

Town Board Meeting
February 18, 2016
6:30 p.m.

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

Also Present: Dana Pickering, Rob Howard, Jonathan Monfiletto (Skaneateles Journal), Sue Murphy, Danielle Cheney, Andy Ramsgard, Larry Klee, Allan Wellington, Jennifer Orsen, Sue Murphy, Bridgett Winkelman, Jason Gabak (Skaneateles Press).

Department Reports:

▪*Highway, Water, Transfer Station:* Allan Wellington reported that they had been out plowing 25 times since the last Board meeting, 69 times this year vs. 122 times last year. The 35 mph signs have been installed on Fennell Street. They have been cleaning up trees from the wind/ice storm. In the Water Department they have been doing hydrant repairs and repaired a broken water meter due to freezing. In the Transfer Station they now have a display of what can be recycled. He explained that they have received numerous comments but only containers that have a neck and are 1, 2, 4, 5, or 7's are recyclable. Stackable containers are not recyclable. Dana Pickering, Foreman of the Transfer Station said that manufacturers are only accepting the stackable containers four months out of the year. Waste Management is only accepting 1, 2 and 5's. WeCare is accepting stackables a couple of months a year then they stop. Nothing has really changed for the Town over the last 20 years. We have always just accepted 1, 2 and 5's and we are trying to clarify that we don't take stackables and tops must be removed from the recyclables that are accepted.

▪*Parks:* Sue Murphy reported that she will be advertising and accepting applications for summer employment; lifeguards, counselors, park laborers.

▪*Budget:* Bridgett Winkelman said that Cuddy and Ward have been here this week to complete their 2015 audit. They did the preliminary review in December and should complete the onsite work tomorrow. So far everything is going very well.

▪*Dog Control January Report:* Councilor Brace reviewed the 10 calls and noted the inspection report from Agriculture and Market completed on 1/26/16 finding the dog control officer services to be in compliance to their requirements. She noted that while there were no complaints filed there was a lot of conservation about dogs on the Charlie Major Nature Trail (CMNT), She reminded everyone that that there is a dog leash law in place for the (CMNT).

▪*Fire Department:* Dana Pickering reviewed the January report showing 34 calls, 2 structure fires, 9 EMS, 9 MVA's and 15 Mutual Aid received. They had 5 meetings, 5 drills, and one training session. The Fire Department is doing the necessary training and subsequent acquisition of Naloxone, a life-saving antidote through the NYS office of Fire Prevention and Control due to the heroin overdoses becoming more common. Tickets are available for the High Stakes Money Drawing. The drawing is May 2nd. The 4th annual Casino Night is scheduled for September 24th at Austin Park Pavilion.

Public Comment: There was no public comment.

Resolution #16-39

Minutes of February 4, 2016: On a motion of Councilor Howard, seconded by Councilor Brace and with unanimous (5-0) affirmation of the Town Board, the minutes of February 4, 2016 were accepted as presented.

Resolution #16-40

Minutes of February 7, 2016: On a motion of Councilor Howard, seconded by Councilor Coville and with unanimous (5-0) affirmation of the Town Board, the minutes of February 7, 2016 were accepted as presented.

Nursery School: Andy Ramsgard presented his proposal for the Skaneateles Nursery School (SNS) to lease a portion of the Austin Park Pavilion. The proposal can serve as a tool for continued discussion with the Town and SNS to be a potential tenant. He said that his office performed a building code review for the intended use. This review was for the purpose of the SNS to inform the Town of the necessary changes required by code to lease 2032 square feet in the Austin Pavilion and provide planning level construction cost estimates for these necessary changes. In developing this information field measurements were taken, site observations were done, a preliminary structural analysis and code review were developed based on the schematic floor plan and interior rendering he presented. All the internal walls are non-bearing walls and can come out without any impact on the structure. He said the building was frugally built with no rebar or reinforcing in the exterior walls. He said the contractor will have to be careful when making openings in the walls for doors and windows. He met with John Crompt, Village Building Inspector who had some suggestions. They modified their report with his feedback. Mr. Crompt believes that the plans being made are all doable within the existing structure.

The plans were submitted to Haynor Hoyt Corporation who provided a conceptual schematic budget cost of \$50/square foot for the minimal amount of work they will have to do to create a level two alteration. Level One is essentially painting the walls Level Two is moving doors, walls and windows. The estimated cost is \$100,000. This is a conservative estimate. If this becomes a Level Three alteration, there would be additional expenses that would be cast across phase two and three. They believe Phase One can remain a Level Two alteration. However, if the project is determined to be a significant change of occupancy type from the existing community uses, functions and activities, the alterations may be determined to require a Level 3 compliance to the entire building. The work should only take approximately three weeks.

Attorney Smith said that the work would need to go out to competitive bid for a capital improvement. It would need to comply with the General Municipal Law sealed bid requirements.

Supervisor Lanning said that the three rooms that the SNS originally requested would be larger than actually thought and would include an office, storage and access to the lobby at certain times. This will not infringe on the events at the Austin Pavilion held by the Fire Department, Rotary, Methodist Church and other organizations. All organizations can co-exist. He said we are working on parallel tracks to try and accomplish this.

Danielle Cheney, Director of the SNS said that they plan next year's registration to begin in March and she needs assurance from the Town Board that they are committed to this project. She said this plan actually allows the SNS to grow.

Supervisor Lanning said that everyone is working hard to achieve this work on multiple tracks. He said he appreciates Andy Ramsgard's pro bono work that has resulted in significant savings to the Town and SNS. The Town Board agreed. .

Andy Ramsgard said that this is just a scoping concept to understand what the impacts would be. Councilor Badami asked Ms. Cheney if SNS was comfortable with the space. Danielle Cheney said absolutely. That it will not only meet their needs but will allow SNS to grow. Supervisor Lanning said they are also pursuing a second entrance for the children so it will be safer if there is another event going on.

Andy Ramsgard said that the process to change the zoning to allow for this use will now go through the Village but that seems to be coming together. Councilor Brace asked about the art/music room that the SNS requested which is not represented. Ms. Cheney said they are very willing to be flexible and will work with what is available but noted that it is very important to their curriculum and that developmental age.

Attorney Smith referred to a resolution he prepared for the Town Board to consider. The resolution would amend the lease the Town currently has with the Village for managing Austin Park until 2032. The amendment protects the Town on their investment to improve Austin Pavilion. The Village would agree that any improvements would be the sole property of the Town and would remain under the sole control of the Town during the duration of the lease agreement.

Bridgett Winkelman questioned the protection to the Town when the improvements are not a piece of equipment that can be removed when the lease expires. With the improvements being proposed the Town would leave the building in a better condition and at a higher value for the Village.

Councilor Badami said that the Town would benefit from the use of those improvements...

Attorney Smith said that Bridgett makes a good point if it were a five-year lease. He believes in 2032 most improvements will no longer have a value.

Bridgett Winkelman said these improvements and future improvements will not depreciate by 2032 and then it would be the Village's again. She said that the Town keeps putting money in a building that is not owned by the Town.

Supervisor Lanning said he wants the SNS to know that they can be assured that they will have a home for 10 years and he respects what is being said that the Town may not get back the value of what is being spent.

Attorney Smith said it is a great point that Bridgett Winkelman is making. If further improvements are made he would recommend further amendments to the lease to protect the Town.

Councilor Howard said that we are hoping that someday the Town will own the Austin Pavilion and that all three phases can be done to improve the Austin Pavilion.

Councilor Badami agreed with Councilor Howard saying that we should take baby steps and to approve what needs to be done to get the SNS open this year.

Resolution #16-41

Second Lease Agreement: On a motion of Councilor Badami, seconded by Councilor Brace and with unanimous (5-0) affirmation of the Town Board, Supervisor Lanning was authorized to sign the second lease agreement with the Village of Skaneateles.

Resolution #16-42

Resolution – Annexation/Mirbeau: Attorney Smith said that NYS Constitution general requires that special election be held to determine whether a proposed annexation should be approved. The Town Board has determined that NYS case law provides that no special election pursuant to the Constitution and GML is required with respect to the annexation of the property because the property is vacant and uninhabited.

On a motion of Councilor Brace, seconded by Councilor Badami and with unanimous (5-0) of the Town Board the Town Board determined that no special election pursuant to the Constitution and the GML is required with respect to the annexation of the property because the property is vacant and uninhabited.

Resolution #16-43

Reschedule Public Hearing for Introductory Local Law 2016-A – Abandonment: On a motion of Councilor Coville, seconded by Councilor Badami and with unanimous (5-0) affirmation of the Town Board the public hearing on Introductory Local law 2016-A was rescheduled for 6:45 p.m. on March 3, 2016.

Councilor Howard said she is unable to attend the March 3rd meeting.

Tanya Smolensky – Update on CMT proposal: While displaying her project on the overhead screen, Tanya Smolensky stated that she has four sites on the Charlie Major Nature Trail where signs will be placed to provide information on the sculptural-like remains of the factories that populated this area during the 19th century. Additional historic information can be obtained on the website or on an app. Visitors can use their mobile phones to access the website or app while walking along the trail to describe the objects.

The sites are 1) the remains of a retaining wall for the pond used by the Skaneateles Paper Company; 2) the remains of the old Skaneateles Paper Company; 3) Concrete supports that once held the huge steam pipes that connected the two paper mills; 4) The remains of the Lakeside Paper Company. She stated that arriving in the midst of the Industrial Revolution, the early settlers recognized that the Skaneateles Creek could furnish water power for industry. A railroad

for horse-drawn cars was built along the creek in 1840 and replaced by a locomotive railroad in 1866. Sawmills, gristmills, tanneries, woolen mills, distilleries, machine shops and paper mills dotted the landscape. As these original manufacturers declined at the beginning of the 20th century when Syracuse started using Skaneateles Lake for its water supply, they were replaced by new industries that weren't dependent on water power. The Industrial Revolution marks a major turning point in history. Average income, population, consumer goods began to exhibit unrepresented growth. For the early settlers, life must have felt abundant compared to the meager existence of their forbears. However, there was one outcome of the Industrial Revolution of which they were completely unaware; the increase in greenhouse gas emissions.

She said Supervisor Lanning said the Town was thinking of several initiatives for sustainable energy and she said there could be a link on her site to showcase the initiatives the Town is doing. Ms. Smolensky said that her project, SiteMatters.info is a curated outdoor exhibit that utilizes internet technology to explore art, history and climate change. She hopes that the Town envisions more. She believes this is just a stepping stone. In the context of art the feedback she has is questions as to why there are only four sites. She believes that it would be great if the Town commissioned artists to come in on an annual basis to create pieces along the trail. Then the project would be constantly evolving. It engages the community on an ongoing basis. The Town could institute it into its arts and cultural program. A reception could be held along with an artist talk as an ongoing project. She said there are not a lot of outdoor museums in the USA and it could be very unique and put Skaneateles on the map in a very innovative way addressing art, history and climate change. This could coincide with the six weeks of the Skaneateles Music Festival. Supervisor Lanning shared with her the several initiatives he has around sustainable energy use. She said why not use this project as a way to showcase those initiatives. She said she would like see a committee formed to address these opportunities.

She did not receive her full \$5,000 grant but has just enough to cover the markers. She said if the Town Board has an idea of foundations, or individuals who would be interested in funding other aspects of this project to please let her know.

Supervisor Lanning said he loved how it tied into the three initiatives of our forbearers and we lost the ability to harness water power. He hopes that Rotary or the Lions Club will help support this.

Councilor Badami said he thought the storybooks at Austin Park were great but this is amazing.

The Town Board thanked Tanya for this significant project.

Resolution #16-44

Amendment to Clifton Recycling Agreement: Attorney Smith said Allan Wellington contacted him stating that the logs at the Transfer Station were piling up. The Town entered into a contract with Clifton Recycling on August 6, 2015 to remove the logs. However, they had not been removing them and Clifton Recycling agreed to amend their contract so that other companies could.

Supervisor Lanning asked if chain saws were used. Allan Wellington said, no. They just take the logs.

On a motion of Councilor Brace, seconded by Councilor Coville and with unanimous (5-0) affirmation of the Town Board, Supervisor Lanning was authorized to sign the amended contract with Clifton Recycling.

Resolution #16-45

Employee Handbook Change: Janet Aaron reported that at the last meeting the Town Board agreed to change the handbook giving year round part time employees a half hour paid lunch. The change was distributed to the employees to receive comments. Only positive verbal comments had been received.

On a motion of Councilor Coville, seconded by Councilor Howard and with unanimous (5-0) affirmation of the Town Board authorized that the employee handbook be changed to allow year round part time employees who work more than six hours in a given day will receive a paid meal break of thirty minutes.

2016 Community Development Grant Application: Supervisor Lanning noted receipt of the grant application. Unfortunately there are no eligible areas in the Town to apply for.

Announcements/Correspondence/Updates:

▪*Statement from Supervisor Lanning – Austin Park:*

*Austin Park
02/18/2016*

The community of Skaneateles was very fortunate to have Clarence M. Austin as one of our early residents. Mr. Austin's Last will and testament left gifts and assets to the Skaneateles Library, The Skaneateles High School, and several relatives. Mr. Austin also left a substantial block of land to the community for the establishment of a public park. Mr. Austin's will states "that said parcel of land shall be held and kept perpetually as a public park for the use and good of the people and the same to be known as "Austin Park" to commemorate the Austin family, a name associated with this section from the early days." Mr. Austin's Will also allowed for the liquidation of assets to create a trust fund for the care, upkeep, and improvement of the land to be known as Austin Park.

For many years the Village of Skaneateles was responsible for the care and maintenance of Austin Park and the Austin Park trust fund. Many years ago the Village and the Town entered into a multi- year lease agreement where the Town assumed direction of the municipal recreation program and the administration of Austin Park's affairs. It was thought at the time that the community of Skaneateles needed to have only one recreation department. This agreement has been in place since 1979 with various extensions and renewals covering a span of some 35 years.

After extensive meetings and communications between the Mayor Marty Hubbard and Myself we have come to the conclusion that it may be in the community of Skaneateles' best interest to transfer ownership of Austin Park from the Village of Skaneateles to the Town of

Skaneateles. This would serve to alleviate the duplication and redundancy of management of the Austin Park area. The Village has not had a recreation department for many decades. The Town is exploring new uses for the Austin Park pavilion now that we are no longer in the skating rink business. The ownership of the Park would allow the Town to conduct renovations and investments to the Austin Park pavilion.

We feel that the park was donated for the “use and good of the people” of Skaneateles. This change of ownership would serve to consolidate the resources and costs of local Government. It would insure that Austin Park will be available for the use of the entire community of Skaneateles for many years to come. I welcome any thoughts, opinions or reflections that the community may have.

*Jim Lanning
Skaneateles Town Supervisor*

He said this is a parallel tract we should be pursuing as we move forward with the Nursery School.

Councilor Brace said the Town and Village should have an informational meeting regarding this. Supervisor Lanning said that at the next meeting the Town Board can schedule one and run along a parallel track. He said the property would still be in the Village but owned by the Town and would still have police and electric service.

Councilor Badami said that it is not just the Town that is interested but as he understands, so is the Village. Supervisor Lanning agreed.

Resolution #16-46

Abstract #16-04: On a motion of Councilor Coville, seconded by Councilor Badami and with unanimous (5-0) affirmation of the Town Board, vouchers #16-0121 to #16-0212 were approved from the following funds:

General Fund:	\$46,226.08	Part Town:	\$ 3,157.56
Highway:	\$23,174.85	Highway P/T:	\$ 2,141.27
Lighting:	\$ 791.81	Water:	\$14,829.17
Water #5:	\$ 31.26	Sewer:	\$ 1,100.03
Sewer #6:	\$ 36.71	T & A:	\$ 2,563.89

Total: \$94,052.63

Public Comments: Jennifer Orsen, President of SNS said they are very appreciative to the Town for the plans that Andy Ramsgard put together. She questioned what the next steps would be.

Supervisor Lanning said they are working through the zoning issues with the Village. The Town has the support of the Village Board. He would be attending the Village Zoning Board meeting on February 23rd to move along the process and then it will be on the Village Board agenda to

consider changes to the zoning law that would allow the use of the SNS. This will move along parallel tracks.

Attorney Smith said that rather than go through a variance process, it is his understanding that the Village is looking at a zone change. The Village anticipates that it will be completed and adopted by early April. The changes are not just for the SNS but for the park and for the many future uses.

Ms. Orsen questioned in terms of the plan submitted by Mr. Ramsgard is there an approval process.

Supervisor Lanning said that anything over \$30,000 has to go out to competitive bid. He said the construction should not take that long. The Town has to put bid specs together and then it goes out to competitive bid.

Councilor Brace said she believes the SNS wants to explore Andy's plan in great depth to move that parallel track so we understand what is part of phase I, what is critical, etc. She suggested forming a committee to facilitate this.

Supervisor Lanning said he would be in favor of weekly meetings to throw ideas out on the table. At this point the Town is not comfortable making the investment until the Village changes their zoning code.

Attorney Smith said that the Village Board could approve the 2nd amendment to the lease agreement at their next meeting which would be a step in the right direction.

Councilor Brace questioned if the lease agreement was sufficient for the SNS to move forward with their registration.

Jennifer Orsen said the SNS is in a tough spot and they have explained it before. In order for the SNS to move forward with registration and having existing and new parents feel comfortable, they have to have a place.

Supervisor Lanning said that was the intent of preliminary drawings so you can set up at registration what the plans are potentially going to be. He said don't hold up the registration for anything that the Town and Village is doing. We are moving forward.

Jennifer Orsen said she wants to be sure they are fairly representing the desire of the Town Village and the SNS. We don't want to state we will have a school next year and then find out it won't be ready.

Supervisor Lanning said we have details to work out but believes the general concept is in mutual agreement.

Jennifer Orsen asked if the Town will vote on a final plan?

Councilor Brace said it will be a process and what we need is a methodology to move forward in this process. She said she doesn't know how far Andy Ramsgard wants to go in his involvement with this process. The Town needs to refine the plan. It is a concept without any detail. Assessments have to be determined. For example, how much work is in the first phase. She asked what the rest of the Town Board thought.

Supervisor Lanning suggested a meeting next week.

Attorney Smith agreed with Councilor Brace saying there should be a committee that scopes out the work with Andy Ramsgard or the Town engineer. Eventually once there is a consensus the Town Board will vote to approve a scope of work. That scope of work will be advertised and contractors will submit a bid and the bids will be opened and the Board will have the option to accept the lowest responsible bid. Depending on where the funding comes from it could be potentially subject to permissive referendum.

Bridgett Winkelman indicated that the Town will not have to take the funds from a Reserve Account.

Attorney Smith said the Town Board will have the option to accept the bid and that will be the construction. Permission to build it is from the Lease that the Town approved tonight and that the Village is anticipated to approve at their next meeting.

Attorney Smith stated that a representative from the SNS should contact him in order to work on a lease agreement with the Town. This does not have to wait.

Ms. Orsen asked when a good time would be. Councilor Brace said that late afternoon early evening is better for her. She questioned if Andy Ramsgard would continue to work with SNS. Supervisor Lanning said he would discuss this with Andy.

Supervisor Lanning told SNS to move forward to register the kids.

Executive Session – Litigation: On a motion of Councilor Howard, seconded by Councilor Coville and with unanimous (5-0) affirmation of the Town Board the meeting was adjourned to Executive Session at 7:40 p.m. to discuss litigation.

Meeting returned to open session at 8:05 p.m. and adjourned.

Respectfully submitted,



Janet L. Aaron
Town Clerk