

Town Board Meeting
March 18, 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, Karen Barkdull, Victoria Spalding, Cassidy Mertzendorf, David Murphy, Courtney Alexander, Jason Gabak (Skaneateles Press).

Department Reports

Highway, Water, Transfer Station: Highway Superintendent, Allan Wellington reported the Highway Department had plowed 11 times since the last Board meeting and 133 times for the season compared to 152 times at this time last year. They cleaned up fallen tree limbs, made equipment repairs and filled potholes. All employees completed CPR and AED training and all water and highway employees attended a class and were tested to become certified excavators at Onondaga Community College. This is a new State law requirement. In the Water Department they repaired leaks in District #1, discovered by Leak Detection of New York. They worked on replacing a fire hydrant that was destroyed by a car accident over the weekend and replaced a broken water meter. At the Transfer Station bids were opened for a new 3-year contract to haul and tip garbage, recyclables, C&D and tires. He and Supervisor Aaron had met with OCRA to review what they might offer in a contract. In addition, Clifton Recycling will begin brush grinding this week.

Parks: Sue Murphy reported she had begun interviews for the summer parks positions, working on the playground equipment, installing the tennis court nets this week and preparing for the bleachers that will be delivered. She stated J& B Installations will begin on the roof repair. She also reported she is planning a simulated emergency with the lifeguards and SAVES to prepare for the summer season and any emergency that could happen.

Resolution #19-052

Minutes of March 4, 2019: On a motion of Councilor Tucker, seconded by Councilor Badami, and with a (3-0) affirmation of the Town Board, Councilor Coville abstained, the minutes of March 4, 2019 were accepted as presented.

Resolution #19-053

Loveless Subdivision Driveway Agreement and Conservation Easement: Attorney Smith reported to the Board the Loveless Farm Subdivision is on the Planning Board agenda March 19, 2019 seeking their final plat approval. Among the conditions of the preliminary plat approval, the applicant is required to complete a Conservation Easement and a Driveway Agreement. He stated it is common in some subdivisions to require an easement before approval, in this case it is a conservation easement. In a conservation easement there can be no development. As these

documents are drafted, the Town is not a signatory, but, the Town is a beneficiary with rights to enforce compliance.

This does not require any action by the Town Board but, Scott Molnar, Planning and Zoning Attorney, wanted the Town Board to be aware of it.

Supervisor Aaron asked if the Town had to go on the property to enforce anything would the expense go to the property owner? Attorney Smith stated yes there is language in the easement to protect the Town.

Supervisor Aaron asked if the easement is to be filed with the Town? Attorney Smith stated yes, it will be filed with the Town, the State of New York and Onondaga County.

Councilor Tucker asked if there is a home owners association required for the Loveless Subdivision. Planning and Zoning clerk, Karen Barkdull, stated no, there is not a home owners association. She stated this is a small subdivision consisting of only four residential lots.

Supervisor Aaron stated this is just for informational purposes at this time and thanked Attorney Smith for his explanation.

Resolution #19-054

Introductory Local Law 2019-A “A Local Law Amending the Code of the Town of Skaneateles Concerning Non-Conforming uses”: Supervisor Aaron stated the Planning Board had been developing the amendments to The Town Code zoning section 148-12 for quite some time and they are finally ready for the Board’s review.

Planning and Zoning Clerk, Karen Barkdull explained the changes are to address conforming lots as well as non-conforming lots within 1000 feet of the lake. Members of the Planning Board, Zoning Board of Appeals and Code Enforcement Office which meet monthly for Planning & Zoning discussions have considered adjustments to Section 148-12 Nonconforming Uses and Structures, as well as Section 148-29 Wetland and Watercourse Protection, and Section 148-36 Skaneateles Lakeshore Regulations relating to conforming structures and lots.

They have recommended that these code sections be amended so that all regulated projects on conforming and non-conforming lots within 1,000 feet of the lake receive site plan review. The Planning and Zoning group believes these adjustments will enable the Planning Board to exercise oversight for applicable projects to influence design and impose Small-Scale Stormwater Management practices to protect our Lake quality, concerning construction or renovation projects which might otherwise proceed according to existing Code via a building permit only, without Planning Board review.

Clerk Barkdull also explained in section 3 of section 148-12 “Nonconforming uses, structures and lots” the following amendment is proposed:

“(3) Notwithstanding the provisions of § 148-12G(1)(a)[7], a nonconforming structure or use may be altered and/or renovated, and expanded by up to a total of 500 square feet of floor space and 5,000 cubic feet of interior volume without a variance or special permit, provided that: (i) such expansion does not increase the nonconformity of the structure or

expand the nonconforming use; (ii) the alteration and/or renovation results in the re-use of at least fifty percent (50%) of the component materials of the existing structure; (iii) the alteration and/or renovation may not disturb the land, and (iv) the alteration and/or renovation may not include a structural change to the nonconforming structure. The 500 square feet of permitted expansion shall be cumulative and shall include all prior expansions since January 1, 1996. For purposes of this Subsection C(3), the floor space and interior volume of a garage and the floor space of decks and patios shall be counted toward the total floor space and interior volume. The increased floor space or volume may result in an increase in the height of the structure consistent with the height limits of this chapter, provided that no part of the structure is located within 50 feet of the lake line.”

Clerk Barkdull also reviewed the additional definitions that are also part of the recommended amendments:

Alteration:

Existing- “As applied to a structure, a change to or rearrangement of the structural parts, or any expansion thereof, including the extension of any side or by any increase in height, or the moving of such structure from one location to another.”

Proposed- “Any change to a structure, including the rearrangement of structural parts, or any expansion or reduction thereof, including increases or decreases in height, and the moving of a structure from one location to another upon a parcel.”

Demolish/Demolition:

Proposed- “The deliberate removal, tearing down, knocking down, or destruction of all or a part of a structure.”

Disturbance:

Proposed- “Any activity that disturbs or removes soil, rock, sand, stone or other material for the purpose of placing thereon any permeable or impermeable surface or structure, including the installation of underground utilities, wires, piping or conduit, and the grading or re-grading of a parcel.”

Renovation:

Proposed- “Any alteration to restore, renew, repair or improve all or part of any structure, or all or part of any impermeable or permeable surface located on a parcel.”

Attorney Smith stated these amendments effect the ability to build or modify on a nonconforming lot. He stated many if not most lots around the lake are nonconforming. Therefore, property owners cannot increase the nonconformity of the lot. Property owners would still have the option of applying to the Zoning Board of Appeals for a variance on these nonconforming lots. He explained property owners could still build on the same footprint. He explained section #3 in 148-12 (C) addressed alterations and renovations and section #5 in 148-12 (C) addressed demolishing existing structures and rebuilding.

He stated with these amendments any project within 1000 feet of the Lake will have to go to the Planning Board for Site Plan approval, unless it is not structural. For example, painting the interior or exterior, or any interior or exterior designing that does not require a building permit. Site Plan approval gives the Planning Board the opportunity to apply the Stormwater Management

guidelines and to reduce impermeable surface around the Lake. Thus, giving more protection to the Lake and decrease runoff.

Attorney Smith stated if the Board decides to proceed with this introductory Local Law 2019-A the Board would have to take the following steps: Supervisor Aaron would sign the part one EAF classifying the Local Law as a type 1 action under SEQRA. The Board would instruct the Clerk to refer Part 1 of the EAF and the Local Law to the interested agencies, including the Onondaga County Planning Board, The Town's Planning and Zoning Boards and the City of Syracuse. The Board would schedule a Public Hearing and received public comment. Complete the SEQRA process and then vote to accept or deny the proposed Local Law.

Attorney Smith also stated the Board could propose these changes in conjunction with the rewrite of the Zoning Code which Joel Russell is currently working on and not continue the process of adopting the changes in the form of a Local Law. If the Board chooses to adopt the changes in conjunction with the rewritten Zoning Code this would prolong the approval of the changes. He stated the Planning Board has recommended it be adopted sooner than later so they could apply these new regulations to protect the Lake.

Councilor Badami asked if the 1000 feet from the Lake should be modified to state 1000 feet from any watercourse. Clerk Barkdull stated currently the zoning states 200 feet from any watercourse requires a Site Plan Review. The Planning Board had discussed this option and decided that would be everything in the watershed. Attorney Smith stated that might cause unintended consequences. The current proposed local law does cover conforming and nonconforming lots in the entire watershed. Clerk Barkdull also stated the City of Syracuse currently has oversight throughout the entire watershed for protection. Councilor Badami agreed. Attorney Smith Stated these amendments will make it more difficult for all nonconforming lots renovating or expanding up to a total of 500 square feet of floor space or 5,000 cubic feet of interior volume through the entire Town not only 1000 feet from the Lake. Councilor Badami stated this should be made clear when this goes to public hearing.

Supervisor Aaron asked why the Planning Board wanted this regulation outside the watershed. Clerk Barkdull stated the Board is trying to not make any nonconforming lots, more nonconforming. She also stated the majority of the lots affected by this change are on the Lake, there are very few that are not in the watershed. The Hamlet districts in the Town allow for smaller lots but there are different zoning regulations in the Hamlets taking that into account.

On a motion of Councilor Badami, seconded by Councilor Coville and with (4-0) affirmation of the Town Board, the Town Board hereby preliminarily classifies Local Law A of 2019 entitled "A Local Law Amending the Code of the Town of Skaneateles Concerning Nonconforming Uses." (the "Local Law") as a Type 1 Action under SEQRA, and the Town Board hereby directs the Town Clerk to send Part 1 of the EAF and the proposed Local Law to interested agencies to request their comments thereon; and that the Town Board will hold a public hearing on May 6, 2019 at 7:00 p.m. to hear all persons interested in the above-referenced Local Law and to consider the adoption of such Local Law.

**resolution attached*

Resolution #19-055

Updated Water District Map: Map: Supervisor Aaron reviewed the updated Water District Map, Plan and Report from Town Engineer John Camp. 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. Supervisor Aaron reviewed the updated map and the additional properties stating this is to correct the Town records. These properties outside the districts have been receiving water for many years and we need to correct the districts to add these existing properties. Supervisor Aaron stated the properties are currently treated like they are in the district and this is to only incorporate the properties that currently have water and are outside the district and clarify where the water lines are. Currently if someone in these extended areas did not pay their bill, the Town would have little recourse, since they are not in a formal district.

Supervisor Aaron explained the updated district map will only incorporate the existing properties, making a narrow boundary of about 60 feet encompassing only those properties currently receiving water. The Map, Plan and Report as prepared by Engineer John Camp also shows the location of the current water mains.

Supervisor Aaron stated the next step to formalize these updates would be to schedule a Public Hearing. There will be no cost since the properties are receiving and currently paying for water.

Councilor Tucker asked if Lucinda Drive was in a district or if it was a private line. Supervisor Aaron stated, yes Lucinda Drive is in the district. The Kulik property Councilor Tucker questioned was located in the district but they extended the line privately to their home and the Kulik's are responsible for that.

On a motion of Councilor Badami, seconded by Councilor Tucker and with (4-0) affirmation of the Town Board, the Town Board hereby scheduled a Public Hearing for the Town of Skaneateles Map Plan and Report, "Northern Water District Extension" for April 1, 2019 at 7:00 p.m.

Resolution #19-056

Transfer Station Bid Opening for the collection of household garbage, recyclable materials, tires and construction debris: Supervisor Aaron reported the Town had gone out to bid for the collection of household garbage, recyclable materials, tires and construction debris at the Town of Skaneateles Transfer Station on March 15, 2019 at 10:00a.m. The Following bids were received:

Casella:

Hauling Charge	Haul Rate
30yd. Open Top D&R – Tires	\$416.00
30yd. Open Top D&R- Trash	\$362.00
35yd. S/C Compact D&R - Recyclables	\$362.00
35yd S/C Compact D&R MSW(Waste)	\$362.00
40yd Open Top D&R – C&D	\$362.00
40yd Open Top D&R – Trash	\$362.00
Disposal Charge	Cost / Tons
Seneca Meadows – Tires	\$105.00
Seneca Meadows – MSW (Waste)	\$55.00
Auburn Disposal – C & D	\$55.00

Auburn Disposal – MSW (Waste) \$55.00

Recycle Materials:

Recycle material Disposal cost will be based on a monthly fluctuating market rate established by the Waste Management MRF Facility in Syracuse NY (OCRRA). The current monthly rate for February is \$81.11/ton. (January \$70/ton).

Syracuse Haulers:

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

Supervisor Aaron stated she, and Highway Superintendent Allan Wellington had also met with OCRRA (Onondaga County Resource Recovery Agency) and received a lot of good information on other options for the Town. She stated she would like the Board to defer this until Budget Officer Bridgett Winkelman returns from vacation and can review the proposals and have a Board discussion at the next meeting, April 1, 2019. The Board agreed.

Resolution #19-057

Contracts: Ken Richards: Supervisor Aaron reviewed with the Board Ken Richards contract. Ken Richards has leased and farmed the property in the Limeledge Water District since 2011. In review of this year’s contract Mr. Richards questioned the tillable acres he has been charged for in the contract. He contacted the US Department of Agriculture Farm Service Agency and asked for them to map this property. He had submitted a map prepared by them showing 6.14 tillable acres.

On a motion of Councilor Coville, seconded by Councilor Tucker and with unanimous (4-0) affirmation of the Town Board, Supervisor Aaron was authorized to sign the lease agreement between the Town of Skaneateles and Kenneth Richards to lease approximately 6.14 acres in the amount of \$50 per acre for seven years, expiring December 31, 2025. The property is located in the Limeledge Water District.

Resolution #19-058

Sims Building Bid Opening: Supervisor Aaron reported the Board is in receipt of three bids for the Sims Building project. She stated the Board would go into executive session to discuss the contract with the Attorney.

Resolution #19-059

Farmers Market 2019 Rules and Application: Parks Department Manager, Sue Murphy presented to the Board the 2019 Farmers Market updated application. She stated the only change this year is that the market will end at the end of October rather than mid- November as it has in the past.

On a motion of Supervisor Aaron, seconded by Councilor Coville and with unanimous (4-0) affirmation of the Town Board the updated Application/Agreement for the 2019 Farmers Market was approved.

Resolution #19-060

Skaneateles YMCA Lightning Request – June 30, 2019 Open Water Swim Meet at Clift Park: Parks Director, Sue Murphy reported to the Board the Skaneateles YMCA Lightning Swim Team has requested permission to use the Town of Skaneateles's public swimming area at Clift Park from approximately 8:00 a.m. through 12:00 p.m. on Sunday, June 30, 2019, to facilitate the entry and exit of swimmers participating in an open water swim meet in Skaneateles Lake. The Village of Skaneateles Board of Trustees has granted the Lightning Swim Team permission to host this event from Clift Park. They anticipate this swim meet, which is a fundraiser for the Lightning Swim Team, will attract 30 to 60 participants. Sue stated this event was held at Clift Park last year and went off without a hitch, it was organized and well attended. She recommended the Board approve this request.

On a motion of Supervisor Tucker, seconded by Councilor Badami, and with unanimous (4-0) affirmation of the Town Board authorization was given to the Skaneateles Lightning Swim Team to hold an Open Water Swim Meet at Clift park on Sunday June 30, 2019 beginning at 8:00 a.m. and ending approximately 12:00 p.m.

Resolution #19-061

Local Law 2019-B – Town of Skaneateles Grievance Day: Supervisor Aaron stated the Town of Skaneateles Grievance Day is scheduled for the first Tuesday of June each year. The Town of Skaneateles Assessor, Mike Maxwell will not be available on that day, since he is an Assessor for more than one Town and is requesting to change the Town of Skaneateles Grievance Day to the second Tuesday of June, this year it would be on June 11th. This would require a Local Law to make this change. Onondaga County Real Property Director, Donald Weber, said the following NYS Law would apply:

"1 A. The governing body of an assessing unit which employs an assessor who is at the same time employed by another assessing unit may adopt a local law establishing a date for the meetings of the board of assessment review other than that provided in subdivision one of this section. The date or first date so established may be no earlier than the fourth Tuesday in May and no later than the second Tuesday of June. Such local law shall remain in effect until rescinded or superseded by subsequent local law. A copy of any local law adopted pursuant to this subdivision shall be filed with the clerk of the city or town and with the commissioner in addition to the other filings required by law. In the event no local law is adopted pursuant to this subdivision, the board of assessment review shall meet to hear complaints as prescribed in subdivision one of this section."

On a motion of Supervisor Badami, seconded by Councilor Coville, and with unanimous (4-0) affirmation of the Town Board a Public Hearing was scheduled for April 1, 2019 at 7:30 p.m. for Introductory Local Law 2019-B 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."

Announcements/Correspondence/Updates:

2020 Census Job Opportunities: Supervisor Aaron announced the United States Census was going to begin this year and they are looking for local workers. Anyone interested could contact the Census Bureau or the Town Clerk's office.

2018 State of Skaneateles Fisheries" Informational Meeting- March 20, 2019: Supervisor Aaron announced there is an informational meeting on the "2018 State of Skaneateles Lake Fisheries" on Wednesday March 20, 2019 in Cortland sponsored by the NYS DEC.

Onondaga County announces new website to submit resumes to serve on County Boards: Supervisor Aaron announced Onondaga County has a new website allowing residents of the community to submit their resume to serve on a County Board, it can be found as a link on the www.ongov.net webpage.

Ride and Drive Event sponsored by Sustainable Skaneateles- April 27th : Supervisor Aaron announced Sustainable Skaneateles is partnering with Chris Carrick and CNYRPDB to host one of their "Go Net Zero" programming events at the Village Hall which will be advertised as "Ride and Drive" for electric vehicles. The focus will include all sorts of alternative energy systems, including solar and geothermal. There will be tours of the Village Hall, tables by (3) heat-smart installers, tour of geothermal home(s) in the vicinity, and electric cars . The event is meant to coincide with Earth Day activities, Saturday April 27 from 11-2 at Village Hall, with the residential open house(s) from 12:30 to 3:00.

Update Dry Hydrants: Supervisor Aaron announced to the Board they had been unsuccessful in connecting the project to the current City of Syracuse project in the outlet and the dam.

Update LED Street Lighting: Supervisor Aaron announced she had received notice from National Grid that the street light sale had been listed in the State Register stating: "The Public Service Commission (Commission) is considering a petition filed on January 15, 2019 by Niagara Mohawk Power Corporation, d/b/a National Grid (National Grid), requesting approval to transfer certain street lighting facilities located in the Town of Skaneateles, New York (Town) to the Town."

Update Hazardous Mitigation Plan: Supervisor Aaron announced the Draft Hazardous Mitigation Plan full document is now posted online and the official 30-day review period had begun. She thanked Codes Enforcement Officer, Bob Herrmann and Highway Superintendent Allan Wellington for all their work on this Plan.

Public Comment: No one commented

Budget Amendments: No Budget Amendments

Resolution #19-062

Abstract #19-03: On a motion of Councilor Badami, 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:	\$ 57,764.14	Part Town:	\$ 6,742.42
Highway:	\$ 25,427.51	Water:	\$ 23,639.06

Limeledge Water:	\$ 568.17	Highway PT	\$ 7,581.59
Sewer:	\$ 1,786.29	T & A	\$ 6,407.00
TOTAL:	\$129,916.18		

Resolution #19-063

Executive Session: On a motion of Councilor Badami, seconded by Councilor Coville and with unanimous (4-0) affirmation of the Town Board the meeting was adjourned to Executive Session at 7:25 p.m. to contract negotiations.

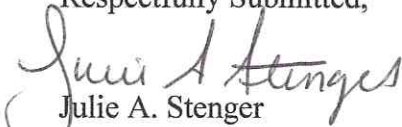
On a motion of Councilor Coville, seconded by Councilor Tucker the meeting was returned to open session at 7:45 p.m.

Resolution #19-064

Sim Building Bid Award: On a motion of Councilor Badami, seconded by Councilor Tucker and with unanimous (4-0) affirmation of the Town Board, the bid from McGinnis Nelson Construction, subject to contract negotiations and not to exceed \$418,900 was accepted.

On a motion of Councilor McCormack , seconded by Councilor Coville the meeting was adjourned at 7:50 p.m.

Respectfully Submitted,


Julie A. Stenger
Town Clerk