

Town Board Meeting
July 7, 2016
6:30 p.m.

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

Absent: Councilor Brace and Councilor Coville

Also Present: Allan Wellington, Gene LaForte, Jonathan Monfiletto (Skaneateles Journal), Jason Gabak (Skaneateles Press), Jim Greenfield, Martin Cregg, Amanda Cregg, Mark Tucker.

Supervisor Lanning opened the meeting with a moment of silence for the family involved in the boating accident on Skaneateles Lake.

Department Reports

▪*Highway, Water, Transfer Station:* Allan Wellington reported that the Highway Department paved O'Neil and Britcher Roads with help from the Town of Marcellus. They had been mowing roadsides, installed 200 feet of drainage pipe along Mill Road, made equipment repairs, and replaced a driveway culvert pipe on Heifer Road. They also helped the Town of Sennett with paving. The Water Department repaired water mains on County Line Road and Fennell Streets, made electrical repairs to the pump panel for sewer 6 and finished flushing hydrants in water district 1.

Supervisor Lanning asked where on County Line the water lines were. Allan stated that there was water on County Line Road from Stump Road north to Irish Road.

Allan Wellington reported that at the Transfer Station DeMarco Landscape hauled more mulch and they had regraded the brush pile.

▪*Parks:* Gene LaForte reported that Playday was off to a great start. There are over 100 campers this year and more inquires each day. He thanked the councilors for working through the influx and making campers safe while having fun. The waterfront is in full swing and the July 4th weekend was busy. They had received several compliments on how well staffed they were and the attentiveness of the guards. He stated that both the State and Town boat launch sites were busy over the July 4th weekend. There were some inconveniences for boaters, but everyone worked through it. He stated that they were getting the Austin Pavilion ready for the Antique Show coming up this weekend. The Fishing Derby is next weekend and they were getting the Conservation Area ready. Summer baseball had begun and it will continue through mid-August. The picnic pavilion at Austin Park has been reserved every weekend through Labor Day. The Farmer's Market is going strong. We have a full market and many compliments for having such a variety of vendors.

The Board asked Gene to give an update on the Austin Pavilion renovation project. Gene reported that the demolition was 99% done and the framers are working now and waiting for the sheet rock and windows. The doors would be in on the 15th. He stated that it was all going very good. He did not foresee any problems. He stated that they were on track with the budget. The Board thanked Gene for his update and work on the project.

Attorney Smith stated that he was working with Attorney Bush on the Lease agreement for the Skaneateles Nursery School. He stated it will end up taking the form of a revocable license and will be ready for the Board's review at the next meeting, July 21.

Resolution #16-159

Additional Seasonal Employees – Parks: Supervisor Lanning explained to the Board that the Parks Department was requesting approval to hire 4 additional employees due to the increased PlayDay participants and activities in the parks.

On a motion of Councilor Badami, seconded by Councilor Howard the following Lifeguards and PlayDay Counselors are approved to be hired as seasonal employees for the Parks Department:

Abigail Webster – Playday Councilor
Rebecca Rottger-Lifeguard/Playday Councilor
Jessica Patalino – Lifeguard
Joe Loperfido – Sub at Boat Launch only

Councilor Howard	Yes
Councilor Brace	Absent
Councilor Badami	Yes
Councilor Coville	Absent
Supervisor Lanning	Yes

Carried 3-0

Veterans Memorial Update – Supervisor Lanning stated that Historian Beth Batlle was not here this evening to give her update

Request to Form Water District – Marty Cregg and Michael & Julia Wamp: Supervisor Lanning stated that he was in a receipt of a request to form a Water District on Andrews and County Line Roads from Marty Cregg of Andrews Road and Michael and Julia Wamp of County Line Road.

Marty Cregg approached the Board showing a map of the requested district area. He stated that he lived at 783 Andrews Road. He was the owner of 3 properties on Andrews and County Line Roads. He stated that he had 12 wells that service his 3 properties and on Monday 9 of them were dry and they trucked 3000 gallons of water to his properties. He explained that he has 56 horses in barns on these 3 properties. This water shortage has been consistent in the month of August for the past several years and now it is July. The cost has been significant and he can't continue to run the farm and Polo fields with no water. He has drilled 3 additional wells. Supervisor Lanning asked how deep are these wells? Marty stated that one is 375', one is 696' and one is 400'. None of the wells are less than 400 feet deep on these properties. When they are running they only produce 1.1 gallons of water per minute. He stated that they had to purchase water from the Towns of Sennett and Owasco and fill tanks on their trucks to run their horse farming operation. It takes 2- 1500 gallon tanks to get them through 1 day. He stated that it continues to get worse every year. All of his neighbors have drilled additional wells. Supervisor Lanning stated that there were 8 property owners' signatures on the letter.

Allan Wellington stated that he lives on Andrews Road and has 2 wells and he also had to truck in an additional 1000 gallons of water a week. His family has homes on 2 other parcels and have the same problem and truck in additional water. They would also join in.

Marty Cregg said he was aware of the lack of water pressure and the fire protection issue that this causes. He would be willing to help the Town with this problem since his property is at one of the highest points on the western side of the Town. They would be willing to help with property for a tank to help with the lack of water pressure. Whether this is or isn't a part of the district they just need water.

Supervisor Lanning asked if there are any properties in conservation easements in this proposed district. Marty showed the Bryant property on the map and that they owned most of the property in the district. He believed the Bryant's had conservation easements on their property. Councilor Howard stated she had spoken to the Bryant's and they only had the original farm house in a conservation easement and didn't seem interested in additional easements on their property due to the costs and the impact on their income.

Marty stated he is trying to do what the Town wants him to do with his property, agricultural and farming use, but without water he doesn't know how it can continue. He has gone to extraordinary lengths to keep his farm and polo fields operating. He has the means to continue for now, but most people would not be able to due to the cost.

Supervisor Lanning asked how the golf course at the Country Club gets water. Marty stated that it's pumped from the lake. Marty explained that there is a water line on West Lake Street and Kane Avenue that could be tied into. But, this doesn't solve the problem of the lack of water pressure. Marty asked the Board what would be the next steps to establish this district.

Attorney Smith stated that they would first have to reach out to the Village to make sure there is capacity. First a petition, map plan and report by an engineer. A public hearing would be held and then the Board would weigh all these factors, along with taking into account the public's interest. Then the board could make a request to the Comptroller's Office and file the necessary paperwork.

Supervisor Lanning asked if all property owners in the district had to participate even if they were not in favor of it, and didn't want to share in the cost. Attorney Smith answered that one of the requirements in General Municipal law stated that all properties that would benefit must be included and pay their fair share. It doesn't need to be a perfect square. The district line can be drawn to only incorporate the properties that want to participate.

Attorney Smith stated the next thing would be for Mr. Cregg to come back to the Board with a petition of property owners who wanted in and who wanted out of the proposed district. The signatures you provided on your letter are a good start. Then the Board can talk about an engineering study. Marty said that he would talk to the property owners. Attorney smith

explained that the Board could take action on this on their own or the property owners could petition the Board. Councilor Howard asked when the water tower would be part of this. Attorney Smith stated that would be all part of the engineering study.

Marty Cregg stated that he will talk to and get support from all the property owners and submit this to the Board.

Michael Wamp approached the Board with his concerns. He stated that they also have serious water problems and this year has been the worst at their residence at 3382 County Line Road. When he purchased his home in 2003 he inquired about public water. They were told at that time that the lots south of Route 20 on County Line Road would have to be purchased and developed. This had happened, and the water district has not been extended like they were originally told. Currently he has 3 wells and still needed to truck in almost 8,000 gallons of water along with installing a 165 reserve tank in their basement. Mr. Wamp explained his concern for his neighbors in the same situation and he had spoken to the property owners along County Line Road and they would like to be a part of the district.

Supervisor Lanning expressed the Board's and the communities concern that this would help create an opportunity for more subdivisions and building. What can be done legally to make sure this doesn't happen? Marty Cregg stated that he wanted to continue running his farm and polo fields but without water he won't be able to. He stated that John Walsh also had a horse farm adjacent to his with 15 horses and he had the same issues and would like to continue to keep his horses there, but needs water to do so.

Jim Greenfield addressed the Board that he had a contract with the Bryant's for first refusal if they ever choose to sell their property. And as long as he or his son are farming he would not develop this property. He currently rents and farms 66 acres of the Bryant's property. Jim Greenfield stated that water in this area of the Town had been a problem during his 8 years on the Town Board and it is getting worse and needs to be addressed.

Supervisor Lanning stated that keeping these properties agricultural was part of the comprehensive plan. He asked Marty Cregg to continue gathering signatures. He should ask the property owners along Kane Avenue towards the Country Club up to the Village line.

Marty Cregg said he would get the Board the rest of the property owners' signatures.

7:00 p.m. Public Hearing – Introductory Local Law 2016-C – Amendment to Abandonment Law:

Supervisor Lanning noted receipt of the affidavit of posting dated June 17, 2016 and publication dated June 22, 2016 for the public hearing on Introductory Local Law 2016-C – a Local Law Amending the Section 131-(H) of the Town Code of the Town of Skaneateles – Abandonment of Pending Applications in the Subdivision Section of the Town Code and Section 148-48 Abandonment of pending applications which is the Special Permit Section of the Town Code,

which would define when an application before the Town of Skaneateles Planning Board and Zoning Board of Appeals would be deemed abandoned.

Supervisor Lanning explained that this law was passed in April and made effective to all applications that came in after the law was passed. It was agreed to by the Board to revisit this law to see if the Board wanted it to apply to existing applications.

Supervisor Lanning asked if anyone would like the notice read. No one spoke.

Resolution #16-160

Councilor Howard, moved to open the public hearing on Introductory Local Law 2016-C – Amendment to Abandonment Law. Seconded by Councilor Badami

Councilor Howard	Yes
Councilor Brace	Absent
Councilor Badami	Yes
Councilor Coville	Absent
Supervisor Lanning	Yes

Carried 3-0

Supervisor Lanning asked if anyone wished to speak in favor of, in opposition of or have any comments regarding Introductory Local Law 2016-C.

No one spoke.

Resolution #16-161

Councilor Badami moved to close the public hearing on Introductory Local Law 2016-C – Amendment to Abandonment Law. Seconded by Councilor Howard

Councilor Howard	Yes
Councilor Brace	Absent
Councilor Badami	Yes
Councilor Coville	Absent
Supervisor Lanning	Yes

Carried 3-0

Councilor Howard stated that this is an improvement to the March 17th law and she was in favor of it.

Supervisor Lanning ask Attorney Smith what the next steps would be. Attorney Smith reviewed the resolution for the Amendment stating if the Town Board were to entertain this resolution first the Town Board would declare its status as lead agency for purposes of the SEQR of the proposed amendments, the Town Board would classify the proposed amendments to the Abandonment Provisions in the Town Code as an Unlisted Action under SEQR and the Town Board would have the Town Clerk send part 1 of the EAF and the proposed amendments to the Abandonment Provisions to the interested agencies to request their comments. The Board can either act on this as it is and begin the SEQR process or the Board can wait and act at a later date.

Supervisor Lanning stated that the Planning and Zoning Boards received the final version only a few days ago. He stated that he would like to have their input. The Planning Board should clearly establish what communication would be necessary to determine abandonment, and that this should be part of the law.

Mark Tucker, Planning Board Chairman stated the applicant would need to address the Planning Board in writing and show the steps that had been taken in order for the Planning Board not to deem it abandoned. The Planning Board would review revised law and submit their findings to the Town Board.

Councilor Badami asked if it would be the Town Board or the Planning Board that would determine if a project had been abandoned. Attorney Smith stated that it would be the Planning Board making the determination.

Supervisor Lanning stated that he would like the Board to wait for the Planning and Zoning Board comments on the law and he stated that since two Town Board members are absent tonight he would like to wait for a full Board for a decision

The Board decided to table any action on Introductory Local Law 2016-C – Amendment to Abandonment Law to the July 21, 2016 meeting. At this meeting they should have the comments from the Planning and Zoning Boards and a full Board.

Resolution #16-162

Request From Bob Eggleston Representing Gary Dower - Relocating a Waterline:

Supervisor Lanning explained there was a request from Bob Eggleston, who is representing Gary Dower and Mirbeau, to relocate a town water line due to the annexation of Town property into the Village. The Town is requesting that an escrow account in the amount of \$5,000 be established for any legal and engineering fees.

Attorney Smith asked if the Gary Dower and Mirbeau were paying for the relocation. Supervisor Lanning answered yes.

Councilor Howard made a motion, seconded by Councilor Badami to establish an escrow account for Gary Dower and Mirbeau in the amount of \$5000.00 for engineering fees associated with moving a Town water line, located along Fuller Street due to the annexation of the Gary Dower/Mirbeau property.

Councilor Howard	Yes	
Councilor Brace	Absent	
Councilor Badami	Yes	
Councilor Coville	Absent	
Supervisor Lanning	Yes	Carried 3-0

Resolution #16-163

NYSDEC Contract – NYS Boat Launch/Town of Skaneateles: Supervisor Lanning explained this contract is for maintenance services the Town provides at then New York State Boat Launch site.

Councilor Badami made a motion, seconded by Councilor Howard authorizing Supervisor Lanning to sign the NYS DEC Contract for the NYS Boat Launch and the Town of Skaneateles for the follow dollar amounts over the next 5 years:

2017/2018	\$4,200.00
2018/2019	\$4,300.00
2019/2020	\$4,300.00
2020/2021	\$4,400.00

Councilor Howard	Yes	
Councilor Brace	Absent	
Councilor Badami	Yes	
Councilor Coville	Absent	
Supervisor Lanning	Yes	Carried 3-0

Syracuse Metropolitan Transportation Council – Scope of Work: Supervisor Lanning acknowledged receipt of the SMTC Scope of Work – A Feasibility and Community Interest Assessment- Skaneateles Creek Pathway and Adjacent Roadway Enhancements. The Board decided to table any discussion on this document till July 21 when there would be a full Board in attendance.

Resolution #16-164

Appointment of Assistant (Clerk I) to Outreach Coordinator: Councilor Howard stated that she had been a part of the interview process for the position of Assistant to the Outreach Coordinator and was making a recommendation to hire Jean Babbles. There were a number of qualified applicant and thanked all who applied.

Councilor Howard made a motion, seconded by Councilor Badami appointing Jean Babbles to the position of Assistant to the Outreach Coordinator at salary of \$5,200 per year.

Councilor Howard	Yes	
Councilor Brace	Absent	
Councilor Badami	Yes	
Councilor Coville	Absent	
Supervisor Lanning	Yes	Carried 3-0

Appointment of Clerk to Assessor: Supervisor Lanning stated that this agenda item would be discussed in executive session. The Board could vote on the appointment after executive session.

Fennell Street Parking – Screening/Buffers: Supervisor Lanning discussed the concerns of the neighbors on Fennell Street that are across the street from the Town’ s property that is being used now for free parking. The neighbors would like some fencing or plantings for buffering. Councilor Howard talked about different plantings. Gene Laforte stated that it should be a

substantial type of plant due to the location near the road. Supervisor Lanning stated that the parking area didn't need to be totally blocked; it wasn't used that much due to the distance to downtown. A berm with some type of plantings was discussed. The Board decided to table this discussion till the July 21 meeting to come up with a plan.

Resolution #16-165

Notification of Sewer Rate Change: Supervisor Lanning reported that the Village had raised its sewer charges to all their customers including the Town by 46%. The sewer contract with the Village states that they are to provide a 90 day written notice for any rate changes. Bridgett Winkelman stated that the Town would send out notices to sewer customers and charge the increased fee after the 90 days.

Schedule Joint Meeting with Town Planning Board and Village Planning Board: Supervisor Lanning asked Mark Tucker if he had checked with The Planning Board members on scheduling a date for a Joint meeting to discuss the Comprehensive Plan with the Village Boards and the Town Boards. Mark stated that either he or Karen Barkdull would confirm with the village a date after their July 14th meeting.

Consideration of Moratorium on Solar Farming: Supervisor Lanning discussed a moratorium on solar farming. This is a new concept for remote solar production for more than home and business needs. The Town has no zoning in place for this concept. Many other Towns are also facing this issue. The Planning and Zoning Department already had inquiries about Solar Farming. Attorney Smith explained that a 6 month moratorium would be a safe time frame. The Board could decide to go up to a year. If a moratorium was issued it would still allow solar on homes but not for commercial distribution of solar power.

Councilor Howard stated that she would be in favor a moratorium, if it wasn't for too long. Attorney Smith stated that it could be added to the Town's current zoning and if it was completed before the moratorium ended the moratorium could be ended early.

Supervisor Lanning stated that they should wait for the next Town Board meeting, July 21, to continue this discussion with a full Board. At that time if the Board was in agreement, the law could be referred to the necessary agencies and begin the SEQR process.

Resolution #16-165

Schedule Operations Meetings: Supervisor Lanning stated that he would like to set up an Operations Meeting with the Town Board. The Board decided to schedule an Operations Meeting July 18, 2016 at 7:00 p.m., contingent on the approval of the Board members that were absent.

Resolution #16-166

Minutes of June 16, 2016: Minutes: On a motion of Councilor Howard, seconded by Councilor Badami the minutes of June 16, 2016 were accepted as presented.

Councilor Howard	Yes
Councilor Brace	Absent
Councilor Badami	Yes
Councilor Coville	Absent

Supervisor Lanning Yes Carried 3-0

Announcements/Correspondence/Updates:

Final SCA Conservation Management Plan by 2016 SUNY-ESF Conservation Biology Senior:

Supervisor Lanning acknowledged receipt of the Final SCA Conservation Management Plan by 2016 SUNY-ESF.

Fishing Derby at Conservation Area Pond – July 16, 2016 9 a.m. to Noon: Supervisor Lanning announced that the 16th annual children’s fishing derby would be held Saturday July16, 9:00-Noon at the Town of Skaneateles Conservation Area Pond.

Skaneateles Fire Department Labor Day Field Days: Supervisor Lanning acknowledged receipt of a request from the Skaneateles Fire Department to hold their annual Labor Day Field Days at the Austin Pavilion.

Resolution #16-167

Councilor Badami made a motion, seconded by Councilor Howard approving the Skaneateles Fire Department’s use of the Austin Pavilion to hold their annual Labor Day Field Days, September 3, 2016 and September 4, 2016.

Councilor Howard	Yes	
Councilor Brace	Absent	
Councilor Badami	Yes	
Councilor Coville	Absent	
Supervisor Lanning	Yes	Carried 3-0

Comprehensive Plan Update: Supervisor Lanning reported that there were ongoing contracts with Joel Russell and Howard Brodsky and they are working on the project. Attorney Smith stated that he was working with the litigants’ attorney to settle the lawsuit.

National Grid – 10,000 Trees: Supervisor Lanning announced Nation Grid is initiating a program to plant low growing trees under power lines to offset their maintenance costs.

Budget Amendments/Adjustments: No Budget Amendments.

Resolution #16-168

Abstract #16-13: On a motion of Councilor Howard, seconded by Councilor Badami and with authorized voucher #16-0826 to #16-0912 from the following funds was authorized:

General Fund:	\$48,385.46	Part Town:	\$ 5,512.14
Highway:	\$ 4,112.90	Highway P/T:	\$ 5,514.45
Street Lighting:	\$ 447.75	T & A:	\$ 2,724.50
Water:	\$22,902.97	Sewer #6:	\$ 391.04
Sewer	\$ 2,626.99	Water #5:	\$ 371.15
Total:	\$ 92,935.35		

Councilor Howard Yes

Councilor Brace	Absent	
Councilor Badami	Yes	
Councilor Coville	Absent	
Supervisor Lanning	Yes	Carried 3-0

Public Comments: Mark Tucker commented that bushes would be better than a fence at the Fennell Street parking area.

Resolution #16-169

Executive Session: On a motion of councilor Howard, seconded by Councilor Badami the Town Board adjourned to Executive Session at 8:05 p.m. to discuss Potential Litigation & Personnel.

Councilor Howard	Yes	
Councilor Brace	Absent	
Councilor Badami	Yes	
Councilor Coville	Absent	
Supervisor Lanning	Yes	Carried 3-0

Resolution #16-170

Open Meeting: On a motion of Councilor Badami, seconded by Councilor Howard, the meeting was returned to open session at 8:30 p.m.

On a motion of Councilor Badami, seconded by Councilor Howard the Board Authorized the following resolution:

**RESOLUTION
OF THE TOWN BOARD
OF THE TOWN OF SKANEATELES**

WHEREAS, Town of Skaneateles Planning Board (the "Planning Board") was served with a Verified Petition In the Matter of the Application of Theodore and Nancy Norman, Supreme Court of Onondaga County, Index No. 2016EF2317 (the "Petition");

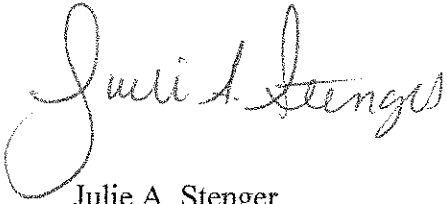
WHEREAS, it is the desire of the Town Board of the Town of Skaneateles to authorize the Town of Skaneateles' attorney to represent the Planning Board with respect to the Petition and oppose the Petition.

NOW, THEREFORE, it is resolved:

1. The Town Board hereby authorizes Bond, Schoeneck & King PLLC to represent the Planning Board with respect to the Petition and to oppose the Petition.

Councilor Howard	Yes	
Councilor Brace	Absent	
Councilor Badami	Yes	
Councilor Coville	Absent	
Supervisor Lanning	Yes	Carried 3-0

Respectfully submitted,

A handwritten signature in cursive script that reads "Julie A. Stenger". The signature is written in black ink and is positioned above the printed name.

Julie A. Stenger
Deputy Town Clerk

TOWN OF SKANEATELES
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing shall be held by the Town Board of the Town of Skaneateles at 7:00 p.m. . on July 7, 2016 at the Skaneateles Town Hall, 24 Jordan Street, Skaneateles, New York, to consider proposed Local Law 2016-C, which would amend Section 131-31 (H) Abandonment of Pending Applications in the Subdivision Section of the Town Code and Section 148-48 Abandonment of Pending Applications which is in the Special Permit Section of the Town Code, which would define when an application before the Town of Skaneateles Planning Board and Zoning Board of Appeals would be deemed to be abandoned by the applicant (the "Local Law").

Copies of the proposed Local Law are on file and available for public review at the Town Clerk's Office, 24 Jordan Street, Skaneateles, New York during the Town Clerk's regular business hours and online at the Town of Skaneateles website at www.townofskaneateles.com

Dated: June 17, 2016

Janet L. Aaron
Town Clerk

Subdivision Section

§ 131-3(H) Abandonment of Pending Applications. In the event any application for subdivision approval, minor or major filed after the effective date of this Section, remains inactive for a period of six months if a minor project, and twelve months if a major project, from the last regular or special meeting at which the application was reviewed by the Planning Board, such application shall be closed, and of no further force or effect. In the event any application for subdivision approval, minor or major filed before the effective date of this Section, remains inactive for a period of one year if a minor project, and two years if a major project, from the last regular or special meeting at which the application was reviewed by the Planning Board, such application shall be closed, and of no further force or effect. Any future action thereon shall require a new application, subject to all rules and regulations in effect at such later date. The Planning Board, may in its discretion, waive a subsequent filing fee upon such application, but may not waive the application of any new rules and regulations promulgated during the period subsequent to the initial filing. Any action

Special Permit Section

The Town Code of the Town of Skaneateles is hereby amended to provide a new Section 148-48 as follows:

§ 148-48 Abandonment of Pending Applications. In the event that any application for a special permit, site plan approval, a use variance, an area variance, or for any amendment thereto filed after the effective date of this Section, remains inactive for a period of six months if a minor project, and twelve months if a major project, from the last regular or special meeting at which the application was reviewed such application shall be closed, and of no further force or effect. In the event that any application for a special permit, site plan approval, a use variance, an area variance, or for any amendment thereto filed before the effective date of this Section, remains inactive for a period of one year if a minor project, and two years if a major project, from the last regular or special meeting at which the application was reviewed such application shall be closed, and of no further force or effect. Any future action thereon shall require a new application, subject to all rules and regulations in effect at such later date. The Planning or Zoning Board, may in its discretion, waive a subsequent filing fee upon such application, but may not waive the application of any new rules and regulations promulgated during the period subsequent to the initial filing.