

Town Board Meeting
December 3, 2015
7:00 p.m.

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

Also Present: Allan Wellington, Jonathan Monfiletto (Skaneateles Journal), Jason Gabak (Skaneateles Press), Bridgett Winkelman, Sue Murphy, Jean Vincent, Karen Barkdull, Dave Badami.

Department Reports:

▪*Highway, Water, Transfer Station:* Allan Wellington reported that in the Highway Department they took care of some drainage issues on Cemetery & Crow Hill Roads. They have serviced and repaired trucks and installed plows, wings and sanders on the trucks. They have also installed delineator stakes along plow routes to protect lawns and driveways. In the Water Department they replaced a hydrant on State Street and installed a valve on Masters Road for an automatic flushing hydrant. They winterized and staked the hydrants for winter. Water service was terminated at Stauffer Chemical and they finished flushing the hydrants in all the water districts. A water main leak was repaired on Railroad Street. At the Transfer Station they cleaned and organized the repair shop to store equipment for the winter. Plumley Engineering inspected the landfill and test wells. A gate was installed across the lower driveway to control hard fill dumping.

Parks: Sue Murphy reported that the Thursday Farmer's Market would continue until December 17th inside the Austin Pavilion. Gene LaForte is working on repairs to the picnic tables and bleachers for next season.

Budget: Bridgett Winkelman reported that the Town Board is in receipt of the August and September Supervisor's Report and Fiscal Summary. The employees and retirees were updated on their health insurance choices for 2016. Auditors from Cuddy and Ward spent two days doing a preliminary audit for 2015. They will complete their audit in February. Department Heads have been advised to separate their 2016 expenses from their 2015 on vouchers that are being submitted.

Codes, Planning & Zoning: Karen Barkdull, Planning & Zoning Clerk submitted a reported on the 2015 highlights stating that they are working on a Zoning Board activity database on all permits issues from 1966 to present. They are preparing Zoning Board files from 1966 to 2014 for archival scanning and microfilming and adding to our Laserfiche program. They have completed their research and analysis prepared for all Zoning Board actions from 2006 to 2015. She said the last 10 years of data has been analyzed by section of code, year, location, size of lot, dual applications before the Zoning Board and Planning Board, zones, address and tax map numbers. They have also begun research on the analysis of all Planning Board actions from 2006 to present. Both Planning Board and Zoning Board analyses will become helpful in the zoning code review. The Analysis of the Land Development Rights Acquisition Fund (DRAF) has been completed from the time period of its adoption in 2007 to present with recommendations for modifications to this section of Code. She said that the DRA has a balance of \$171,060 including \$19,717 on a pending application. Using the land valuation based on the average per square from 2010 to present has the purchase power of 12.6 acres of all

classifications of land or 3.6 acres of residential land. 95% of the DRAF parcels are located in the Lake Watershed Overlay District (LWOD) with 91% having lake frontage. These parcels also represent 9.8% of the total lake front parcels located in the LWOD and 3.3% of the total number of lots in the LWOD. 21% of the variances are in Section 148-9E Dimensional Tables. 24% of the variances are in Section 148-12G Non-Conforming Structures. She said prior to 1966 when zoning was first implemented, the average lot size was 30,000 square feet. She also included an analysis of the DRA Fund from its inception in 2007 to present with recommendations for modifications to this section of Code. Karen said that they would be working on the Planning Board analysis next.

Supervisor Sennett thanked Karen Barkdull for all the work that was done on these reports saying that it will be very helpful moving forward with Code updates.

Historian: Beth Battle said she has been very busy with many genealogical requests. She has a Skaneateles aviation poster on display in the First National Gifts old bank vault. Beth read the article she will be submitting for the next Newsletter entitled “The Evolution of the Letter” dating back to 1850 to our present time. The article can be read in its entirety by going to the Town of Skaneateles website at www.townofskaneateles.com

Resolution #15-213

Minutes: On a motion of Councilor Howard, seconded by Councilor Greenfield and with unanimous (4-0) affirmation of the Town Board, the minutes of November 19, 2015 were accepted as presented.

Resolution #15-214

7:15 Public Hearing – Introductory Local Law 2015-A: Supervisor Sennett said that this public hearing is to amend Town Code Chapter 118 – Refuse Disposal. She said that the amendments to this Chapter are mainly directed to the commercial use of the Transfer Station. She noted receipt of the affidavit of posting dated November 12, 2015 and the affidavit of publication dated November 18, 2015.

With no one requesting that the public notice be read, Councilor Howard made a motion, seconded by Councilor Greenfield and with unanimous (4-0) affirmation of the Town Board the public hearing was opened.

Supervisor Sennett asked if anyone had comments. No one came forward

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

Supervisor Sennett said that the Transfer Station is primarily a service for residents and that this amendment will limit some of the items that Commercial Haulers can bring in such as hard fill and compacted loads. Allan Wellington said that the amount of hard fill that the Town can accept is regulated by the NYSDEC.

On a motion of Councilor Greenfield, seconded by Councilor Howard and with unanimous (4-0) affirmation of the Town Board Introductory Local Law 2015 A known as “A Local Law

Amending the Town Code of the Town of Skaneateles relative to Chapter 118 – Refuse Disposal” was adopted to be known as Local Law 3 of 2015.

Supervisor Sennett referred to the new brochures that Julie Stenger worked on that now include the new rules and regulations as adopted by this Local Law. It also gives the dates that the Transfer Station will accept paint. Those dates are March 5, 2016, June 4, 2016 and December 3, 2016. In addition paint and other hazardous waste items can be taken to the hazardous waste disposal event that will be scheduled in the fall of 2016. These are the only times that paint will be accepted at the Transfer Station.

2016 Transfer Station permits are available now to purchase.

Future of Austin Pavilion: While displaying the PowerPoint presentation on the overhead screen, Supervisor Sennett reviewed the report prepared by Jean Vincent of Vincent McCabe, Inc. who was among several volunteers who participated over several meetings discussing the future of the Austin Park Pavilion. She thanked Ms. Vincent who has a local Research and Marketing company and is President of SKARTS, for volunteering her services to this discussion.

Supervisor Sennett said that the Fire Department and the Methodist Church spoke on their need to be able to continue their events at the Pavilion. The volunteers were asked to identify guiding principles to determine the best possible, self-sustaining usage of the Pavilion. Among the Guidelines considered was that it was positive for the community and attractive for philanthropy, it is low cost to maintain, user funded and attractive for good return on investment.

From this list they ranked the guiding principles by importance. They evaluated the many ideas that were presented. Committee members were asked to consider these four concepts; Repair, Renovation, Redevelopment and Reconstruction. Study Aspects included structural changes required, approximate maintenance costs, new construction costs, type of usage, personnel needs for management and time to implement. From here they determined what ideas to drop. The school district stated that they did not have a need for additional sports facilities. With the sale of Stella Maris, an education and senior facility was also dropped. They then looked at ideas that were the easiest to implement and were low maintenance. This included the use for the firemen’s field days, community band, Rotary pancake breakfast, Farmers’ Market and craft shows. Events that pay a fee include receptions, boat shows, weddings, company picnics, clambakes, craft shows. Flexible usage and positive impacts were also reviewed.

Supervisor Sennett said this was a comprehensive look at the many options for use of the Pavilion. The Committee agreed that we don’t need to make a lot of major changes and to continue to use the Pavilion for what it has been used for in the past.

Jean Vincent said the findings were very conclusive that the Committee wanted the building maintained but not to build walls so that it could be used for different events and not cost a lot of money.

Supervisor Sennett gave huge thanks to Jean Vincent and her staff for volunteering her time and for collating all the ideas into a logical easy to understand report.

Sue Murphy said that Jean and her husband were great in coordinating all the many ideas into a very comprehensive report.

Councilor Howard said it is a validation of this facility and that we like what we have and it should be preserved.

Resolution #15-215

Employee Handbook: Supervisor Sennett said that the Town Board reviewed the changes to the employee handbook at the last meeting. The changes include benefits (i.e. vacation, sick, and personal leave) for part time year round non-union employees. The changes also included benefits for first year full time employees giving partial vacation, sick and personal leave benefits. The proposed changes were forwarded to all non-union full time and year round employees for their review and comments.

Janet Aaron reported that only positive comments have been received from employees who are thankful for the benefits.

On a motion of Supervisor Sennett, seconded by Councilor Brace and with unanimous (4-0) affirmation of the Town Board, the updates to the employee handbook were accepted as presented effective January 1, 2016.

Resolution #15-216

Amendment to Onondaga County Snowplow Agreement: Allan Wellington reported that he had asked the County if the Town could plow more County roads. The Town currently plows 15 miles of County roads and receives \$7,000 per mile. This year he has an extra person in his department so adding 5 miles would not be a problem and is actually near Town roads that we currently plow. If it is a severe winter like the last two, the amount received from the County increases.

Councilor Brace said this had been discussed at budget time and the Board was in support of it. On a motion of Councilor Greenfield, seconded by Councilor Howard and with unanimous (4-0) affirmation of the Town Board, Supervisor Sennett was authorized to sign the amendment to the Onondaga County Snow Plow Agreement.

Resolution #15-217

Industrial Medical Substance Testing Contract: Supervisor Sennett said this is an annual contract for our Substance Testing Program and meets the requirements of NYS Department of Transportation for our CDL drivers.

On a motion of Councilor Brace, seconded by Councilor Greenfield and with unanimous (4-0) affirmation of the Town Board, Supervisor Sennett was authorized to sign the 2016 agreement with Industrial Medical Associates.

Resolution #15-218

Mirbeau Drainage Agreement: Supervisor Sennett said that she and Councilor Greenfield have been working on the drainage agreement with Gary Dower for months. Councilor Greenfield said he is happy with the contract as long as they do what is outlined. Supervisor Sennett believes this will benefit the surrounding residents who have had drainage issues, especially on Franklin Street. During their annexation discussions, drainage and runoff were some of the big concerns. She said that the Town mitigated runoff from property to the west which encompasses the Highway and School Bus Garage and Rosalie's. The Town installed a very good system that captures all the runoff west. There is still a problem with the runoff from the Mirbeau parking lot.

Councilor Brace said she believes it is a well-crafted agreement. She said that the Town has some participation in the maintenance and so does Mirbeau, and they have to do the drainage improvement within the two years. That is an important component. This agreement is totally separate with anything else that is done on the property.

Councilor Greenfield said that they had discussed that the Town would contribute piping and wondered if the specifics of what the Town would do should be incorporated in the agreement.

Supervisor Sennett said that our Town Engineer, John Camp came up with a concept plan that would handle the runoff. He designed what he thought would take care of this which includes catch basins and piping. Their pipe would run parallel to our pipe which is parallel to Franklin Street. They are concept plans at this point and they now need to move to construction plans and drawings. Those plans will be reviewed by the Town as part of the agreement and it will also involve other permitting which the Town will be part of and all of that has to be done by April 1, 2016. She said it is a little difficult to be specific about what we would do at that point. The agreement states that the Town will determine a reasonable contribution and we have talked about piping. But at that point the Town will probably be doing maintenance to our swale because the runoff has caused siltation in the swale and that has to be corrected and at the same time we will be correcting the berm which runs parallel to Franklin Street. Once the construction plans are in place and we know what the timing is this agreement states that the work has to be done within two years. The Town will have a role and at that time the Town will determine what our role will be. She said it is hard to be too specific right now.

Allan Wellington asked if they will be responsible for their drainage system and the Town will be responsible for our drainage system. Councilor Greenfield and Supervisor Sennett agreed that we would handle the long term maintenance of our storm water management facilities and Mirbeau would be responsible for the long term maintenance of their storm water management facilities. Supervisor Sennett said that hopefully with the added catch basins and piping that the ongoing maintenance will be minimal because the silting will be greatly reduced for our swale and piping and the berm will not be compacted due to runoff and the residents on Franklin Street will be protected.

Councilor Howard commented that we have needed an agreement like this for many years. She believes that the Town finally has a really good and accurate agreement that places responsibility where responsibility lies. There has been a lot of input and she believes it is an excellent agreement.

Supervisor Sennett gave kudos to Councilor Greenfield who said right from the beginning that it had to be a separate pipe. She said he sang that song and never changed his tune. Councilor Greenfield said that even if they do not go forward with the project this drainage system still has to be done.

Councilor Greenfield pointed out that he did not see in the contract where it states that it had to be completed in 2 years. Attorney Taylor stated that it did not get in the final version and he would correct that #4 to read:

Once the Permits have been obtained, Mirbeau, at its cost and expense, except as otherwise set forth herein, will organize and be responsible for the construction of the Additional SWM Facilities according to the final Construction Plans and any modifications made as a result of the Permit review process. The additional SWM Facilities shall be completed within 2 years of the date all permits are received.

Attorney Taylor said this has nothing to do with the Annexation. Regardless of whether the annexation is approved or not, and regardless of whether it is annexed and they choose to abandon the project, this agreement survives. That is why the agreement cites all the existing agreements between the Town and Mirbeau now which has created confusion over the years as to who is responsible for what. This agreement attempts to clear that up. Even if the petition for annexation had never been submitted the Town would want to be doing this anyway. He said that this is between Mirbeau and the Town of Skaneateles and not Nicorele, LLC and Elerion LLC that petitioned for the annexation.

Bridgett Winkelman questioned what happens if Mirbeau doesn't do it within the two years. Attorney Taylor said that we would go to court. This is Mirbeau's legal obligation.

Supervisor Sennett asked the Board if they wanted to move forward tonight or to wait.

Councilor Greenfield questioned if the escrow was up to date. Bridgett Winkelman said that a check in the amount of \$4,000 was received today. Attorney Taylor said that the escrow was established for the annexation not for this project. They are two separate items.

Councilor Brace asked what the risk was to Mirbeau if the Town Board did not move forward tonight. She said she did not want to lose the agreement. She asked if it was better if they signed the agreement first.

Attorney Taylor said that he understands that there is a meeting of the partners of Mirbeau next week. He said the Town Board could authorize the Supervisor to sign the agreement upon a written acceptance from Mirbeau.

Councilor Howard made a motion seconded by Councilor Greenfield and with unanimous (4-0) affirmation of the Town Board, to authorize the Supervisor to sign the Drainage Facility Agreement upon written acceptance of same by December 15th from Mirbeau.

Resolution #15-219

Bid Opening for Waterfront Repairs: Supervisor Sennett reported that this is relative to repairs at Clift Park to make the entrance to the swim area safer. Councilor Brace said she would like to see the bid specs and documents before authorizing it to go out to bid.

The bid opening was tabled to the December 17, 2015 meeting.

Resolution #15-220

Authorize to Receive Proposals on the Sale of the Zamboni: Supervisor Sennett said that the Zamboni has been declared surplus and since we are no longer in the ice business, it is in the best interest of the Town to sell it. Attorney Taylor presented the bid documents.

On a motion of Councilor Brace, seconded by Councilor Greenfield, and with unanimous (4-0) affirmation of the Town Board, the sale of the Zamboni was authorized to go out to bid with the bid opening scheduled for 10:00 a.m. on January 8, 2016.

Announcements:

▪*Transfer Station Closing at Noon on December 18, 2015:* Supervisor Sennett said that the employee Christmas luncheon would be at 1 p.m. on December 18th and therefore, the Transfer Station would close at noon on Friday, December 18th and reopen at 7 a.m. on December 19th.

▪*Village of Skaneateles Proposed Local Law#4 on Short Term Rentals:* Supervisor Sennett said that the Town received notification from the Village that the December 1, 2015 public hearing on proposed Local Law #4 would be kept open and adjourned to 7 p.m. on December 23rd at the Skaneateles Fire Station at 77 West Genesee Street. The Town Board does not need to do anything on this but can submit comments.

Councilor Brace asked if the SEQR comes later after the public hearing. Attorney Taylor said that at some point he believes the Village will send the SEQR notice to the Town Clerk. Janet Aaron said she called Patty Couch today and asked if the Village wanted us to agree to Lead Agency Designation under SEQR. She said this is the letter that she was authorized to send and was sure if their attorney, Mike Byrne needed the notice that it would have been sent.

Attorney Taylor said they may have determined it was a Type II action that did not require SEQR.

Additional Comments:

Janet Aaron said that Councilor Murray wanted it known that she would have been at the meeting tonight but she was at a Rotary fundraiser that would benefit our Outreach Office.

Supervisor Sennett questioned if we had heard anything back from the Onondaga County DOT regarding the request to lower the speed limit on Fennell Street. Janet Aaron stated that we had not.

Resolution #15-221

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

General Fund

\$ 350.00 Increase 011104.01.004.00 Justice – C/E
\$ 350.00 Decrease 011104.01.004.67 Justice – C/E - Training
Additional expenses associated with Outstanding Expenses

\$ 1,800.00 Increase 0051824.01.004.00 Street Lighting – C/E
\$ 1,800.00 Decrease 019904.01.004.00 Contingency
Cost of doing business

\$ 500.00 Increase 070204.01.004.00 Rec. Admin. – C/E
\$ 500.00 Decrease 070204.01.004.85 Rec. Admin. – C/E – Telephone
Cost of doing business

\$ 750.00 Increase 071104.01.004.52 Summer Rec. – C/E – Supplies
\$ 750.00 Decrease 071104.01.004.51 Summer Rec. – C/E – Fields
Additional costs for supplies

\$ 40.00 Increase 085101.01.001.00 Community Beautification – P/S
\$ 40.00 Decrease 085104.01.004.00 Community Beautification – C/E
Town employees doing work at Conservation Area

Highway Part Town

\$ 2,000.00 Increase 051101.04.001.00 General Repair – P/S
\$ 2,000.00 Decrease 051101.04.001.55 General Repair – P/S - equipment
Additional employee hours spent on road

Resolution #15-222

Abstract #15-23: On a motion of Councilor Brace, seconded by Councilor Howard and with unanimous (4-0) affirmation of the Town Board vouchers #15-1530 to #15-1583 were authorized to be paid from the following funds:

General Fund:	\$ 9,452.58	Part Town:	\$ 72.80
Highway:	\$27,858.49	Hwy P/T:	\$34,819.26
Lighting:	\$ 1,522.03	Water:	\$14,331.72
Water #5:	\$ 82.40	Sewer #6:	\$ 5.66
T & A:	\$ 664.90		
Total:	\$88,809.84		

Resolution #15-223

Attorney Advice: On a motion of Supervisor Sennett, seconded by Councilor Howard and with unanimous (4-0) affirmation of the Town Board, the meeting was adjourned to Attorney Advice at 8:00 p.m.

The meeting was returned to open session at 8:40 p.m. and immediately adjourned.

Respectfully submitted,

A handwritten signature in blue ink that reads "Janet L. Aaron". The signature is written in a cursive style with a large initial "J".

Janet L. Aaron
Town Clerk