

**REGULAR MEETING, VILLAGE BOARD OF TRUSTEES**  
**THURSDAY, SEPTEMBER 22, 2011**  
**7:30 P.M.**

**PRESENT:** Mayor Marty Hubbard, Trustees Mark Angelillo, John Crompt, Sue Jones and Mary Sennett, Police Chief Lloyd Perkins, Director of Municipal Operations (DMO) Bob Lotkowitz, and Village Attorney Mike Byrne.

<b>OTHERS</b>	Carrie Chantler	Skaneateles JOURNAL
<b>PRESENT:</b>	Jason Emerson	Skaneateles PRESS
	Dick Searing	Endurance Monster
	Sue Dove	Skaneateles Chamber
	John Havemeyer	Historical Society
	David Bates	Historical Society
	Joseph Spalding	Historical Society
	Karlene Miller	Historical Society
	Brent Thompson	Historical Society
	Dave Miller	Historical Society
	Jim Lanning	Public Servant
	Eric Sell	Skaneateles Volunteer Fire Department, Inc.
	Betsy Foote	Historical Society
	Linda Dolmatch	52 Academy Street
	Alan Dolmatch	52 Academy Street
	Susan Spaulding	2780 West Lake Street (Historical Society)
	Mona Smalley	25 Lakeview Circle
	Pat Blackler	Historical Society
	Teresa McSwain	Leitch Avenue
	Jorge Batlle	Retired Code Enforcement Officer

**Public Hearing on Local Law #1 of 2011.** At 7:30 p.m. Mayor Hubbard opened a Public Hearing to consider the adoption of proposed Local Law #1 of 2011 for the purpose of revising the zoning code to delete several obsolete requirements and to amend the requirements for the code enforcement officer by deleting the requirement that such officer be an active member of the Skaneateles Volunteer Fire Department. Mayor Hubbard asked if there were any comments from the Trustees. Trustee Sennett stated that the statutory requirements for a code enforcement officer, imposed by New York State, are already very demanding. The individual is required to attend numerous technical and safety training sessions and to be certified as a fire inspector. She believes that the Village Code requirement that the person be a member of the Fire Department is unnecessary.

Mayor Hubbard then opened the Public Hearing to members of the public wishing to speak. Jorge Batlle, the former Code Enforcement Officer and a member of the Fire Department indicated that the current Code requirement (that the CEO also be an active member of the Fire Department) was adopted by the Trustees in 1989. At the time, it was felt that membership in

the Fire Department, and the training which accompanied that status, would be beneficial to the Code Enforcement Officer and to the Village. However, given the amount of training now required for a Code Enforcement Officer, membership in a volunteer fire department would be repetitive and unnecessary. Also, given the amount of training required for an active member of a volunteer fire department, it would be too burdensome. He endorsed the removal of the requirement.

Trustee Crompton noted that maintaining the current requirement could limit the pool of applicants otherwise interested in the position.

**Motion to Close Public Hearing - Resolution #2011-154:** On the motion of Trustee Sennett, seconded by Trustee Jones, it was resolved, and unanimously carried (5-0 in favor) to close the Public Hearing.

**Motion to Adopt Local Law #1 of 2011 – Resolution #2011-155:** On the motion of Trustee Sennett, seconded by Trustee Jones, it was resolved, and unanimously carried (5-0 in favor) to adopt Local Law #1 of 2011.

**Minutes/Trustees Meeting of September 8, 2011 – Resolution #2011-156:** On the motion of Trustee Jones, seconded by Trustee Sennett, it was resolved, and unanimously carried (4-0 in favor) to approve the Minutes of the Regular Meeting of the Trustees held on September 8, 2011, with Trustee Angelillo abstaining.

**Minutes – Trustees Operation Meeting of September 12, 2011 – Resolution #2011-157:** On the motion of Trustee Jones, seconded by Trustee Sennett, it was resolved, and unanimously carried (4-0 in favor) to approve the Minutes of the Operations Meeting of the Trustees held on September 12, 2011, with Trustee Angelillo abstaining.

### **Correspondence and Announcements:**

Mayor Hubbard announced the following:

- Receipt of letters from Daniel Hagen, and from Mark & Terri Roney regarding the proposal for a three-color traffic light at the intersection of Kane Avenue and West Genesee Street.
- Receipt of the August statement of the service award plan portfolio, received from Glens Falls National Bank.
- Receipt of the results of an unannounced inspection of the Waste Water Treatment Plant undertaken on August 11 by the New York State DEC.
- PERMA will hold a safety training seminar on August 20, 2011, from Noon to 2:00 p.m. in Pittsford, NY. Department heads are authorized to attend.
- The Mayor announced receipt of a letter of interest from a citizen offering to serve on the Historical Landmark's Preservation Commission. Mayor Hubbard noted that, with the recent resignation of Kihm Winship, the membership of the HLPC is now at 8 persons. The Village Code provides that its membership must be at least 7 and not more than 11 members. Mayor Hubbard asked the Trustees whether they preferred to appoint a

replacement or leave the Board at its current configuration. Jorge Battle, retired Code Enforcement Officer, informed the Trustees that the membership of the HLPC had been increased several years ago in order to improve its chances of achieving a quorum (4 members) during the winter, when many members are going south for warmer weather. He urged that the Trustees fill the vacancy so that there would be at least nine persons capable of attending a meeting. Following a discussion, the Trustees decided to make a public announcement seeking additional letters of interest from members of the community who wished to serve on the HLPC.

- The Mayor acknowledged receipt of a letter from Kathy Buff-Murphy, President of the Skaneateles Volunteer Fire Department, Inc. She expressed her appreciation to the Trustees for the Village's assistance in the successful fund raising activities over Labor Day weekend.
- Mayor Hubbard acknowledged receipt of a letter from Paul and Patricia Fallon regarding the West Lake Street project.

**Director of Municipal Operations.** DMO Bob Lotkowitz reported on the Onondaga Street curbing project. All of the granite curbing has been installed, with backfill and seeding. The street will be paved during the week of September 26, using the county paving contract.

Mr. Lotkowitz reported that work on the West Lake Street project is proceeding. Installation of granite curbing will be completed, followed by paving with a binder coat.

Mr. Lotkowitz reported on the ongoing ultraviolet disinfection project. Nothing significant has occurred within the past two weeks. Work on the pump station is expected to begin shortly and several pieces of equipment will be ordered in the next few weeks.

Leaf pickup operations will begin shortly and the DPW staff completed the replacement of a section of damaged sidewalk on East Genesee Street.

**Police Department.** No report.

**Code Enforcement Office.** Former CEO Jorge Battle, now serving as interim CEO until a replacement is appointed, offered the following report. He is working on the requirements necessary for the issuance of a Certificate of Occupancy for the Weitsman residence. The CO should be issued shortly. Mr. Battle also investigated an apparent unauthorized entry into a vacant building. Erection of steel is now underway on the building at 4 East Genesee Street. The total number of building permits issued so far this year is below the number issued for the same period in 2010.

**Fire Department.** Fire Chief Eric Sell reported that there have been 286 calls so far this year, and 35 in the month of August. The calls averaged 13.92 personnel per call. To date, 2,055.28 personnel hours were spent on fire calls. At this point in the year there have been 74 more calls than the same period of 2010. During the month of August, there was one water rescue and three mutual aid calls. Lieutenant Adam D'Amico has completed the New York State Fire Instructor certification and is now a certified instructor.

**Reconsideration of Request from Skaneateles Historical Society.** Mayor Hubbard noted that, at its previous meeting, the Board of Trustees had rejected a request from the Skaneateles Historical Society to serve alcohol at a fund raising event to be held at The Creamery in October. He had received several requests for a reconsideration of that determination. He began by asking the Board whether it wished to reconsider that decision.

**Motion to Re-Open Discussion – Resolution #2011-158.** On the motion of Trustee Crompt, seconded by Trustee Sennett, and unanimously carried (5-0 in favor) it was resolved to reopen the discussion of the request and allow additional comments from the public.

Prior to taking public comments, Trustee Sennett expressed the view that The Creamery has been generous in sharing the use of its building with other community organizations and she asked whether permission to allow the Historical Society to serve alcohol would extend to other organizations. Village Attorney Byrne responded that, if the Trustees were inclined to grant permission to the Historical Society, that permission could be limited or conditioned so that it applied only to Historical Society events and whatever other limitations the Trustees felt were appropriate.

Sue Dove, President of the Chamber of Commerce spoke and urged the Trustees to reconsider their earlier decision and grant permission for the service of alcoholic beverage at the fund raising event. She understands the Village's liability concerns but believes that they could be addressed with proper insurance coverages. The event in question is merely for two hours and would involve very low risk of any liability. She also acknowledged that the Village prohibits the consumption of alcoholic beverage at the fire station and suggested that prohibition should be reconsidered.

Karlene Miller, President of the Historical Society addressed the Trustees and urged them to reconsider. She noted that there are several precedents which argue in favor of granting permission. In 2007, the Historical Society served wine at an event at The Creamery. In 2008, they served wine at an event in connection with the antique boat show. In 2009 they served alcohol in connection with a book discussion. She feels that the Board is inconsistent in permitting the consumption of alcohol associated with the Fire Department's Labor Day activities while denying permission for a two hour social event at The Creamery. The Historical Society is anxious to showcase its facilities and feels that the request for use of alcoholic beverage in connection with a two hour social event and fund raiser is reasonable and appropriate.

David Miller, a member of the Board of the Historical Society urged the Trustees to reconsider. He noted that SHS is a community based organization and relies 100% for its funding on donations from community residents. The inability to serve alcohol at fund raising events would impair its fund raising capability. He urged the Trustees that, if they have a concern over liability exposure, they could obtain so called "event insurance" along with the insurance carried by the Historical Society.

Joe Spaulding, a member of the SHS Board, stated that the scope of liability exposure associated with the proposed event is modest compared with the exposure associated with the Fire Department's activities at Allyn Arena on Labor Day weekend.

Village Attorney Byrne noted that the Village does not carry liquor liability insurance as part of its insurance coverage. Specifically, the Village does not obtain liquor liability insurance associated with the fund raising activities held by the Fire Department on Labor Day weekend. That event is sponsored by the Skaneateles Volunteer Fire Department, Inc., a private not-for-profit membership corporation. It is not sponsored or conducted by the Village. The liability exposure and responsibility for liability insurance rests with that corporation, not the Village.

Jim Lanning, a resident of Hannum Street, stated that he is a neighbor of The Creamery and his experience that all of the activities conducted at the site by the Historical Society have been quiet and low-key and have never caused a problem in the neighborhood.

Mayor Hubbard asked the Trustees if they wished to reconsider their earlier decision.

**Motion to Reconsider.** – **Resolution #2011-159.** Trustee Crompton moved to reconsider the vote taken by the Trustees on September 8, which denied the request from the Historical Society. There was no second and the motion failed.

**Possible New Local Law Regarding New Parking Regulations and Meter Locations.** Mayor Hubbard noted the receipt of a memo from Police Chief Perkins which proposed the establishment of certain no-parking zones within the new Parkside Subdivision. The Mayor stated that he was also considering several other revisions to the Village's parking regulations, including the placement of some new meters and, possibly, meters or parking pay station at the Fennell Street lot. The Mayor stated that these discussions are ongoing and it is premature to set a date for a public hearing on a new local law. However, he hopes to do so within the next few weeks.

**Request from Endurance Monster.** The Mayor recognized Dick Searing, appearing on behalf of the Endurance Monster. Mr. Searing indicated that they wished to sponsor a four mile fun run to be known as the "First Annual Endurance Monster Mash Four Mile Halloween Run". Entry fees and donations would be collected and 100% of the proceeds would be donated in memory of Cameron Kenan for use in the proposed new playground at Austin Park. Mr. Searing distributed copies of a proposed operational and safety plan and a memo detailing plans for the event, including the time, location and the course that the runners would follow. As proposed, the runners would be staged at the Village's Fennell Street parking lot, the site of the former fire station. They would then proceed northwesterly on Fennell Street and complete a four mile course. Mr. Searing noted that he had reviewed his plans with Police Chief Perkins and had responded to requests and suggestions from the Chief. Several of the Trustees expressed concern with regard to starting the event at that location, at 11:00 a.m. on a Saturday morning. Mayor Hubbard pointed out that, typically, there is a great deal of activity on Saturday morning at the post office, Tops Supermarket and the other businesses on Fennell Street. He felt that the presence of a large crowd of runners, spectators and vehicles at that location would have negative repercussions. Following an extended discussion, Mr. Searing indicated that he could

move the start location to the site of the former Town Highway Garage on Fennell Street, thereby avoiding the area near the former fire station. By doing that, the race would be shorted from four miles to three miles but could be a successful event.

**Approval of Event** – **Resolution #2011-160.** On the motion of Trustee Jones, seconded by Trustee Sennett, it was resolved, and unanimously carried (5-0 in favor) to approve the request for the Monster Mash Halloween Run to be held Saturday, October 29, 2011 at 11:00 a.m. commencing at the former Town Highway Department site on Fennell Street.

**Public Hearing on Local Law #2 of 2011.** Mayor Hubbard opened the Public Hearing at 8:20 p.m. He noted that proposed Local Law #2 would authorize the placement of nine new stop signs within the Parkside Subdivision and two stop signs on Leitch Avenue, at the intersection of Academy Street. He asked if there were any comments from the public. Alan Dolmatch, resident of 52 Academy Street, addressed the Trustees and stated that he and his wife Linda had presented a petition signed by 43 residents of Leitch and Academy Streets, endorsing the request for replacement of new stop signs at the intersection of Leitch and Academy. The primary concern of these residents is safety and he noted that there is now a large number of young children in the neighborhood. Among those who have signed the petition in support of the request, those signers have 37 young children. Linda Dolmatch addressed the Trustees and stated that their request was motivated by a concern for safety of neighbors and children, and noted that a number of vehicles use Leitch Avenue to get from Genesee Street to Elizabeth Street.

Teresa McSwain of 26 Leitch Avenue addressed the Trustees. She noted that she was one of those who had signed the Petition and that she has four children under the age of 9 years. She feels strongly that stop signs at each entrance to the three way intersection at Academy and Leitch are necessary. Jim Lanning, a resident of 12 Hannum Street stated that the significant amount of support from residents of Academy and Leitch Avenue is important. He asked whether a “school zone” in that area could be established or expanded, to include a speed limit of 20 mph as exists in other areas in the Village. Police Chief Perkins was asked to investigate the requirements pertaining to the establishment of a school zone, with a 20 mph speed limit.

Trustee Sennett noted that she had toured the neighborhood and was impressed by the fact that over 50% of the homes in the neighborhood signed a petition in support of the request for stop signs.

**Motion to Close the Public Hearing.** – **Resolution #2011-161.** On the motion of Trustee Jones, seconded by Trustee Crompt, it was resolved and unanimously carried (5-0 in favor) to close the public hearing.

**Motion to Adopt Local Law #2 of 2011.** – **Resolution #2011-162.** On the motion of Trustee Jones, seconded by Trustee Crompt, it was resolved and unanimously carried (5-0 in favor) to adopt Local Law #2 of 2011.

Mayor Hubbard requested that DMO Lotkowitz make arrangements to purchase the new stop signs and have them erected at the approved locations. Police Chief Perkins noted that State regulations dictate the placement of stop signs in relation to curbs, intersections, etc.

**Resignation of Code Enforcement Officer Elaine DuBois.** Mayor Hubbard acknowledged the unfortunate resignation of Elaine DuBois as Code Enforcement Officer and Secretary to the Planning and Zoning Boards. However, he noted that he was pleased to appoint Fire Chief Eric Sell as new Code Enforcement Officer and asked the Trustees to approve the appointment.

**Appointment of Eric Sell as Code Enforcement Officer. – Resolution #2011-163.** On a motion by Trustee Crompt, seconded by Trustee Jones, it was resolved, and unanimously carried (5-0 in favor) to appoint Eric Sell as Code Enforcement Officer.

**Motion to Appoint Jorge Batlle as Interim Code Enforcement Officer and Clerk to the Planning and Zoning Boards and HLPC. – Resolution #2011-164.** On a motion by Trustee Crompt, seconded by Trustee Jones, it was resolved and unanimously carried (5-0 in favor) to appoint Jorge Batlle as interim Code Enforcement Officer and Clerk to the Planning Board, Zoning Board and Historic Landmark Preservation Commission, to serve until a replacement can be found.

Mayor Hubbard then read a statement honoring Jorge Batlle for his 24 years of service to the Village of Skaneateles as Code Enforcement Officer and Clerk to the Boards. The Mayor presented Mr. Batlle with a framed photograph, by John McCarthy, and a monetary gift in his name to SAVES. Contributions for these gifts had been received from a large number of Village employees and friends.

**Scheduling of Public Hearing for Critical Impact Application for Moscarito Project.** Mr. Batlle noted that the Village had received an application for Critical Impact Approval in connection with the conversion of a two family structure on Fennell Street to one family. This change of use, which does not require any variances or other approvals, nevertheless requires critical impact approval by the Trustees.

**Motion to Authorize Public Hearing. – Resolution #2011-165.** On the Motion of Trustee Jones, seconded by Trustee Crompt, it was resolved and unanimously carried (5-0 in favor) to conduct a Public Hearing on the Critical Impact application of Mr. and Mrs. Moscarito to be held on Thursday, October 13, at 7:30 p.m.

**Amendment to GHD Contract. – Resolution #2011-166.** The Mayor noted that the Village was in receipt of a proposed amendment (Amendment #2) to the Engineering Services Contract with GHD (formerly, Stearns & Wheeler). DMO Lotkowitz clarified that the amendment would authorize GHD to provide additional programming services associated with the UV Disinfection Project. On the motion of Trustee Jones, seconded by Trustee Angelillo, it was resolved and unanimously carried (5-0 in favor) to approve the contract amendment and authorize Mayor Hubbard to sign it.

**Advertising for Publication of Legal Notice Advertising the Position for Part-Time Clerk to the Planning Board, Zoning Board and HLPC.** – Resolution #2011-167. On a motion by Trustee Sennett, seconded by Trustee Crompt, it was resolved and unanimously carried (5-0 in favor) to publish a legal notice advertising for applicants for the part time position of clerk to the Planning and Zoning Boards and HLPC.

**Retirement of Village Historian.** Pat Blacker notified the Board that she has decided to retire, effective as of December 2012. Hopefully, the one year prior notice will provide ample time to recruit a replacement.

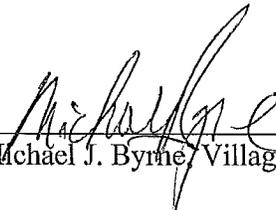
**West Lake Street Project.** Trustee Angelillo asked that the Trustees recognize David Blackwell, a resident of West Lake Street, so that he could address the Board with respect to concerns pertaining to the West Lake Street reconstruction project. Mr. Blackwell urged the Trustees not to suspend the installation of curbing at the top of the hill on West Lake Street. He urged them to continue the installation of new curbing, extending out to the Village corporate line. Doing so, he stated, would avoid unnecessary expense in 2012 and would help to address drainage problems with exist on West Lake Street.

**Recess.** The Trustees then took a five minute recess.

**Bills and Adjustments – Resolution #2011-168.** On the motion of Trustee Sennett, seconded by Trustee Jones, it was resolved, and unanimously carried (5-0 in favor) that bills from abstract no. 8 be audited and paid as follows:

General Fund	Vouchers #282 - 321	Checks 13252-13291	\$203,080.36
Sewer Fund	Vouchers # 93 - 102	Checks 3934- 3943	\$ 7,023.73
Water Fund	Vouchers # 45 - 51	Checks 3218-3224	\$ 89,428.35
Electric Fund	Vouchers # 91 - 103	Checks 4504-4516	\$ 81,379.51

**Adjournment.** The meeting adjourned at 9:30 p.m.

  
 Michael J. Byrne, Village Attorney