

Town Board Meeting
August 21, 2017
6:00 p.m.

Present: Supervisor Lanning, Councilor Brace, Councilor Howard, Councilor Coville, Attorney MacLeod.

Absent: Councilor Badami

Also Present: Sue Murphy, Rob Howard, Karen Barkdull, Brooke Barkdull, Jason Gabak (Skaneateles Press), Sandra Wickwire, Martin Dillon, James Gillmore, Linda Gillmore, Kathleen Zapata, Cindy Meili, Joe Vecchio, Tara, Lanning, Ed Connan.

Department Reports

•**Highway, Water, Transfer Station:** Supervisor Lanning stated Allan Wellington was on vacation

•**Parks Department:** Sue Murphy reported that Playday ended August 11th. The basketball pole and nets were completed at the Mandana parking area. The waterfront was running smoothly, and they had passed the Onondaga County Health Department inspections. The Swimming area will close on Labor day at 6:30 p.m. for the season. She and Gene LaForte met with the school's new Wellness Director regarding installing AEDS at various areas around the park. She stated that the school would pay for and install the AEDs. The fireman will be moving in to the Austin Pavilion next week to prepare for the Labor Day Field Days.

Sue Murphy and Gene LaForte reviewed with the Board the repairs that are being done on the Kubota. She requested the Board approval for these repairs. She stated that the money is in the budget and it would take about 5 days to complete.

On a motion of Councilor Brace, seconded by Councilor Howard and with unanimous (4-0) affirmation of the Town Board, the repairs to the Kubota tractor as discussed were approved.

Councilor Brace commended Sue and the Parks Department on the Health Department inspection. Councilor Brace also thanked Dede Washington for the volunteer work at the Town Hall taking care of the flower beds.

•**Budget:** Bridgett Winkelman reported she was preparing for the 2018 budget. She has scheduled budget meetings with the individual departments. She reviewed with the Board the schedule of budget meetings:

Resolution 17-162

Minutes: Councilor Brace requested to include that she stated there were no bidding documents, no specifications, no plans, and no location that had been reviewed by the Board for the Skaneateles Falls gazebo project in the August 7th minutes.

On a motion of Councilor Howard, seconded by Supervisor Lanning, and with unanimous (4-0) affirmation of the Town Board, with the additional comments requested by Councilor Brace the minutes of August 7, 2017 were accepted as presented

Public Comment: No one came forward to comment.

Resolution 17-163

Nursery School Request for Sign: Kathleen Zapata, representing the Skaneateles Nursery School presented the Board with a plan and design for a sign to be attached to the Austin Pavilion for the Skaneateles Nursery School. She explained they had gone to the Village since it is still a Village owned building and within Village limits. The Village Board and Village CEO John Crompt stated they had no problem with the sign or the location. She stated the size of the sign would be 4 ½ x3 feet and made of aluminum. They would like to mount it to the front of the building between the entrance door and the classroom window. It will be fabricated by the Sign Guys in Auburn. Gene LaForte asked how it would be attached to the building. Kathleen said it might need to be bolted to the brick. Supervisor Lanning questioned if it would be a permanent attachment. Councilor Howard asked if could be hung from the roof or soffits so it could be removed. Councilor Brace suggested clips could be attached to the mortar between the bricks with clips and the sign could be removable. The Board agreed that the Nursery School should coordinate with Gene LaForte and Sue Murphy on attachment of the sign.

Supervisor Lanning stated that they were very happy with the relationship with the Skaneateles Nursery School at the Austin Pavilion. He also stated that the Austin Pavilion was located in the Village therefore it would need to have Village approval for permits and zoning to attach a sign to the building.

Supervisor Lanning asked Attorney MacLeod if it was allowed with the lease agreement. Attorney MacLeod said he would review the lease agreement. Kathleen Zapata read the section of the lease agreement that allows a sign.

On a motion of Supervisor Lanning, seconded by Councilor Brace and with unanimous (4-0) affirmation of the Town Board, the Skaneateles Nursery School was authorized to attach a removable aluminum sign, 4 ½ x 3 feet in size to the Austin Pavilion in coordination with the Parks Department.

Resolution 17-164

Introductory Local Law 2017 B – Meeting Dates, redevelopment, medical expenses for tax exemptions and windmill heights: Attorney MacLeod stated that these local laws were being bundled into one filing to save money on filing fees. Each local law would have to have separate public hearings but could be filled together.

Supervisor Lanning explained the Meeting Dates Local Law was to remove the specific times for Planning, Zoning and Town Board meetings from the code. The medical expenses for tax exemptions are a local law that would allow the assessor to consider medical expenses as a tax exemption. Councilor Brace asked if the assessor would determine the eligibility for this exemption. Attorney MacLeod replied yes it would be the assessor. The redevelopment local law

is to clarify reducing driveways for impermeable surface coverage. The windmill heights is to change the maximum windmill height from 150 feet, which is currently the Town code, to 160 feet since standard windmills are made in 20 foot lengths.

Councilor Brace asked if the Commercial Solar Energy Local Law should be part of this. Karen Barkdull, Planning Board Clerk said the Planning and Zoning Boards have not completed their review.

On a motion of Councilor Brace, seconded by Councilor Howard and with unanimous (5-0) affirmation of the Town Board, public hearings were scheduled, beginning at 6:30 p.m. on September 11, 2017 regarding Local Law 2017-B.

6:30 p.m.	Meeting dates
6:40 p.m.	Redevelopment
6:50 p.m.	Medical Expenses for Tax Exemptions
7:00 p.m.	Windmill Heights

Resolution 17-165

Introductory Local Law 2017-C – Extension of Moratorium on Commercial Solar Use:

Karen Barkdull, Planning Board Clerk reported to the Board that the Planning and Zoning Boards were still reviewing the Commercial Solar Use Law. They were close to completion but would like the moratorium extended for 6 months to complete their review.

On a motion of Supervisor Lanning, seconded by Councilor Howard and with unanimous (4-0) affirmation of the Town Board a public hearing was scheduled at 7:10 p.m. on September 11, 2017 regarding Local Law 2017-C Extension of Moratorium on Commercial Solar Use for a 6 month period.

Proposed Extension of the Consolidated Water District: Supervisor Lanning reported that the Village has hired GHD to do an analysis of the pressure on the water system. We are working on the details with the Village. There is nothing new to report.

Councilor Howard asked if there were any meetings scheduled with the Village regarding the water review. Supervisor Lanning stated not at this time. Councilor Howard asked that the Board be informed when these meetings will be taking place.

Resolution 17-166

Veterans Service Coordinator – Discussions with Cindy Meili: Supervisor Lanning introduced Cindy Meili, Town of Elbridge Veteran Services Coordinator. He explained that it was suggested by the Skaneateles American Legion we partner with the Town of Elbridge for this position.

Cindy Meili, introduced herself to the Board. She said she is a 25 year active duty spouse. In April 2017 she was hired as the Town of Elbridge Veteran Services Coordinator. This position assists Veterans in the Town. She makes home visits to Veterans for those who need it. She assists veterans with paper work and filing, such as DD214's. Many filings need to be done online, and many veterans need assistance with the process. She stated outreach is a big part of

her position in Elbridge and she could offer the same services in combination with the Towns of Skaneateles and Elbridge

Supervisor Lanning asked if she would be able to create a binder with the services that were available for our veterans and have them available at the Skaneateles and Skaneateles Falls Legions. She answered, yes she could create these. It was also discussed that this position could work with the Town's Outreach Coordinator, Jacque McConnaghy.

Supervisor Lanning stated that \$1,000 had been budgeted for this position. Councilor Howard stated how impressive the list of services for the veterans is. Councilor Coville said this will be a great service.

On a motion of Supervisor Lanning, seconded by Councilor Coville and with unanimous (4-0) affirmation of the Town Board, Cindy Meili was appointed Veteran Services Coordinator for the Town of Skaneateles at a rate of \$10.50/hr for less than 20 hours per week, up to 100 hours not to exceed \$1000.

Sandy Wickwire with Concerns re: unattended burning: Sandy Wickwire and Martin Dillon of 1654 Pork Street spoke to the Board regarding the property behind theirs owned by the Maturevitz family and a logging operation operated by Jim Hendrickson. A saw mill was set up to do the wood processing and equipment, machinery and trucks have been used. The business had grown to the point where the timber is being brought in by log trucks for the operation which has gone from logging off the land to a commercial firewood processing operation. They explained that the operation is extremely noisy and the operation goes till dusk 7 days a week. They stated to the Board that on Saturday August 12th a fire was started to burn debris. The fire burned till Wednesday. The rain put it out and another fire was started on Thursday, August 17th. That fire burned for 5 days and was left unattended at night. They explained they made a complaint to the NYS DEC, and an officer was sent to investigate. The DEC law states that no open burning may be done by a business or commercial establishment regardless of its location unless they have a valid permit from the NYS DEC.

Martin and Sandy also spoke about their concern over the erosion. To the east of their property there was a dirt berm. This berm was removed and their property has had water problems ever since. All this excess water has been running into the lake.

They filled a formal complaint with the NYS DEC on Wednesday August 16th and there had been no response and they continue to burn.

Due to these issues and no permits being issued to run a commercial business on this property they asked the Town Board to immediately issue a stop work order on the firewood operation until proper permits from the Town and the NYS DEC are obtained.

They submitted a petition signed by 11 residents of Pork Street in complaint of this operation.

Codes Enforcement Officer, Curt Coville stated that he had spoken to Sandy and Martin and explained that the Town doesn't regulate open burning and has no noise ordinance. He will research how to address these issues.

Councilor Brace stated that the Board had a letter that was sent by Codes Enforcement Officer Todd Hall in 2015 to the Maturevitz's regarding the operation of this business. Codes Officer Coville said he would look into the previous correspondence.

Supervisor Lanning stated that the NYS DEC and NYS Agricultural and Markets considers logging an agricultural use and the Town does not have jurisdiction over agriculture. The Town does not restrict open burning and cannot enforce the open burning regulations of the NYS DEC. It was discussed whether the actual use may not be within the definition of agricultural operations.

Councilor Howard asked Codes Officer Coville if he was allowed on the property to inspect. Curt responded the he is allowed to enter the property if given permission by the property owner. Supervisor Lanning asked Martin Dillon and Sandy Wickwire to submit a formal written complaint to the Town and a copy of the formal written complaint that was filed with the NYS DEC. Codes Enforcement Officer Coville will continue to research and stay in contact with the property owners.

Resolution 17-167

Skaneateles Falls Park Gazebo Project: Supervisor Lanning reported the site for the gazebo had been cleared and marked at the Skaneateles Falls Park. He stated that 3 quotes will be needed as part of the Town's procurement policy. Budget Officer Winkelman said there was about \$9,500 left from the grant received for the Skaneateles Falls Park.

Councilor Brace said there should be plans and bid specs prepared in order to receive quality quotes.

Supervisor Lanning stated he would contact architect Janice Miller to draw plans for the gazebo project.

Resolution 17-167

NYSERDA Projects: Supervisor Lanning reported the Town had received the Climate Smart Community Status and had received a \$50,000 grant. Budget Officer Winkelman stated the Town had 60 days to submit a project for this grant. As the Town explores the project the project could be changed but one had to be submitted and there are 45 days left for the submittal. Supervisor Lanning recommended the LED street lighting project. Councilor Brace asked about the Solar project at the Transfer Station. Supervisor Lanning explained the solar project had little cost to the Town. Budget Officer Winkelman explained the project could be changed but one had to be submitted to receive the grant.

Joseph Vechicco asked the Board if the solar panels were manufactured in Asia or the United States. Supervisor Lanning said they would take that into consideration.

On a motion of Supervisor Lanning, seconded by Councilor Howard and with unanimous (4-0) affirmation of the Town Board, authorized the tentative submittal of the LED Street Light Project for the Climate Smart Community \$50,000 grant.

Resolution 17-168

Request for a Speed Limit on Foxfield Drive, Lost Hollow Road, Mill Run Terrace, Coach Road and a request for Children at Play Signs: Supervisor Lanning explained there had been a request for speed limit sign and children at play signs from the residents of the Windward Estates development. He asked Attorney MacLeod what the procedure would be. Attorney MacLeod stated that this request would have to be referred to the Onondaga County or the NYS DOT. Supervisor stated this request would be referred to the Town Clerk and submitted to the DOT.

Joel Russell Proposal: Supervisor Lanning reported to the Board the updated zoning law had been received from Joel Russell and he had submitted a proposal to review, with the public and the Boards, the zoning law, the 2015 Comprehensive Plan and proposed amendments, and review of the proposed solar zoning amendments. The proposal included 2 days of meetings with the Boards and Attorneys and a written review of the recommendations emerging from these meetings. The suggested dates were September 25th thru September 28th. The maximum fee for his services is \$7,000.

Councilor Howard stated she would not be available on the dates in September. There was a discussion of the Board that due to the absence of Councilor Brace and the budget meetings that are scheduled for September the Board agreed to contact Joel Russell and schedule the meetings for October.

On a motion of Councilor Brace, seconded by Councilor Howard and with unanimous (4-0) affirmation of the Town Board, Supervisor Lanning was authorized to sign the contract with Joel Russell for a maximum cost of \$7,000 and with dates of service to be negotiated for a time period after September.

Resolution 17-169

Amendment 284 Agreement- Expenditure of Highway Funds: Budget Officer Winkelman explained that Highway Superintendent Allan Wellington submits an agreement for the expenditure of highway moneys every year. He is asking for an amendment to the agreement this year to post pone Franklin Street to 2018 and add the Pork Street Extension and Transportation Drive for this year. She stated that these monies were already budgeted for 2017. He is asking to reallocate the funds to different roads that are in need of repair.

Councilor Brace ask if Franklin Street was still on the schedule for 2017. According to the amendment it was still listed for repair in 2017. Budget Officer stated no, it will be postponed in order to repair the Pork Street Extension and Transportation Drive. Councilor Brace asked if the monies budgeted will increase. Budget Office Winkelman answered no the amount budgeted will stay the same, it will be reallocated for these roads.

On a motion of Councilor Brace, seconded by Councilor Howard and with unanimous (4-0) affirmation of the Town Board, the Amended 284 Agreement for the Expenditures of Highway Monies to prioritize the Pork Street Extension and Transportation Drive over Franklin Street with no additional authorized expenditures outside the 2017 Budget was approved.

Western Gateway Maintenance/Fees: Supervisor Lanning reported that a number of issues have come up with the maintenance of the Western Gateway Project. It was never specified who would be responsible for the trees and benches. There has been a request for a bench to be stained. This request had brought up the question of what department should be responsible for maintenance of the Western Gateway. Currently, the individual property owners mow the grass. Should this fall under the Parks or the Highway Department? Councilor Brace asked if this was part of the NYS DOT plan that had been approved. Supervisor Lanning stated this was part of the approved plan, and the issue now is who is responsible for the maintenance. Councilor Brace stated that the Town does not have a property maintenance plan for any of our buildings, sidewalks or parking areas. Councilor Howard asked if this could be a volunteer situation such as the garden club.

Supervisor Lanning asked the Board to confer with the Parks and Highway Departments to come up with a plan.

Announcements/Correspondence/Updates

- *Update on Transfer of Austin Park to the Town:* Attorney MacLeod said the Town has not received a signed copy of the drafted order.
- *Update on the Comprehensive Plan:* Supervisor Lanning said the draft Comprehensive Plan and the draft Zoning are now on the Town website and the review with Joel Russell will be the next phase.
- *Update on Dry Hydrants:* Nothing new to report. Waiting for a report from Engineer John Camp.
- *Update on Recreation Easement – Mill Road/Old Seneca Turnpike City of Syracuse Property:* Nothing new to report.

Update on Skaneateles Marina Proposal: Supervisor Lanning reported Councilor Smith had begun negotiations with John Cherundolo. Councilor Brace asked if there had been feedback from the Planning Board. Karen Barkdull answered the Planning Board had not received the final proposal. Councilor Brace stated the planning for this project should be with the Planning Board not the Town Board. Supervisor Lanning stated that there is not a final plan yet. After discussion the Board agreed to refer the current plans to the Planning Board.

▪ *Update – 2nd Constable part time position:* Councilor Coville reviewed the 2 applicant's qualifications. He stated the Constable position requires Peace Officer status. Only one applicant had Peace Officer status. Councilor Coville explained the applicant might have to renew his firearm certifications. Supervisor Lanning stated the applicant with the correct certifications is a retired corrections officer, James P. Buehler.

On a motion of Councilor Brace, seconded by Supervisor Lanning and with unanimous (4-0) affirmation of the Town Board, the appointment of James P. Buehler as 2nd Constable at a rate of \$18.00 per hour with the condition of his recertification, if needed was authorized.

Syracuse University Letter re: completion of 2016 NY Government Financial Survey: Supervisor Lanning stated that the Town had received this letter.

Flash Paddle 9/9/17 at 9:00 a.m. at Clift Park: Councilor Brace announced there will be a Flash Paddle at Clift Park on 9/9/17 to at 9:00 a.m. to celebrate Skaneateles Lake and promote water quality awareness.

Resolution 17-170

Budget Adjustments: On a motion of Councilor Brace, seconded by Councilor Howard and with unanimous (4-0) affirmation of the Board the following budget adjustments were authorized:

<u>General Fund</u>			
\$ 700.00	Increase	013304.01.04.00	Tax Collector – C/E
\$ 700.00	Decrease	019904.01.004.00	Contingency
Additional costs associated with training expenses			

Resolution 17-171

Abstract #17-15:

On a motion of Councilor Howard, seconded by Councilor Coville and with unanimous (4-0) affirmation of the Town Board, authorization was given to pay voucher #17-1082 to #17-1150 from the following funds:

General Fund:	\$ 48,890.66	Part Town:	\$ 2,033.97
Highway:	\$ 3,744.92	Highway P/T:	\$ 6,284.57
Water:	\$ 2,618.84	Sewer #6:	\$ 26.59
T & A:	\$ 1,966.88		

Total: \$65,566.43

Resolution 17-172

Budget Meetings: On a motion of Supervisor Lanning, seconded by Councilor Howard and with unanimous (4-0) affirmation of the Town Board, the following 2018 Budget meetings were scheduled:

Thursday September 7, 2017	7:00 a.m. -8:30 a.m.	Personal Services, Benefits
Thursday September 14, 2017	7:00 a.m. -8:30 a.m.	Town Clerk
Tuesday September 19, 2017	7:00 a.m. -8:30 a.m.	Parks
Thursday September 21, 2017	7:00 a.m. -8:30 a.m.	Codes, Planning & Zoning
Tuesday September 26, 2017	7:00 a.m. -8:30 a.m.	Tax Collector/Court
Thursday September 28, 2017	7:00 a.m. -8:30 a.m.	Highway/Transfer Station

Public Comment: Rob Howard questioned the time limits for the public to speak if not addressed at a meeting.

Ed Conan asked if there could be a red line version of the updated zoning code. Supervisor Lanning and Karen Barkdull stated it would be difficult since the formats are different, but it could be looked at.

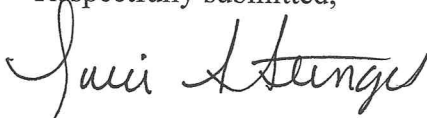
Resolution 17-173

Executive Session: On a motion of Supervisor Lanning, seconded by Councilor Coville and with unanimous (4-0) affirmation of the Town Board the meeting was adjourned to Executive Session at 8:20 p.m. to discuss a personnel issue.

Councilor Coville skyped Councilor Badami, in his absence, so he could take part in the discussion.

Meeting returned to open session at 8:50 and immediately adjourned.

Respectfully submitted,



Julie A. Stenger
Deputy Town Clerk

Town of Skaneateles
Introductory Local Law B of the Year 2017
A Local Law Amending the Town Code Procedures

Section 1. Authority

This Local Law is enacted pursuant to the provisions of the New York Town Law and the New York Municipal Home Rule Law.

Section 2. Purpose

The purpose of this local law is to allow for the Town of Skaneateles Zoning Board of Appeals, Town of Skaneateles Planning Board and Skaneateles Town Board to meet when necessitated by Town business and to promote the general health and welfare of the community.

Section 3. Amendment to Section 25

Town Code Section 25-4 shall be amended to state as follows:

- A. Regular meetings. The Planning Board of the Town of Skaneateles (the "Planning Board" ~~or the "Planning Board"~~) shall hold regular meetings ~~on the third Tuesday of each month. Such regular meetings shall commence at 7:30 p.m. and at dates~~ and times determined by resolution from time to time by the Planning Board, to be conducted in the board room at the Town Hall.

Town Code Section 25-5 shall be amended to state as follows:

- A. Regular meeting. The Zoning Board of Appeals of the Town of Skaneateles (the "ZBA") shall hold regular meetings ~~on the first Tuesday of each month. Such regular meetings shall commence at 7:00 p.m. and at dates and times determined~~ by resolution from time to time by the ZBA, to be conducted in the board room at the Town Hall. A calendar is set by the ZBA at the beginning of each calendar year. Most meetings are the first Tuesday but because of holidays or elections this may vary.

Town Code Section 25-6 shall be amended to state as follows:

- A. The Town Board of the Town Board of Skaneateles (the "Town Board") shall hold regular meetings ~~on the first and third Thursday of each month except that in the months of July and August, the Town Board shall hold regular meetings on the third Thursday of the month. Such regular meetings shall commence at 7:00~~

~~p.m. and be conducted~~ in the board room at the Town Board Hall. The Town Board shall set and may amend the regular meetings schedule from time to time by resolution or local law by a majority vote of the Town Board.

Section 4. Amendment to Section 148-12

Town Code Section 148-12(G) shall be amended to state as follows:

- (6) A lot which contains structures that are nonconforming as to impermeable surface coverage may be redeveloped by special permit granted by the Planning Board, provided that all other applicable requirements of this § 148-12 are satisfied, that the impermeable surface coverage on the lot is reduced to the maximum extent feasible, and that all practicable measures are taken to minimize the impact of such impermeable surface coverage on streams, lakes and groundwater. [Note: If the proposed redevelopment reduces impermeable surface coverage to bring the lot within compliance with this chapter, no special permit pursuant to this section shall be required.] Such measures may include, without limitation, infiltration trenches and other drainage improvements, and vegetated stream and lake buffers. For the purpose of this Section 148-12(G), redevelopment of a lot specifically excludes alteration of paved surfaces and driveways which reduces impermeable surface coverage. If an applicant is unable to reduce such coverage sufficiently to bring the lot into compliance with applicable coverage limitations for conforming lots, the Planning Board shall condition any approval of such a special permit on either, at the applicant's option:

Section 5. Amendment to Section 148-35

Town Code Section 148-35(K) shall be amended to state as follows:

- (6) Height. It is recognized that wind turbines require greater heights to reach elevations with wind currents reasonably adequate to generate energy. On-site-use wind energy conversion systems shall not exceed a total height of 100 feet unless the Planning Board determines through the special permit review process that a greater height is more beneficial; however, in no case shall the total height exceed ~~150~~160 feet from the ground to the top of the highest point of blade height (tip) as extended at its highest vertical point, provided that the application includes specific evidence that the proposed total height does not exceed the height recommended by the manufacturer or distributor of the on-site-use wind energy conversion system. See § 148-31D for agricultural exemptions.

Town Code Section 148-35(K) shall be amended to state as follows:

- (18) Lighting. No on-site-use WECS under this provision shall be ~~artificially~~ actively lighted, unless so required by the FAA. Use of nighttime, and in overcast daytime conditions, stroboscopic lighting to satisfy tower facility lighting requirements for the Federal Aviation Administration may be subject to on-site field testing before the

Planning Board as a prerequisite to the Board's approval, with specific respect to existing residential uses within 2,000 feet of each tower for which said strobe lighting is proposed.

Section 6. Amendment to Section 134

The Town of Skaneateles hereby authorizes senior citizens to use qualified medical and prescription drug expenses to offset their income for the purpose of qualifying and calculating the senior citizen real property tax exemption. Specifically, Town Code Section 134, Article 1 is amended to state as follows:

§ 134-1.1. Offset for Medical and Prescription Drug Expenses. Pursuant to RPTL 467(3)(a), an individual's income shall be offset by all medical and prescription drug expenses actually paid which were not reimbursed or paid for by insurance.

Section 7. State Environmental Quality Review Act (SEQRA)

The Town Board has considered the provisions of Article 8 of the Environmental Conservation Law ("SEQRA") and the regulations adopted thereunder at 6 NYCRR Part 617 and finds this Local Law to be a Type II Action as defined therein. Therefore, no further review is required under SEQRA.

Section 8. Effective Date

This Local Law shall take effect immediately upon filing in the Office of the New York State Secretary of State.

Town of Skaneateles
Introductory Local Law C of the Year 2017
A Local Law Imposing a Moratorium on the Commercial Solar Uses.

Section 1. Title

This Local Law shall be referred to as the “Local Law Imposing a Moratorium on Commercial Solar Uses in the Town of Skaneateles.”

Section 2. Purpose and Intent

Pursuant to the statutory powers vested in the Town of Skaneateles to regulate and control land use and to protect the health, welfare, and safety of its residents, the Town Board of the Town of Skaneateles declares a one year moratorium on commercial solar uses, as well as a moratorium on any activity associated therewith or intending to support such process including the establishment, implementation, placement or construction of such the Town of Skaneateles.

Section 3. Authority

This Local Law is enacted pursuant to the provisions of the New York Town Law and the New York Municipal Home Rule Law.

Section 4. Legislative Findings

The Town Board enacts this moratorium pursuant to its legislative powers and to preserve for the Town Board on behalf of the residents of the Town, the ability to deliberately review the issues and concerns related to commercial solar uses, and to provide adequate time to determine if permanent comprehensive local legislation is necessary and in the best interests of the Town. The Town Board is desirous of using the moratorium period to study and give careful consideration to the subject of commercial solar uses, their impact on the physical and human environment in the Town, and the possible need for local legislation.

Section 5. Scope of Moratorium

During the effective period of this Local Law, no person shall engage in any activity and the Town Board, the Town Planning Board, the Town Zoning Board of Appeals, and the Codes Enforcement Officer shall not grant any special use permit, specific use permit, building permit, variance, or approval of any kind which would result in the establishment, implementation, placement or construction of Commercial Solar Use, including any activity associated therewith or intending to support such use, including the establishment or implementation of such use or activity in the Town.

Section 6. Term

This moratorium shall be in effect for a period of six months from the effective date.

Section 7. Penalties and Enforcement

Any person, firm, corporation or other entity that shall take any action to establish, implement, place or construct a Commercial Solar Use, including the establishment, implementation, placement or construction of any activity or facility associated therewith or intended to support such process in violation of the provisions of this Local Law shall be subject to such penalties as may be provided by any applicable local law, ordinance, rules, or regulation of the Town for violations. The Town Board may seek injunctive relief to cease any activity in violation of this Local Law or to remove any construction that may have taken place in violation of this Local Law.

Section 8. Validity

The invalidity of any provision of this Local Law shall not affect the validity of any other provision which may be given effect without such invalid provision.

Section 9. Hardship

A. In the event that any owner of real property affected by this Local Law shall suffer an unnecessary hardship because of the implementation of the letter of this Local Law, then the owner of such property may make a written application to the Town Board for a variance from strict compliance with this Local Law. Unnecessary hardship shall not mean a mere delay in being able to pursue a Commercial Solar Use or to be able to apply for and receive a decision upon any permit or approval of any kind related thereto.

B. Applications for a variance shall be in writing and shall set forth or have attached thereto evidence of the claimed hardship. The Town Board shall schedule a public hearing on any such application within thirty (30) days of its receipt upon at least five (5) days' notice by publication in the Town's official newspaper and posting on the Town Clerk's board. At said public hearing, the property owner and other interested parties shall be heard and given the opportunity to present evidence in connection with the application. The Town Board shall render a decision in writing within thirty (30) days of the public hearing. If the Town Board determines that the property owner will suffer an unnecessary hardship by means of the strict application of this Local Law, then the Town Board will grant the minimum variance necessary to afford relief to the applicant.

Section 10. Definitions

A. The terms "Commercial Solar Use" shall mean the placement, construction, erection, installation, or use of a Solar Energy System for the generation of electrical power to be used primarily for the sale or distribution to, or consumption by distributors or users located off the

site of such Solar Energy System; provided, however, this does not include On-Site Solar Energy Uses. The placement, construction, erection, installation, or use of a Solar Energy System for the generation of electrical power to be used by a collective or cooperative group of homes or businesses shall be considered a Commercial Solar Use.

B. The term “On-Site Solar Energy Uses” shall mean the placement, construction, erection, installation, or use of a Solar Energy System, whether attached to a structure or affixed to the ground on site, for the generation of electrical power to be used primarily for the electrical needs of the residential, agricultural, or commercial property, on which such Solar Energy System is located. Provided that if a Solar Energy System is installed and used primarily for the foregoing purposes, the incidental sale or distribution of excess electricity generated by such Solar Energy System shall not cause such system to be deemed a Commercial Solar Use.

C. The term “Solar Energy System” shall mean solar photovoltaic cell, panel, or array, or any solar hot air or solar energy collector which relies upon solar radiation as an energy source for the generation of electricity or transfer of stored energy to heat, air, or water, controls, energy storage devices, heat pumps, heat exchangers, and other materials hardware or equipment necessary to the process by which solar radiation is collected, converted into another form of energy, stored, protected from unnecessary dissipation, and distributed, and includes solar thermal, photovoltaic, and concentrated solar.

D. The term “Town” shall mean the Town of Skaneateles.

E. The terms “Town Board”, “Planning Board” and “Zoning Board of Appeals” shall refer to the appropriate boards established in the Town of Skaneateles pursuant to the Town Law. The term “Codes Enforcement Officer” shall mean the duly appointed officer in the Town of Skaneateles charged with the enforcement of the Town’s zoning and related codes.

10. State Environmental Quality Review Act (SEQRA)

The Town Board has considered the provisions of Article 8 of the Environmental Conservation Law (“SEQRA”) and the regulations adopted thereunder at 6 NYCRR Part 617 and finds this Local Law to be a Type II Action as defined therein. Therefore, no further review is required under SEQRA.

11. Effective Date

This Local Law shall take effect immediately upon filing in the Office of the New York State Secretary of State.

**AMENDED AGREEMENT FOR THE EXPENDITURES
OF HIGHWAY MONEYS**

The amended Agreement BETWEEN THE Highway Superintendent of the Town of Skaneateles, Onondaga County, New York, and the undersigned members of the Town Board. Pursuant to the provisions of section 284 of the Highway Law, we agree that moneys levied and collected in the Town for repair and improvement of highways shall be expended as follows:

1. GENERAL REPAIRS. The sum of **\$53,000** shall be set aside to be expended for primary work and general repairs upon **40.82** miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof.

2. PERMANENT IMPROVEMENTS. The following estimated sums shall be set aside to be expended for the permanent improvements of Town highways:
 - a. **County Line Road** commencing at NYS Rt. 20 going north, ending at the Town of Sennett jurisdiction a distance of 0.68 miles. Expend not over the sum of \$116,267.32 (Chips Road).
Highland Avenue commencing just north of Jewett Road, ending at Old Seneca Turnpike, a distance of 0.74 miles. Expend not over the sum of \$90,139.01.

Franklin Street commencing at Fuller Street and ending at Old Seneca Turnpike, a distance of 1.3 miles. Expend not over the sum of \$104,843.67.

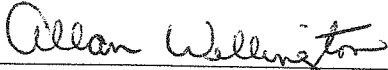
Amended as follows to Add: Pork Street Extension commencing at Rickard Road to the dead end on Pork Street a distance of 0.25 miles. Expend not over the sum of \$28,451.61.

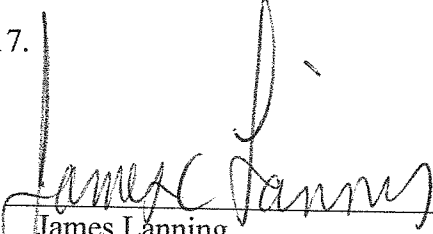
Amended as follows to Add: Transportation Drive commencing at US Rt. 20 West to the Highway Garage a distance of 0.22 miles. Expend not over the sum of \$39,397.77.

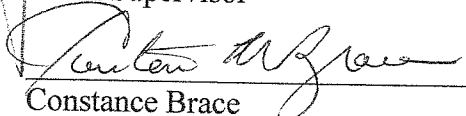
- b. The following roads will be treated with a new seal coat of oil & stone at estimated costs as follows:

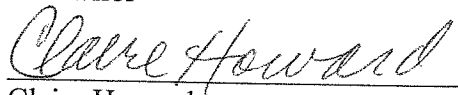
1. Lacy Road	1.44 miles	\$20,063.15
2. Reynolds Road	0.25 miles	\$ 3,431.85
3. Cemetery Road	0.61 miles	\$ 8,447.65
Additional Chipper Rental		\$ 1,200.00
	2.29 miles	\$34,042.65

Executed in duplicate this 21st Day of August 2017.


Allan L. Wellington
Highway Superintendent


James Lanning
Town Supervisor


Constance Brace
Councilor


Claire Howard
Councilor

David Badami
Councilor



Robert Coville
Councilor