

**REGULAR MEETING, VILLAGE BOARD OF TRUSTEES
MONDAY, SEPTEMBER 13, 2010
7:00 P.M.**

PRESENT: Mayor Bob Green, Trustees Marc Angelillo, Marty Hubbard, and Sue Jones, Police Chief Lloyd Perkins, DMO Bob Lotkowitz, Attorney Mike Byrne

ABSENT: Trustee Tim Lynn

OTHERS	Nathan Baker	Skaneateles JOURNAL (Auburn CITIZEN)
PRESENT:	Cliff Abrams	37 State Street
	Mary Gaffney *	Skaneateles Girls Lacrosse Assoc.
	Bridget Marquardt *	Skaneateles Girls Lacrosse Assoc.
	Terri Roney *	Town of Skaneateles Supervisor

30-Year Certificate – Inasmuch as Sergeant Stevens wasn't available to attend tonight's meeting, Mayor Green said the presentation will be made at the September 27th meeting.

Minutes – Resolution #2010-144: On the motion of Trustee Angelillo, seconded by Trustee Jones, it was resolved and unanimously carried (4-0 in favor) to approve the minutes of the Regular Meeting of August 23, 2010.

Bills – Resolution #2010-145: On the motion of Trustee Jones, seconded by Trustee Angelillo, it was resolved and unanimously carried (4-0 in favor) that bills from Abstract #7 be audited and paid as follows:

General Fund	Vouchers #278 - 327	Checks 12274 - 12318	\$83,319.26
Sewer Fund	Vouchers # 74 - 82	Checks 3623 - 3631	\$ 4,844.42
Water Fund	Vouchers # 52 - 59	Checks 3030 - 3037	\$16,775.34
Electric Utility Fund	Vouchers # 89 - 98	Checks 4198 - 4207	\$21,257.69

It was further resolved to authorize payment of \$5,793.74 from the Parkside Escrow (CM22) to Stearns & Wheler for engineering services thru July 31, 2010 and to authorize budget journal adjustments as follows:

<u>Amount</u>	<u>From Account</u>	<u>To Account</u>
\$6,000.00	A3410.210 Plant Maint., Vil. & Districts (Radios)	A3410.200 Operating Equip.
\$ 618.00	A3410.210 Plant Maint., Vil. & Districts (Haz-Mat)	A3410.200 Operating Equip.
\$1,500.00	A3410.210 Plant Maint., Vil & Districts (Portable Pump)	A3410.200 Operating Equip.
\$3,000.00	A3410.210 Plant Maint., Vil. & Districts (Computer)	A3410.200 Operating Equip.

Correspondence & Announcements

Mayor Green announced the following:

- Skaneateles Girls Lacrosse Assoc. (SGLA) Request to display flags in Clift Park. Mary Gaffney and Bridget Marquardt were present and explained that the display would be similar to the one in Hoopes Park in Auburn this Memorial Day weekend. In honor of Veterans' Day, they would like to have a display of flags in Clift Park from Saturday, November 6 until Saturday, November 13, with a tribute ceremony proposed to be held on Veterans' Day, November 11, 2010. Although they are still researching where to purchase the flags, they propose that the flags will be 2' x 3' on 4' poles and hope to have 200-300 flags displayed. In response to Trustee Jones, Ms. Gaffney said they did talk to the lady at St. Joseph's School who organized the display in Auburn, but have not contacted anyone at the American Legion Robert J. Hydon Post 239 here in Skaneateles. Trustee Jones advised that Kurt Reilley is the Commander and Martha Davis may also be someone to talk to at the Legion. Mayor Green said we wouldn't want the Legion to be opposed for any reason. He inquired where the flags will be in the park and suggested starting the display up above the Memorial Park along the pathway that circles the flagpole for visibility. Ms. Gaffney and Ms. Marquardt said they

will need lights on the flags at night and will follow proper flag etiquette. They understand that commercial activity in the park is not allowed and SGLA will seek donations in advance and not within the park. Trustee Jones asked that they purchase flags made in the USA if possible. Trustee Hubbard said he is not opposed but would like more firm details before the Board considers authorizing the display. Trustee Jones commented that support of the Legion is important for her. *Ms. Gaffney and Ms. Marquardt thanked the Board and left the meeting.

- Environmental Finance Center's Smart Management for Small Communities: Practical Resources for Local Governance – Holiday Valley Inn, Ellicottville, NY Oct. 6-7, 2010
- National Grid's Brochure "Natural Gas Pipeline Safety". The Board asked Clerk Couch to add this to the village's website.
- NYS Environmental Facilities Corp. 2010 Tour of Western & Central NY Sept. 13, 11 AM, Cayuga Community College – Auburn Campus. DMO Lotkowitz said he attended.
- Letter from Village Landing Apartments about their New Policies to cover all Emergency Needs for the building
- Blue Knights NY XXXII letter thanking the Police Dept. for assistance on their 8/28/10 fund raising ride
- Annual Update Document for FYE '10-filed electronically August 12, 2010
- A letter from Alan Johnson & Lin Kroeger of 59 W. Genesee St. regarding proposed changes to The Krebs. Mayor Green noted that there is a special meeting this Saturday, September 18, at 9:00 a.m. to discuss this.
- A letter from Dr. Ackerman of 100 Orchard Rd. requesting replacement of two trees that has been passed on to the Tree Committee. Mayor Green noted that CEO Batlle addressed this topic in his written report (see Codes Enforcement below).
- A letter from Ros & Steve Schwartz relative to "temporary snow fencing" between 12 & 14 Heritage Woods Rd. Mayor Green noted that CEO Batlle also addressed this topic in his written report. Trustee Hubbard asked that a copy of the permit be mailed to Dr. & Mrs. Schwartz.
- Meetings with Notre Dame students – Town Board Tues. 9/14 at 8 am; Village Board Tues. 9/14 at 9:30 am; combined Planning and Zoning Boards and CEOs Tues. 9/14 at 11 am; Dept. Heads (fire, police, historians, DPW, water, electric, etc.) Wed. 9/15 at 11 am. Mayor Green asked DMO Lotkowitz to open up Wednesday meeting to his Foremen.
- Mayor Green announced that the Dispatch Office will close permanently on Friday, September 24, 2010 at 4:00 p.m. pending third party arrangements which are anticipated to be resolved by the 24th.

Police/Dispatch Activity Report – Chief Perkins reported that all the Labor Day weekend activities (i.e. football game, Triathlon, parade, SFD Field days, etc.) seemed to go well. Emergency lines were taken out of the Dispatch Center close to three weeks ago and 911 currently answers the phone as Skaneateles Communications if the call comes in on a seven digit number. Mayor Green noted that 911 needs the contact numbers for Light and Water; DMO Lotkowitz said he will receive the calls and contact the appropriate person(s). Chief Perkins further reported that work on the alarms is progressing and he spoke at recent luncheons explaining that the 685-3488 Dispatch number will go on a recording advising the caller to dial 911 for emergencies. Keys kept at the Dispatch Center have been returned, except for some that the Fire Department will retain (i.e. Creamery, Gateway, etc.). Locations for keys to the water tower site are still being worked on but for now keys are in the Police cars. Chief Perkins said some of the equipment in the Dispatch Center has to be removed, but most of the equipment will stay in place; an inventory has been done. Chief Perkins stated that he talked to Dale Bates, SCS Assistant Superintendent for Business & Finance advising him to document any equipment the school purchased. Property check forms and iPark data will be done by the Police. The Chamber of Commerce phone book listings won't change until May and he is working with all the other phone books to have 911 replace the seven digit numbers. DMO Lotkowitz said he got the form for UFPOs that will be dispensed through the DPW. Emergency contacts are included and notification will be to DMO Lotkowitz. Chief Perkins agreed to contact Town Highway Superintendent Jim Card tomorrow morning about their UFPOs. DMO Lotkowitz said an answering service for alarms will be discussed later tonight.

Power Outage – DMO Lotkowitz reported accomplishing all the scheduled work and more during the September 12th power outage. He acknowledged that the crews from the Villages of Greene and Groton were a tremendous help and thanked them for their assistance.

AMR Status – DMO Lotkowitz reported that a couple more water meter installations were made since his last report and installations will continue. More significantly, he and Public Works Maintenance Worker Campbell looked at each of the non-working water meters last week and figured out how to resolve the problems. RNI relocation and configure router is not completed yet.

Status of UV – DMO Lotkowitz said he spoke with Stearns & Wheler who will get something to us later this week. Mayor Green stated that he has not heard anything more regarding a site visit to the Jordan/Elbridge (J/E) UV plant. DMO Lotkowitz said a factory visit to Trojan Industries also still needs to be scheduled. In response to Trustee Angelillo asking if Severn Trent is still being considered, Mayor Green said yes, adding that's one reason we want to visit J/E to look at the size of the UV plant. DMO Lotkowitz said all systems are still viable. Mayor Green recalled that the spreadsheets were updated with additional piping for the Severn Trent unit and said to factor all into the cost. Mayor Green confirmed that Town of Skaneateles Supervisor Roney has been involved with UV discussions.

Codes Enforcement - Inasmuch as CEO Batlle is not present as he is attending the monthly Fire Department Meeting this evening, he provided the following written report. 1. He completed the mandatory 2010 NY State Codes Update class; 2. The building permits issued to date exceed the total permits issued in all of 2009 by six; 3. The Planning Board and ZBA work loads have increased; 4. Parkside Subdivision is about to have another surge in building. However, the developer is under the gun to complete the next section by Sept. 15th. If this is not completed he has been directed to not issue any building permits until it is completed and accepted by the "higher-ups". Completed means installation of sidewalks, street lights, and street trees, and acceptance of the infrastructure including the bridge; 5. Regarding the Agenda for tonight: Ackerman trees – this should be an issue for the Planning Board. The letter came in the day of their meeting, August 31, too late for discussion. It can be placed on the October agenda, as tree planting probably will be discussed for other parts of the subdivision. Roz Swartz letter about snow fence – this is a neighbor/neighbor dispute. Yes, it is a "snow fence". Our Zoning [225-14(3)] does not discuss appearance of the fence other than the good side goes to the neighbor. It is not falling down. It isn't pretty – it is just a snow fence style barrier. Our Zoning does not deal specifically with "temporary" or "permanent" fences. Mr. Julian Corsello has a paid for permit for the fence.

WWTP August Report – Trustee Angelillo reported for August 2010 – flow average of 430,000 gpd which is below the 12-month rolling average, precipitation of 6.3 inches with almost 4 inches on August 22nd but no ORF lagoon overflow, BOD removals were 97% and suspended solids removals were 98%, grab sample ammonia of 25.7, and the DPW transferred 61,500 gallons of liquid sludge to the Auburn WWTP. There was no detectable ammonia found downstream of the outlet. The facility met requirements of its permit and no violations were reported.

Village Historian – Village Historian Pat Blackler noted that with the passing of Carl Wellman, there is an opening on the Cemetery Board. She is going to ask Martha Davis at the American Legion for a possible recommendation and she invites anyone else to suggest someone for the Board. The HLPC is commencing an effort to expand the Historic District onto West Genesee Street. Initially they will be talking to individuals one-on-one to determine the general sentiment. She noted that a special meeting is scheduled on September 18th with the Village, Planning and Zoning Boards to discuss The Krebs application.

Status of Damaged POM Parking Meters – Chief Perkins said he followed-up today and was informed that the meters are being painted, we will install them and POM will reimburse us. Attorney Byrne indicated that he will write a letter of our understanding. Chief Perkins stated that he wants them assembled upon arrival here.

Proposed Settlement Agreement with National Grid – Attorney Byrne referenced his memo of September 8th and noted that National Grid made all of the revisions to its proposed Settlement Agreement requested by NYCOM. There is no substantive change in terms of the impact on the Village which would be as follows: National Grid will waive its claim to force the Village to forfeit \$4,093.02 that was erroneously paid to the Village between 2005 and 2008; The Village would waive any right to demand that National Grid pay \$1,700 in Gross Receipts Tax (GRT) for the year 2009; The net gain to the Village would be \$2,393; National Grid will pay the disputed tax going forward. Atty. Byrne said the acceptance date has been extended to October 29th, and must be approved by all affected municipalities or it is null and void. Atty. Byrne recommended that the Board vote to approve the Settlement Agreement. **Resolution #2010-146:** On the motion of Trustee Jones, seconded by Trustee Angelillo, it was resolved and unanimously carried to authorize Mayor Green to execute the Settlement Agreement with National Grid regarding the local Gross Receipts Tax.

Assessing Unit Status – Mayor Green referenced Clerk Couch's memo of August 30, 2010 asking the Board to consider terminating the Village of Skaneateles' status as an assessing unit for Village Real Property Tax Purposes. It was noted that of the fifteen villages in Onondaga County, only East Syracuse and Skaneateles have not relinquished their assessing unit status. **Resolution #2010-147:** On the motion of Trustee Angelillo, seconded by Trustee Jones, it was resolved and unanimously carried to authorize publication of a Notice of the Public Hearing on Monday, October 11, 2010, at 7:00 p.m. on Local Law #5 of 2010 – Termination of the Village of Skaneateles' Status as an Assessing Unit. In discussing the motion, Attorney Byrne asked Clerk Couch to research if there is a "sample" local law – Trustee Hubbard suggested asking Town Assessor Ron Miller. Clerk Couch explained that the Village bases its assessment roll on the Town's but is not on the same computer program. Therefore, each Village property's land, building, and total value, as well as any exemptions have to be "manually" compared to the Town's roll. Subsequently, changes are made to the Village roll and computer program – a very time consuming process. Clerk Couch recognized Town Assessor Ron Miller as being extremely helpful and responsive to her, CEO Batlle, and Mayor Green.

Treasurer's Reports – **Resolution #2010-148:** On the motion of Trustee Hubbard, seconded by Trustee Angelillo, it was resolved and unanimously carried (4-0 in favor) to acknowledge receipt of the Treasurer's Reports for August 2010.

Dr. Elstein Letter of Credit – Mayor Green referenced Dr. Elstein's letter of August 26, 2010 requesting a reduction in his letter of credit from \$578,215 to \$250,000 and noted that CEO Batlle addressed this item in his written report. Trustee Jones stated that she wants to defer any decision and Trustee Hubbard said he wants a recommendation from the Planning Board. Mayor Green asked if we can base the letter of credit amount on a percentage of completion. Attorney Byrne said the Village can use whatever justification they are comfortable with. Mayor Green commented that he is unclear about what Phase this letter of credit is for. DMO Lotkowitz suggested requiring the letter of credit be enough for the top coat in the subdivision. Recognizing that Prentiss Drive and Whitegate subdivisions don't have the top coat yet, DMO Lotkowitz noted that the top coat may be 10-15 years from now. Therefore, he suggested estimating the cost of the work and adding a factor for inflation. Atty. Byrne advised that Atty. Galbato is making progress with Mr. Furcinito about dedicating Prentiss Drive to the Village and will bring up the top coat. Mayor Green said at some point we need to accept the infrastructure. Traffic control in Parkside was discussed and Chief Perkins said a stop sign needs to be installed off the bridge onto Fennell Street. The Board tabled any decision relative to Dr. Elstein's letter of credit.

Cihon Utility Bill – Mayor Green noted that in the case of an unusually high water bill, past practice has been to make an adjustment for the sewer charge, but not the water. DMO Lotkowitz said he talked to Nancy Cihon and confirmed that they do have a new water meter and that this is not a meter issue. At two gallons per minute it would appear that a toilet was running. Trustee Hubbard said he does not want to deal with utility bill reduction requests on a case-to-case basis – it is all about precedent. Atty. Byrne said requests come to this Board to get an understanding about the leak and there is legal significance as to who is authorized to forgive charges. Trustee Jones recalled that the Village Board reviews the requests and authorizes adjustments to satisfy auditors. Trustee Hubbard said it is all about consistency.

Resolution #2010-149: On the motion of Trustee Jones, seconded by Trustee Angelillo, it was resolved and unanimously carried (4-0 in favor) to follow past-practice by adjusting the August consumption for billing purposes on Utility Account #30680 from 4760 cubic feet to the average water usage of 432.33 cubic feet. The water charge will not be adjusted but the sewer charge of \$202.30 will be reduced to \$18.38 (avg. of 432.33 cu. ft. x's 0.0425 = \$18.38). It was further resolved to direct Atty. Byrne to draft a policy statement relative to utility bill reductions. In discussing the motion, DMO Lotkowitz suggested that he should first be notified of utility billing adjustment requests so that he can look into the matter. If and when he signs the request as approved, the Village Clerk should next also review the matter and sign as approved.

Alarm Monitoring Equipment – Mayor Green noted that DMO Lotkowitz provided his summary of cost and recommendations for the Dispatch Center alarm and call monitoring equipment and is seeking Board approval for the purchase. DMO Lotkowitz distributed another copy of his spreadsheet and reviewed it with the Board. He explained that he wants to keep the alarms system in-house. We can buy and install the equipment for a lot less than the national companies and the alarm notifications can be sent via email to his cell phone or any cell phone as well as the answering service. DMO Lotkowitz said he'd like to utilize the local answering service, Finger Lakes Business Services, as they can accept our alarm notifications. Answer Connect cannot receive email alarms. He added that he believes this is the most cost effective way to handle the calls and alarms for the utility systems in the Village. **Resolution #2010-150:** On the motion of Trustee Angelillo, seconded by Trustee Jones, it was resolved and unanimously carried (4-0 in favor) to authorize the extension of our existing system at a one-time cost of \$10,000.00 and engaging Finger Lakes Business Services as our answering service at an annual cost of \$3,250.00.

GFNB Account Summary – **Resolution #2010-151:** On the motion of Trustee Angelillo, seconded by Trustee Jones, it was resolved and unanimously carried (4-0 in favor) to acknowledge receipt of the Glens Falls National Bank Fire Department Length of Service Award Program Account Summary for August 2010.

Cliff Abram Inquiries – In response to Cliff Abrams, Chief Perkins said the Police who work at the football games are paid by the school. Relative to Mr. Abrams asking about the number of Police working at the Labor Day Field Days, Chief Perkins said we actually cut back on the number this year – there were only three and you never know what kind of crowd will be there. Mayor Green added that the event is benefiting the Fire Department, so we don't cut back there. In response to Trustee Angelillo asking about Police coverage for the Triathlon event, Chief Perkins said he will submit the number of man hours and the Labor Day Race Committee will make a donation. Additionally, they are going to purchase one or two electronic speed signs. Relative to the closure of Dispatch, Mayor Green said the net savings is \$340,000 or \$170,000 for the Village and Town each. The annual cost for the answering service is \$3,250.00 and the pagers for the Fire Department had to be purchased either way. In response to Mr. Abrams, DMO Lotkowitz said the West Lake Street curb was bid and he received four quotes.

* Town Supervisor Terri Roney arrived.

Executive Session – **Resolution #2010-152:** At 8:35 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 for an Attorney/Client Discussion. **Resolution #2010-153:** At 9:09 p.m., on the motion of Trustee Jones, seconded by Trustee Angelillo, it was resolved and unanimously carried (4-0 in favor) to end the Executive Session.

Town Supervisor Roney thanked the Board for their time and left the meeting.

Adjournment – **Resolution #2010-153:** On the motion of Trustee Angelillo, seconded by Trustee Jones, it was resolved and unanimously carried (4-0 in favor) to adjourn the meeting at 9:12 p.m.


Patty Couch
Village Clerk