

Town Board Meeting
September 4, 2014
7:00 p.m.

Present: Supervisor Sennett, Councilor Greenfield, Councilor Murray, Councilor Brace, Councilor Howard, Attorney Taylor.

Also Present: Sue Murphy, Bridgett Winkelman, Jonathan Monfiletto (Skaneateles Journal, Brody Smith, Bill Pavlus, Beth Battle, Jim Lanning, Allan Wellington, Julie Stenger, Fran Rotunno Fish, Phil Blackwell (Skaneateles Press).

Department Reports:

▪**Highway, Water, Transfer Station:** Allan Wellington reported that the highway department was replacing blacktop, working on shoulders and ditches, mowing and doing general repairs. The water department installed a meter pit and was doing general repairs. At the transfer station they were still loading mulch for DeMarco, doing repairs and putting up signage that 2015 hang tags will be available October 1st.

▪**Parks:** Sue Murphy reported that the fire department field days was a success at Austin Pavilion. She is now working with the school, youth hockey and figure skating on their ice contracts which will be forwarded to the Town Board for their approval. This Saturday Austin Pavilion will be rented and the farmers market and remarket will be in the parking lot. They will be getting the Pavilion ready for the ice season which is expected to begin the middle of October.

Councilor Howard questioned if the ice mechanism would be operational for the season. Sue Murphy said that is what they were counting on.

Councilor Murray commented on how nice the bathrooms and facility were for the weekend events.

▪**Planning,Zoning,Codes:** Councilor Brace reviewed the August building permit report showing 11 permits issued including several fireworks permits with building permit fees totaling \$5,295. The number of building permits issued is 13 more than this time last year. For the Zoning Board of Appeals there were three pre-application meetings, 1 denial and 4 variance applications. The Planning Board had 2 special permits, 4 site plans, and 1 subdivision application. Four amendments and/or extensions were also issued. Councilor Brace said that the Town purchased two Ipads under State bid for \$750 to be used by the Planning & Zoning Departments as well as the Town Board. At Tuesday's meeting the Zoning Board was able to display those projects that had been submitted electronically so that the public could see what was being discussed.

Councilor Brace reported that there was a joint meeting of the Comprehensive Review Committee and the Planning and Zoning Boards from the Town and Village on Wednesday at the district office also attended by herself along with Councilor Howard, Councilor Greenfield and Councilor Murray to review the goals of the draft comprehensive plan. She said it was a very good discussion. They will need to meet again and then hopefully it will be referred back to

the Planning Board and then to the Town and Village Boards and be made available to the public.

Councilor Howard questioned the permit fee for fireworks. Supervisor Sennett said that it is for commercial fireworks and the company doing the display has to apply and meet the code and insurance requirements.

▪**Animal Control:** Councilor Greenfield reviewed the 35 calls for August, of which 20 were in the Village. In addition to dogs and cats, several calls were for bats, skunks and woodchucks.

▪**Historian:** Beth Battle reviewed the history of the seawall being built in Thayer Park thanks to Joel Thayer who deeded the park to the Village in 1874. That same year the Thayer Park archway was added and the seawall constructed from stone that came from Longbridge, located between Mottville and Skaneateles. When completed, the seawall was nine feet above the top of the lake. Ms. Battle submitted pictures of the park before the seawall and during the construction. The Town Board thanked her for this interesting piece of history.

▪**Budget:** Bridgett Winkelman reported that the majority of departments submitted their budget information and she is continuing to prepare for the budget meetings with the Town Board. She billed water district #1, the largest district, and everything worked very well the first time billing after the installation of the solar powered repeater.

Resolution #14-132

Minutes: Councilor Murray made a motion to accept the minutes of August 21, 2014 as submitted. Seconded by Councilor Howard.

Councilor Howard	Yes
Councilor Brace	Yes
Councilor Greenfield	Abstain
Councilor Murray	Yes
Supervisor Sennett	Yes

Carried 4-0

Resolution #14-133

Introductory Local Law 2014-C known as “A Local Law Amending the Town Code of the Town of Skaneateles to define when an application before the Planning Board and Zoning Board of Appeals will be deemed to be abandoned”. Supervisor Sennett said this proposed Local Law addresses applications that have been dormant. This came before the Planning and Zoning staff meeting last month where Mark Tucker, Planning Board Chairman, stated that it has happened numerous times in the past. This law establishes the framework to consider when an application can be considered abandoned.

Councilor Brace read the following resolution:

A Resolution introducing Local Law 2014-C, known as “A Local Law Amending the Town Code of the Town of Skaneateles to define when an application before the Planning Board and Zoning Board of Appeals will be deemed to be abandoned”.

WHEREAS, the Town Board of the Town of Skaneateles has been advised of the desirability of revising the Town Code to define when applications pending before the Planning Board and/or the Zoning Board of Appeals shall be considered to be abandoned, all as is more particularly set forth in the proposed Local Law 2014-C attached hereto as Schedule "A" and incorporated herein;

NOW, THEREFORE, The Town Board of the Town of Skaneateles

RESOLVES, the Town Board hereby introduces said Local Law 2014-C; and

FURTHER RESOLVES, that the Town Board declares itself as Lead Agency for SEQR purposes; and

FURTHER RESOLVES, that in compliance with State Law, that the proposed Local Law 2014-C of the Town of Skaneateles be referred to the Syracuse Onondaga County Planning Agency for its review, input, comment and advice; and

FURTHER RESOLVES, that the proposed Local Law 2014-C be referred to the Town's Planning Board and to the Town's Zoning Board of Appeals for their respective review, input, comment and advice; and

FURTHER RESOLVES, that the Attorney for the Town of Skaneateles shall forthwith cause a copy of the proposed Local Law 2014-C to be sent to each of the Syracuse Onondaga Planning Agency, the Town of Skaneateles Planning Board and the Town of Skaneateles Zoning Board of Appeals for their respective review, input, comment and advice; and

FURTHER RESOLVES, that upon receipt of the comments, input and advice of the Syracuse Onondaga Planning Agency, the Town of Skaneateles Planning Board and the Town of Skaneateles Zoning Board of Appeals, a Public Hearing on the proposed Local Law 2014-C shall be scheduled according to law by further action of this Town Board of Skaneateles.

Councilor Brace made a motion to accept the resolution introducing Local Law 2014 C, seconded by Supervisor Sennett.

Councilor Greenfield said he had a question regarding the definition of "advanced" in the sentence that reads "has not been advanced by the applicant". He said he personally had to wait up to 11 months to get approvals from the Army Corp of Engineers or the NYSDEC. He said it needs more clarification and definition.

Supervisor Sennett said that it was discussed at the Planning and Zoning Staff meeting and the record of that meeting may clarify this.

Attorney Taylor said the ball is in the applicant's court. If the Planning or Zoning Boards require that the applicant get an approval from the NYSDEC, that would advance the application and the timing of those approvals would not be charged against the applicant.

Councilor Greenfield said that he still wanted it clarified.

Councilor Murray said she also has a concern what "advanced" means. The Town has taken 15 years to complete the Western Gateway, with the landscaping taking 2 ½ years. It is a slow moving process for some projects. She questioned how this would affect the average person and

what does “action” of the Planning Board really mean. She also said that a clearer definition of this should be made.

Supervisor Sennett said the Western Gateway was different. Things were happening. She said Councilor Murray was meeting with the NYSDOT, the Skaneateles Garden Club reviewed the landscaping plan, the bids were being drafted and donations received. It was advancing.

Councilor Murray said she believes the applicant should be given longer than 90 days and the language should be clearer.

Attorney Taylor said the ball is in the applicant’s court. As long as the applicant is advancing the applicant will be fine. It is when the applicant is not showing up for meetings or there is no communication.

Supervisor Sennett said it is just being referred to the County Planning and the Planning and Zoning Boards. The Town Board will wait for comments back before considering scheduling this for a public hearing.

Councilor Howard	Yes
Councilor Brace	Yes
Councilor Greenfield	Yes
Councilor Murray	Yes
Supervisor Sennett	Yes

Carried 5-0

Resolution #14-134

Authorize Transfer from Transfer Station Capital Improvement Reserve Fund - Not to Exceed \$5,200 for insulating the Transfer Station shop building: Allan Wellington explained that the shop building is the building farthest from the road. This is where they do maintenance of their equipment and store equipment. They need to reinsulate the building because even keeping the building heated at only 45 degrees last year cost \$1100 a month. He wants to take down the insulation and have foam insulation added.

Councilor Brace asked if the insulation that is currently there has been tested. Allan Wellington said he does not believe it has asbestos. Councilor Brace said that it should be documented what the insulation is because there is asbestos in so many things that you might not be aware of. She would not want to put the Town in a liability situation. She asked if there were any records when the insulation was installed. Mr. Wellington said he would look into it. He said if it had asbestos in it, he may need more money for the abatement.

Councilor Brace moved a resolution, seconded by Councilor Greenfield and with unanimous (5-0) approval of the Town Board, authorizing the transfer of not to exceed \$5,200 for insulating the shop building at the Transfer Station, subject to the permissive referendum requirements of Town Law and General Municipal Law and contingent upon the assessment of the hazardous or non-hazardous content of the current insulation.

Parking at Mandana Parking Lot: Supervisor Sennett said that River Rock Dock has parked their work boat at the Mandana parking lot most of the summer as they work on properties on the lake. Councilor Greenfield said he did not see a problem as long as they were working on lake repairs. Councilor Brace questioned if the Town was showing favoritism by permitting the use of the parking lot as a permanent parking place. She questioned at what point it becomes excessive.

Supervisor Sennett said that most businesses have a location where they store their large trucks, etc. But in this case it is hard to move a large barge and questioned if there should be a permit fee similar to the fees charged businesses at the Transfer Station.

Fran Rotunno Fish said that this business is making money using a public facility. She said the Town charges to swim and should charge for use of the parking lot. She said she has also seen tractor trailers there and recommended that the signage be removed because none of the rules are being followed and nothing is being enforced. She said if you allow this person to use the parking lot then you have opened the door to other exceptions.

Ms. Fish also spoke about issues regarding protecting our lake and limiting people from other lakes that have not been inspected from using our lake. She said there is no place for people to dump their boat bilge and she said Milfoil is bad but if Hydrilla gets in the lake we are in big trouble.

Councilor Howard said permit fees at Mandana may help pay for more people to do inspections before boats enter the lake.

Councilor Greenfield said that the State DOT stops and inspects a lot of trucks in Mandana and if they have violations they are “red tagged” and they can’t drive the truck so it is left in the Mandana parking lot.

Councilor Murray said that she would love to see a facility on our lake like Lake George has but she knows it is very expensive.

Supervisor Sennett said that she would like to see a small committee formed to brainstorm on this issue and suggested Councilors Howard and Greenfield and a couple other people from this area to participate on this committee.

Announcements/Correspondence/Updates

▪*Animal Control Position Discussion:* Supervisor Sennett led a discussion with the Town Board regarding how to go forward with this position. She previously discussed this with Matt Olszewski who said you have to take care of dogs and cats but said a lot of the problem with trapping is residents who do not mitigate the cause of the problem like fixing the hole in the roof so bats can’t get in. The Board did agree that issues like mice and bats should be referred to a private pest control business and that parameters need to be set.

The Board agreed to continue the discussion at the September 18th meeting.

▪*Plumley Report & letter submitted to DEC request to change the landfill monitoring program.*

- Letter from James Moore Re: Victory Sports Medicine:* Supervisor Sennett said that the letter from James Moore stating that “members of the Skaneateles Community who continue to be very concerned with the proposed project and its status and they are looking for an update on this matter from the Town Planning Board.”
- Free Paper Shredding – September 20th at the Transfer Station 9 a.m. to noon For Town Residents with a valid Transfer Station Permit.*
- Town of Sennett – Consent to Lead Agency Designation – Proposed Local Law- Amendment to Comprehensive Plan.* Supervisor Sennett said that the Town of Sennett was amending their Comprehensive Plan and asked Tom Taylor to contact the Sennett Town Attorney to say that the Town of Skaneateles has no objection to the Sennett Town Board being lead agency.
- Telephone Call thanking Brian Buff for his help in discussing draining issues and trimming road shoulders*
- Letter complimenting Pat Snyder, Outreach Coordinator for help at the Loan Closet*
- Constable report on the boat launch:* Supervisor Sennett reported that the Constables issued 16 parking tickets at the NYS Boat Launch. The Board agreed that they did a great job.
- Board of Assessment Review Vacancy:* Supervisor Sennett reminded everyone that we need to fill a vacancy on the Board of Assessment Review. The position has been advertised.
- Event at St. James Church on Climate Change:* Councilor Brace said two documentaries on Climate Change would be shown September 7th starting at 6 p.m. hosted by EarthWorks and Sustainable Skaneateles. The event is free.
- Western Gateway:* Councilor Murray said she visited all the businesses along the Western Gateway to inform them of the trees that would be planted in front of their businesses. The project should start soon.

Additional Comments: Supervisor Sennett asked if anyone else wished to make a comment:

Fran Rotunno Fish said she was concerned about the high level of the lake saying that she called Senator DeFrancisco and Assemblyman Finch as well as Rich Abbott at the City of Syracuse. The lake is at 862.93 and is allowed to go to 863. The lake can go 4.4” lower in order to go to the lowest level allowed and that would make a great difference whenever there is wave action in diminishing erosion. She said it has never seen the lake this high this time of year. She requested that all Towns on the lake contact the City of Syracuse to lower the lake.

Brody Smith introduced himself as an attorney with Bond, Schoeneck & King who represents Victory Sports Medicine and was questioning Introductory Local Law 2014-C, regarding the “Abandonment of Pending Applications” saying that Town Law §274-278 dictates the time frames for site plan review and that State Law would pre-empt the Town altering and adding new time frames. Mr. Smith said that Board members made great comments on the vagueness of the words “advanced by the applicant” and “last action taken by the Planning Board”, saying that it needed to be better defined. He questioned why this local law is needed asking if there a backlog with the Planning Board? He said why is it so bad that a developer takes their time with a project and questioned why the Boards would want to hurry a project. He believes this local law

is targeted at one or two projects currently before the Planning Board and is a potential Civil Rights violation. He asked if there was a retaliatory reason to deprive these two projects of due process. He said that the proposed law also applies to existing applications which he believes is considered “a taking of property rights” when they have invested hundreds and thousands of dollars pursuing due process. He thanked the Board for allowing him to comment.

Jim Lanning directed to Fran Rotunno Fish that the creek has been higher recently and believes they are letting more water out of the lake.

Bill Pavlus said it is unbelievable the amount of work Allan Wellington does. Supervisor Sennett said she is a fan and the Board agreed.

Resolution #14-135

Budget Amendments/Adjustments: On a motion of Councilor Greenfield, seconded by Councilor Murray and with unanimous (5-0) affirmation of the Town Board the following budget amendments and adjustments were authorized:

Budget Adjustments

General Fund

\$5,000.00	Increase	014404.01.004.00	Engineering – C/E
\$5,000.00	Decrease	019904.01.004.00	Contingency Account

Costs associated with special project and reviews

\$8,000.00	Increase	071104.01.004.48	Summer Parks – C/E – Utilities
\$8,000.00	Decrease	071404.01.004.48	Winter Parks – C/E - Utilities

Consolidate all utility costs into a single line

Budget Amendments

General Fund

\$ 50.00	Increase	080204.01.004.00	Planning – C/E
\$ 50.00	Decrease	019904.01.004.00	Contingency Account

Costs associated with Planning Federation Dues

Sewer Consolidated

\$5,000.00	Increase	081204.10.004.00	Sanitary Sewer – C/E
\$5,000.00	Decrease	000909.10.000.00	Fund Balance

Cost associated with delayed billing from Village - 2013

Sewer #6

\$1,000.00	Increase	081204.11.004.00	Sanitary Sewer – C/E
\$1,000.00	Decrease	099019.11.009.00	Interfund Transfer – C/E

Cost associated with delayed billing from Village - 2013

Resolution #14-136

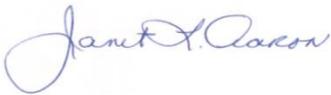
Abstract #2014-16: On a motion of Councilor Greenfield, seconded by Councilor Murray and with unanimous (5-0) affirmation of the Town Board voucher #14-1173 to #14-1213 were audited and approved to be paid from the following funds:

General Fund:	\$12,903.54	Part Town:	\$ 1,518.75
Highway:	\$ 4,416.15	Highway P/T:	\$ 1,653.02
Street Lights:	\$ 1,008.02	Water:	\$11,491.57
Water #5:	\$ 356.76	Sewer:	\$ 1,247.48
Sewer #6:	\$ 163.13	T & A:	\$ 1,177.49

Total: \$35,935.91

Meeting adjourned at 8:17 p.m.

Respectfully submitted,



Janet L. Aaron
Town Clerk