

REGULAR MEETING, VILLAGE BOARD OF TRUSTEES
MONDAY, OCTOBER 27, 2008
7:00 P.M.

Present Mayor Bob Green, Trustees Marc Angelillo, Kathryn Carlson, Sue Jones, and Tim Lynn, Codes Enforcement Officer Jorge Batlle, Police Chief Lloyd Perkins, Municipal Board Commissioner Alan Dolmatch, SFD Chief Eric Sell, Village Historian Pat Blackler, Village Attorney Mike Byrne

<u>Others</u>	Nate Robson	Skaneateles JOURNAL
<u>Present</u>	Cliff Abrams	37 State Street
	Richard Clayton	Severn Trent, Contract Operators of the WWTP
	Peter Wiles, Jr.	9 Jordan Street
	Bob Eggleston	Architect for Peter Wiles
	Jim Williams	9 Jordan Street
	John Mezzalingua	3 Bobbett Lane
	Andy Ramsgard	Architect for John Mezzalingua
	Jo Anne Gagliano	EDR President, Landscape Architect for Mezzalingua

Public Hearing, Critical Impact Permit, Wiles Application,

At 7 p.m., Mayor Green referenced the Affidavits of Publication from the October 1st and October 15th issues of the Skaneateles Journal to consider a Critical Impact Permit on the application of Peter Wiles to renovate and add to the existing building at 9 Jordan Street. The original publication of hearing gave the date as October 20th, so the notice was re-published and the correction posted at the Village Office.

(Insert Affidavits of Publication)

Bob Eggleston reviewed the plans, noting that the first floor and basement were remodeled when the Wiles family first occupied the property in the early 1980's. This project does not alter the footprint of the property or the first floor commercial space. There is no change in use. One of the two second floor apartments (the front unit) will be combined with the third floor apartment, reducing the use from 3 apartments to 2. The front of the building will be cleaned, all of the windows replaced and some of the wood sills. Mr. Eggleston said the project has been before the Planning Board and the Historic Landmarks Preservation Commission and received their approval. It is before the Village Board for a Critical Impact Permit because the property is within 500' of the outlet and within the Historic District. Mr. Eggleston referenced his narrative of August 24th, addressing the specific criteria for critical impact. He said there are four parking spaces behind the building and three spaces between the Wiles property and the Old Stone Mill as noted on the Watkins survey which formalized the reciprocal easement over the fire lane at the time of the Seitz Building application. Mr. Eggleston noted that the parking requirements are decreased by two cars as one apartment is eliminated. He reviewed the parking requirements per the Village zoning and his rebuttable presumption, concluding that the total parking demand is 10 spaces with 7 spaces on site. It was noted that 3 potential parking spaces were given to the Village when the Parmele Outlet Park was created. Mr. Eggleston said Village Attorney Byrne had questioned whether the new parking requirements apply and Mr. Eggleston noted that the ZBA will consider that question at their meeting tomorrow. If the ZBA says the new requirements apply, Mr. Eggleston said his client will ask for a variance. Trustee Jones confirmed that the elimination of the apartment is fairly permanent. Mr. Wiles said there is no kitchen on the third floor any longer and Mr. Eggleston said they'd have to come back to the Village if there were a change of use. Mr. Wiles said the purpose of the work is to enhance the building's appearance, address safety issues and increase the value of the building. He said the Seitz project has had a positive impact, but it also eliminated 4 windows on the south side of his building, which created part of the need for this project. The Seitz Building also replaced his wind swept roof with a 15' snow fence, so he has to adjust the third floor roof for the snow load. Mr. Wiles said John Bouck wrote that he supports the project, but couldn't be here tonight. Mayor Green suggested that Mr. Wiles provide that letter to add to the record.

Public Hearing, Critical Impact Permit, Wiles Application (Cont'd)

Mr. Wiles said when the parking requirement was calculated for the Seitz Building, since there was no change in the commercial use, only the residential increase was considered in calculating the parking deficit and he'd hope that same formula would be utilized by the ZBA at tomorrow's meeting. Mr. Wiles noted that under Section G of the CIP process, the Village Board is allowed to grant a variance. Trustee Carlson asked if there's any difficulty with parking now and Mr. Wiles said he'd have expected it this year with the Seitz construction, but there hasn't been any problem. Mayor Green asked how parking would be handled during construction on this site and Mr. Wiles said the construction vehicles would park behind the building except for a limited time when they'd need to be in front. Mr. Eggleston said the contractor is local and understands the Village's requirements. Additionally, the work will be done off season. Trustee Angelillo asked if the Village Board could act without having the determination by the ZBA and Village Attorney Byrne answered that the Village Board could make a determination tonight subject to the ZBA or hold off and act at its next meeting in two weeks. Mayor Green said he'd like to wait for the ZBA's input. Village Attorney Byrne said he has no concerns with the project meeting the critical impact criteria except for parking. He confirmed with architect Eggleston that 350 square feet of living space is being added, but Mr. Wiles said it's really 240 and noted that the porch is open. Mr. Wiles confirmed for Trustee Angelillo that the power to the building is underground. Trustee Lynn said the Board should let the ZBA act independently and do their job. Alan Dolmatch commented that the original intent of the parking amendment was to prevent exacerbation of the downtown parking. Here they are de-intensifying use. Trustee Carlson commented that logic says if you're lessening a problem, you shouldn't be penalized. There were no further comments from the floor, for or against and the public hearing was adjourned at 7:50 p.m.

Minutes

On the motion of Trustee Carlson, seconded by Trustee Jones, it was resolved and unanimously carried (5-0 in favor) to approve the minutes of the Regular Meeting of October 13, 2008, as presented.

Bills

On the motion of Trustee Angelillo, seconded by Trustee Jones, it was resolved and unanimously carried (5-0 in favor) that bills from Abstract #10 be audited and paid as follows:

General Fund	Vouchers 511 - 554	Checks 10342 - 10385	\$99,218.76
Sewer Fund	Vouchers 114 - 119	Checks 3155 - 3160	20,724.67
Water Fund	Vouchers 103 - 109	Checks 2692 - 2698	3,744.82
Electric Utility Fund	Vouchers 159 - 172	Checks 3610 - 3623	65,006.85

It was further resolved to authorize payment from the Waterford Landing Subdivision Escrow (CM23) account in the amount of \$4,432.42 (T&A Check #47112) to Stearns & Wheler.

Tobacco-Free Onondaga County

Rhoda Smith of the County Health Department provided information about the County's initiatives and opportunities to partner and collaborate, such as the Village Board passing a resolution to encourage local retailers to eliminate tobacco advertising or place it on space above five feet and to adopt a parks and playground policy to ban tobacco use. Mayor Green noted that Police Chief Perkins and School Superintendent D'Angelo did approach local stores and met with some support.

Truck Traffic

Mayor Green referenced John Varney's letter commending the Village Board and Police Department for their efforts to reduce truck traffic on the state highways in the Village.

Folksmarch

On the motion of Trustee Lynn, seconded by Trustee Jones, it was resolved and unanimously carried (5-0 in favor) to authorize the YMCA Folksmarch on December 13th and 14th.

Winterfest 2009

Mayor Green referenced the "save the date" mailing for Winterfest to be held Saturday, January 31, 2009.

Police Station Project (PSP)

PSP Chairman Dolmatch reported that the Committee is meeting regularly. There's been good progress on the schematic design with the police department personnel actively participating. Recognizing the need to educate the community on the lack of safety and security in the existing facility, Trustee Carlson toured the facility, documenting the conditions. Her photographs showed the uncontrolled entry to the office area with no buffer between the public and the office, the lack of any booking area, holding facility, or waiting space for arrestee families, the makeshift storage area for evidence, the shortage of lockers, the single toilet for staff and prisoners, and the mass of extension cords due to inadequate wiring. She noted that the 100 year-old building was a teasel/cabbage barn that has no insulation. To leave the police department in that building would require extensive work. By building a new police station, you not only address the deficiencies and inadequacies of the current building, you create a street presence and improve the Fennell Street corridor. Chief Perkins complimented the presentation and added that there is currently no separation between juveniles and adults and to separate victims and witnesses, they have to be put out in the parking lot. Village Attorney Byrne asked when the building was last renovated and Trustee Carlson said there have been small upgrades, such as windows and the 1950's paneling, added over the years. Attorney Byrne asked if the building's shortcomings were noted in the accreditation and Chief Perkins said they were cited, especially for the processing of juveniles. In answer to Attorney Byrne, Chief Perkins said the number of juveniles varies, but is probably five or six a week. Trustee Angelillo asked if there are code violations and Mayor Green said there hasn't been any recent PESH inspection and we haven't requested one because then we'd be under the gun to comply.

Appoint Cindy Jacobs as Clerk to the PSP Committee

On the motion of Trustee Jones, seconded by Trustee Carlson, it was resolved and unanimously carried (5-0 in favor) to appoint part-time Police Clerk Cindy Jacobs to serve as clerk to the Police Station Project (PSP) Committee. PSP Committee Chairman Dolmatch pointed out that with her experience in the police department, she will be a functioning member, not just a note taker.

PESH Inspection of the Fire Station at 77 West Genesee Street

Chief Eric Sell reviewed the individual citations of the PESH notice of October 10th and in response to Trustee Jones, said the two items remaining to be corrected will be easily dealt with before the December 1st deadline.

Burrows Chapel Repair

Cemetery Commissioner Blackler read her letter report of October 26th, recapping how three stonemasons were asked to quote repair of the west wall of Burrows Chapel and each met with Dave Blackwell at the chapel, but none is available to do the work at this time. Mrs. Blackler then contacted the Burrows family for a recommendation and they suggested Bill Harper, who subsequently met with Dave Blackwell and estimated under \$3,000 to do the repairs this fall, which includes removing the capstone. There are adequate funds in the Cemetery budget for this work, but Mayor Green advised Mrs. Blackler that she should get a scope of work drawn up.

Corroded Parking Meters

Village Attorney Byrne said Stearns & Wheler has been out to inspect and photograph the meters and their investigation is on-going. Now that there's been deterioration with a second set of meters, we want an independent analysis from our engineer as to what is causing the problem not just the manufacturer's report.

Mezzalingua Utility Easement

Andy Ramsgard said the plan is for Mr. Mezzalingua's contractor to excavate the trench, then the Village would provide the materials and labor to install the electric conduit, and Mr. Mezzalingua's contractor

Mezzalingua Utility Easement (Cont'd)

would backfill. The Village work would be paid for by Mr. Mezzalingua. Following discussion of the timing, on the motion of Trustee Jones, seconded by Trustee Lynn, it was resolved and unanimously carried (5-0 in favor) that the Village will direct Foreman Murphy to prepare a cost estimate, Jo Anne Gagliano of EDR will prepare a scope of work, and upon receipt of the escrow funds from John Mezzalingua, Foreman Murphy will be directed to start work. Village Attorney Byrne indicated that he would like to look at the existing ROW and perhaps refine and improve it. Mr. Mezzalingua thanked the Board for their flexibility and accommodation.

West Lake Street Survey and Improvements

Mayor Green said he solicited a proposal from Stearns & Wheler (S&W), but it exceeds EDR's. For the survey work S&W estimated \$33,000 versus EDR at \$12,000 and for preliminary design S&W was \$28,600 versus EDR at \$20,000 plus \$5,000 for water system modeling. On the motion of Trustee Jones, seconded by Trustee Lynn it was resolved and unanimously carried (5-0 in favor) to approve Phase 1, Phase 2 and Phase 2a of the EDR proposal of October 7, 2008, as recommended by Mayor Green.

Parmelee Park Lease

Village Attorney Byrne said approval of the Parmelee Park lease was withdrawn from the Common Council's September 22nd agenda after caucus discussions about the Sherwood Inn's request to City Water for parking space and concern that the City is taxed for this park land. Mr. Byrne said it appears that the park is part of a larger parcel that includes the outlet and the dam for which the City is taxed. The park parcel is an insignificant portion, but it needs to be ironed out and the City has to decide what it wants to do. The existing lease will expire on October 31st and the land and improvements will revert to the city. Village Attorney Byrne will write them again.

Sprint/Nextel and T-Mobile Antenna Replacements

Trustee Angelillo reported that both firms have been contacted and Dave Stevenson of Dutch Hill Tower Antenna Systems is on board to evaluate the changes.

Bucket Truck Bid

Mayor Green said that with the tightening economy, the municipality we thought was interested in our truck has since backed out. With the quoted trade-in, Dueco is the low bidder. Trustee Angelillo noted that Dueco also met the bid spec without exception. On the motion of Trustee Angelillo, seconded by Trustee Jones, it was resolved and unanimously carried (5-0 in favor) to award the bid for a 52' bucket truck to Dueco at \$161,495 less \$10,500 for the trade-in of the Village's 1990 Ford bucket truck.

Agreement with HKK

PSP Committee Chairman Dolmatch said Holmes-King-Kallquist (HKK) is still on a time and material basis for the police station schematic design. He has also asked them to provide a cost for work on the parking parcel. He'll review the numbers when they come in and make a recommendation to the Board.

SEQR on PSP

Village Attorney Byrne commented that since we have a reasonably reliable estimate for the Police Station Project (PSP), it is an appropriate time to make a determination under the State Environmental Quality Review (SEQR). Based on Part 617.5 (c)(2) of Chapter VI of the State Regulation for SEQR that the new police station represents replacement of a structure or facility on the same site and Part 617.5 (c) (7) that is not a residential structure, is less than 4,000 square feet and does not involve a change of use, on the motion of Trustee Jones, seconded by Trustee Carlson, it was resolved and unanimously carried (5-0 in favor) to determine the police station project to be a Type II action with no further SEQR review or determination required.

2009 Maximum Contribution to FSA

On the motion of Trustee Angelillo, seconded by Trustee Jones, it was resolved and unanimously carried (5-0 in favor) to increase the maximum contribution that an employee can make to his 2009 Flexible Spending Account to \$3,000.

LOSAP Administrative Contract with Penflex

On the motion of Trustee Jones, seconded by Trustee Angelillo, it was resolved and unanimously carried (5-0 in favor) to authorize Mayor Green to sign the agreement with Penflex, Inc. to provide administrative and actuarial services for the Village's Length of Service Award Program for firefighters for a standard service fee for 2009 of \$3,800.

LOSAP Administrative/Investment Services from Glens Falls National Bank

Village Attorney Byrne noted that the Village had heard presentations from two investment advisors regarding investment of its LOSAP assets which are currently with Penn Mutual and USB. He said he feels it is in the Village's best interest to have the assets managed by one firm. He was most impressed with the proposal from Glens Falls National Bank (GFNB), who have outstanding experience and over 2 billion in assets, including 30 million in LOSAP funds. GFNB has also been designated by the NYS Comptroller's Office as its investment advisor the Volunteer Ambulance and LOSAP plans. Trustee Lynn agreed that GFNB seems the most experienced and knowledgeable, especially having won the contract with the State Comptroller. On the motion of Trustee Lynn, seconded by Trustee Angelillo, it was resolved and unanimously carried (4-0 in favor with Trustee Jones abstaining) to consolidate the Village's LOSAP funds with the Glens Falls National Bank.

Increase Petty Cash

On the motion of Trustee Jones, seconded by Trustee Carlson, it was resolved and unanimously carried (5-0 in favor) to authorize increasing the Village's petty cash account to \$200 over the \$100 retained annually for real property tax transactions.

Power Authority Tune-Up Program

On the motion of Trustee Jones, seconded by Trustee Carlson, it was resolved and unanimously carried (5-0 in favor) to authorize Mayor Green to sign the letter of participation for the Power Authority's Tune-Up Program which may benefit low-income families by reducing their energy needs after they utilize the "Winter Home Heating Tune-up Kit". Clerk Sheehan noted that the Power Authority will pay for the cost of mailing the program information and will provide assistance to any low income residential customer who is unable to install the kit items provided.

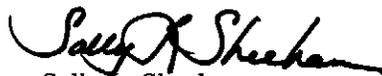
Executive Session

At 9:30 p.m., on the motion of Trustee Angelillo, seconded by Trustee Carlson, it was resolved and unanimously carried (5-0 in favor) to enter into an Executive Meeting to discuss a personnel matter. The Executive Session ended at 10:05 p.m.

Health Insurance for Medicare-Eligible Retirees

On the motion of Trustee Angelillo, seconded by Trustee Jones, it was resolved to recognize the 2008 annual supplement of \$2,700 be changed based on the change in CPIU from June 1, 2007 to June 1, 2008 as 4.2%, increasing the annual supplement to retirees enrolled in Medicare Parts A & B to \$2,813, and to authorize Village payment for Excellus-provided supplemental insurance whether that be one or more plans to the annual maximum of \$2,813. Voting in favor: Trustees Angelillo, Carlson, Jones, and Lynn. Mayor Green, a retired Village employee, abstained. The motion was carried 4-0 in favor with one abstention.

The meeting was adjourned at 10:07 p.m.


Sally L. Sheehan
Village Clerk