

**REGULAR MEETING, VILLAGE BOARD OF TRUSTEES
MONDAY, JUNE 28, 2010
7:00 P.M.**

Present Mayor Bob Green, Trustees Marc Angelillo, Marty Hubbard, Sue Jones, and Tim Lynn, Director of Municipal Operations Bob Lotkowitz, Police Chief Lloyd Perkins, CEO Jorge Batlle, Attorney Mike Byrne

Others Ned Campbell Skaneateles PRESS
Present Nathan Baker Skaneateles JOURNAL

Minutes – **Resolution #2010-100:** On the motion of Trustee Jones, seconded by Trustee Angelillo, it was resolved and unanimously carried (5-0 in favor) to approve the minutes of the Regular Meeting of June 14, 2010 as presented.

Bills - **Resolution #2010-101:** On the motion of Trustee Jones, seconded by Trustee Hubbard, it was resolved and unanimously carried (5-0 in favor) that bills from Abstract #2 be audited and paid as follows:

General Fund	Vouchers	66 - 108	Checks	12059 - 12101	\$232,542.94
Sewer Fund	Vouchers	19 - 28	Checks	3568 - 3577	\$ 9,468.13
Water Fund	Vouchers	18 - 24	Checks	2996 - 3002	\$ 10,367.93
Electric Utility Fund	Vouchers	19 - 34	Checks	4127 - 4142	\$ 80,566.40

Correspondence & Announcements – Mayor Green announced the following:

- A State Budget Update from NYCOM Executive Director Peter Baynes. Mayor Green specifically noted that AIM funding is reduced but not significantly for the Village of Skaneateles.
- A note from Hannum Street resident Tom Rhoads regarding the need of the fire siren. CEO Batlle advised that OSHA requires an audible siren and the Fire Department is looking at and pricing a siren controller. Trustee Angelillo commented that the alarm went off 26 times last Friday morning – that seems excessive. Mayor Green said that Liverpool lost two points with ISO for not having an audible siren, but made it up elsewhere. Trustee Jones said she previously talked to the SFD Chief and agreed to follow-up with Chief Sell.
- A June 14 letter from the NYS DOT announcing that CHIPS funding remains at the same level. DMO Lotkowitz reported that he sent the reimbursement request last week with expenses from the specified timeframe of April 1 to June 14.
- The Notice of Sale/Bid Form and related correspondence from Fiscal Advisors & Marketing relative to the Village's \$400,000 Bond Anticipation Note issue. The date of sale is tentatively scheduled for Wednesday, July 14. Atty. Byrne is going to follow-up on the Preliminary Official Statement. (Note: Orrick's office advised June 30 that there is not an Official Statement regarding this BAN issue.)
- The Onondaga County Mayors' Association Summer Meeting is Thursday, July 29 aboard the Emita II departing from Dutchman's Landing. The 3-hour Dinosaur Dinner Cruise costs \$45 per member and reservations can be made by phoning Rosemary Johnson, Village of Baldwinsville, at 315-635-3521.

AMR Status Report – DMO Lotkowitz reported that he's been working with Dick Kaulfuss and Williamson Law Book (WLB) to create files so that demand meters can be read. We will be able to read water, electric, and demand meters.

Status of UV – DMO Lotkowitz said a kick-off meeting is scheduled for Wednesday, June 30, 2010 at 8:00 a.m. at the Village Office. Municipal Board Commissioners Dolmatch and Moffa will also attend; Stearns & Wheler's Kevin Castro will answer Commissioner Dolmatch's previously submitted comments.

WLS Replacement Project – DMO Lotkowitz stated that the water main is 90% complete, they are setting a couple of manholes, and expect to commence installation of individual tie-ins next week. In response to Trustee Hubbard, DMO Lotkowitz said we will do pressure test and we'll send water testing

WLS Replacement Project continued:

sample results to the Health Department who will determine if chlorine levels are okay. In answer to Atty. Byrne relative to the electric portion of the project, DMO Lotkowitz said it could be done soon - it won't be in our way this year, but will slow us a bit next year.

Clift Park – Trustee Jones said she imagines the condition of Clift Park is the result of the rather heavy rains that happened the day of SCS graduation, and asked DMO Lotkowitz to look at the park and arrange for any necessary repairs.

Kathryn Carlson Request Regarding Sewer Bill Reduction on Acct. 21320 – Mayor Green said this item is back on the agenda because no resolution was reached at the last meeting. Since that time, Clerk Couch has provided copies of prior decisions relative to refunding/reducing sewer charges. The historical research references only two swimming pools – one didn't get relief of the sewer charge, one did. CEO Batlle commented that he called County Plumbing and learned that regulations changed to allow swimming pools to be drained anywhere. Atty. Byrne noted and Mayor Green concurred that there is a consistent past practice of forgiving sewer charges associated with water leaks, but not with swimming pools. **Resolution #2010-102:** On the motion of Trustee Lynn, seconded by Trustee Jones, it was resolved and unanimously carried (5-0 in favor) not to grant any relief for water and sewer charges associated with swimming pools.

Status of Damaged POM Parking Meters – Chief Perkins and Atty. Byrne referenced the June 1, 2010 letter from POM proposing to replace our defective meters for a fourth time. They suggested a new, state of the art pre-treatment process and provided a technical brochure detailing the process. Chief Perkins and Atty. Byrne said the Village shouldn't have to pay for the installations. Atty. Byrne recounted installations first by the DPW, second by Chief Perkins, and the last time POM offered to pay for our people to do the installations but doesn't know if we ever billed POM for that work. Chief Perkins guessed that the work takes us 3 to 4 days – DPW Foreman Perkins would know for sure. A late fall switch out was suggested. Trustee Jones said we have nothing to lose by giving POM another shot. Chief Perkins noted that POM's competition uses the same process and all meters experience some corrosion problems. **Resolution #2010-103:** On the motion of Trustee Hubbard, seconded by Trustee Lynn, it was resolved and unanimously carried (5-0 in favor) to accept the June 1, 2010 POM proposal to supply the Village of Skaneateles with new parking meter housings pretreated using Pai-Kor PlafORIZATION on the condition that the manufacturer arrange for or pay for their installation. It was further resolved to estimate the number of required man hours and the cost of doing the work ourselves and getting the money upfront or have POM do the work.

Renewal of the TCC's for Electric – DMO Lotkowitz reported that he asked Curt Wilson to review renewal of the Transmission Congestion Contracts (TCCs) and talked to him at length. The bottom line is that TCCs are a hedge against congestion charges – a means to smooth the budget. The 10-year TCCs should balance out congestion charges and protect against spikes. TCCs are fixed prices per megawatt – pay a little more for “fire insurance”. DMO Lotkowitz said that Mr. Wilson looked at it and said to stay with NYMPA's recommendation that the Village buy 4 TCCs. In response to Trustee Hubbard, DMO Lotkowitz some municipalities chose not to buy any and some are NYPA full requirement customers and pass through the cost. The NYMPA plan is system wide, not individual. DMO Lotkowitz said if we drop out of NYMPA we can't get back in and we'd pay for congestion as incurred or go with ISO and buy TCCs. Trustee Lynn noted that if we let spikes slide we'd need a cushion to keep customers “steady”. He suggested being cautious with the size we're at. DMO Lotkowitz agreed to ask Curt Wilson for a summary. This item was tabled until the next meeting.

Cold War Exemption – Mayor Green reported that Town Assessor Ron Miller advised that the Town Board passed an amendment to the Cold War Exemption at their meeting of Thursday, June 17. The new maximum is \$36,000 and \$120,000 for service connected disability. The new exemption will be effective with the 2010 rolls. Mayor Green said there are six Village properties on the 2010 roll and one qualifies for the disability exemption. Atty. Byrne said the County limited the exemption to a ten year period between 2009 and 2019. Trustee Jones commented that she thinks the Village should be consistent with the Town and County and asked Atty. Byrne to draft a Local Law to adopt the Cold War Exemption.

National Grid Local Municipal Gross Receipts Tax Settlement Agreement – Mayor Green said that NYCOM has been working with National Grid to resolve issues arising from the imposition of Gross Receipts Taxes (GRT) upon the sale and delivery of natural gas and electricity. National Grid agreed to waive their claim to the \$4,093 mistakenly overpaid to the Village for the period of 2005-08. The Village would waive any right to demand that National Grid pay \$1,700 in tax for the year 2009. That would result in a Village net gain of \$2,393. Additionally, National Grid will pay the disputed tax going forward, apparently dropping their legal challenge to the law that requires payment of the tax. Atty. Byrne noted that NYCOM is encouraging every affected municipality to participate in the regional calls on July 7 that National Grid has scheduled to walk municipal officials through the settlement offer and answer questions pertaining to the proposal. The Eastern Division conference calls are from 9:00 a.m. and 10:00 a.m., the conference call number is 1-866-561-4997, code number 998662. Atty. Byrne indicated that he will call from his office and Mayor Green said he will do so from his office.

Eloise Luchsinger Request – Mayor Green explained that Eloise Luchsinger wrote requesting permission to encroach onto the Village's adjoining property by installing an AC compressor unit and "future boiler vents" which would extend into the air rights associated with the Village Office building. Mayor Green said he agrees with Atty. Byrne that an easement would likely impede the future ability of the Village, or a future owner, to extend or enlarge the building. Trustee Lynn recalled that a couple of years ago consideration was given to selling the Village Office building. CEO Battle concurred that an easement could be a problem for us or someone else in the future. Atty. Byrne said at some point this building could be expanded toward the lake and it could limit options. He added that a license, as opposed to an easement, is a possibility. Trustee Lynn said he wouldn't be in favor of granting a license that could be revocable as it would burden a future Board. Trustee Jones said that although Ms. Luchsinger is a good neighbor who she'd like to help out, she is also concerned about the restraint for future owners or the Village. Perhaps Ms. Luchsinger and her contractor can determine another location for the compressor unit and vents. The Board concurred that they could not grant Ms. Luchsinger's request – a formal response will be sent.

Authorize DMO Lotkowitz to Hire Summer Intern – In response to Mayor Green, DMO Lotkowitz explained he'd like to hire Devin Sullivan, a Chemical Engineer, as a summer intern to work on the CMOM update, to create a model of the water system, complete the GIS map, etc. DMO Lotkowitz confirmed that a summer intern is included in the FYE '11 budget under CMOM. **Resolution #2010-104:** On the motion of Trustee Jones, seconded by Trustee Angelillo, it was resolved and unanimously carried (5-0 in favor) to authorize hiring Devin Sullivan at \$15.00 per hour for 6-8 weeks effective immediately.

Accept JV Spano Low Bid – **Resolution #2010-105:** On the motion of Trustee Jones, seconded by Trustee Hubbard, it was resolved and unanimously carried (5-0 in favor) to accept James V. Spano Inc.'s low bid for the concrete sidewalks/driveways/ramps. In discussing the motion, Mayor Green said the project progressed to doing three sides of M&T Bank and some handicapped accessible areas. He confirmed that the section of sidewalk in front of White & White Antiques will be done as originally planned.

Town of Skaneateles Lead Agency Request Form – Town/Card Property Exchange – Mayor Green said the Town of Skaneateles passed a resolution to consider acquiring part of a property owned by Bruce and Sheila Card on New Seneca Turnpike in exchange for property the Town owns. The Town declared its willingness to act as lead agency and provided the Village with a Lead Agency Request Form. Atty. Byrne said there is no downside for the Village and explained that the Town has to make the notification for SEQR purposes. **Resolution #2010-106:** On the motion of Trustee Jones, seconded by Trustee Angelillo, it was resolved and unanimously carried (5-0 in favor) to accept designation of the Town Board of the Town of Skaneateles as lead agency for the Conveyance and Acquisition of Property project.

Town of Skaneateles Lead Agency Request Form – Introductory Local Law 2010-C – Mayor Green explained that this Town Board Local Law would establish a six month Moratorium on Hydraulic Fracturing and or Hydrofracking in the Town of Skaneateles. Like the above, the Town declared its willingness to act as lead agency and Atty. Byrne said there is no consequence to the Village. **Resolution #2010-107:** On the motion of Trustee Jones, seconded by Trustee Lynn, it was resolved and unanimously

Town of Skaneateles Lead Agency Request Form – Introductory Local Law 2010C continued: carried (5-0 in favor) to accept designation of the Town Board of the Town of Skaneateles as lead agency for proposed Local Law 2010-C.

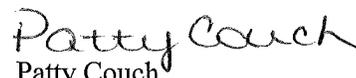
Authorize Deputy Clerk/Treasurer Clark to Take Notary Public Exam – Mayor Green explained that there were, at one time, three Notary Publics at the Village Office and now the only Notary Public is Clerk/Treasurer Couch. **Resolution #2010-108:** On the motion of Trustee Jones, seconded by Trustee Lynn, it was resolved and unanimously carried (5-0 in favor) to authorize Deputy Clerk/Treasurer Clark to take the Notary Public Exam. In discussing the motion, Trustee Jones clarified that the Village will pay the associated fees.

Fiutak Request for Street Barricades – Mayor Green explained that Kira Fiutak wrote on behalf of the Goodspeed Place residents requesting placement of temporary street barricades for a street-wide picnic on August 1, 2010 from 2:30 p.m. until after dark. **Resolution #2010-109:** On the motion of Trustee Jones, seconded by Trustee Angelillo, it was resolved and unanimously carried (5-0 in favor) to authorize placement of temporary street barricades on Goodspeed Place provided they can be moved should emergency vehicles need to access the road. In discussing the motion, Mayor Green recalled that the Village usually provides the barricades.

Benches – Trustee Hubbard provided a printout from the Bench Factory website (www.thebenchfactory.com) showing the Madison Bench that is very similar to the other benches in the Village. Mayor Green asked for a copy of the page and asked Clerk Couch to get a brochure from the company. (Note: On June 29, the Bench Factory advised that they don't have brochures, everything is on-line, and all their benches are assembled with recycled plastic lumber boards. No wood benches are available through the Bench Factory company.)

Executive Session – **Resolution #2010-110:** On the motion of Trustee Angelillo, seconded by Trustee Jones, it was resolved and unanimously carried (5-0 in favor) to enter into an Executive Session for a Client/Attorney discussion at 8:23 p.m.

The Executive Session ended at 9:30 p.m. and the meeting adjourned.


Patty Couch
Village Clerk