

**REGULAR MEETING, VILLAGE BOARD OF TRUSTEES  
MONDAY, OCTOBER 26, 2009  
7:00 P.M.**

PRESENT: Mayor Bob Green, Trustees Marc Angelillo, Kathryn Carlson, and Sue Jones, Codes Enforcement Officer (CEO) Jorge Batlle, Director of Municipal Operations (DMO) Bob Lotkowitz, \*Police Chief Lloyd Perkins, Joint Comprehensive Plan Update Committee Member Alan Dolmatch, Village Historian Pat Blackler, Village Attorney Mike Byrne

ABSENT: Trustee Tim Lynn

OTHERS	Nate Robson	Skaneateles JOURNAL (Auburn CITIZEN)
PRESENT:	Miranda Pennock	Skaneateles PRESS
	Richard Clayton	Severn Trent, Operator for Wastewater Treatment Plant
	Cliff Abrams	37 State Street
	Stu Cook	24 West Austin Street
	Michael Dudden	37 Fennell Street
	Bob Eggleston	Architect for Aaron Moss
	Helen Hoffman	31 Fennell Street
	Joe Loperfido	78 Fennell Street

**Public Hearing, Local Law #2 of 2009, Add two 3-way stops on Fennell Street**

At 7 p.m., Mayor Green opened the public hearing to consider Local Law #2 of 2009, advertised in the October 7, 2009, issue of the Skaneateles Journal, to establish 3-way stops at the intersection of Fennell and Kelley Streets and the intersection of Fennell and West Austin Streets.

(Insert Affidavit of Publication)

Mayor Green acknowledged that he'd previously expressed his opposition to this local law, feeling there is not enough vehicle traffic or pedestrian volume to warrant the added stop signs, but recognized that Trustees Carlson and Lynn feel strongly that there is a need. Trustee Carlson said she lives on West Austin Street and does a lot of walking. She's seen pedestrians cross Fennell to access the Creekside bookstore and Ace Hardware and feels the crosswalks would be a good safety precaution. Trustee Angelillo questioned whether we aren't just creating parking for the Creekside. Trustee Carlson said some folks do park in one location and then walk to other spots, but much of the traffic is just pedestrian. Mayor Green said in his past life as a DPW Superintendent, he was aware that sometimes stop signs create problems, such as the noise of tires squealing or of shifting to start up and he noted the commercial traffic on Fennell. Trustee Jones questioned whether we need to add stop signs at both intersections when we already have one at West Elizabeth and Fennell. Trustee Carlson acknowledged that adding one new stop would be better than none and there is more traffic at the Kelley Street intersection.

Mayor Green read the letter from Richard and Marian Marchand of 14 West Austin Street, who couldn't be present tonight, but support stop signs being added at both intersections.

Jorge Batlle said he's not in favor of the Austin Street crossing as it will just create another stop for SAVES, but he feels the stop at Kelley would be good as it is a blind turn. He commented that it would be good if the existing stop at Kelley and Hannum were enforced.

Joe Loperfido said he's lived at 78 Fennell for fifty years and feels that a pedestrian need only wait 30-50 seconds to cross at Austin so he doesn't feel a stop sign is required, but he wouldn't have a problem with one at Kelley.

Trustee Angelillo clarified that the P&C parking lot is leased by the P&C. He expressed concern over infringing on the P&C's parking by encouraging people to park there, as it was acknowledged that folks probably do park at the P&C to attend events at the Creekside and Creamery.

**Public Hearing, Local Law #2 of 2009 (Cont'd)**

Stu Cook who lives at 24 West Austin Street said he is outside in his yard almost every day and hardly ever sees anyone walking across to Ace Hardware so he doesn't think a stop sign at Austin Street is needed. With regard to a stop sign at Kelley, he doesn't think it will affect the P&C, noting that they could put up no parking signs, but people will park there for Creekside events anyway and the crosswalk will make it safer for them.

DMO Lotkowitz said a resident commented to him last week that drivers don't want to stop at crosswalks so we need to enhance the crosswalks with a stop sign at the crosswalk and hatch lines painted on the pavement.

Helen Hoffman who lives at the corner of Kelley and Fennell said she hadn't thought about the stopping and starting noise.

Cliff Abrams said he's opposed. We're regulated enough and this will just add more signs to be ignored.

Mayor Green said we have received other requests in the past, such as at the intersection of Leitch and Academy, and he is concerned if we approve this, we'll open ourselves to many other requests. Alan Dolmatch said he proposed the Leitch Avenue signs because of kids playing in the street. The proposal was not accepted by the Village Board. He noted, however, that there had been no incidents before his request and there have been none since.

In response to Mayor Green, DMO Lotkowitz said the DPW staff haven't said anything about plowing with the added stop signs. The hearing was closed at 7:25 p.m.

On the motion of Trustee Carlson, seconded by Trustee Jones, it was resolved to adopt Local Law No. 2, amended to delete any stop sign at the intersection of West Austin and Fennell Street, but to add a 3-way stop at the intersection of Kelley and Fennell Streets. Voting in favor: Trustees Carlson and Jones. Voting against: Mayor Green and Trustee Angelillo. With no clear majority in Trustee Lynn's absence, Trustee Jones asked that the proposed local law be on the agenda for the November 9<sup>th</sup> meeting.

**Minutes**

On the motion of Trustee Carlson, seconded by Trustee Jones, it was resolved and unanimously carried (4-0 in favor) to approve the minutes of the Regular Meeting of October 12, 2009, as presented.

**Bills**

On the motion of Trustee Angelillo, seconded by Trustee Carlson, it was resolved and unanimously carried (4-0 in favor) that bills from Abstract #10 be audited and paid as follows:

General Fund	Vouchers	384 - 422	Checks	11395 - 11433	\$51,777.32
Sewer Fund	Vouchers	91 - 98	Checks	3396 - 3403	2,027.64
Water Fund	Vouchers	66 - 71	Checks	2874 - 2879	1,618.15
Electric Utility Fund	Vouchers	102 - 115	Checks	3918 - 3931	71,642.43

It was further resolved to authorize reimbursement to Mary Kate Shane in the amount of \$58.56 (T&A #49534) for the purchase of refreshments served at a reception for Village Landing residents to thank members of the Fire Department and \$518.84 (T&A #49535) to UpBeat Inc for a park bench in memory of Lou Everding which will be reimbursed to the Village by the Chamber of Commerce.

**Deputy Clerk/Treasurer Couch's Report on Fall Training School**

Mayor Green complimented Deputy Village Clerk Treasurer Patty Couch's report from attending the Conference of Mayors Fall Training School held in Albany the week of September 21<sup>st</sup>. The Mayor proposed that other department heads and staff who attend schools provide the same type of report. Trustee Carlson and Jones agreed that Deputy VC/T Couch's report was very good.

**Halloween Sales**

Mayor Green announced that Chief Perkins sent letters to various stores and gas stations, asking that they refrain from the sale of eggs, shaving cream and spray paint to all youths on Friday and Saturday, October 30<sup>th</sup> and 31<sup>st</sup>, in an effort to curtail potential property damage on Halloween.

**North Shore Property Owners Association**

Mayor Green reported that North Shore Property Owners Association President Arnie Rubenstein wrote that Richard Schmidt, Beverly White, Denise Gambell, Linda Roche, and Carmen Logan have volunteered to be members of any future parking committee which the village may form.

**AIMS Funding**

Mayor Green reported that we've received notice that the Governor is proposing an 8% reduction in AIMS funding (State Aid and Incentives for Municipalities) for next year. This year we received \$24,351.

**Halloween Curfew**

On the motion of Trustee Jones, seconded by Trustee Carlson, it was resolved and unanimously carried (4-0 in favor) to impose a 9:30 p.m.\* curfew on Halloween night for youngsters 18 years of age and younger unless they are with a parent. (\*This is the "modified" time, later adjusted by the Board to conform with the time which the Board learned had already been given to the media by Police Chief Perkins).

**Public Hearing, Local Law #3 of 2009, Amend Solicitor's License Exemption Criteria**

At 7:30 p.m., Mayor Green referenced the Affidavit of Publication from the October 7, 2009, issue of the Skaneateles Journal, advertising a public hearing to consider limiting the exemption for person under age 18 from needing to procure a solicitor's license to those persons under 18 associated with non-profit organizations.

(Insert Affidavit of Publication)

Village Attorney Byrne explained that the current exemption has been on the books for years and was intended to exempt school-aged kids affiliated with a non-profit organization, such as scouts, from needing a license to go door-to-door. Jorge Batlle asked if they are required to carry an ID and Village Attorney Byrne answered, no. Bob Lotkowitz inquired about the youngster who sought "People to People" funding and Village Attorney Byrne said that was a presentation to the Village Board and represented a school-affiliated activity. Alan Dolmatch suggested that a list of criteria be provided to the school. Village Clerk Sheehan said this has never been a problem until this year when a youngster was performing in the downtown district and accepting donations for personal gain. Village Attorney Byrne said the alternative to not receiving the exemption is merely to register for a license. On the motion of Trustee Jones, seconded by Trustee Carlson, it was resolved and unanimously carried (4-0 in favor) to adopt Local law #3 of 2009 as presented. Inasmuch as proposed Local Law #2 discussed earlier tonight was not adopted and the local laws must be filed sequentially with the Office of the Secretary of State, this local law will be re-numbered to become Local Law #2 of 2009. (The local law to provide 3-way stops on Fennell Street will become Local Law #3 of 2009 when it is reconsidered at the Board's November 9<sup>th</sup> meeting.)

**Status Report on Comprehensive Plan Update Committee**

Committee Member Dolmatch reported that Town Planner Howard Brodsky and Committee Chairman Bob Lotkowitz had compiled the committee's comments on Section III (Land Use) for discussion at last Wednesday's meeting. Following that discussion, Mr. Dolmatch agreed to draft the first two parts of Section III to illustrate how he'd re-draft the section to incorporate the committee's comments and differentiate between goals and implementation strategies. Mr. Dolmatch completed this illustrative draft and submitted it to Mr. Brodsky on Friday. Mr. Dolmatch said he also compiled the Village Board's response to his menu of policy issues and the Village Board has copies of his tabulation. He noted there was less than unanimity and if the Board wants to meet and hammer out a consensus on any of the issues, he'd be happy to participate. Chairman Lotkowitz said he was involved in the initial plan and it took

**Status Report on Comprehensive Plan Update Committee (Cont'd)**

to complete, meeting twice a month. This time they are trying to move things along and hope to complete the re-draft of Section III over the next few meetings and long-term, they hope to have something in the hands of the Boards by October, 2010. Chairman Lotkowitz said while this is the comprehensive plan of the Village and Town, it should allow for some differences in objectives.

**NYCOM Forum on Local Government Consolidation**

Mayor Green reported that he attended the NYCOM Special Forum on "Local Government Consolidation and Dissolution" on October 22<sup>nd</sup>, presented by NYCOM Attorney Wade Beltramo. He found it very interesting and informative and said he would encourage any one to attend a similar presentation if they have the opportunity. Mayor Green said that probably the major objection to the Attorney General's Government Reorganization Act is the lack of time provided to study the impact of dissolution and produce an informed vote because once a village is petitioned, the Village Board must pass a resolution calling for a referendum to be held within 60-90 days of the resolution date, which is just not enough time. The Reorganization Act is in response to the 10,500 overlapping government units and is intended to produce efficiency and savings, but Mr. Beltramo suggested that NYS's municipal structure is outdated, particularly in incentivizing the creation of districts, a fallout of urban sprawl. He said that in 1940 there were 2,000 special districts and by the year 2000, there were over 6,000 special districts. In Onondaga County alone there are 941 districts, and it is estimated that each village dissolution would result in the formation of 3-8 new districts. The Reorganization Act did not address annexation, but the law doesn't allow for modification of city and village boundaries to areas served. Mayor Green said NYCOM's alternatives to dissolution include shared services, simplified annexation, co-terminous town/village, consolidation of towns with neighboring towns, chartering villages as cities, exempting villages from town taxes, and discontinuance of services. Alan Dolmatch asked whether the assets are purchased and Mayor Green responded that the assets would be transferred, but the debt would stay with the activity through the special districts. DMO Lotkowitz asked about the municipal electric and Mayor Green said that wasn't addressed. Mayor Green said NYCOM is putting together a paper for the Office of the Attorney General.

**Violence in the Workplace Training**

Chief Perkins reported that 52 persons from the Village, Town, and SAVES attended the training and the Town is being provided with a copy of Officer Bill Marventano's PowerPoint presentation. Village employees will receive a flyer to do a security assessment of their workplace. Chief Perkins said this is the second time we've offered the training and we now have a 20-minute DVD, so employees can do the annual update in their offices. He thanked Officer Marventano for conducting the morning and evening sessions and SAVES for providing the meeting space. Chief Perkins said awareness is key because you just don't know how someone will react to your cutting down their tree or presenting a bill when they've lost their job, etc.

**School Tennis Courts at Austin Park**

DMO Lotkowitz said the courts are being paved and the fence is in. Lights are due the second week in November. The Light Department is replacing the transformer with a larger one. He expects the courts will be operational in the spring.

**Public Hearing, Critical Impact Permit for Aaron Moss**

At 8:07 p.m., Mayor Green referenced the Affidavit of Publication from the October 14, 2009, issue of the Skaneateles JOURNAL for a public hearing to consider a Critical Impact Permit (CIP) for Aaron Moss for a change of use from retail to office at 3-11 West Genesee Street.

(Insert Affidavit of Publication)

Architect Bob Eggleston stated that Aaron Moss is re-locating his real estate office into the former White Sleigh space in the Blue Water Building, which is a change of use from retail to office. The Planning Board has completed their site plan review and recommends approval of a CIP from the Village Board.

**Public Hearing, Critical Impact Permit for Aaron Moss (Cont'd)**

The real estate office employs 7-8 full and part-time agents with four generally being at the office at a time. Most client contact is offsite. There are no truck deliveries and refuse is paper only. Office use is a permitted use in the Downtown D district and water and sewer consumption will be about the same. The sign will be replaced, but will comply with the Village's sign ordinance. Mr. Eggleston asked if the Board wanted him to read through his response to the criteria and Mayor Green indicated that since the Trustees all had a copy, that wouldn't be necessary. Trustee Jones inquired whether Mr. Moss would be using the crawl space/basement area and Mr. Eggleston answered, no. Trustee Angelillo asked if the sign will be approved by the Planning Board and Mr. Eggleston said that won't be required because the building is not in the historic district. There were no comments from the floor and the hearing was closed at 8:15 p.m. Trustee Jones said her son just bought a home from Aaron Moss and she questioned whether she should abstain. Village Attorney Byrne said he didn't see any conflict. On the motion of Trustee Carlson, seconded by Trustee Angelillo, it was resolved and unanimously carried (4-0 in favor) to grant a Critical Impact Permit to Aaron Moss for his office at 3-11 West Genesee Street.

(Insert Copy of Resolution and Required Findings)

**Thayer Park Sign**

Mayor Green said the new sign looks good and DMO Lotkowitz said that Chase Design did the lettering on frosted Plexiglas. He added that we have a back-up sign, as the lettering will eventually wear off.

**2010 Fire Protection Contract**

On the motion of Trustee Angelillo, seconded by Trustee Jones, it was resolved and unanimously carried (4-0 in favor) to authorize Mayor Green to sign the 2010 Fire Protection Contract with the Town and the Skaneateles Volunteer Fire Department.

**2010 Dispatch Contract**

On the motion of Trustee Jones, seconded by Trustee Carlson, it was resolved and unanimously carried (4-0 in favor) to authorize Mayor Green to sign the 2010 Dispatch Contract with the Town of Skaneateles.

**Re-Allocate Ownership of Fire Station Property**

Village Attorney Byrne explained that the Board needs to authorize the Mayor to sign and deliver a deed to the Town for the Town Supervisor to sign which would re-allocate ownership of the fire station property from its current 50-50, to 60% Town and 40% Village, more accurately reflecting the distribution of debt service payments. Mayor Green noted that Alan Dolmatch's final recap of project costs have been sent to Town Budget Officer Winkelman, the village has paid QPK, and re-allocating ownership is the final step toward the final distribution of the Mackes funds. On the motion of Trustee Jones, seconded by Trustee Angelillo, it was resolved and unanimously carried (4-0 in favor) to authorize Mayor Green to sign the deed re-allocating ownership of the fire station property 60% Town, 40% Village.

**Executive Session for Attorney/Client Meeting**

At 8:30 p.m., on the motion of Trustee Jones, seconded by Trustee Angelillo, it was resolved and unanimously carried (4-0 in favor) to enter into an Executive Session to discuss a contract matter. The Executive Session ended at 9:30 p.m.

The meeting was adjourned at 9:30 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

### 10/26 LL#2 3-way Stops Village of Skaneateles

of which annexed is a printed copy, was published in said paper 1 time namely on the **7th** day of **October, 2009**.

Signed Kathleen Weldon

Sworn to before me, this 19<sup>th</sup> day of October 2009.

Carol Speach

Carol Speach, Notary Public

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

10/26 LL#2 3-way stops  
**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, October 26, 2009**, at 7:00 p.m. at the Village office, 46 East Genesee Street, Skaneateles, New York, to consider proposed Local law No. 2 of 2009 to establish 3-way stops at the intersection of Fennell and Kelley Streets and the intersection of Fennell and West Austin Streets.  
Dated: September 28, 2009  
Sally L. Sheehan, Village Clerk  
Village of Skaneateles  
T1, 10/7

# State of New York

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### 10/26 LL#3 Exemptions Village of Skaneateles

of which annexed is a printed copy, was published in said paper 1 time namely on the 7<sup>th</sup> day of **October, 2009.**

Signed Kathleen Weldon

Sworn to before me, this 19<sup>th</sup> day of October 2009.

Carol Speach

Carol Speach, Notary Public

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

10/26 LL#3 Exemptions  
**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, October 26, 2009, at 7:30 p.m.** at the Village office, 46 east Genesee Street, Skaneateles, New York, to consider proposed Local law No. 3 of 2009 to amend Chapter 149 (Peddling & Soliciting) Article I, Section 149-3, Subsection A(3) to limit the exemption for persons under age 18 to those individuals associated with a non-profit organization.  
Dated: September 28, 2009  
Sally L. Sheehan, Village Clerk  
Village of Skaneateles  
T1, 10/7

# State of New York

## Onondaga County, Village/Town of Skaneateles

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### 10/26 Board Meeting Moss Village of Skaneateles

of which annexed is a printed copy, was published in said paper 1 time namely on the **14th** day of **October, 2009**.

Signed Kathleen Weldon

Sworn to before me, this 19<sup>th</sup> day of October 2009.

Carol Speach

Carol Speach, Notary Public

Carol Speach  
Notary Public  
State of New York  
01SP6139936  
Qualified in Cayuga County  
Commission Expires 01/17/2010

10/26 Board Meeting Moss  
**VILLAGE OF SKANEATELES  
NOTICE OF PUBLIC HEARING**  
Please take notice that the Board of Trustees of the Village of Skaneateles, Onondaga County, New York will hold a public hearing at the Village Office Building, Board Room, on October 26, 2009 at 8:00pm, pursuant to Article XI (regarding Critical Impact Permits) of the Village Zoning Law to consider an application submitted by **Aaron Moss**, per Section 225-52(H), for a change of use from retail to office for the building located at 3-11 West Genesee Street in the Downtown D District of the Village of Skaneateles.  
A copy of the application is available at the Village Office for inspection. All interested persons will have the opportunity to be heard.  
Dated: October 7, 2009  
By Order of the Village Board of Trustees  
Sally Sheehan, Village Clerk  
T1, 10/14

**REGARDING THE APPLICATION OF AARON MOSS  
FOR CRITICAL IMPACT APPROVAL – 3 WEST GENESEE STREET**

**RESOLUTION**

**BACKGROUND**

This matter comes before the Board of Trustees for Critical Impact approval, pursuant to Article XI of Chapter 225 of the Village Code. The matter was referred to the Board of Trustees with a positive recommendation for Critical Impact Approval, by the Planning Board. The project consist of a proposed change of use of a 957 square foot space from retail to office use, for a real estate office to be relocated from Jordan Street.

The matter is now before the Board of Trustees for Critical Impact review pursuant to the application of the property owners.

A public hearing was opened on October 26, 2009, at which time the Trustees heard a presentation by representatives of the applicant. The public hearing was then closed. There has been no opposition to this application.

The Trustees have considered the factors offered in support of the application by the applicant.

**REQUIRED FINDINGS**

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

- a. The plans submitted for the proposed change of use meet the prescribed requirements of Article XI and all applicable regulations.
- b. The proposed change of use will not have an adverse impact upon the character or integrity of any land use within the immediate neighborhood having a unique cultural, historical, geographical, architectural or other special quality of similar magnitude.
- c. The proposed change of use is in harmony with the visual and physical context of the immediate neighborhood.

- d. The proposed change of use is in harmony with and will not impede the orderly development or redevelopment of the general neighborhood and the location, nature and height of buildings, structures, walls, fences and parking areas will not discourage the appropriate development and use of adjacent lands or adversely affect existing land use in close proximity to the subject site.
- e. The proposed use as office space will be developed in such a way as to insure maximum amenities will be available to the site and the new structures will be reasonably accessible for police and fire protection, and the water supply, sewage disposal and surface drainage systems are adequate to serve the proposed subdivision.
- f. Traffic controls for vehicular and pedestrian movement are adequate to protect the safety of the general public and the occupants of the proposed real estate office.
- g. The proposed office will comply with the provisions of Chapter 167 (Sewers) of the Village Code, including Section 167-35 G (I&I Impact fee).

Therefore, based upon all of the foregoing, the Board of Trustees hereby grants Critical impact approval to the applicant.

Adopted this 26<sup>th</sup> day of October, 2009

Motion made by Trustee Carlson

Seconded by Trustee Angelillo

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

Those voting in opposition None (Trustee Lynn absent)