

PROPOSED LOCAL LAW #2 OF 2005
AMENDMENT TO ARTICLE XI (CRITICAL IMPACT
USES AND PERMITS) TO ALLOW FOR APPOINTMENT
OF, AND REIMBURSEMENT FOR, A VILLAGE FIELD REPRESENTATIVE.

Purpose: In connection with the issuance of the Critical Impact Permit, to allow for the appointment for a Field Representative by the Trustees, in cases where portions of a project will ultimately be dedicated to the Village as infrastructure (streets and utilities) and to pass on the cost of that service to the developer.

Proposal: Section 225-54 (Critical Impact Permits), Section H (Conditions), should be amended to read as follows:

“The Board of Trustees may impose such conditions on the approval of any application for a Critical Impact Permit which, in its opinion, are necessary and reasonable to implement the provisions of this article.

(New language as follows)

1. Where portions of a project seeking a Critical Impact Permit are to be dedicated, upon completion, to the Village as public infrastructure (i.e., streets, utilities, etc.), the Board of Trustees shall take all necessary and appropriate steps to insure that the construction of said improvements conforms to all applicable codes, rules and regulations and to approved project plans and specifications. The Board of Trustees may engage the services of the Village Engineer for that purpose, and may, in addition, appoint a Field Representative who shall be engaged to be on-site, on behalf of the Village, during the construction of such infrastructure. The services of a Field Representative shall be engaged for the purpose of reviewing and monitoring the construction of those infrastructure related improvements which will ultimately be dedicated to the Village upon completion. The Field Representative shall act as an owner’s representative, with authority to communicate with the contractor or developer, and coordinate with Village personnel and shall report to the Board of Trustees periodically with regard to the progress of construction and with regard to compliance with, or deviation from, all applicable Village standards and specifications of construction and technical requirements, including necessary testing requirements.

2. The developer/applicant seeking a Critical Impact Permit shall be required, as a condition of the granting of such permit, to pay for the services of the Village Engineer and Field Representative. The developer/applicant shall establish a pre-paid account with the Village, under the control of the Village, in an amount sufficient to pay for the services of the Village Engineer and Field Representative for the duration of the work to be undertaken by the developer in connection with infrastructure improvements. The amount of initial deposit to the pre-paid account shall be determined by the Board of Trustees. In the event that the initial deposit is exhausted while work on infrastructure improvements remains to be completed, the

Board of Trustees may require additional deposits by the developer/applicant to cover additional services of the Village Engineer and/or Field Representative.

3. Notwithstanding the steps taken by the Village Board of Trustees and the services provided by the Village Engineer and Field Representative, the developer/applicant and his/its agents, representatives, contractors and assignees shall be solely responsible for compliance with all applicable codes, rules and regulations including, but not limited to the Village Code, the Charter of the Municipal Board of the Village of Skaneateles and its technical specifications as revised from time to time.”

(New language underlined.)
(1/21 Revisions highlighted)