevent, and mitigate the risk of Identity Theft in connection with the Village's Covered Accounts. Based on the Program Administrator's assessment of Service Providers and their particular duties with respect to the Village, key Service Providers may be required by contract to have policies and procedures in place designed to detect, prevent and mitigate the risk of Identity Theft with regard to Covered Accounts.

D. Confidentiality of Specific Practices

Inasmuch as public disclosure of the Village's specific practices to identify, detect, prevent and mitigate Identity Theft may compromise the effectiveness of such practices, dissemination of detailed information on such specific practices shall be limited, to the extent allowed by law, to the Board of Trustees, the Program Administrator, Village employees and Service Providers who need to be aware of such practices in connection with carrying out their duties to the Village, and such other individuals and entities as the Program Administrator may identify.

Adopted: October 12, 2009