

Sheehan

**REGULAR MEETING, VILLAGE BOARD OF TRUSTEES
MONDAY, JULY 28, 2008
7:00 P.M.**

PRESENT: Mayor Bob Green, Trustees Marc Angelillo, Kathryn Carlson, and Sue Jones, Codes Enforcement Officer Jorge Batlle, SFD Chief Eric Sell, Village Historian Pat Blackler, Village Attorney Mike Byrne

ABSENT: Tim Lynn

OTHERS	Jason Gabak	Skaneateles JOURNAL (Auburn Citizen)
PRESENT:	Richard Clayton	Severn Trent, Contract Operators of WWTP
	Cliff Abrams	37 State Street
	Dave Blackwell	80 West Lake Street
	Jon Christensen	63 West Lake Street
	Marcelle Riter	14 Onondaga Street

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 July 14th and the Operational Meetings of July 19th and July 21st with the minutes of July 14th **CORRECTED** to show that the Marshalls of 44 West Lake Street would like parking allowed in front of their property.

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

General Fund	Vouchers 212 - 269	Checks 10043 - 10100	\$97,275.96
Sewer Fund	Vouchers 51 - 61	Checks 3090 - 3100	9,526.13
Water Fund	Vouchers 35 - 46	Checks 2624 - 2635	44,764.32
Electric Utility Fund	Vouchers 54 - 67	Checks 3505 - 3518	94,657.65

It was further resolved to authorize payment of \$638 (T&A 46541) from the Parking Trust Fund (CM 24) to Ber-National Controls for parking pay station service calls and \$1,400 from the Joint Village/Town Municipal Offices Capital Projects Fund (#1001) to Michael J. Byrne for June legal services. Additionally, the Board approved the transfer of \$10,000 from the General Fund to the Water Department.

THE COLLECTIVE: On the motion of Trustee Jones, seconded by Trustee Carlson, it was resolved and unanimously carried (4-0 in favor) that The Collective be authorized to use the gazebo in Cliff Park for an Open Mic Night on Saturday, August 9th from 7:30 – 9 p.m., with the stipulation that the event end promptly at 9 p.m.

JOINT BUILDING: Mayor Green reported: 1) the field survey work was completed last week; 2) the architect will be meeting with Town Court personnel on August 1st to discuss programming; 3) the Intermunicipal Agreement is still under discussion; 4) no design work is complete yet, and; 5) the committee will next meet on Thursday, July 31st.

WWTP: Trustee Angelillo reported that there were no violations of our SPDES permit in June. BOD removals were at 98% and suspended solids at 97%. The monthly average flow was .334 MGD. Our rolling average is now .58 MGD in comparison to our permitted flow of .85 MGD. Fifty-four thousand gallons of sludge were hauled to the Auburn WWTP. In response to Village Attorney Byrne, Richard Clayton reported that the SPDES renewal application has been submitted and the Village should receive a copy of the draft contract renewal for WWTP operation from Severn Trent this week.

LL #3 OF '08: Village Attorney Byrne said the Public Hearing of July 14th was closed and the Board agreed to defer adoption to see what public reaction there might be to the proposal that no parking on West Lake Street (WLS) be extended to the Village line. Dave Blackwell of 80 WLS said the 2-3 residents he'd spoken with who couldn't be present for the public hearing were in favor of extending the no parking area and Jon Christensen of 63 WLS confirmed that report, specifically including Ed and Jill Little. Jorge Batlle said the parking restrictions for the new fire station are really necessary as the area is being used for parking in ways we don't want. He said the day after the public hearing, there was a blue bus idling in the fire station lot all day long. Mayor Green said he'd contact the Chamber of Commerce to have them direct buses to the old fire station or Austin Park. With the curbing on Fennell Street, Mayor Green said parking at the old sauerkraut factory may not be an option. Pat Blackler asked about the Marshalls wanting parking in front of their residence at 44 WLS and Mayor Green said the Village can't regulate parking on a house-to-house basis. Eric Sell questioned where trailers with mowing equipment will park and noted that there are many narrow streets in the Village but most allow parking on one side. Village Attorney Byrne observed that this situation is unique in that so many WLS residents signed petitions to extend the no parking area, recognizing that it would apply to them, their guests and tradesmen. Cliff Abrams noted that no parking is allowed on either side of State Street and it's not a problem. Dave Blackwell said Chief Perkins is enforcing the no parking restriction on the east side of WLS now and has promised to step up enforcement on speeding when no parking is allowed on the west side as well. Village Attorney Byrne confirmed that the changes requested for parking designations at the fire station have been incorporated in the revised draft of the local law. On the motion of Trustee Jones, seconded by Trustee Carlson, it was resolved and unanimously carried (4-0 in favor) to adopt Local Law No. 3 of 2008 as revised.

CODE 154
VIOLATION: Photographs from today's inspection of 14 Onondaga Street by Codes Enforcement Officer Batlle showed that the dead Christmas tree has been removed and another dead tree is in the process of being removed. Mayor Green noted that the entire Board has visited the property and Mrs. Marcelle Riter, the owner, thanked them for their visit. She explained that the dead tree she's removing was multi-trunked and presented quite a challenge. Her intention is to use the larger trunk as a barrier along side the berry patch. She's also started 2 new paths through the patch which will make a total of 4 paths, so the view from the complainant's side will be sparser. Mrs. Riter quoted from the County's "Friendly Neighbor Program" notice posted on the Village's bulletin board that "pesticides can pose health problems to people or pets...Notify the neighbor next to you 48 hours in advance of applying pesticides...Place markers around the perimeter of the treated area and leave them in place for 24 hours." She commented that these suggestions were not followed by the complainant and she has spoken with a DEC officer who indicated that applying pesticides on someone else's property is unlawful. Mrs. Riter recalled a trustee commenting that "it is crunch time" and observed that indeed it is since she has lost 10 pounds and noticed other physical effects from the pesticides. Mrs. Riter stated that she has made efforts beyond CEO Batlle's report. She has been weeding the berry patch and removing the old bushes. The height of the bushes is not diminished as they bend to re-root and she's providing pots to receive those roots. She said as long as there are no further applications of toxics, she can maintain the property. She feels that she did not create the problem and observed that if her neighbor is concerned about maintenance, he shouldn't be spraying toxics and preventing her from performing maintenance. Mayor Green said the complainant indicated that he has not sprayed this year and Mrs. Riter said he did. She said the DEC official told her that pesticides available at Home Depot and other stores are short-term, so the complainant either used something else or another application has been made. Mayor Green said the regulation of

VIOLATION (Cont'd): pesticides is not a Village issue, rather a civil or criminal action. The issue before us is the violation of Village Code on property maintenance. Trustee Carlson asked what Mrs. Riter proposes and she responded that she has begun to mulch a 5' wide strip along the fence and has gone on-line to research more orderly methods for growing black raspberries. She will be capturing the shoots to control where they grow. Trustee Carlson inquired about the saplings and Mrs. Riter said she's taken some down. Trustee Angelillo said he's reluctant to wipe out fruit bearing plants and he asked if Mrs. Riter would be open to have some assistance (from Rotary, the Garden Club, Scouts or other volunteers) with her gardening chores. Mrs. Riter said she helps others by sweeping her neighbor's walk after it's mowed or volunteering to remove dandelions at Stella Maris. Trustee Carlson said cutting down trees is a different kind of assistance and Mrs. Riter said she could use help removing the tree trunks. Trustee Angelillo said folks could help with creating the paths and putting down mulch. Trustee Jones said she had commented that it was "crunch time" because she feels the neighbor's expectation, living in the Village, is reasonable. She said the Village addressed this issue four years ago and it's not fair to the neighbor. Trustee Jones agreed that she would hate to see the DPW go in and eliminate the berry bushes and she encouraged Mrs. Riter to agree to accept the assistance that Trustee Angelillo was offering to arrange. Mrs. Riter said if she is convinced that a section of her yard is not healthful, how can others go out? Trustee Carlson said the Board members did go into the yard and suffered no ill effects. Mrs. Riter said she didn't see where she had any alternative to accepting the offer, but she didn't want the volunteers to do their thing and Trustee Angelillo said she would be the one to suggest what needs to be done. The Board agreed to adjourn the public hearing for another two weeks with the understanding that Mrs. Riter would continue to improve the maintenance with outside assistance.

G&S AUDIT: 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 engagement letter with Green & Seifter to perform an OCBOA audit for the Village's FYE 5/31/08 at an estimated cost of \$7,900.

WATERLINE FEE: Mayor Green explained that our past fee at \$200 does not reflect the current cost of material, especially copper, or the labor required. He noted that this fee would be charged when the Village is making the tap for a waterline, not when it's handled by the developer in a new subdivision. On the motion of Trustee Jones, seconded by Trustee Angelillo, it was resolved and unanimously carried (4-0 in favor) to implement new water line service fees as follows: \$750 for ¾"; \$950 for 1"; \$1,150 for 1-1/2", and \$1,350 for a 2" service.

SFD MTG. ROOM POLICY: On the motion of Trustee Jones, seconded by Trustee Angelillo, it was resolved and unanimously carried (4-0 in favor) to adopt the amendment to the Skaneateles Fire Department meeting room regulations as modified and approved by the Town Board:

Item 20. All revenue generated by the use of the community room shall be retained by the Skaneateles Volunteer Fire Department, Inc., which shall be used for maintenance, repair or equipment purchases related to the operation of the fire service. The Skaneateles Volunteer Fire Department, Inc. shall provide a detailed written report to the Village and Town Boards, by June 30th of each year, reflecting the revenue generated and expenses incurred during the previous year."

PENN MUTUAL: The Board discussed and determined that inasmuch as the Penn Mutual "assets...will be transferred to the Penn Series Money Market Fund" without the Village executing the Consent Form, we will defer any action at this time and will consult with a financial advisor about selecting a future investment prior to the August blackout period.

BURROWS CHAPEL: Lake View Cemetery Commissioner Pat Blackler reported that she has been working to get Burrows Chapel roofing proposals from Kevin Rich and an Elbridge contractor. Village Attorney Byrne confirmed that the Village Board will need to formally accept a proposal.

THAYER PARK: John Costello of 76 East Genesee Street wrote today offering to have the lettering on the Thayer Park sign redone and Village Historian Pat Blackler said she's been trying to reach Jerry Durr who did the original lettering. The Board agreed that Mrs. Blackler should follow-up with Mr. Costello on arranging for the lettering work. Mr. Costello had also offered to prune the bushes in the conifer park. On the motion of Trustee Jones, seconded by Trustee Carlson, it was resolved and unanimously carried (4-0 in favor) to authorize Mr. Costello to prune the bushes "at his own risk" and Village Attorney Byrne was directed to write and advise Mr. Costello of the Board's decision.

SIGNS AT CEMETERY: Lake View Cemetery Commissioner Blackler reported that she is researching attractive street signs for Lake View Cemetery and the Board indicated that this was a good idea.

EXEC.MTG.: At 8:20 p.m., on the motion of Trustee Angelillo, seconded by Trustee Jones, it was resolved and unanimously carried (4-0 in favor) to authorize entering into an Executive Session on a personnel matter. Trustee Carlson left at this time. The Executive Meeting ended at 8:50 p.m.

JOB POSTING: On the motion of Trustee Jones, seconded by Trustee Angelillo, it was resolved and unanimously carried (3-0 in favor) to authorize advertising for a Director of Municipal Operations in the Skaneateles JOURNAL, Syracuse POST STANDARD, monster.com, and careerbuilder.com.

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


Sally L. Sheehan
Village Clerk