

REGULAR MEETING, VILLAGE BOARD OF TRUSTEES
THURSDAY, AUGUST 25, 2011
7:30 P.M.

PRESENT: Mayor Marty Hubbard, Trustees Marc Angelillo, John Crompt, Sue Jones, and Mary Sennett, Director of Municipal Operations (DMO) Bob Lotkowitz, Village Historian Pat Blackler, Village Attorney Mike Byrne

OTHERS: Carrie Chantler Skaneateles JOURNAL
Jason Emerson Skaneateles PRESS
Jim Lanning 12 Hannum Street
Linda & Alan Dolmatch 52 Academy Street

Minutes – Resolution #2011-141: On the motion of Trustee Jones, seconded by Trustee Sennett, it was resolved and unanimously carried (5-0 in favor) to approve the Minutes of the Regular Meeting of August 11, 2011 as presented.

Correspondence and Announcements – Mayor Hubbard announced the following:

- A letter was sent to the NYS DOT relative to their recently paving State Street which prompted some State Street residents voicing concerns about the paving and curbs at the end of their driveways.
- Since the initial letter, another letter with photographs was sent to NYS DOT relative to Route 20 at Route 41A.
- DMO Lotkowitz' Article in Aquafacts, Summer 2011, The Official Publication of the NY Rural Water Association, "Village of Skaneateles – From Consent Order to CMOM". Mayor Hubbard said the article is very well written and note worthy; it was forwarded to those who would be most interested. DMO Lotkowitz explained that Sandy Lizlovs of the DEC asked him to write an article.
- NYCOM's John Mancini's Response Regarding Fees and Emergency Calls. Trustee Jones recalled that after discussion relative to the Skaneateles Fire Department's volume of calls, Clerk Couch was asked to contact NYCOM to see if we can charge for non-emergency calls. Mr. Mancini said he knows many municipalities have false alarm fees and suggested looking at the sample fee schedules on the NYCOM website to see the variety of fees that municipalities impose.
- A very nice thank you letter from Skaneateles Chamber and Foundation for participation in the 2011 Skaneateles Antique and Classic Boat Show

Director of Municipal Operations – DMO Lotkowitz reported that the Onondaga Street curbing is complete and the DPW is working on restoration of driveways and lawns. Relative to West Lake Street, the storm water system will be complete shortly. Mayor Hubbard asked if there will be two phases to complete the project. DMO Lotkowitz said the work will possibly be finished in October – to continue the storm water work we want to cross all "Ts" and dot all "Is" up to the Village line. We have a much improved plan for runoff to the Barrow Drive detention basin. Therefore, our need to impact the Town will be to a lesser degree than previously thought. In response to Mayor Hubbard, DMO Lotkowitz said the public will continue to see uninterrupted work on West Lake Street. Road work will be done in the next two to three weeks. Atty. Byrne said we need to formally let the Town know how we are going to impact them and to what lesser extent. DMO Lotkowitz said we should have the information from EDR early next week. He added that he talked to the Town's engineer who is comfortable with the plan. DMO Lotkowitz confirmed that there will be granite curb to the Village line. He reported that the piping for the UV Disinfection project at the water tank site is complete; the Village has electric work to do for emergency communications.

Codes Enforcement – Mayor Hubbard read that Codes Enforcement Officer (CEO) DuBois Reported the following:

- Parkside Subdivision
 - Certificate of Occupancy was issued to 101 Orchard Rd.

- Drawings are in for 115 Orchard Rd. Waiting for building permit application from contractor.
- Progress continues on 2 other.
- 6 Building permits were issued this month.
- 2 permit extensions granted by the ZBA
- Working on a lot line adjustment/subdivision. To be sent to County next week.
- Fireworks permit for wedding at Mirbeau was withdrawn. On site visit raised safety concerns.
- Complaints of signage in the Downtown District (3), unmowed lawn (1), Parking behind Blue Water Grill exasperated by construction vehicles.

Parkside Letter of Credit – Village Attorney Byrne reported that Atty. Galbato advised that the Planning Board recommended by a Resolution (August 4, 2011) a reduction in the Letter of Credit for Parkside in the amount of \$151,700.00 which is consistent with Village Engineer Jon Putnam’s email of August 4, 2011 recommending the same. Atty. Byrne said the developer requested a reduction to \$85,000.00 but the engineer and Planning Board recommended a reduction to \$151,700.00. Trustee Crompt reported receiving a complaint about overgrown grass and weeds in the Sinclair Street area of the subdivision. Atty. Byrne said he isn’t sure we can do anything about that on undeveloped parcels. **Resolution #2011-142:** On the motion of Trustee Jones, seconded by Trustee Crompt, it was resolved and unanimously carried (5-0 in favor) to approve a reduction in the Letter of Credit to a new required amount of \$151,700.00. In discussing the motion, Atty. Byrne said he will formally notify Dr. Daniel Elstein, the developer.

Local Law #1 of 2011 – **Resolution #2011-143:** On the motion of Trustee Sennett, seconded by Trustee Jones, it was resolved and unanimously carried (5-0 in favor) to withdraw the previous draft of Local #1 of 2011 – Reduce “Off-Street Parking Space Fee”.

DOT Permit for the Labor Day Parade – Mayor Hubbard said we have not yet received a formal traffic management plan. Atty. Byrne reiterated that we need something on paper that describes a traffic management plan for a solid basis for the Trustees to not make application. Mayor Hubbard recalled charging Chief Perkins with drafting a formal plan – he will phone and remind him tomorrow morning.

Status of Fallen Tree at Valentine’s – Mayor Hubbard said this item is on the agenda as a follow-up to the large tree limb that came down August 10th. Atty. Byrne sent an email the day after the event indicating that he was hopeful that the property owner would take prompt action to remove the rest of the tree that is full of rot and in poor condition. In that email, Atty. Byrne suggested giving the property owner two weeks to remove the tree; as of tonight the tree is still standing. Atty. Byrne was directed to send a letter to the owner of the 18 West Genesee Street property requesting that they remove the tree located adjacent to the Village’s electric lines.

Status of Parking Layout for Fennell Street Lot – DMO Lotkowitz said Gary Snyder provided three sketches of options for the lot that now has 58 parking spaces. Plan “B” would take the number of spaces to 72 and a total of 96 spaces could be achieved if the lot goes around back to the Police Station. One option requires the re-configuration of the easement. Atty. Byrne said that is a major undertaking and not easy, but not impossible. Mayor Hubbard said it may be worth re-visiting because of the new management of Tops. There is a lot of potential to bring some parking relief to downtown. An Operations Meeting was scheduled for Monday, September 12, 2011 at 5:00 p.m. to discuss this further.

Consider a Local Law for Placement of New Stop Signs, Traffic Devices, and Parking Meters – Mayor Hubbard said this item will stay on the agenda as we continue to seek input for placement of new stop signs, etc. - a suggestion relative to fines was just received this week. In discussing this topic, the Board concluded to move ahead with authorizing new stop signs in the Parkside Subdivision and on the corners at Leitch and Academy Streets. Atty. Byrne pointed out that there is no sense of urgency regarding the parking meters, whereas the proposed stop signs on Leitch and Academy Streets are a legitimate issue especially with school commencing in the next couple of weeks. He said new stop signs can be addressed in a local law separate from traffic devices and parking meters – that way we won’t be

mixing apples with oranges. Trustee Jones said she'd prefer keeping only the stop signs in one local law. **Resolution #2011-144:** On the motion of Trustee Jones, seconded by Trustee Sennett, it was resolved and unanimously carried (5-0 in favor) to authorize advertising for a Public Hearing on Thursday, September 22, 2011 at 8:00 p.m. to consider Local Law #2 of 2011 – New Stop Signs.

Historical Society Request to Serve Alcohol – Trustee Angelillo said, in his opinion, society is at the tipping point with alcohol and we don't have to serve it for every event. As a municipality that owns properties, a simple no removes all liability concerns. Trustee Crompton agreed commenting, "Why open your self up to a lawsuit". Trustee Jones concurred and noted that the Village and Town Boards adopted rules and regulations for the new Fire Station stipulating that the building is alcohol-free and not allowed without exception. Trustee Sennett said she worries about a precedent and is not in favor either of authorizing alcohol in a Village owned building. Atty. Byrne recalled that we use to receive requests for permission to serve alcohol from Welch Allyn for their picnic at Austin Park and the Village allowed it. He said the picnics are now held on Welch Allyn's property. The only current exception is the Labor Day field days, but that is the Fire Department's major fundraiser. **Resolution #2011-145:** On the motion of Trustee Crompton, seconded by Trustee Sennett, it was resolved and unanimously carried (5-0 in favor) to respectfully request that the Skaneateles Historical Society not serve any alcoholic beverages in the Creamery. In discussing the motion, it was suggested that perhaps they could consider offering some exotic hors d'oeuvres or dessert as a way to provide unique entertainment. Clerk/Treasurer Couch was directed to formally respond to Historical Society President Karlene Miller.

Community Center Economic Development Application for Hydro Power – DMO Lotkowitz said he and Municipal Board Commissioners Blackwell and Dolmatch have been working to utilize this economic development as we have an opportunity with the SRCT. We have gone through the application, the Municipal Board has approved it, there is no downside, and a good upside. **Resolution #2011-146:** On the motion of Trustee Jones, seconded by Trustee Crompton, it was resolved and unanimously carried (5-0 in favor) to endorse the NY Power (NYPA) Authority Municipal and Cooperative Economic Development Program Application for Power. DMO Lotkowitz said he will submit the application to the NYPA. In discussing the motion, Atty. Byrne commented that there have been numerous calls relative to the Community Center going to Village power from National Grid and they seem confident that they are ready to come over to our system. Mayor Hubbard and Atty. Byrne said they want confirmation of that with a time frame and dollars. In response to Trustee Angelillo, DMO Lotkowitz said some infrastructure work has been done; Atty. Byrne recalled that DMO Lotkowitz said the Electric Dept. would be working up Jordan Street to Austin Street this year. Commissioner Dolmatch said infrastructure reserve funds are to be set up and we will have to go to the Public Service Commission (PSC) for a rate change. In response to Trustee Sennett, Atty. Byrne said that as a Village property the Community Center is entitled to Village power. At this time, the SRCT doesn't precisely know how much the National Grid exit fee will be. DMO Lotkowitz said CHA did some route scenarios that were forwarded to the SRCT. He agreed to forward the information to Atty. Byrne who said the numbers will be helpful.

Alternate Energy Technology (AET) Committee – DMO Lotkowitz reported the AET Committee completed its work and a final report will be sent next week.

St. James Episcopal Church EARTHWORKS – DMO Lotkowitz passed on to the Board that Municipal Board Commissioner Peter Moffa would like Village representation at the St. James EARTHWORKS "Green Fair" on September 24, 2011 from 9:00 a.m. to noon.

Brush Pick-up – DMO Lotkowitz said pick-up of brush and leaves by the DPW will commence September 19 and end October 17 after which leaves only will be picked up until snow falls.

Bob Wayne Request – Trustee Jones reported she was approached by Bob Wayne who requested a "Children at Play" sign at the exit of the Municipal Lot onto State Street. Atty. Byrne advised that we don't need a local law for placement of such a sign as we can't issue a ticket for a violation.

Call-outs – Trustee Angelillo said he has been hearing concerns from business owners and residents about trash pick-up, catch basins collecting and getting full of leaves/debris, etc. The DPW is paid for three hours to pick-up trash whether or not it actually takes that long to complete the work. Trustee Angelillo said he doesn't think it's unreasonable to ask that the Village receive three hours of work for three hours of pay. **Resolution #2011-147:** On the motion of Trustee Angelillo, seconded by Trustee Jones, it was resolved and unanimously carried (5-0 in favor) that the Village of Skaneateles Board of Trustees concludes that it is reasonable to require that Village DPW employees perform work outside of the normal work hours and that employees be compensated for such work in accordance with a collective bargaining agreement ("Agreement") between the Village and CESA. That Agreement requires that employees called to work outside of their normal working hours receive a minimum of three (3) hours' pay for each call out. When DPW employees are assigned to work outside of their normal hours, the Village concludes that all reasonable efforts should be made to assign such employees to duties for the full three (3) hour period. In discussing the motion, the Board asked DMO Lotkowitz to provide a list of duties that will be expected to be performed during such three hour periods.

Village Historian – Village Historian Pat Blackler thanked Mayor Hubbard for the "ribbon cutting" ceremony that he presided over to unveil the new roof on Burrows Chapel and Skaneateles PRESS Editor Jason Emerson for the very nice article about the event. Trustee Jones commented that the new roof looks great.

Five Minute Recess

Bills and Adjustments – Resolution #2011-148: On the motion of Trustee Crompt, seconded by Trustee Sennett, it was resolved and unanimously carried (5-0 in favor) that bills from Abstract #6 be audited and paid as follows:

General Fund	Vouchers #211 - 252	Checks 13180-13221	\$184,514.85
Sewer Fund	Vouchers # 75 – 85	Checks 3916-3926	\$ 11,588.07
Water Fund	Vouchers # 33 – 38	Checks 3206-3211	\$ 538.20
Electric Fund	Vouchers # 67 – 82	Checks 4480-4495	\$138,360.81

In discussing the bills, Mayor Hubbard noted this meeting's abstracts contain large expenditures including Martisco, CJ Marley, and Geneva Curbing. He specified that such vouchers should include a copy of proposals, quotes, and bid opening results so that this information is readily available for auditors.

Eloise Luchsinger Request – Mayor Hubbard said he met with Eloise Luchsinger and her contractor in response to her letter requesting permission to encroach on the Village's air space with an air conditioning system for her building. She indicated that she has exhausted all options in terms of making other arrangements. Atty. Byrne had reminded the Board of some concerns regarding long-term legal impact of such an arrangement on the Village's property rights when Ms. Luchsinger first requested the same in June 2010. Mayor Hubbard said he thinks a license agreement, such as a five-year renewable term with a six-month notice, is possible for certain conditions. Trustee Angelillo suggested that we first ask DMO Lotkowitz to serve as a "heating/cooling referee" as his engineering degree and background are HVAC related. He can determine whether or not there are any other options and advise the Board accordingly before any Board resolve.

Local Law #1 of 2011 – After additional discussion relative to parking, **Resolution #2011-149:** On the motion of Trustee Jones, seconded by Trustee Sennett, it was resolved and unanimously carried (5-0 in favor) to authorize advertising for a Notice of a Public Hearing on Thursday, September 22, 2011 at 7:30 p.m. to consider Local Law #1 of 2011 – Amend Village Code.

Adjourn – The meeting adjourned at 10:15 p.m.

Patty Couch
Patty Couch
Village Clerk/Treasurer