

Draft

**Town Board Meeting**  
**February 4, 2016**  
**6:30 p.m.**

**Present:** Supervisor Lanning, Councilor Brace, Councilor Howard, Councilor Badami, Attorney Smith. **Absent:** Robert Coville.

**Also Present:** Jim Greenfield, Deb Holbein, Dirk Young, Rhonda Richards, Steve McGlynn, Craig Richards, Abby Burkhardt, Maura McNeil, Steve Ladd, Dave Laxton, Allan Wellington, Denise Rhoads, Sue Murphy, Beth Battle, Ellie Sherman, Jonathan Monfiletto (Skaneateles Journal), Jason Gabak (Skaneateles Press), Tom Greenfield, Marcus Richards, Mark Tucker, F. Scott Molnar, Anna Supp, Rob Howard, Jim Moore.

**Department Reports:**

Highway, Water, Transfer Station: Allan Wellington reported that the plows have been out six times since the last meeting for a total of 39 times this season. Last year at this time they were out 94 times. They have been doing equipment repairs, filled pot holes, replaced missing street signs and cleaned up downed trees. In the Water Department they replaced a broken curb box, repaired a water meter repeater in Skaneateles Falls and repaired a leaking hydrant on Highland Ave. In the Transfer Station 1553 residential permits have been sold for 2016 and 22 commercial permits. The website has been updated to reflect the changes in the recycling requirements.

Parks Department: Sue Murphy reported that she attended a Farmers Market meeting to prepare for this season. The first day for the Farmers Market will be May 19<sup>th</sup>.

Codes/Planning/Zoning: Councilor Badami reviewed the Code Enforcement January report showing the issuance of two permits. The 7 open projects of the Planning Board and one of the Zoning Board were reviewed as well as the regular activities of the department including creating a database for septic plans from 1966 to present, attending safety work sessions, implementing a codes enforcement travel log, and created second floor evacuation map and plan.

Public Comments: Deb Holbein said she has been contacted by a lot of people expressing support for their position on the Comprehensive Plan. She read a letter that was submitted as a Letter to the Editor by Laurence J. Gillis. *"To the Editor: In the Skaneateles Press's January 6 issue, a front-page story ran about the pending lawsuit over the Joint Comprehensive Plan. As a long-time summer visitor to Skaneateles who thoroughly admires this beautiful place, and as a teacher of legal ethics and former Board of Governors officer in my own state bar association, I take issue with the remarks attributed to Village Attorney Mike Byrne. In the article, Attorney Byrne is reported to have written in e-mail postings that the plaintiffs filed the lawsuit for "self-serving purposes." That it was "a shame" and that "a significant legal expense" would be incurred by taxpayers. In so doing, Attorney Byrne has unprofessionally injected politics into a pending law-suit. It is not Attorney Byrne's place to make policy. It is not his place to question the motives of citizens who are entitled to bring this lawsuit. As he may well know also, suits like*

*this one often result in improved public policy. I strongly suggest that Attorney Byrne publicly apologize to the plaintiffs Stephen McGlynn and Deborah Holbein”.*

Steve McGlynn read a statement to be included in the record as follows: *“I, too, have been contacted by a number of residents concerned with how adoption of the comprehensive plan seemed rushed and incomplete. I have asked some of them to attend tonight’s meeting. I am speaking on behalf of some of the people here tonight who are supporting the Article 78 action. We want to go on record so that all Town Board members understand we are not asking you to scrap the new plan that was adopted last fall. What we are asking you to do is to complete the required legal steps which were not completed last fall due to an arbitrary deadline. Specifically, we ask that an Environmental Impact Study be completed to determine the environmental impacts of several areas of the plan, such as the plan for managing sewage from concentrated housing development in the northern part of Town. Simply put we are asking you to complete an unfinished plan to ensure our Comprehensive Plan is just that – Comprehensive. Thank you.*

**Minutes:** On a motion of Councilor Howard, seconded by Councilor Brace and with unanimous (4-0) affirmation of the Town Board, the minutes of January 21, 2016 were accepted as presented.

**Multi-Use Trails Committee Update:** Steve Ladd presented the power point presentation (below). He reviewed the history and changes and stated that this was to inform the current Board of their top priorities and to look for support from this Board. He said that the Town Board endorsed their committee about two years ago. They started monthly meetings at that point. They developed a Mission Statement so that the public and the Board would understand what they were trying to accomplish. After collecting data, SOPCA provided great support in helping them develop a series of maps that show how there could be a connecting multi-use trail between the Village and the Town of Elbridge line. He praised SOPCA stating that they provided the Town 30 to 40 hours of professional services including GPS data free to the town. Below is Mr. Ladd’s presentation.

**Multi-Use Corridor & Trails Committee – Power Point Presentation**

- Purpose: Provide status and review 2016 – 2017 priorities for support
  
- **2014 – 2015 Review**
  - **March 2014: Board endorsed “Rails to Trails” committee**
  - Monthly meetings involved Town officials, hamlet representatives, and supporters
  - **Spring/Summer 2014: organized and prepared Mission and Vision**
  - Mission and Vision endorsed, consistent with Joint Comprehensive Plan
  - **Winter 2015: Fact finding and north-south corridor layout**
  - **Syracuse City Water Department; Town records; Welch Allyn site; Village inputs; GPS data gathering**
  - **Excellent no-cost support from Syracuse – Onondaga County Planning Agency (SOCPA) for mapping and overlays**

- **Spring 2014 & 2015: Sponsored Nature Trail spring cleanups** (~40 participants including school, scouts and residents
- **Summer 2015:** Informal surveys to display maps, inform public, and gain feedback
  - Committee booths at book sale, duck dash, fishing derby, field days
  - Key Finding: great majority of respondents support the vision and scope and many offered ideas
- **Fall 2015:** Applied for SMTC grant to assess and mature multiuse trails concept focused on north-south connections
  - Expectations: \$50,000 federal grant to SMTC by April 1 for professional work support Town’s planning
  - Status: Policy Board meets 2/23 to approve; Federal Highway Admin funding starts April 1st
  - Not used for generic trails
- **January 2016 Resolution:** Committee name change
  - “Rails to Trails” too narrow vs overall multi-use trails
  - Adapt to broader role going forward
  - **2016 Focus:**
    - Conduct spring cleanup on Charlie Major Trail [CMT] (May 7th)
    - Work the SMTC Grant (Spring/Summer - see handout page)
    - Closer liaison and integration with Town Open Space Committee, CNY Regional Planning & Development Board
    - Village creek walk
    - Conservation Committee
    - Readiness for 2017 grant applications – possibly jointly with other government agencies and pursue longer term funding
    - Make progress on multi-use trail segments connecting CMT
    - **Monitor:**
      - Article 78 ruling on Joint Comprehensive Plan
    - **Bottom line:**
      - Support and execute SMTC study grant through in-kind services
      - Other trail projects as committee adapts
  - **Handout talking points - SMTC Grant focus**
    - **What was described:** a multi-user, multi-seasonal set of connected trails, bike lanes and/or bike paths, linked with existing similar trails, to create a continuous corridor from the Village of Skaneateles northward to the boundary with the Town of Elbridge
    - **What was asked for**
      - Concepts to extend the Charlie Major Trail
      - How to tie in sections of the rail bed, where appropriate
      - How to establish bike lanes on town roads vs rail bed
      - How to incorporate destination points and promote trail development thru the hamlets
      - Feasibility of Skaneateles Creek-side multi-use trail alternatives (within town boundaries)
    - **Key Needs: Study and report on:**
      - Crossing Old Seneca Turnpike safely
      - Implementation of multi-user lanes on town and country roads
      - Tie in with Skaneateles Fall redevelopment concepts

- Address concerns of abutters and hamlet dwellers

– **Time Line**

- Early indications : anytime
- Formal award: by March 31
- Study term: summer thru late fall 2016, report issued early 2017

The Town Board thanked Steve Ladd for a very comprehensive look at this Committee.

Chris Buff said she thought cleaning the trail fell under the Parks Department. Councilor Brace said that the Parks Department maintains the trail but the community volunteer support has been great in helping to clean up items that have been there for decades.

Supervisor Lanning said he would like to broaden the scope to include trails behind Grace Chapel. He said one of his initiatives is to tie the Charlie Major Nature Trail to the Steve Krause Trail and extend it toward the Village. He said this would be a redirection of the focus. Councilor Brace said it is not a redirection because the committee decided last year that connecting the Charlie Major Nature Trail to the Steve Krause Trail would be part of their application to SMTC. Supervisor Lanning said he would like to broaden the scope to include trails behind Grace Chapel.

Supervisor Lanning requested that Steve Ladd update the residents at the Mottville Hamlet Meeting. He agreed.

**Skaneateles Nursery School Letter of Intent:** Supervisor Lanning noted receipt of a memorandum from the board members of the Skaneateles Nursery School with a proposal to lease Austin Park Pavilion. They would like to have an answer before March 1<sup>st</sup>, the date they will be holding registration for the upcoming school year. Supervisor Lanning said there are many challenges and hurdles including amendments to our lease with the Village and using taxpayer funds for building improvements.

Councilor Brace said that the Town Board is in receipt of a proposal from C & S Engineers for a Code Review in the amount of \$3,500 for the intended use, and \$1,500 for a preliminary structural investigation. She said it would be hard to move forward without this analysis.

Supervisor Lanning said it is a multi-use facility and that has to be taken into consideration when any changes are being proposed.

Courtney Alexander from the Skaneateles Nursery School indicated that they received a proposal from a local architect willing to volunteer his time to provide the structural information and the code review.

Councilor Badami stated that he has a great desire to support the nursery school. He has children that have been through the nursery school and are still in the program and he said it is a wonderful organization. He appreciates the urgency to do a structural review of the property but

also believes that fiscally it is important to strongly consider the proposal that is being submitted at no charge.

After a somewhat lengthy discussion it was decided to schedule a special meeting to discuss these proposals when the full board could be there given the fact that Councilor Coville was absent tonight.

On a motion of Councilor Brace, seconded by Councilor Howard and with unanimous (4-0) affirmation of the Town Board a special meeting was scheduled for 1 p.m. on Sunday, February 7<sup>th</sup> to discuss the proposals submitted for the structural investigation and the code review of the Austin Pavilion.

**Historian – Austin Park:** Beth Battle presented to the Town Board the history of Austin Park from 1810 to present. (attached).

**Proposed Abandonment Local Law:** Attorney for the Planning and Zoning Boards, Scott Molnar explained that the proposed local law would determine when an application before the Planning and Zoning Boards will be deemed to be abandoned. The Town Board requested that the Planning and Zoning Board advance a section of code to consider stale applications without any activity to be abandoned. The Boards took just over a year to review and modify that section of code and then recommended to the Town Board that they advance legislation to enact the Local Law. The Town Board is now in receipt of the “redlined” version showing the various changes, deletions and additions to modify §131-31(h) and §148-48 of the Code. Both of these sections have been approved and recommended to the Town Board by the Planning and Zoning Boards.

Attorney Smith said he has reviewed the proposed Local Law and discussed it with Attorney Molnar. He said he knows the outstanding issue for the Town Board is to which applications this will apply. He said his opinion is that the most conservative approach going forward with applications that are submitted after the adoption of the Local Law. It could conceivably be applied to applications in the past but whether that would then create a vested right and potential liability for the Town would have to be determined on a case by case basis. He believes it would be best to apply going forward.

Councilor Badami asked if the Board did not make the law retroactive if we could give any pending applications a fair window of time to complete their application which would then mitigate any potential liability to the Town.

Attorney Smith said that the Town Board has the ability to offer a window of time but whether or not that would eliminate the potential for an applicant to have already acquired a vested right would not change that. That depends on how far along the applicant is in the approval process, and whether they have expended money necessary to acquire that vested right. He said he could not give a blanket statement for all applications. It would be a very individual calculation.

Supervisor Lanning stated that he wanted to move forward for this legislation to be considered which determines that an application is abandoned if a minor project remains inactive for six months and a major project remains inactive for twelve months.

Supervisor Lanning made a motion that we have a preamble to this legislation that clearly states that it is from here moving forward any new applications would be under the auspice of this law.

Councilor Brace questioned if a preamble was necessary. Attorney Smith said, no unless you affirmatively insert language. Applying it retroactively it would assume that it was not.

Supervisor Lanning said he did not want any ambiguity in the law. He did not want it interpreted two different ways. Attorney Smith said to avoid the prospect of ambiguity; it would be advisable to add additional language.

Councilor Brace asked if a public hearing can be scheduled without that language. Attorney Smith said it is definite enough now to schedule a public hearing.

On a motion of Councilor Badami, seconded by Councilor Howard and with unanimous (4-0) affirmation of the Town Board Introductory Local Law 2016-A was scheduled for a public hearing at 6:45 p.m. on February 18, 2016.

**Authorization to Transfer \$26,000 From the Recreation Equipment Reserve Fund:**

On a motion of Councilor Brace, seconded by Councilor Howard and with unanimous (4-0) affirmation of the Town Board, authorization was given to transfer \$26,000 from the Recreation Equipment Reserve Fund subject to the permissive referendum requirements of Town Law and General Municipal Law.

**Employee Handbook Update:** Janet Aaron referred to Bridgett Winkelman's report to the Town Board and stated that this update was considered at the last handbook update but was left out of the final draft. The update would allow part time year round employees to receive a paid half hour lunch break as full time employees do. If the Town Board so agreed, the update would be submitted to employees for their comments and then placed back on the next agenda for the Town Board's consideration.

On a motion of Councilor Howard, seconded by Councilor Badami, and with unanimous (4-0) affirmation of the Town Board, the recommended employee handbook update regarding paid lunch breaks for year round part time employees was agreed to be referred to employees for their review and comment.

**Approve Lake Limo Request for New Vehicle:**

The Board of Directors of Laker Limo submitted a letter to the Town Board requesting that they replace their seven-year old Dodge Caravan with a 2016 Dodge Caravan. The current Caravan would be traded in and the final cost would be \$14,548.50. Janet Aaron said, as explained in a memo from Bridgett Winkelman, Laker Limo is under the umbrella of the Town and they are able to purchase off of state bid and they are covered by our liability insurance. However, they are self-funded and everything that is paid by the Town is reimbursed to the Town from Laker Limo. All vehicles are titled to the Town.

On a motion of Supervisor Lanning, seconded by Councilor Badami and with unanimous (4-0) affirmation of the Town Board, Laker Limo was authorized to purchase a new vehicle through State bid subject to the Town receiving funding for this purchase.

**Surplus Equipment – Highway Department:** On a recommendation from Allan Wellington, Highway Superintendent, Councilor Howard made a motion seconded by Councilor Badami and with unanimous (4-0) affirmation of the Town Board to declare the following non-functional items as surplus: (1) Mobile air compressor (purchased in the 1950's); (1) 10-foot V-box sander.

**Municibid:** Councilor Howard repeated what she had stated at the last Town Board meeting saying that she believes that the Skaneateles Y should have been awarded the bid they submitted on the Zamboni. Councilor Brace agreed that it is an old machine and we could have been good neighbors by selling it to the Y.

Supervisor Lanning said that he has notified the Y that it would be available at a reasonable price for their use if they need it before it is sold. He said the Y could bid again and believes that it is worth advertising online to see if it will generate additional interest. Since most rinks are now year round we should be able to take our time trying to get the best price.

Supervisor Lanning made a motion seconded by Councilor Badami to authorize advertising on Municibid for up to 60 days.

Councilor Howard	No
Councilor Brace	No
Councilor Badami	Yes
Councilor Coville	Absent
Supervisor Lanning	Yes

Motion Failed

**Craig Richards Contract:** On a motion of Supervisor Lanning, seconded by Councilor Badami, and with unanimous (4-0) affirmation of the Town Board, Supervisor Lanning was authorized to sign the 2016 lease agreement between the Town of Skaneateles and Craig Richards to lease approximately 50 acres in the amount of \$1,655. The property is located on Rt. 20 East and is part of Lot 38.

**Kenneth Richards Contract:** On a motion of Councilor Howard, seconded by Councilor Badami and with unanimous (4-0) affirmation of the Town Board, Supervisor Lanning was authorized to sign the lease agreement between the Limeledge Water District and Kenneth Richards to lease approximately 13.02 acres of property located in the Limeledge Water District for \$231.00.

**Town Hall Cleaning Proposals:** Janet Aaron reported that she received three proposals to meet the procurement requirements of the Town for cleaning of the Town Hall. The lowest bid was from ServiceMaster. She said that this company is located in Cicero and prides themselves as being CNY's leader in "green" cleaning. They do homeland security background checks and random drug testing for all their employees. They will provide SDS

sheets that we need to comply with PESH. References were also checked and everyone gave high praise for their services.

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 2-year agreement with ServiceMaster.

The Town Board authorized Janet Aaron to send a written notification to our current service notifying that their service to the Town would end on March 1, 2016.

### **Announcements/Correspondence/Updates**

- *Letter from Onondaga County Sheriff Eugene J. Conway:* Sheriff Conroy's letter offering assistance and help to strengthen the relationship between his office and our community.
- *Invitation from Onondaga County Fire Coalition:* The invitation for the 8<sup>th</sup> annual Onondaga County Fire and Emergency Services Education & Legislative Breakfast for officials on Saturday, September 27<sup>th</sup> at the Camillus Elks Club.
- *Onondaga County Soil & Water Conservation District – 2016 Tree & Shrub Seedling Sale*
- *Bald Eagle at Conservation Area:* A picture of a bald eagle was displayed on the overhead screen as Supervisor Lanning explained that it was spotted at the Town's conservation area.
- *Mottville Hamlet Meeting 7 p.m. Feb 25<sup>th</sup> at Mottville Fire Department*
- *From Office of the Attorney General –Protecting New Yorkers Against Scams:* The Attorney General again reminded the public that telephone scammers are posing as officials from the IRS. He reminded everyone that the IRS and legitimate government agencies never demand payment by phone and to call the Attorney General's office if you think you have been scammed.

**Abstract #16-03:** On a motion of Councilor Badami, seconded by Supervisor Lanning and with unanimous (4-0) affirmation of the Town Board, voucher #16-0074 to #16-0120 from the following funds was authorized:

General Fund:	\$57,318.39	Part Town:	\$ 67.48
Highway:	\$ 3,237.49	Highway P/T:	\$ 147.01
Street Lighting:	\$ 1,270.16	T & A:	\$2,363.55
Water:	\$ 143.86		

**Total:** \$ 64,547.94

### **Public Comment/Questions From Press:**

Dave Laxton questioned if the Town's property behind Grace Chapel has a marked right of way and where the access is. He said he always hoped that a trail could be developed between the Village and this property and then on to Baltimore Woods.

Craig Richards said he owns property east of the Town's property on Route 20 said he has a problem with people driving across his property to go hunting on the Town property.

The Town will review where the access point is to this property.



Jennifer Orsen, President of the Skaneateles Nursery School expressed thanks to the Town Board for the amount of time they are committing to the process of seeing if Austin Pavilion will work for their school. With registration beginning in March they are crunched for time because parents want to feel comfortable with the building that their children will be at.

Courtney Alexander said that with the volunteer services being offered she would communicate with the architect to request a proposal in writing.

**Executive Session:** On a motion of Supervisor Lanning, Seconded by Councilor Badami and with unanimous (4-0) affirmation of the Town Board the meeting was adjourned to Executive Session at 8 p.m. to discuss potential litigation.

Meeting returned to open session and adjourned at 8:55 p.m.

Respectfully submitted,

Janet L. Aaron  
Town Clerk

## Time Line for Austin Park

- 1810 - Aaron Austin bought 150 acres of land from Wm. Vredenburg and built a house at the corner of Jordan & Austin St. The land passed to Ebenezer, a nephew who lived there for the next 50 years. His son, Franklin, was the next owner. When he died in 1917, Clarence, his only child, inherited the land.
- 1927 - Clarence died, having no survivors, he left 95 acres of land to the Village. The family home was given to the Village for a community center, the barns were used by the D.P.W. The house was moved in 1946 to East St., barns were torn down in the late 60's. Clarence said in his will that "the land shall be held and kept perpetually as a public park for the use and good of the people, and should be known as Austin Park.
- 1928 - A few people had another idea. Two government people from Washington looked the area over and gave their okay to use the land as an airport, subject to the approval of the Village Board of Trustees. They were in favor of the idea, but did not wish to put their approval on an airport until they had assumed full control of the property. This never happened.
- 1930's - Austin Park was overgrown and infested with mosquitoes. Some of the land was sold to the American Legion.
- 1940 - There was a baseball field there but in order to play, the boys had to mow the grass themselves with a hand mower.
- 1950 - Austin Park was still the site of a small baseball field, a paved micro track and an outdoor skating rink. There was no recreational program available.
- 1960 - The Jaycees decided the land might be suitable for a recreational park. Charles Wilson, was president of the Jaycees at the time.
- 1961 - In March the Jaycees talked to the Village Board, and Mayor Stewart Smith. The Board was in favor of the developing the area into a landscaped park which with baseball fields, tennis courts, basketball courts, a picnic area, and a storage building. Their concern was how the park would be maintained after it was built.
- 1962 - John Dougherty with two earth-moving graders prepared the basketball courts. The Town contributed the backboards, baskets and poles. A. S. Wikstrom's equipment graded the tennis courts, and the baseball fields. The Sims Memorial Bldg. was built by the Rotary club, the Chamber of Commerce. The Skaneateles Garden Club had started planting flowering crabapple trees around the park.
- 1963 - Although the Jaycees would remain as the lead agency, the Austin Park Development Committee took over the work on the park. Many fund raisers were held and hours of labor had been donated.
- 1963 - On June 29 a ceremony for the dedication of Austin Park was held.
- 1967 - The Austin Park Dev. Comm. retained Robert Waterbury to draw up plans for a recreation building in the southwest corner of the park. This building, never built, would become the forerunner for the 240 foot, covered ice skating rink which would replace the crude skating rink, south of the American Legion, which had been formed by damming a small stream, originating from a holding pond behind the woods.
- 1970 - By Nov. a larger Austin Ice Center was completed, with the funding, \$450,000,

coming from a fund drive, not through local taxes or bonding issues. When \$220,000 was raised, the State of New York came up with a matching grant of \$220,000. The new ice center opened on November 8, 1970.

Officially named the Austin Park Community Center, the 200 by 85 foot covered rink would, in the summer months, serve as a site for fairs, dances, concerts, art shows, antique shows, and other events. Operating expenses for the first year for the hopefully self supporting facility, were \$18,500.

1992 - the Town of Skaneateles signed a 40 year lease from the Village, the prior lease was for 10 years. This enabled the Town to seek \$75,000 in Development funds to further improve the park - build a picnic pavilion, provide better drainage for the ball field, provide equipment for a wheelchair playground and for wheelchair-accessible restrooms. Some of this work was necessary in order to comply with the Federal Americans With Disabilities Act.

Town and Village crews worked together to pave the road into the park, plus the parking area and an eight-foot walkway that circles through the park, large enough for two wheelchairs to pass. By doing the work themselves, \$30,000 was shaved from the cost.

2000 - The Skaneateles Recreation Charitable Trust (SRCT) raise funds and completed the construction of the Skaneateles Community Center on State Street. This was a 2 story facility of 110,000 square feet. One portion was the aquatic Center, a second the Community Room, and the third the ice area. Also, a concession stand was on the ground floor, with a pro shop, and offices for staff. The Town Board ran the operations of the center.

2010 - The Auburn YMCA took over the management of the facility.