

Town Board Meeting
April 1, 2019
6:30 p.m.

Present: Supervisor Aaron, Councilor Badami, Councilor Tucker, Councilor Coville, Attorney Smith.

Absent: Councilor McCormack

Also Present: Sue Murphy, Bridgett Winkelman, Allan Wellington, Martin Dillion, James Greenfield, Beth Batlle, Jason Gabak (Skaneateles Press), Garrett Krieger, Kristi Krieger, Josh Heintz, Cole Heintz, Cullen Heintz, Cynthia Kerr, Grace Murphy, Courtney Alexander, Colin Morrissey, Cameron Lowe, Adam Casper, Jeff Casper, Sam Gadjo, Joe Calipari, Jack Henry, Luke Lynn, Owen Curtis, Skyler VanLeer, Sam Townsend, Cole Kennedy, Mason LaPiccolo, Luke Viggiano, Tim Lynn, Mitch Major.

Department Reports

Highway, Water, Transfer Station: Highway Superintendent Allan Wellington reported the plows had been out 6 times since the last Board meeting making it 140 times for the season as compared to 152 times for the season last year. They cleaned up fallen tree limbs, made equipment repairs, filled potholes and moved the stock pile of hard fill from the Highway garage to the Transfer Station. In the Water Department they replaced a damaged fire hydrant and repaired the watermain at Vinegar Hill Road due to an auto accident, installed a riser on a fire hydrant at Jordan Road and Britcher Road. Also, 2 employees attended water school to maintain their water license. At the Transfer Station they ground all the brush which took three days and repaired the rollers and the door on two compactors.

Parks: Sue Murphy reported the Parks Department had been working on cleaning up and repairing from plowing the walkways and parking areas at the Parks. They had also been getting the bleachers and benches ready to be brought out. J&B Installations had finished the roof at the Austin Pavilion. They have rented a lift to complete the removal of the insulation on the ceiling of the Austin Pavilion, and had been working with the groups that are planning events at the Austin Pavilion this summer, including the Methodist Church and some new events which may include an SPCA fund raiser and a car show.

Planning & Zoning: Councilor Tucker reported there were currently 7 open projects. He reviewed the status of existing projects still open; Hidden Estates, Zechman Subdivision, Skaneateles Country Club, Loveless Farm Development, Chris Graham, Pat Gray's subdivision, Eileen Murphy and John Swygert.

Codes: Councilor Badami reviewed the Codes Office report for the month of February submitted by Codes Officer Bob Herrmann. He reported there were a total of 16 permits issued for the month of February with a total valuation of \$200,000 and \$1,844 in permit fees collected. He reviewed the codes report for the Certificate of Completions issued in the month of February and stated there were 37 C of O's issued, bringing the total open permits to 157 from the original number of 320.

Budget: Budget Officer Winkelman reported the auditors completed their audit and will complete the 2018 AUD and submit it and their report in the next month.

Historian: Town Historian Beth Battle gave a report to the Board titled “James Fullers’ letter to the Farmers of Somerset”.

*report attached

Resolution #19-065

Minutes of March 18, 2019: On a motion of Councilor Tucker, seconded by Councilor Badami, and with a (4-0) affirmation of the Town Board the Minutes of March 18, 2019 were accepted as presented.

Resolution #19-066

Declare Transfer Station’s 2012 Skid Steer S770 as Surplus: Highway Superintendent Wellington explained in order to trade in the 2012 skid steer to purchase the new skid steer for the Transfer Station the Board had to declare the 2012 S770 model as surplus.

On a motion of Councilor Coville, seconded by Councilor Tucker and with unanimous (4-0) affirmation of the Town Board the Town Board declared the 2012 S770skid steer as surplus.

Resolution #19-067

West Lake Sewer District #1 Agreement with the Village of Skaneateles: Attorney Smith explained to the Board the extension to the sewer district on West Lake Road and construction of this extension had been completed a few years ago and at the time there was no necessity to file with the State Comptrollers office, it was all completed with local approvals and the property owners paid for the extension themselves.

The Sanitary Sewer Agreement with the Town of Skaneateles West Lake Sewer District #1 and the Village of Skaneateles is an intermunicipal agreement that is necessary due to the fact the Village runs the sewer treatment plant. He explained the agreement he is presenting to the Board would set up the standard billing procedure and the responsibility for maintenance of the district extension. He stated the district extension boundaries are from the Village line to the Skaneateles Country Club and is only servicing the following properties, 3406 West Lake Road (tax map #s 049.-02-04.2, 049.-02-04.1), 3384 West Lake Road (tax map #049.02-03.0) and 3344 West Lake Road (tax map #049.-02-02.1). These properties are all on the lake side, it does not incorporate the properties on the other side of West Lake Road.

Supervisor Aaron asked with this agreement would the maintenance become the Town’s responsibility? Attorney Smith reviewed the terms in the agreement stating the following:

The Town hereby requests that the Village continue to accept the District for connection to the Village’s sanitary sewer system and Treatment Plant for an additional five (5) year term.

No additional structures beyond those which are reflected in the Map, Plan and Report, may be connected to the sanitary sewer system and Treatment Plant without the Village’s prior written consent.

The Town, by means of charges levied against those properties lying within the District, agrees to pay the Village sewer use charges of Six and 20/100 Dollars (\$6.20) per 100 cubic feet of water consumption.

Sewer use charges are subject to review and adjustment periodically by the Village, effective upon ninety (90) days' prior written notice to the Town. The parties agree that any such adjustment shall be reasonably related to increased operation and maintenance costs actually incurred or reasonably anticipated by the Village.

Sewer use charges to property owners within the District will be calculated and billed by the Village to the Town on a monthly basis based upon the sum of metered water consumed by the individual properties in the District and payment shall be remitted by the Town to the Village within thirty (30) days of receipt of the Village's voucher.

It is understood and agreed that Village Local Law No. 1 of 1989, as amended, also known as the Village Sewer Ordinance, shall apply to all properties within the District which are connected to the sewer system.

He stated these terms are the same for the other consolidated sewer districts in the Town and this sewer district extension will be treated the same with the billing and maintenance with this agreement.

Supervisor Aaron asked Budget Officer Winkelman if she was set up to begin billing these properties. Ms. Winkelman said no, not at this time. She stated the current sewer customers are billed monthly. The Village currently charges these customers. We currently bill these customers for water quarterly, but we would change them to monthly billing if we are going to bill for sewer also. The Town currently has about 25 sewer customers that we bill monthly.

Councilor Coville asked if the Town maintains the sewer lines in the Village. Supervisor Aaron stated no, only in the Town. The Kenan property that is serviced by this extension is one of three parcels the Kenan's own. Two of their parcels are in the Village and one is in the Town. The Town parcel is the only one serviced by the extension in the Town.

Budget Officer Winkelman stated the Town currently does not bill the Kenan's for water in the Town, they are billed by the Village for all their parcels.

Attorney Smith recommended the Board table this at this time and allow Budget Officer Winkelman to review with the Village the account and billing procedure. The Board agreed.

Resolution #19-068

Parks Laborer – Matthew Sheppard: Parks Director, Sue Murphy recommended to the Board they approve her recommendation to hire Matthew Sheppard as a seasonal parks laborer to start as soon as possible.

On a motion of Councilor Badami, seconded by Councilor Tucker and with unanimous (4-0) affirmation of the Town Board, Matthew Sheppard was authorized to be hired for the position of Seasonal Parks Laborer at \$11.10 per hour.

Resolution #19-069

Austin Park Restroom Project: Attorney Smith reported to the Board a letter of acceptance had been sent to McGinnis Nelson Construction, the company who submitted the winning bid. Amy Rhinehardt from his office staff at Bond, Schoeneck and King had been working on the contract and it should be ready for Mr. McGinnis to sign this week.

Supervisor Aaron reviewed the demolition cost that was presented in the bid. In the bid packet they stated the cost of demolition was going to be \$25,000. Highway Superintendent Wellington had originally stated the Highway Department could demo the building at no cost. Supervisor Aaron stated when she approached Mr. McGinnis about this demolition cost, he was only going to give a credit of \$7,900 off the bid price. After her review of the demolition with Mr. McGinnis and Highway Superintendent Wellington it was concluded the \$25,000 covered much more than what the highway department could complete, and it was decided to have McGinnis Nelson Construction do the demolition of the existing building.

Supervisor Aaron recommended to the Board to approve the additional cost of demolition of \$7,900 with the bid accepted from McGinnis Nelson Construction totaling \$426,000.

On a motion of Councilor Tucker, seconded by Councilor Coville and with unanimous (4-0) affirmation of the Town Board, the bid amount including the demolition of the Sims Building was accepted not to exceed the low bid of \$426,000.

Resolution #19-070

Transfer Station Bid Opening: Supervisor Aaron stated the Board will discuss this in Executive Session regarding the contract negotiation.

Resolution #19-071

2018-2019 Skaneateles Boys Ice Hockey Team- 2019 Division II Champions: Supervisor Aaron stated the Town Board is honored to have the Skaneateles Highschool hockey team and their Coach here tonight. She introduced Coach Mitch Major and his team. The Skaneateles Highschool Hockey Team won the Division II NY State Championship award this year. Supervisor Aaron stated this is the 4th State Title from the Skaneateles Highschool Hockey Team, they received the title in 1983, 1989, 2015 and 2019. Supervisor Aaron and the Town Board commended Coach Major and his team and presented their Captain Luke Lynn with a Certificate of Achievement.

Coach Major thanked the Town Board and all of the Skaneateles Highschool Ice Hockey Team.

Resolution #19-072

7:00 p.m. Public Hearing Town of Skaneateles Water District Extension: Supervisor Aaron reviewed the updated Water District Map, Plan and Report from Town Engineer John Camp mapping out the district extensions. She stated the reason the map needed to be updated was

because over the years water services had been extended to properties outside the districts. This updated mapping will verify all the properties in the Town that currently receive water.

She stated the public hearing notice for this Water District Extension was posted on the sign board at the Town Hall on March 19th and published in the Skaneateles Press Observer on March 27th.

On a motion of Councilor Tucker, seconded by Councilor Coville and with unanimous (4-0) affirmation of the Town Board the public hearing was opened.

Supervisor Aaron asked if anyone would like to comment either for, against or have any comment at all. No one commented.

On a motion of Councilor Badami, seconded by Councilor Coville and with unanimous (4-0) affirmation of the Town Board the public hearing was closed.

Councilor Tucker asked about Lucinda Drive, if it had been determined if this water line was public or private. Supervisor Aaron stated the Water District Extension Map that is being considered does not go up Lucinda Drive, since it is a private road.

Attorney Smith stated the boundaries on the map does not show every lateral off the main. It only encompasses where there is currently water.

Councilor Tucker asked about the water connection to the last lot on Lucinda owned by the Kulik's. He stated they are not in this proposed district. Supervisor Aaron stated they connected because they have a corner of their property adjoining New Seneca Turnpike which the water line connects to.

On a motion of Councilor Badami, seconded by Councilor Tucker and with unanimous (4-0) affirmation of the Town Board, the Water District Extension Map, dated March 2019 was accepted as presented.

Resolution #19-073

7:30 p.m. Public Hearing Local Law B of 2019- "A Local Law Regarding the Date for the Board of Assessment Review to meet and hear complaints regarding Real Property Tax Assessments": Supervisor Aaron reviewed the proposed introductory Local Law B of 2019 entitled: "A Local Law Regarding the Date for The Board of Assessment Review to meet and to hear complaints regarding Real Property Tax Assessments in the Town". She stated the Public Hearing Notice was posted on the sign Board and website on March 19th and published in the Skaneateles Press Observer on March 27th.

On a motion of Councilor Badami, seconded by Councilor Coville and with unanimous (4-0) affirmation of the Town Board the public hearing was opened.

Supervisor Aaron asked if anyone would like to comment either for, against or have any comment at all. No one commented.

On a motion of Councilor Coville, seconded by Councilor Tucker and with unanimous (4-0) affirmation of the Town Board the public hearing was closed.

On a motion of Councilor Tucker, seconded by Councilor Coville and with unanimous (4-0) affirmation of the Town Board, Local Law 1 of 2019, A Local Law Regarding the Date for The Board of Assessment Review to meet and to hear complaints regarding Real Property Tax Assessments in the Town, will be changed to the second Tuesday of the month of June stating it is an appropriate time for the Board of Assessment Review to hear complaints in relation to assessments of real property in the Town, and convenient to the schedule of the Assessor, who is also employed as an assessor by other assessing units and unavailable on the first Tuesday of June.

Announcements/Correspondence/Updates

- *Annual Safety Training*: Town Clerk, Julie Stenger announced the Town Employee annual safety training will be held Monday, April 8 from 8:00 a.m. to 12 noon for the Highway, Transfer Station and Parks Departments and 11:00 a.m. to 12:00 noon for the office staff. The Village will also be participating.
- *Transfer Station Solar Project – Notice of intend to NYS Agriculture and Markets*: Supervisor Aaron announced the Town had received notice from the NYS Department of Agriculture and Markets stating Abundant Solar had submitted their Notice of Intend to construct a Solar Farm in the Town of Skaneateles.
- *Mottville Hamlet Meeting April 10th, 2019 at 7:00 p.m.*: Supervisor Aaron announced the Town Board is holding a Hamlet Meeting on April 10th, 2019 at the Mottville Fire Department at 7:00 p.m. Councilor Badami stated the Hamlet Committee will be there to introduce themselves to the community.
- *Shepard Settlement Hamlet Meeting May 29th, 2019 at 7:00 p.m. and the Skaneateles Falls Hamlet Meeting May 16th at 7:00 p.m.*: Supervisor Aaron announced the Town Board is holding Hamlet meetings on May 16th for Skaneateles Falls at the Skaneateles Falls Legion and, in Shepard Settlement on May 29th at Ken Scott's barn at 7:00 p.m.
- *Cornell Cooperative Sediment and Erosion Control Workshop*: Supervisor Aaron announced Cornell Cooperative Extension is holding a Sediment and Erosion Workshop on Thursday April 25, 2019 at the First Presbyterian Church from 12:00 noon to 4:00 p.m. The cost is \$100, and they are encouraging Municipal Engineers, Highway Departments, Code Enforcement Officers and Planning and Zoning Board of Appeals members to attend.
- *March 10, 2019 Raw Water Turbidity Exceedance*: Supervisor Aaron stated on March 10, 2019 there had been a Water Turbidity Exceedance violation for the Town and Village Water Departments. She stated our Water Department sent out post cards with a notice of this event to all the Town water customers and posted it on the Town of Skaneateles Website.
- *Legislation on Authority on Lake Update*: Attorney Smith reviewed the NYS Consolidated Navigation Law Section 4. Currently the Town does not regulate structures on the water due to a resident, that challenged the Town and their authority stating it was regulated by the state. Therefore; the Town ceased regulating structures or construction on the water. In the past the Town did regulate structures and construction on the water, and it is in the Town Zoning Code.

Attorney Smith reviewed the NYS Navigation Law and stated Section 46-a, paragraph 2 of the NYS Law currently lists 29 Town and Villages; such as the Villages of Union Springs, Aurora and Cayuga and the Towns of Genoa and Ledyard, to name a few that “*may adopt, amend and enforce local laws, rules and regulations not inconsistent with the laws of this state or the United States, with the respect to the restriction and regulation of the manner of construction and location of boathouses, moorings and docks in any waters within or bounding the respective municipality to*

a distance of fifteen hundred feet from the shoreline". With this Law he stated the legislation has allowed these 29 Towns and Villages to regulate within 1500 feet of the shoreline.

Attorney Smith reviewed paragraph 4 of the laws stating it added 5 additional municipalities to the list as well as adding the qualifier that no such local law, rule or regulation shall take effect unless all the communities around Canandaigua Lake or Honeoye Lake adopted this rule. This would allow all the Towns and Villages to be uniform around the lake. Paragraph 6 added 8 more Towns with the same qualifier to set a uniform standard. Paragraph 6 was added in 2005. Paragraph 2 which does not require all municipalities around the body of water to be unified was added including Fayette and Varick, which were added in 2018.

He stated to the Board the Town of Skaneateles could ask the State Legislature for a Home Rule Request to be part of this section of the Law if the Board would like him to. He stated the Village of Skaneateles Attorney is going to present this to the Village Board also.

Attorney Smith recommended the Board review the two possibilities of this law and which way they would like to see the Town of Skaneateles pursue, the unified approach with all the municipalities around the lake unified or pursue the regulation on their own for only the Town of Skaneateles.

Councilor Badami asked Attorney Smith if he could reach out to the other Towns listed in this section to get their feed-back, especially the 2 added in 2018, Fayette and Varick, as to why they chose one option over the other, this would help the Board review this legislation.

Supervisor Aaron stated she had tried for about a year to reach out to the other Towns around the lake with little luck. She thanked Attorney Smith for his research on this and stated the Board will review the legislation and wait and see how the Village of Skaneateles responds. She stated the easiest way would be to have the Village and Town of Skaneateles pursue being part of this legislation independently. She stated she would love to have all the other Towns be part of the request but that would delay the process. Attorney Smith stated he would review the options.

Resolution #19-074

Public Comment: Joe Calipari addressed the Board regarding the Town of Skaneateles Assessor, Michael Maxwell. He stated the Mr. Maxwell is currently employed part time by the Town of Skaneateles. He stated Skaneateles has over 4000 parcels to assess yearly and he believed the Assessor position should be a full-time position. He stated Mr. Maxwell was capable of doing the job but did not have the time due to the other Towns he has contracted with.

Supervisor Aaron and the Board thanked Mr. Calipari for his comments.

Budget Amendments: No Budget Amendments

Resolution #19-075

Abstract #19-07: On a motion of Councilor Coville, seconded by Councilor Tucker and with unanimous (4-0) affirmation of the Town Board vouchers #19- to 19-0125 were authorized from the following funds:

General Fund:	\$ 28,237.29	Sewer:	\$ 4.97
Highway:	\$ 217.88	Water:	\$ 4,129.21

Highway PT	\$ 490.88	Part Town	\$ 1,981.06
Street Lgt.:	\$ 1,357.31	T & A	\$ 2,860.00
Fire District	\$264,093.75		
Total:	\$303,372.35		

Resolution #19-076

Executive Session: On a motion of Councilor Badami, seconded by Councilor Tucker and with unanimous (4-0) affirmation of the Town Board the meeting was adjourned to Executive Session at 7:40 p.m. to discuss contract negotiation and potential litigations.

On a motion of Councilor Coville, seconded by Councilor Tucker the meeting was returned to open session at 8:30 p.m.

Resolution #19-077

Transfer Station Bid Opening: On a motion of Councilor Coville, seconded by Councilor Tucker, and with unanimous (4-0) affirmation of the Town Board, the bid from Syracuse Haulers to haul trash and recyclables from the Skaneateles Transfer Station for the following charges:

House Hold Garbage Disposal	\$55.00/Ton
Cost per Haul	\$200.00
Recyclable Material	\$0 Rebate per ton
Cost per Haul	\$200.00
Construct Debris Disposal	\$55.00/Ton
Cost per Haul	\$200.00
Tire Removal Service	\$90.00/Ton
Cost per Haul	\$200.00

On a motion of Councilor Coville, seconded by Supervisor Aaron and with unanimous (4-0) affirmation of the Town Board the meeting was adjourned at 8:30 p.m.

Respectfully Submitted,



Julie A. Stenger
Town Clerk

James Fullers' Letter To The Farmers of Somerset
Beth Battle, Town Historian

In a letter written by James Fuller in September of 1836, Mr. Fuller gives advice to his fellow Englishmen thinking of emigrating to this country.

First, he advises, select the very best ship with a sufficient crew. This is important, he says, because if an emergency arises, and there is a deficiency in the number of the crew to properly manage the vessel, the passengers, from steerage, might be asked to step up and perform some services. And if this happens, he says, they should expect to be paid accordingly.

Bring as much money as you can possibly raise, he advises. Or, to prevent the possibility of plundering, he advises depositing it in a bank and receiving a certificate of deposit which will be gladly accepted in a bank in New York City.

Keep some luggage with you, he says, and the remainder should be stored in the hold of the ship. Let your things be packed in new iron-bound hogshead casks. Items to bring, he advises, are: all kinds of culinary utensils which should be made of metal, a stock of Staffordshire ware, spades, shovels, billhooks, scythes, heavy knives and the burrs needed to sharpen them, carpenter's tools, plough chains, a pick axe, and picks for making hay.

In addition, bring two or three pair of common sheep-skin gloves, all kinds of woolen clothing, along with suitable summer wear which are more costly here than in England, a bed, a table, linens, knives and forks etc. and a good stock of blankets.

Plan your time of arrival at New York in the spring, he said, or as soon as the Erie Canal is open for navigation. Or, he says, if you have the means, arriving in the fall will give you time to look about and make enquiries prior to purchasing a place on which to settle.

As to the question of who should emigrate, he says "I am, from experience, aware of the difficulties of tearing up and transplanting in a foreign soil, of severing old and dearly loved connections, both of family, social, and religious character; but we ought to be all aware, without deprivations of some kind or other, we may never attain to that which we most desire."

No man in this land, he goes on, who is of provident and moral habits, need ever come to want. Most farms are to be found with good or comfortable dwellings, with sufficient out buildings and orchards of apples, pears, peaches plums and cherries. Wheat and barley receive fair prices at the local breweries. Two years ago, he said, he purchased a flock of sheep, and each year's wool realized more than the original cost of the flock. American horses, he bragged, are better than English ones.

Who should not come? Not the indolent or lazy, he says, or the man with intemperate habits. Or a farmer who has a daughter who must have their lounging chairs, fine sofas, Brussels carpets, and above all either a piano or harpsichord.

Why should someone come? Here, he says, the taxes are almost nominal. Most importantly, the government subsists for the good of the people while in England the people subsist for the good of the government.

James Fuller came to this country in 1834 and settled on the north east corner of West Genesee and Fuller Street, the street later named in his honor. He and his wife, Lydia had six sons and one daughter. They were members of the Society of Friends. Taking up farming, he opposed slavery and was also a temperance worker. He died November 25, 1847 the age of 57 and is buried in the Friends section of Lake View Cemetery, directly across from his home.