

**REGULAR MEETING, VILLAGE BOARD OF TRUSTEES
MONDAY, NOVEMBER 10, 2008
7:00 P.M.**

Present Mayor Bob Green, Trustees Marc Angelillo, Kathryn Carlson, and Sue Jones, Codes Enforcement Officer Jorge Batlle, Police Chief Lloyd Perkins, Village Historian Pat Blackler, Village Attorney Mike Byrne

Absent Trustee Tim Lynn

<u>Others</u>	Kathleen Barran	Skaneateles JOURNAL
<u>Present</u>	Cliff Abrams	37 State Street
	Paul Legnetto	Barton & Loguidice
	Bob Eggleston	Architect for Peter Wiles
	Jim Williams	9 Jordan Street

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

Mayor Green noted that following the last Village Board meeting, the Wiles project went to the ZBA to determine whether the zoning law on parking (Section 225-58) applied and if applicable, whether a waiver should be granted. He said the ZBA considered the application and recommends the Village Board waive the required fee for the parking deficit of 9 spaces in recognition of the land donated by the Wiles family for creation of the Parmele Park. Cliff Abrams spoke in favor of the waiver based on the donated land. The hearing was closed at 7:05 p.m. A draft resolution was circulated for review by the Trustees. Having met all the criteria of Critical Impact except the required parking, on the motion of Trustee Carlson, seconded by Trustee Jones, it was resolved and unanimously carried (4-0 in favor) to waive the 9 required on-site parking spaces for the site "in the overall public interest" in recognition of the Wiles family's previous donation of land for the creation of the Parmele Park and to grant a Critical Impact Permit.

(Insert Copy of the Resolution)

Minutes

On the motion of Trustee Angelillo, seconded by Trustee Carlson, it was resolved and unanimously carried (4-0 in favor) to approve the minutes of the Regular Meeting of October 27, 2008, as presented.

Bills

On the motion of Trustee Carlson, seconded by Trustee Angelillo, it was resolved and unanimously carried (4-0 in favor) that bills from Abstract #11 be audited and paid as follows:

General Fund	Vouchers 555 - 602	Checks 10386 - 10433	\$58,011.31
Sewer Fund	Vouchers 120 - 124	Checks 3161 - 3165	7,220.02
Water Fund	Vouchers 110 - 114	Checks 2699 - 2703	2,299.19
Electric Utility Fund	Vouchers 173 - 179	Checks 3624 - 3630	5,145.13

It was further resolved to authorize payments from the Joint Village/Town Municipal Offices Capital Projects account in the amount of \$87.50 (Check #1009) to Michael J. Byrne and \$4,046.89 (Check #1010) to Holmes-King-Kallquist and from the Parkside Engineering Escrow (CM22) account in the amount of \$3,931.39 (T&A Check #47217) to Stearns & Wheler. It was further resolved to adjust overdrawn accounts as follows:

<u>Amount</u>	<u>From Account</u>	<u>To Account</u>
\$4,000.00	A1990.4 Contingency	A1430.4 Health Insurance Consultant
328.80	A1990.4 Contingency	A1620.42 Village Off/Old SFD Maint/Repairs
5,000.00	A3120.11 Stop DWI	A3120.1 Police Salaries
15,000.00	A3120.13 Truck Enforcement	A3120.1 Police Salaries
3,291.80	A1990.4 Contingency	A3410.11 SFD Legal Services

<u>Amount</u>	<u>From Account</u>		<u>To Account</u>	
\$1,450.24	A1990.4	Contingency	A3410.412	Station 1 Heat
4,853.80	A1990.4	Contingency	A3410.414	Station 1 Electric
54.31	A1990.4	Contingency	A3410.419	Power Generator at Reservoir
268.61	A3410.417	W.Genesee Phone	A3410.44	Telephone Alarm
125.00	A1990.4	Contingency	A3620.13	Legal Services for Dispatch
41,050.65	A1990.4	Contingency	A5110.411	Street Improvement
972.00	A5110.41	Mats/Supplies	A5110.413	Comm. Dev '07 Fennell
1,020.63	A5110.41	Mats/Supplies	A5110.414	Street Signs
66.77	A8010.44	HLPC Notices	A8020.46	Planning Board Notices
1,258.37	A1990.4	Contingency	A8140.4	Storm Sewers Repair/Replace
1,860.00	A8810.413	Chapel Repairs	A8810.414	Layout/Landscape New Sections

County Mayors Association

Mayor Green asked any Trustees interested in attending the County Mayors meeting on November 19th in North Syracuse to contact Clerk Sheehan. Mayor Green will attend.

Skaneateles Lake Watershed Meeting

Amy Samuels of the Cornell Cooperative Extension will speak at the December 10th meeting of the Skaneateles Lake Watershed meeting to be held at the Presbyterian Church at 6:15 p.m.

Skaneateles Artisans' First Friday

On the motion of Trustee Jones, seconded by Trustee Carlson, it was resolved and unanimously carried (4-0 in favor) to authorize the Skaneateles Artisans to offer carriage rides in conjunction with their First Friday/Christmas Party on December 5th from 6-9 p.m., contingent upon the route having only right hand turns, there be pick-up of any droppings, and the carriage be lighted.

Wastewater Treatment Plant

Trustee Angelillo noted that influent flows for October were still significantly lower. BOD and suspended solids removal were both 98%. Forty-five thousand gallons of liquid sludge were transported to the Auburn WWTP and there were no violations of permit.

Police Station Project (PSP)

Mayor Green reported that the Committee hopes to receive the final schematic design at its meeting on Thursday. Village Attorney Byrne is continuing negotiations with the abutting property owners for easements and planning has begun for the utilities for the new police station and the existing station during construction. On the motion of Trustee Jones, seconded by Trustee Carlson, Police Officer Bill Marventano was appointed to the Police Station Project Committee to assist with programming.

Police Activity

Chief Perkins reported that the school floor plans are now on all the car laptop computers. He said Halloween ran smoothly with the young people quite reserved. Chief Perkins reported that he is working on the County's Hazard Mitigation Plan, which must be filed by November 30th. Dispatch Foreman Barron with the help of other dispatchers is developing the call-in data base, a mandate of the Advisory Committee, which will allow a search by street.

Codes Enforcement/Planning

Codes Enforcement Officer Batlle reported that the Planning Board is continuing work on phases 1, 2, and 3 of the Parkside subdivision, having met Sunday. He said there are a number of minor, annoying issues to resolve. The ZBA has given Wayne Hirst (4 East Lake Street) until June, 2009, to remove the garage addition. CEO Batlle said the files of the zoning office have been reorganized by Catie Serrett to be in tax map number order instead of being my owners' name as owners change. She's also developing a spreadsheet so we can crosscheck by tax map number, name and address.

Burrows Chapel Repair

Lakeview Cemetery Commissioner Blackler reported that the scope of work was defined and work started last Monday. She said she'd like the DPW to scrape the bathroom walls so we can see if the efflorescence continues next spring or is corrected.

Cornell Students

Village Historian Blackler reported that the Cornell students are preparing the inventory of West Lake Street and West Genesee Street properties which they will present on December 9th at 7 p.m. at the Fire Station. Mayor Green commented that last year's presentation was phenomenal.

Franklin Street Drainage Analysis

Mayor Green reported that he and Supervisor Tierney met with Paul Legnetto of Barton & Loguidice (B&L) last week to review the report which B&L prepared under a joint \$100,000 Village/Town grant from Senator DeFrancisco. Village Attorney Byrne clarified that the only infrastructure improvements recommended for the Village are a minor part of the streetscape plan for the north side of West Genesee Street (Mirbeau). In the Town, the detention basin by the bus garage will be enlarged and will release to a new diversion swale to be created in the existing ditch area behind the homes on the west side of Franklin Street, feeding to a closed drainage system with a 48" stabilized outlet adjacent to Janet Aaron's property. Changing the release of the upper basin will allow the lower, Mirbeau detention basin to function better. Mr. Legnetto said the drainage and flooding problems experienced on Franklin Street and West Elizabeth Street were not contributory to the problems on Orchard Road and he pointed out the red-line "crest" between Franklin and Orchard shown on B&L's October 7th drainage study aerial. The diversion swale will be built by Town Highway employees and Mr. Legnetto is also securing funds from Soil and Conservation. In response to Mayor Green, Mr. Legnetto said B&L has billed \$9,500 to date and they propose \$22,500 for the next phase of work. He also explained that the way he wrote the request to Senator DeFrancisco, any work done to divert flows to correct drainage in the area would qualify for use of the grant funds. The Board discussed Supervisor Tierney's request that the Village turn over its share of the grant to the Town for its work. On the motion of Trustee Jones, seconded by Trustee Angelillo, it was resolved and unanimously carried (4-0 in favor) to utilize the Village's \$50,000 share of the grant as follows:

- \$18,900 reimbursement for Stearns & Wheler's Orchard Road Infiltration/Inflow report
- 16,000 reimbursement to the Town for B&L (half of the estimated engineering cost)
- 12,200 reimbursement to the Village for Orchard Road storm drainage expense
- 3,800 balance to the Town for Franklin Street drainage remediation work

Parmele Park Lease

Village Attorney Byrne said discussions are continuing, but he doesn't have anything concrete to report.

HKK Contract for Police Station Project

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 agreement with Holmes-King-Kallquist for architectural services on a new 3,100 square foot police station at a cost of \$51,200. Mayor Green said the goal is to get out to bid in February and start construction in April. The Board deferred action on the parking parcel proposal, acknowledging however that some of the design phase work may have already been done by Appel Osborne under the time and material agreement previously approved.

Mezzalingua Utility Easement

Village Attorney Byrne said the existing utility easement was created by the filing of the map which he expects to procure this week. Clerk Sheehan reported that Foreman Murphy prepared an estimate and the Mezzalinguas have made the \$8,826.11 deposit with the Village.

Tobacco-Free Onondaga County

On the motion of Trustee Carlson, seconded by Trustee Jones, it was resolved and unanimously carried (4-0 in favor) to approve the resolution discouraging point-of-sale tobacco advertising as read by Mayor Green.

Election 2009

On the motion of Trustee Carlson, seconded by Trustee Jones, it was resolved and unanimously carried (4-0 in favor) to authorize publication of the legal notice announcing the offices to be filled in the 2009 General Election on March 18th.

Treasurer's Reports for October

On the motion of Trustee Jones, seconded by Trustee Angelillo, it was resolved and unanimously carried (4-0 in favor) to acknowledge receipt of the Treasurer's Reports for October.

Executive Session

At 8:20 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 Meeting to discuss a personnel matter. The Executive Meeting ended at 8:50 p.m.

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


Sally L. Sheehan
Village Clerk

**Regarding the Application of Peter Wiles, Jr.
For Critical Impact Approval Regarding Renovation of
Wiles Building, 9-13 Jordan Street**

RESOLUTION

Background.

This matter comes before the Board of Trustees for Critical Impact approval, pursuant to Article XI of Chapter 225 of the Village Code.

This project involves the proposed renovation and expansion of the Wiles building at 9-13 Jordan Street. As presented, the project includes the following features:

- The remodeling of the 2nd and 3rd floors, adding 240 square feet of new living space, a 207 square foot porch and a 349 square foot deck to the 3rd floor, and a 96 square foot deck to the 2nd floor.
- The 3rd floor roof will be raised and reconfigured.
- The exterior of the building will be repaired and restored and new windows will be installed.
- Three existing residential dwelling units will be combined and reduced to 2 dwelling units.
- The retail/office space on the 1st floor and basement levels, housing Mid-Lakes Navigation, Ltd. and McCarthy Studio will remain unchanged.
- The consolidation of dwelling units from 3 units to 2 units will result in a reduction of bedrooms from 6 to 3.
- All plumbing fixtures will be replaced with low flow units.

This matter was referred to the Board of Trustees following review and approval by the Planning Board and the Historical Landmarks Preservation Board.

The matter is before the Board of Trustees for Critical Impact approval and following a review and variance determination by the Zoning Board of Appeals.

The Zoning Board was asked to determine the applicability of Code Section 225-58 ("Requirements for Off-Street Parking Spaces and Loading Berths; Parking Trust Fund"), and, if applicable, to determine the number of parking space variances required for this project. Following a public hearing held on October 28, 2008, the Zoning Board of Appeals made the following determinations and recommendations:

1. This project is subject to the requirements of Code Section 225-58.

2. The required number of parking spaces for the project, including residential and commercial areas, is 20 spaces.

3. The applicant can provide 7 on-site spaces, reducing the required number to 13.

4. The applicant is granted a "partial waiver" of 20% of the required number of spaces thereby reducing the required number by 4, with 9 required spaces remaining.

5. The Zoning Board recommended that the Board of Trustees exercise its discretion to eliminate the remaining 9 required parking spaces because to do so is in the "overall public interest" in recognition of the fact that the applicant's family had previously donated a portion of the land at this site to the Village of Skaneateles which was used in the development of Parmele Park adjacent to the Skaneateles Lake Outlet.

The Board of Trustees conducted a public hearing for purposes of Critical Impact review on October 27, 2008. The public hearing was adjourned until November 10 for the purpose of receiving the determination and recommendation of the Zoning Board with regard to parking space variances.

Required Findings.

Pursuant to Village Zoning Law Section 225-54 (Critical Impact Permits), Subsection F (Basis for Determination) the Board of Trustees are required to take into consideration "...the public health, safety, morals and welfare..." and are required to make various findings with respect to a project. After full consideration of all information and materials presented in support of this application, the Board of Trustees find as follows:

A. The plans submitted for the proposed improvements meet the prescribed requirements of Article XI (Critical Impact) and all applicable regulations and Code provisions.

B. The proposed improvements will not have an adverse impact upon the character or integrity of any land use within the immediate neighborhood having a unique cultural, historical, geographical, architectural or other special quality of similar magnitude.

C. The proposed improvements are in harmony with the visual and physical context of the immediate neighborhood.

D. The proposed improvements and site development plan are in harmony with, and will not impede the orderly development or redevelopment of, the general neighborhood and the location, nature and height of buildings, structures, walls, fences and parking areas will not discourage the appropriate development and use of adjacent lands or adversely affect existing land use in close proximity to the subject site.

E. The proposed improvements will be developed in such a way as to insure maximum amenities will be available to the site and the structure will be reasonably accessible

for police and fire protection, and the water supply, sewage disposal and surface drainage systems are adequate to serve the proposed structure.

F. The traffic controls for vehicular and pedestrian movements are adequate to protect the safety of the general public and the occupants of the proposed structure.

G. The proposed structure will comply with the provisions of Chapter 167, Article III (Use of Sewers).

THEREFORE, based upon all of the foregoing, the Board of Trustees hereby grant the following approvals:

A. Based upon the recommendation of the Zoning Board of Appeals, the Trustees hereby determine that the 9 required on-site parking spaces for this site, which cannot otherwise be provided, are waived "in the overall public interest" in recognition of the fact that the applicant and his family previously donated a portion of the subject site to the Village for use in the creation of Parmele Park adjacent to the Skaneateles Lake Outlet.

B. Critical Impact approval is hereby granted.

Adopted this 10th day of November, 2008.

Motion made by: Trustee Kathryn A. Carlson

Seconded by: Trustee Susan P. Jones

Those voting in favor: Mayor Robert A. Green, Jr., Trustee Marc C. Angelillo,
Trustee Kathryn A. Carlson, Trustee Susan P. Jones

Those voting in opposition: none

Absent: Trustee Timothy M. Lynn

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Motion carried: 4-0 in favor