

Town Board Meeting

September 20, 2021

6:30 p.m.

Location: Town Hall, 24 Jordan Street, Skaneateles, NY 13152
Remote via www.zoom.com (id#: 87621279120 password 683048)

Present: Supervisor Aaron, Councilor McCormack, Councilor Alexander, Councilor Legg, Councilor Tucker, Attorney Smith.

Also, Present: Allan Wellington, Bridgett Winkelman, Miranda Robinson, Brian Buff, Bob Eggleston, John Camp, Paula Powell, Sue Dove, Edward Reid, Karen Barkdull, Jason Gabak.

Highway, Water, Transfer Station: Highway Superintendent Allan Wellington reported in the Highway Department crews patched roads to prepare for chip sealing, chip sealed Rickard and Fisher Roads with help from the Town of Marcellus and cleaned up fallen tree limbs. Crews also cut down and cleaned up trees on Rickard, Van Camp, Heifer, Giles, and Milford Roads, and repaired the parking lot at the Conservation Area. In the Water Department they repaired a curb box at Transportation Drive and installed a 12" water main valve along Mottville Road on Sunday. At the Transfer Station they installed new rollers to the compactor, replaced the cutting edges on the loader and hosted a shredding event on Saturday.

Supervisor Aaron stated the shredding event went very well.

Councilor Alexander thanked Superintendent Wellington for fixing the parking area at the Conservation Area so quickly.

Councilor Legg also stated the shredding event went well and thanked Dana Pickering and all the employees at the Transfer Station. The Swap Shop had another great day on Saturday and a representative from Cornell Cooperative Extension was there and gave a demonstration on composting for residents.

Councilor Tucker also agreed the shredding event went well and the set up was much better.

Parks: Councilor Alexander reported for the Parks in Parks Director Sue Murphy's absence that they had been working on plans for the pickle ball courts at Austin Park. She had met with several companies getting quotes. Thursday will be the Farmers Market Appreciation Day. The Boy Scouts had a successful event on Sunday September 12th. They are starting to work on the lights at the North Field in Austin Park. She also met with Syracuse Innovations Group to work on the cameras at the park, and the Boat Launch. The SPCA will be using the pavilion for an event on October 10th.

Engineer: Engineer Robinson reported she had attended the 3 of the 5-part series for the updates to the EPA Lead and Copper Rule Revisions regarding lead service line replacement. The Hillrom Valve insert on Sunday was a success! She thanked the Water Department and the residents. They were planning the next water job for the Jordan Road North PRV pit rehabilitation. Training was completed on the lighting gale system for the streetlights. National Grid had installed the poles for some infrastructure up at the Transfer Station for the solar project.

Minutes of September 9, 2021: On a motion of Councilor Legg, seconded by Councilor Alexander, and with a (5-0) affirmation of the Town Board the minutes of September 9, 2021, were accepted as presented.

County Line Road (Fox Run) Subdivision: Supervisor Aaron announced Architect Bob Eggleston was here this evening to make a presentation on Chris Graham's County Line Road/Fox Run Subdivision and their new proposal regarding doing the project in phases.

Architect for the applicant, Bob Eggleston reviewed the project. He stated the applicant had received approval from the Planning Board for a 33-lot subdivision on County Line Road and Visions Drive, now called the Fox Run Subdivision. There were concerns on how long it would take to complete the entire project, to build out 33 homes. The applicant, Chris Graham also had some concerns on the upfront cost of the project. The infrastructure of the project and the building would take some time.

Mr. Eggleston reviewed the applicant's proposal to complete the project in Phases. He reviewed the plans and stated the first phase would be to build the south side of the project consisting of 14 homes. They would create a hammer head on the Road to allow for emergency or town vehicles to turn around during the construction phases. The road would work independently on its own. They would install the storm water drainage at the east corner, they would bring the water line over from Lauder Lane and tie it into the main at County Line Road, as promised to the Town. Phase two is another 9-10 lots and again they would install a hammer head on the road at the north end. They would also build the north storm water drainage; this would also be the drainage for phase three.

Also, during phase two they would put a temporary construction drive up so that once phase two is under construction for the individual homes, the construction vehicles would actually be using a temporary road instead of the phase one drive, to minimize the amount of abuse on the roads. And then phase three would be completing the loop, putting in the road on the north of the property completing the 33-lot subdivision.

Mr. Eggleston explained with larger subdivisions phasing is not uncommon. He stated with phasing the project applicant Chris Graham would be able to set up phase one and within a year or two would be able to build the initial homes, and then move on to phase two and phase three according to what the market looks like.

Mr. Eggleston stated they had Town Engineer John Camp review the plan, and he had been supportive of the proposed phasing of the subdivision. Highway Superintendent Wellington requested that they install curb radiuses at the hammerheads on the roads, which they can accommodate. They had also reviewed the plan with the Mottville fire department, and they had no issues. The fire department requested all the appropriate fire hydrants be in place and the hammerhead be installed so they would be able to maneuver their emergency vehicles in and out of the subdivision.

Mr. Eggleston stated they had presented this modification to the Planning Board and the Planning Board stated they would like the Town Board to review the phasing proposal and get the Board

reaction to having a phased plan instead of building it all out at once. The Planning Board had concerns about having a half empty subdivision for a long time.

Mr. Eggleston stated, phasing of this project makes a lot of sense, and it makes the project more manageable for Chris Graham to complete the infrastructure and be able to get homes built sooner rather than later over a longer build out period.

Councilor Alexander asked if there was a potential buyer, and they wanted to buy a house in phase two, during phase one. How would that work? It seemed like the more attractive lots are the ones in phase two.

Mr. Eggleston said you can't buy something that doesn't exist. We could not market them or sell them until Chris Graham decided to continue with phase two.

Councilor Legg stated to clarify further, he asked Mr. Eggleston if it's confirmed that there has to be 100% build out in phase one, before phase two is started.

Mr. Eggleston stated he never said that and did not believe that to be the case.

Councilor Alexander stated she was under the impression that phase one would be 100% built before phase two would begin. Mr. Eggleston stated that is not the case.

Supervisor Aaron asked what was anticipated for the number of homes being built before phase two is requested.

Mr. Eggleston stated he did not believe Chris Graham had given that any thought. When you look at the history of the various subdivisions in Skaneateles and also in neighboring towns it's not uncommon for someone to buy the lot next door. That happened in the Village at Parkside, one person bought two lots. So, when they are sold or when they are built out it could be a market determination.

Councilor Alexander asked, what was the purpose of doing the phasing if they are not going to complete one phase before moving on to the next phase?

Mr. Eggleston answered, they don't know the rate at which houses will be built out. He stated for an example, optimistically Mr. Graham might build 7 houses a year. At that rate it would take two years to build out phase one and, in a year and a half he'd start building phase two. At this point phase two becomes available as the available lots begin to diminish in phase one. This timeline helps to spread out the cash flow for applicant Chris Graham, who's paying for everything up front. And, you don't have a road, sitting there unused for a longer period of time.

Supervisor Aaron asked Mr. Eggleston to explain what the sequence would be. Would Chris Graham build a determined amount of homes in phase one, build the base coat for the road that included a hammerhead, and at that time would Mr. Graham also put the topcoat on the road? What would prevent construction equipment from going through phase one, on the new road that the Town had accepted.

Mr. Eggleston answered, it's all about construction management. What had been done in other subdivisions, such as Whitegate was, they put in a temporary road, which was parallel to the main road that was used by all construction vehicles during the construction.

Mr. Eggleston stated that typically, what would happen is once the road is complete, the construction of the road is reviewed by the town engineers. The Town Engineer would be onsite doing inspections during the construction process.

Mr. Eggleston stated Town Engineer John Camp had reviewed the working drawings for the road to make sure it's being built to Town specifications. The final plat plan is approved and filed, and the road is dedicated to the town and the town has money in escrow, from the applicant, that would cover the cost of putting down the topcoat. There is typically an understanding ahead of time, of how many houses are to be built out before the topcoat is put on. It is usually in the 56 to 75% range.

Mr. Eggleston also said they have done some research in the town, the town doesn't have that many dedicated roads and subdivisions. Butters Farm was a Town dedicated road. The Subdivision had 25 lots. It is a u- shaped road with 21 of the lots and the remaining 4 lots have a private drive off of State Street. The preliminary approval was in April of 2004 and the road dedication was in June of 2005, a year and two months later.

Mr. Eggleston explained Windward Estates was a large multi-phase, plan, with 140 homes, of which the first phase was 31 homes. It was proposed in 1977 and two years later in July of 1979, it was approved, and was approved with dry sewers, anticipating that only the first few would be built with septic systems, and the rest were to be built with the sewers that were to be extended out into the Town. The sewer was never built out from the Village, and it wasn't until the county accepted alternative septic systems that the subdivision got going again about 10 or 20 years later. He stated there's only one or two lots that have not been sold or built out.

Mr. Eggleston reviewed the Enclave at Sugar Maple Drive. 13 homes, with 12 homes that utilize the road, two of homes are on a private drive. That was approved in 2005 and the dedication was in 2006. Now 15 years later, the topcoat is being put on and also some reconstruction on the road.

Mr. Eggleston stated he did not want to make it difficult for Chris Graham. Because as soon as Chris Graham is successful then the Town is successful. The Town would be taxing these homes at the current market data in the \$400,000 range.

Supervisor Aaron stated they understood, and the Town appreciated the cost of any development. The Town Board had been generous to this point; taking over the drainage, forming a drainage district and not requiring a homeowner's association that normally would pay for this. We are trying to have a better understanding of these phases, and at what point the Town would be asked to take over the road. And where the road would be in the construction of the subdivision.

Mr. Eggleston stated the Town is taking over the maintenance and the easement of the stormwater drainage, but the property owners are paying for it not the Town taxpayers.

Attorney Smith asked as phase one begins sequencing is the base of the road completed but not the topcoat, and then houses begin to be constructed simultaneously with the road construction during phase one. He stated it is his understanding from what Mr. Graham is proposing, that dedication of the road would happen when the road is completed and when a certain number of houses are built. But, the expectation of the developer would be that prior to dedication of the road, you're asking the Town to take over the maintenance and plowing of that road, pre dedication.

Mr. Eggleston stated there are two ways that this can be handled. The subdivision has preliminary approval with the requirement Chris Graham builds the roads, cuts in the water lines, puts in the stormwater system and upon final approval the plot plan is filed, and he could sell the lots. At that time the road would be dedicated by the Town. The Town takes over maintenance but holds in escrow funds for the topcoat that's put on once the predetermined number of houses had been built to minimize the construction wear and tear on the final coat.

Supervisor Aaron asked if the dedication would take place before the homes are built? Mr. Eggleston stated typically that is what happens.

Engineer for the applicant, Ed Reid explained to the Board that the Town would assume the maintenance of the road once the binder course is down. And then after the agreed number of houses are constructed, then the topcoat is applied and at that time the Town takes dedication.

Supervisor Aaron asked if this is what the applicant is asking the Town to do. Mr. Reid stated yes.

Attorney Smith asked is the applicant asking that on day one, once the binder is down, they are asking the Town to maintain and plow the road pre-dedication.

Mr. Reid stated yes.

Councilor Alexander stated this is similar to what happened with The Enclave, which did not work out in the Town's favor.

Highway Superintendent Wellington stated he had questioned this also. At The Enclave the road was dedicated, but it was never top coated, and so much time had passed the road fell apart before the topcoat was applied.

Councilor Alexander stated the Enclave had an adverse effect on the Town and the taxpayers. This should be avoided with all subdivisions going forward.

Mr. Eggleston asked did the Town hold an escrow for the topcoat at the time of dedication of Sugar Maple Lane at the Enclave? Mr. Wellington stated yes that is correct. Supervisor Aaron stated there was money in escrow, but it was not enough to cover the repairs and the topcoat of Sugar Maple Lane. Councilor Alexander said many years went by and the homes were not built and that ended up being a disaster. So, this is a concern.

Mr. Eggleston stated according to the preliminary approvals of Butters Farm, the Enclave and Windward Estates. The roads were dedicated upon completion before the houses were built.

Mr. Eggleston asked Highway Superintendent Wellington if the topcoat had been put on Butters Farm. Mr. Wellington stated the developer put on the topcoat at Butters Farm.

Mr. Eggleston explained the market strategy of the Enclave versus the County Line Road subdivision, and also the conditions upon which it was built are different. The Enclave was built on a very wet site with a lot of drainage issues. There were questions about the quality of the contractor and about how well it was inspected by the engineers at the time. Also, the Enclave was being built as a million-dollar alternative to the village and the lake, and it came in with a very specific design intent that they had to all look like the model home. A year and a half later, the market and economy fell and there were no houses built for a long period of time. The Town

ended up doing minimal maintenance on the road because there were no houses. Here they are talking about County Line Road with reasonable priced market homes, we're not talking about millionaire homes.

Mr. Eggleston stated applicant Chris Graham has had a lot of interest from people looking for lots and homes. These homes are not meant to be the huge 6000 square foot homes. These homes are meant to be more reasonable, 1800- 2200 square foot, that are marketed more for the empty nesters and people starting out. The land is better, it had been actively farmed in the past and is well drained.

Councilor Alexander asked about their marketing plan. The big sign up across the street from the subdivision advertising the location of a factory farm, this maybe a negative effect on that marketing strategy.

Mr. Eggleston stated the people that live on Lauder Lane say they have no issue with the farming.

Mr. Eggleston stated this subdivision had been designed to work and comply with the goals of the Comprehensive Plan. The Comprehensive Plan encourages development in the hamlet area of the Jordan Street corridor. Fulfilling the goals of the Comprehensive Plan takes a group effort by a willing developer. To provide high density housing in an area that's appropriate and in an appropriate location. With a location with soils for conventional septic systems, unlike both the Enclave, and Butters Farm where homes had to have alternative septic systems. For the Town not to be supportive of this development, only encourages sprawl development where subdivisions are done on existing roads.

Mr. Eggleston stated he hoped the Town Board would realize that Chris Graham tried to make this plan fit within the goals of the Comprehensive Plan, to plan and have more cluster oriented residential development, more so than any of the other developments.

Councilor Alexander asked about the target goal, of 7 homes a year.

Applicant Chris Graham stated this is an unanswerable question. To project how many houses, we're going to build under the current economic conditions is an unanswerable question. He stated, he would like to think they could build five to six.

Mr. Graham stated he had never been a production style builder, his business model had always been, quality not quantity. He would like to think they could build 5-6 homes per year.

Councilor Alexander asked if they had ever built 5 or 6 houses in a year? Mr. Graham answered yes, and it was very difficult. The quality of the work was not up to my standards.

Councilor Alexander asked about how many homes should be built before the Town takes dedication of the road. Mr. Graham stated the first 14 houses could possibly be built out in 2 years.

Attorney Smith reviewed the following for clarification. Phase one is for 14 houses. Step one in phase one is to build the binder layer of the road, and this is before houses are built. Pre-dedication of the road, the Town would take over maintenance and plowing of the road before houses are built. We can't predict with precision how quickly that would happen. But then at some point after the homes are built, the Town would accept dedication of the road in phase one.

Town Engineer John Camp stated this is not uncommon. None of what the applicant had presented is unusual based on what's done in other municipalities. The way the Town protects themselves in situations like this, is by making sure that the securities are taken at the time the lots are being sold, so that in the event the developer has trouble or chooses not to finish, the Town has enough money to finish the road, put the protective topcoat on it and that gets done in reasonable time frame. The Town would have an agreement with the developer.

Supervisor Aaron stated they had heard the request from Mr. Graham and Attorney Smith had made the proposal clear to the Board. Supervisor Aaron stated the Board would discuss this further in Attorney Advice.

Attorney Smith stated to clarify the Town wouldn't accept dedication of the road until all homes in phase one are built. Applicant's Engineer Ed Reid stated no, they are requesting an agreed upon percentage of completion. Town Engineer Camp recommend 75 - 80% of the houses be built, once those are done then the topcoat could be put on.

Mr. Eggleston stated the other option is what the Board had done in the other three subdivisions. The Town received dedication of the road with the binder coat and the Town received escrow, to complete the topcoat.

Councilor Tucker asked if the Town of Skaneateles or the Town of Sennett maintains this section of County Line Road. Mr. Eggleston stated it is the Town of Sennett and they responded with no objections to this subdivision.

Chris Graham commented when you're in a subdivision setting like this, you have the ability to go from one lot to the next. This increases the builder's ability to be more productive and efficient. We will be doing the excavation of all these homes. We will take care that the road will not get destroyed with equipment.

Supervisor Aaron thanked everyone. And, stated this will be on the next agenda, hopefully to make our decision.

Teamsters Union Memorandum of Agreement: Supervisor Aaron reviewed the teamster's union memorandum agreement.

She stated under our current contract the starting wage falls, about \$9 an hour under what a person in this same position doing the same job. It takes four years to get up to full pay. She reached out to Brian Buff, Union Steward, and the new business agent, David Wyler. The Teamsters and Brian Buff, Union Steward had agreed to go back to what we had in our union contract prior to 2013. That contract stated new union employees starting out, would start at \$1 and a half dollar less and after six months of continuous employment, the employee would receive an increase of 50 cents, and then after 18 months, they would come up to full pay. Therefore, Supervisor Aaron and Councilor McCormack recommended the Town Board agree to this Memorandum of Agreement. On a motion of Councilor McCormack, seconded by Councilor Legg, and with a (5-0) affirmation of the Town Board, the Town Board authorized Supervisor Aaron to the Memorandum of Agreement with the Teamsters Union as presented, this will take effect Wednesday, September 22, 2021.

Announcements/Correspondence/Updates

- *Letters regarding Marijuana Regulation & Tax Act:* Supervisor Aaron announced several letters, regarding the new marijuana law had been received, from Pam Freeman, Sally Sheehan, and Fran McCormack. And they all were against the Town, allowing for recreational sale and consumption sites in the Town.
- *Farmland Protection Grants Workshop, September 23, 2021:* Supervisor Aaron announced applications are now being accepted for the Farmland Protection Grants, there is a workshop on Thursday September 23, 2021 -10:00a.m. to noon this is a great opportunity
- *New Kiosk Maps and Brochures at the Conservation Area:* Supervisor Aaron announced Councilor Alexander, Matt Leveroni, and the Conservation Committee, had done a tremendous amount of work to make sure that there are new maps at the Conservation Areas. They worked with Chase and have done a fabulous job. This weekend they went out and installed the new signs at the kiosks at the Conservation Area.

Councilor Alexander thanked the Board, Matt Leveroni, and the Conservation Committee for all their help and efforts. She displayed pictures of the committee members installing the sign.

- *City of Syracuse Public Informational Meeting – Earth Tec:* Supervisor Aaron announced there was a Public Information Meeting given by the City of Syracuse to give information on the EarthTec treatment of harmful algal blooms and Skaneateles Lake. Cornell Cooperative Extension is working to put together the presentation and the different videos for those who could not attend There is information on our website regarding and also how to send your comments into the DEC. She thanked Rich Abbott and the City for organizing a great event.

Public Comment: No one commented.

Budget Amendments: No Budget Amendments

Abstract #21-18: On a motion of Councilor McCormack, seconded by Councilor Alexander, and with unanimous (5-0) affirmation of the Town Board vouchers #21-1118 - #21-1180 were authorized from the following funds:

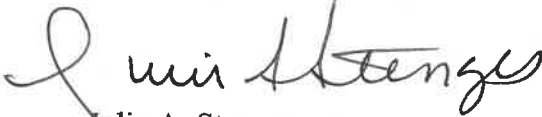
General Fund:	\$ 35,135.48	Highway:	\$ 7,482.67
Water:	\$ 3,592.82	Part Town:	\$ 3,636.13
Highway PT:	\$ 9,208.68	T&A:	\$ 782.40
Sewer:	\$ 42.20	Limeledge	\$ 589.12
TOTAL:	\$60,469.50		

Executive Session: On a motion of Councilor Alexander, seconded by Councilor Tucker and with unanimous (5-0) affirmation of the Town Board the meeting was adjourned to Executive Session at 7:44 p.m. for attorney advice and potential litigation.

On a motion of Councilor Tucker, seconded by Councilor Alexander with unanimous (5-0) affirmation of the Town Board the meeting was returned to open session at 9:10 p.m.

On a motion of Councilor Legg, seconded by Councilor Tucker and with unanimous (5-0) affirmation of the Town Board the meeting was adjourned at 9:10 p.m.

Respectfully Submitted,



Julie A. Stenger
Town Clerk