

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

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

Also Present: Sue Murphy, Bridgett Winkelman, Allan Wellington, Dessa Bergen, Allison Rogness, Gene LaForte, Jessica Millman, John Butler, Rob Howard, Courtney Alexander, Stacy Seiler, Paul Torrisi.

Department Reports

▪*Highway, Water, Transfer Station:* Allan Wellington reported that they mowed the roadsides and cut brush along Gully Road. In addition to making truck repairs they helped the Town of Marcellus with paving, replaced a driveway culvert on Masters Road, installed a 30” cross pipe on Albring Road. He also attended a highway road inventory meeting with the County. In the Water Department they installed an automatic flushing device at the north end of District #1, installed a new hydrant on Vinegar Hill Road, checked and adjusted the pressure reducing valve on Mottville Road, repaired a water break on Fennell St., and repaired lawns damaged from water breaks. At the Transfer Station they advertised for a part time position, received numerous applications for the full time position and received notice that the Town can apply for 50% reimbursement from NYSDEC in October for e-waste.

▪*Parks:* Sue Murphy reported that the last day for PlayDay is August 12th. The program has gone really well. August 11th is customer appreciation day at the Farmers Market. Gene Laforte updated the Board on the Austin Pavilion renovations:

- The light gauge framing is 100% complete.
- GWB finishing is 80% and will be ready for paint by 8/6. Ace Hardware is donating the paint and a credit will be provide.
- Interior steel doors, frames and hardware are on site ready for install. Due 8/5 to 8/6
- The Glass store front is behind schedule / several key pieces were found missed in shipping. Bonton is rushing to correct the issues and expects to be on site 8/10. This is a one day only installation.
- Windows are still tracking several weeks out / glass panels will be installed pending delivery.
- Ceiling grid start 8/9 complete 8/11
- Electrical wiring is currently in progress terminating outlets and lighting drops. LED lighting package is on site. Ceiling lights will be set into place 8/11 to 8/12. Heating units delivery scheduled for 8/9
- Concrete pads were poured on 7/31
- The Concrete floor Staining has not been approved the mock up was not acceptable to the Owner. The Stain Manufactures representative has been contacted to review the process and product performance.

Councilor Brace said she appreciated the extensive report. Councilor Howard questioned the floor stain. Gene LaForte said that the first stain they tested was not what they wanted. They are in the process of looking at other options.

▪**Code, Planning, Zoning:** Councilor Badami read the Codes Enforcement July 2016 report showing 19 permits issued of which 5 for fireworks display. The Planning Board has 7 open projects since June and the zoning board has one.

Councilor Howard said due to our severe drought she wondered if fireworks are a fire hazard and asked if it was too dangerous right now to issue them. Councilor Badami said that the companies have to notify the fire departments in the jurisdiction but said he would check with Todd Hall on this.

▪**Budget:** Bridgett Winkelman said she billed Water #3. The 2017 budget worksheets have been submitted to all departments. She asked the Town Board to let her know when they are available for budget work sessions.

Public Comment: Courtney Alexander asked about the License Agreement between the Town and the Skaneateles Nursery School. Attorney Smith said that the attorney for the Nursery School, Ken Bush converted the lease to a revocable license. Progress is continuing and the Town Board will be discussing this in Executive Session.

Councilor Howard questioned why the public would not be privy to this conversation.

Attorney Smith said in contractual negotiations, the Town Board is allowed to seek attorney advice in Executive Session.

Councilor Brace said that the Town Board as a whole has not negotiated this lease. Attorney Smith said that the attorney for the Skaneateles Nursery School drafted the lease and converted it to a license agreement.

Supervisor Lanning said that when the Town and Village were going through the process (alienation) to transfer Austin Park from the Village to the town the Assembly did not have a problem with the Town leasing to the Nursery School but the Senate required that the Town have a revocable license and not a lease. The Governor has signed the Bill and it just has to be filed to be finalized.

Councilor Brace said that the license agreement should honor the letter of intent and be at the lower end of the scale until the Town knows what the actual operating expenses are. Attorney Smith said that the license agreement allows the Town to revisit the fee yearly and increase it to an agreed percentage amount.

Councilor Howard said that we need to open the doors wide to make this happen instead of putting up roadblocks. The Board needs to continue to support this non-profit organization and stand by our original pledge.

Councilor Brace said that this will be shared space, would not be for the entire year and would not interfere with Rotary, the Methodist Church or the Firemen, something that would be hard to find in another tenant.

Supervisor Lanning said they are close on the negotiations and the price would be in line with what the Nursery School paid in their other locations. In hindsight it would have been better to negotiate the contract before the renovations.

Courtney Alexander said that their attorney as unable to be here and she received the first copy of the license yesterday and she has some concerns. She asked if she could submit the Nursery School's concerns for the Town Board to review in Executive Session. The Town Board agreed.

Supervisor Lanning said that they have a fiduciary responsibility to the taxpayers as well.

Councilor Badami said that the Town Board has unwavering support for the Nursery School utilizing this space and believes it is premature to discuss the contract details prior to Executive Session.

Tennis Court Fees: Supervisor Lanning said that the Town will be acquiring ownership of Austin Park soon. The Town has invested in the renovations of the Arena and are also looking at renovations of the Sims Building bathrooms. Non-profits such as the Rotary, Fire Department and the Methodist Church use the Austin Pavilion without charge. Vendors at the farmers market pay a fee. The Town Board is challenged in trying to determine what fees to charge for the use of the park. Regarding the tennis courts, he has checked with other Towns in Onondaga County and many who have courts either do not allow private lessons or charge for the use. They need to determine a balance and fairness for all activities at Austin Park.

Councilor Brace said that the Board should discuss this over the winter months and plan ahead of the spring/summer season for the use and fee structure. It needs to be fair to all users.

Sue Murphy said the morning is when the courts are the busiest.

Alison Rogness Said she is on the courts every morning Monday through Friday and said most of the time only three of six tennis courts are ever in used. There has been only two times when six courts were being used. She said 26 people have signed a petition asking for the Town to eliminate the fee for this season. She said a \$20 per hour fee is excessive.

Carolyn Lombardi said that for the most part the tennis courts are empty and suggested letting the tennis lessons continue for the summer.

Supervisor Lanning said that there has to be a sense of fairness. Two tennis professionals were denied using the court for lessons and yet other tennis professionals are using the courts without permission.

Councilor Howard said that the Parks staff is already overextended and should not have to continue to monitor who is an authorized user and who is not. There have been many complaints from residents using the courts.

Jessica Millman supported eliminating the fee and to study the fee structure for next year.

Resolution #16-186

Councilor Brace made a motion seconded by Supervisor Lanning and with unanimous (5-0) affirmation of the Town Board to set the following requirements for use of the Austin Park tennis courts:

1. Fees will be suspended for the use of the tennis courts
2. Restrict private lessons to the lower three tennis courts
3. Tennis courts must be reserved at Town Hall and a waiver signed
4. Authorize the Parks Manager to use her discretion to make sure the tennis courts are benefiting the residents fairly.

Alison Rogness asked if the nets could be repaired. Councilor Brace said that the nets have been ordered.

Resolution #16-187

Water District – Andrews Road: Attorney Smith explained the process to create a water district are laid out in Article 12A of Town Law. The first step would be for the Town Board to authorize the engineer to prepare a map, plan and report. That report can give an idea of the cost of the construction, monthly operational fees and preliminary feasibility. If the Board agrees to go forward, an engineer would be retained to prepare a map, plan and report. By authorizing this, the Board is not committed to creating the district. The Board is essentially studying the option. An estimate of \$5,000 to \$7,000 had been previously estimated to prepare this map, plan and report. The cost would initially be charged to the General Fund. If the district is formed, the expenditure would be folded into the district. If not, it would remain as a General Fund expense. The expenditure would be subject to a permissive referendum and if the Town Board approves this expense, the Town Clerk would be authorized to post and publish the notice.

Councilor Howard questioned if the Town Board was putting the cart before the horse. She said that the Onondaga County Health Department put the Town on notice regarding the inadequate conditions in the existing water districts and it would be unlikely that a new water district would be approved. She questioned if a new water district was needed in order to get a water tank.

Supervisor Lanning said that you can't have this water district without having a water tower. For 30 years the Town Board has discussed adding a water tower that would give adequate water flow for town and village but it hasn't happened. The water tower and water district can run on parallel tracks.

Councilor Brace said she has been told a booster pump and not a water tank is all that is needed. Attorney Smith said that could be determined in a map, plan and report.

Supervisor Lanning said the problem with the pump would be capacity. The pump would put the pressure on the water lines but it would not give enough volume of water.

Councilor Brace said there seems to be a lot of requests for water. One to the east, one to the north and this water district. She is more interested in considering the water tank. She said that a water tank study has been done and she said that the Town Board has not discussed that water tank report. She would like to pursue the pressure issues first. Councilor Howard agreed.

Councilor Badami said he disagreed. The people who live on Andrews and County Line need help. They need water. They literally have to go and fill up a water tank in Auburn in order to get the water they need. The residents have expressed their frustration because they live next to one of the cleanest lakes in the country. The previous Town Boards have dodged this issue and shoved it down the road. This Town Board needs to take care of this. He said water is a basic necessity.

Councilor Brace said that the Town engineer did a study on the two options for the water tank, either at the end of Hillside Drive or on Andrews Road. She said the engineering committee has seen the report but to her knowledge the Town Board hasn't. Supervisor Lanning said he will make sure the report is distributed. Councilor Brace believes the Town should study the report for the water tower at two different locations before going down another road to establish a new water district.

Councilor Howard said that the issue is not whether the Town Board will serve more residents with water that they deserve or need, the issue is that we should be addressing the water tower first and then create the water district.

Supervisor Lanning said this will be in the map, plan and report. This is how to get the study moving forward. The review of the water tower and water district should be on parallel paths. Attorney Smith said the two are not mutually exclusive. The Town Board can continue to study both.

Councilor Lanning made a motion seconded by Councilor Badami to authorize John Camp at C & S Engineers to do a map, plan and report on the petition to form a water district on Andrews and County Line Road at an amount not to exceed \$8,000, subject to a permissive referendum requirement.

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

Carried 3-0

Draft Open Space Plan: Supervisor Lanning said that the Town Board is in receipt of the draft open space plan and commented that the committee did a great job.

On a motion of Councilor Howard, seconded by Councilor Badami and with unanimous (5-0) affirmation of the Town Board, the Town Clerk was authorized to refer the draft Open Space Plan to the Town Planning and Zoning Boards to SOCPA and the Village of Skaneateles for their review and comments.

Resolution #16-188

7:15 p.m. Public Hearing – Introductory Local Law 2016-E “A Local Law Amending the Town Code Regarding Flood Damage Prevention: Supervisor Lanning noted receipt of the affidavit of posting dated July 22, 2016 and affidavit of publication dated July 27, 2016. No one asked to have the public notice read.

Supervisor Lanning reported FEMA has adopted new flood maps. The Town’s role is to inform our residents that changes are being adopted.

Attorney Smith said that FEMA also requires the Town to update the Town’s regulations associated with the flood map. He took the regulations prepared by FEMA and the proposed regulations will replace the Town’s current regulations with these proposed regulations which also updates the map.

On a motion of Councilor Brace, seconded by Councilor Howard and with unanimous (5-0) affirmation of the Town Board the public hearing was opened.

No one spoke on the public hearing.

Councilor Badami made a motion seconded by Councilor Howard and with unanimous (5-0) affirmation of the Town Board to leave the public hearing open to the August 18, 2016 meeting in order to receive comments from the Town Planning and Zoning Boards.

Assessor Clerk: Supervisor Lanning said that this would be discussed in Executive Session.

Resolution #16-189

Appointment of Liaison to Eastern Gateway Committee: On a motion of Councilor Howard, seconded by Councilor Badami and with unanimous (5-0) affirmation of the Town Board Councilor Brace was appointed as liaison to the Eastern Gateway Committee.

Resolution #16-190

Minutes: On a motion of Councilor Howard, seconded by Councilor Brace and with unanimous (5-0) affirmation of the Town Board, the minutes of July 21, 2016 were accepted as presented.

Announcements/Correspondence/Updates:

- Letter from Residents of Amnaste Lane:* Supervisor Lanning said that houses in foreclosure known as zombie homes are an issue in every community. This one on Amnaste Lane has been brought to the Town’s attention. The Code Officer has visited this site and the mowing has been brought into compliance. He stated that a broader discussion is needed on this issue.
- Transfer Station Events: Paper Shredding Event 9 a.m. to Noon 9/17/16; Household Hazardous Waste Event 7:30 a.m. to noon on 9/24/16*
- Thank you letter from PlayDay kids*
- Update on Issuance of Code for Town Residents – Municipal Parking Lot:* Janet Aaron said that she found Shannon Harty very easy to work with to meet the requirements approved by the Village in order to issue codes to Town residents to obtain 2 hours of free municipal parking

each day or ½ off of the daily rate. Her office has been issuing the codes for a few days. Residents have been very happy to receive this discount.

▪*Letter from Dave Laxton:* Supervisor Lanning noted receipt of a letter from Dave Laxton regarding forming a water district on Andrews Road. He said it should be looked at with caution and suggested that properties should be under a conservation easement before forming this district.

▪*Recognition of Ben Evans & Tom Tanner at 6 p.m. August 18, 2016 – Public invited to attend:* Supervisor Lanning said that prior to the next meeting there would be a gathering at 6 p.m. to thank Ben Evans and Tom Tanner for their years of service. Cake would be served.

Resolution #16-191

Budget Amendments: Councilor Brace made a motion seconded by Councilor Howard and with unanimous (5-0) affirmation of the Town Board the following budget amendments were approved:

General Fund

\$25,000.00	Increase	014204.01.004.00	Attorney – C/E
\$25,000.00	Decrease	019904.01.004.00	Contingency – C/E
Costs for Attorney Fees – additional expenses – Article 78, Parks Alienation			
\$159,000.00	Increase	071402.01.002.00	Winter – Capital Improvement
\$159,000.00	Decrease	000909.01.000.00	Unreserved Fund Balance
Capital Project – Austin Pavilion			

Abstract #16-15: On a motion of Councilor Coville, seconded by Councilor Badami (5-0) and with unanimous (5-0) affirmation of the Town Board voucher # 16-1013 to voucher #16-1070 were approved from the following funds:

General Fund:	\$96,177.13	Part Town:	\$ 321.22
Highway:	\$ 66.63	Highway P/T:	\$13,438.54
Light:	\$ 1,256.33	Water:	\$15,481.17
Water #5:	\$ 300.37	Sewer:	\$ 1,458.14
Sewer #6:	\$ 187.69	T & A:	\$ 4,249.54

Total: \$132,936.76

Public Comment: Dessa Bergen said she was part of the committee that established the first Comprehensive Plan in 1996. She said at that time there was a 2010 Plan developed by Onondaga County Planning and Karen Kitney. There were three parts to that document. That document expressed concerns about waterlines being extended into the rural parts of the community because new homes would follow. This will lead to sprawl. She said the countryside needs to be preserved. She said she lives on a well and when you move into the country you know you will be responsible for your water. She understands that there are extenuating circumstances. She said from a planning point of view it is important to look at the big picture.

Councilor Brace said that Dave Laxton's letter reiterates these concerns.

Councilor Howard said that those concerns were addressed when the Andrews Road residents presented before the Board at the last meeting. Essentially they said they want to stay in agriculture and they have no intention to develop. She said that of course, there is no guarantee.

Clerk Aaron reported that Computel Consultants were hired by the Town to do a street light audit. They notified her that they would be checking street lights on Monday driving slowly through the streets doing the audit.

Courtney Alexander said that she talked to Attorney Smith about some of the legal aspects of the license. She expressed her concern for the 30-day revocable part of the license. She said they have to provide some stability to the families that they won't be shuffled around town to different places.

Resolution #16-192

Executive Session – Personnel: On a motion of Councilor Coville, seconded by Councilor Badami and with unanimous affirmation of the Town Board, the Board moved to Executive Session at 8:05 p.m. to discuss a personnel issue and contract negotiations.

The meeting was returned to an Open Meeting at 9:00 p.m.

Resolution #16-193

On a motion of Councilor Coville, seconded by Councilor Brace and with unanimous (5-0) affirmation of the Town Board, Michele Norstad was appointed to part time Clerk to the Assessor for up to 15 hours a week at \$13 per hour.

Meeting adjourned at 9:10 p.m.

Respectfully submitted,



Janet L. Aaron
Town Clerk