

**Town Board Meeting**

**November 20, 2023**

**6:30 p.m.**

**Zoom:** Meeting Id: 837 3208 4501 Passcode: 123128

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

**Also, Present (via Zoom):** Brian Buff, Karen Barkdull, Jason Gabak (Skaneateles Press), Robert Herrmann, Miranda Robinson, Lori Milne, Paula Powell.

**Also, Present (In Person):** Tim Dobrovosky, Keri Fey, Ed Evans, Sue Murphy .

**Department Reports**

**Highway & Water:** Highway Superintendent Dobrovosky submitted his report to the Board for their review. He reported the Highway Department had received the new dump/plow truck, removed dead trees on Gully and Weeks Roads, replaced culverts on Gully Road, stocked cold patch and salt for the winter, did roadside mowing, fixed County Line Road, towed truck #6 to Allegiance to be fixed and did maintenance on plow trucks getting ready for the winter.

Supervisor Aaron announced since Jake Fey had submitted his letter of resignation from the Highway Department there is now a vacancy. She stated Highway Superintendent Dobrovosky would like to hire Bill Murphy part-time. Bill Murphy had retired from the Highway Department in the Town of Tully and is qualified to operate the trucks in our Highway Department. It was agreed that Bill Murphy would start on January 3, 2024.

On a motion of Councilor Dove, seconded by Councilor Tucker, and with unanimous (5-0) affirmation of the Town Board, the Town Board agreed to support Highway Superintendent Dobrovosky's hire of Bill Murphy, to begin on January 3, 2024.

**Transfer Station:** Municipal Recycling Liaison Brian Buff reported they had sent out 14 loads of trash, 10 open top containers and 6 loads of recycling. The mulch had all been hauled away and they were done for 2023.

Councilor Alexander thanked Brian for cleaning out a spot for the equipment used by the Conservation Area Committee. Brian is always helpful at the Conservation Area, and she thanked him and the staff at the Transfer Station.

Mr. Buff reported on the repair of the compactor. He would like to ask Syracuse Haulers if the Town could purchase the loner compactor to keep as a spare. The Board agreed this would be a good option.

**Planning and Zoning:** Planning and Zoning Clerk Karen Barkdull reported there were 3 open projects at this time. Skaneateles Storage, amendment to their site plan, Victor Duniec, an amendment to his application, and Charles Keyes, a lot line adjustment. Barkdull reviewed the status of existing projects still open; Community Solar Array TJA Solar – the application has been paused, Lakelawn – proposed brick and stone masonry wall to replace wood fence along West Lake Road, this project is on hold. Victory Sports – The application is pending as the applicant is considering the potential for smaller scale development on the property, and Haba Toys-Expansion application is on hold as they re-evaluate the entire property. Ms. Barkdull stated she had contacted TJA Solar and asked if they wanted to close their application and at this time they did not want to. Other activities included five pre-application meetings, one Hamlet meeting, Shoreline Committee meeting to discuss potential modifications and incentive zoning training.

The Board thanked Karen for organizing the joint meeting with the Town Board, Planning Board and Zoning Board of Appeals.

**Codes Office:** Codes Officer Robert Herrmann reviewed the September codes office report.  
\* October 2023 report attached.

He thanked the Highway Department for helping winterize the Town Codes vehicle.

**Parks:** Parks Manager Sue Murphy reported they were preparing the Parks for winter. She thanked the Highway Department for helping winterize the Parks trucks. The Mandana boat launch ramp was completed. The Mandana parking lot had been roped off for the winter. The Seniors of Skaneateles are ramping up and are having a holiday event on December 6<sup>th</sup> in the evening.

**Water/Engineer:** Town Engineer Miranda Robinson reported that all of the water samples for October and November passed. Wesley Hill is doing great work with Shane in the water department. They welded the leaf spring back onto the van. Talks are ongoing regarding an F-150 from the parks department.

Engineer: Ms. Robinson stated she had been working with the USDA to get a grant for a new vehicle. She attended a grant seminar at the Adirondack BOCES in Glenfield, put on by Syracuse University Environmental Finance Center. It was great to meet one on one with our finance representatives from NYS Department of Health, NYS Department of Environmental Conservation, USDA among others. The subdivision off of Franklin required a fire flow test. This will be up to the town board regarding what a fee structure could be like

Ms. Robinson reported she had spoken with the Empire State Development group with regards to the Consolidated Funding Application for some extra funding for the water tower. They suggested that the other projects in the area that are stalled until the erection of the water tower, also complete and submit applications that reference the Town's application. She had been in touch with Justin Marchuska, and Janet had spoken with Marty Cregg. The Woodbine Group would still be proceeding with their project regardless of the erection of the water tower, but their voice would

also help our application. The original applications were submitted by C&S and were sent to Justin Marchuska for reference.

She attended the safety meeting put on by the insurance company and it was about winter prep for buildings, walking areas and equipment. The Town is in good shape!

**Budget:** Budget Officer Keri Fey reported she was cleaning up from budget season and working on the year end reporting. Supervisor Aaron stated she had received the Supervisor’s Reports for January – May of 2023.

**Minutes of October 30, 2023:** On a motion of Councilor Legg, seconded by Councilor Tucker and with a (5-0) affirmation of the Town Board, the minutes of October 30, 2023, were accepted as presented.

**Budget Amendments:** On a motion of Councilor Alexander, seconded by Councilor Tucker, and with unanimous (5-0) affirmation of the Town Board the following budget amendments for abstract #23-20:

**General Fund**

\$45,000.00	Increase	14404.01.004.00	Engineer CE
\$45,000.00	Decrease	16204.01.004.44	Building CE-Parks
Town Projects			
\$300.00	Increase	16804.01.004.00	Central Data
Processing			
\$300.00	Decrease	16704.01.004.00	Central Print/Mail CE
CE Cleanup			
\$3,500.00	Increase	19204.01.004.00	Unallocated Ins
\$3,500.00	Decrease	19904.01.004.00	Contingency Acct
CE Cleanup			
\$700.00	Increase	70204.01.004.85	Rec Admin CE-Phone/Cable
\$700.00	Decrease	70204.01.004.00	Rec Admin CE
CE Cleanup			
\$4,560.00	Increase	71104.01.004.44	Summer Rec-Parks
\$4,560.00	Decrease	71101.01.001.00	Summer Rec- PS
CE Cleanup			
\$3,200.00	Increase	71104.01.004.49	Summer Rec-Playday
\$3,200.00	Decrease	71104.01.004.50	Summer Rec-Waterfront
CE Cleanup			

\$402.94	Increase	71404.01.004.00	Winter Rec CE
\$402.94	Decrease	71404.01.004.48	Winter Rec-Utilities
Coding Error			
\$70.00	Increase	71104.01.004.44	Winter Rec-Parks
\$70.00	Decrease	71404.01.004.48	Winter Rec-Utilities
Coding Error			
\$133.13	Increase	72504.01.004.00	Rec Program CE
\$133.13	Decrease	71404.01.004.48	Winter Rec-Utilities
Coding Error			
\$400.00	Increase	76204.01.004.90	Adult Rec- Agri
Preservation			
\$400.00	Decrease	71404.01.004.48	Adult Recreation CE
Coding Error			
\$3,000.00	Increase	90558.01.008.00	Disability Insurance
\$3,000.00	Decrease	90608.01.008.00	Med Ins
CE Cleanup			
<b><u>Part Town</u></b>			
\$15,200.00	Increase	80204.02.004.00	Planning CE
\$15,200.00	Decrease	80204.02.004.58	Planning CE - Legal
Coding Error			
<b><u>Highway Part Town</u></b>			
\$11,500.00	Increase	51101.04.001.00	General Repair PS
\$11,500.00	Decrease	51122.04.002.00	CHIPS Improvement
CE Cleanup			
\$11,400.00	Increase	51104.04.004.00	General Repair CE
\$11,400.00	Decrease	51122.04.002.00	CHIPS Improvement
Coding Error / CE Cleanup			

**Abstract #23-20:** On a motion of Councilor Alexander, seconded by Councilor Tucker and with unanimous (5-0) affirmation of the Town Board vouchers #23- - #23- were authorized from the following funds:

General:	\$ 95,514.89	Highway:	\$ 49,183.10
Street Lgt:	\$ 524.79	Part Town:	\$ 6,663.11
Water:	\$ 22,792.44	Hwy Part Twn \$	2,551.41

T&A           \$ 2,818.52           Sewer:           \$   559.66  
Total:           \$181,337.92

**2024 Town Board Meeting Schedule:** Supervisor Aaron stated due to the holidays in January and February being on Mondays the Board would have to change the dates.

On a motion of Councilor Legg, seconded by Councilor Alexander, and with unanimous (5-0) affirmation of the Town Board the following meeting schedule for January 2024 – February 2024 was approved:

January 4, 2023       4:00pm  
January 8, 2023       6:30 pm  
January 22, 2023,     6:30 pm  
  
February 12, 2023,   6:30 pm

**Austin Park Project:** Supervisor Aaron stated the Board members have made a decision that had been very difficult regarding the proposed Parks project. Supervisor Aaron read the following statement:

“To say this has been a very difficult decision of the Town Board would be an understatement. The Board has worked diligently in looking at the best solution to move the Parks improvement project forward by holding countless public informational meetings, listening to concerns of neighbors, taking calls from other residents anxious to see progress on the Pavilion and with pickleball courts. The Town Board made a major change to the project incorporating the concerns of the neighbors who didn’t want to look at another building on site that was planned for the west side of the pavilion. Instead, several preferred we house our lawnmowers and equipment in a small section at the north end of the arena and provide landscaping to screen that area. We complied with all of their requests and changed the project dramatically.

The project brings new opportunities for pickleball, new opportunities for year-round use of Austin Pavilion and updated surfaces for our tennis and basketball courts and walking path. Half of the funds to build Austin Pavilion, then known as Allyn Arena, came from W.G. Allyn. The project began in 1967 and today 56 years later we are now planning for capital improvements that will allow this wonderful pavilion to continue being enjoyed by our residents and provide the equipment onsite to manage and maintain the park and the pavilion. We look forward to receiving feedback from members of the community to voice what they would like to see at the pavilion. The Seniors have already started meeting at the Pavilion on a regular basis. We hope many more groups will be able to enjoy the Pavilion throughout the year.”

Town Attorney reviewed the following resolution:

### RESOLUTION

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

**Determining that Proposed Austin Park Improvement Project is Exempt from Local  
Zoning Regulations**

**WHEREAS**, the Town of Skaneateles (the “Town”) wishes to undertake a proposed project to renovate and expand facilities located upon real property owned by the Town at 1 East Austin Street in the Village of Skaneateles, more commonly known as Austin Park (the “Property”); and

**WHEREAS**, in 1980 the Village of Skaneateles (the “Village”) turned over the operation of Austin Park and the Clift Park waterfront to the Town; and

**WHEREAS**, in 2018 the Village conveyed ownership of the Property to the Town; and

**WHEREAS**, the proposed project would involve, among other things, renovation and expansion of the size and uses of an existing pavilion building, renovation of existing recreation and parking spaces, construction of new pickleball courts, improvements to landscaping, and improvements to drainage facilities (the “Project”); and

**WHEREAS**, the Town Board held three public meetings in 2021, on June 12, June 22, and June 23, to gather input from the public as to what changes were desired for the Property; and

**WHEREAS**, on March 7, 2022, the Town Board authorized moving forward with the Project at its regularly scheduled public meeting; and

**WHEREAS**, on March 13, 2022, the members of the Town Board met with members of the Village Planning Board at the Property to review plans for the Project and to obtain input; and

**WHEREAS**, on June 22, 2022, the Town Board held a special meeting to discuss the community’s vision for the Project; and

**WHEREAS**, on September 9, 2022, members of the Town Board met with community stakeholders about altering the original plans for the project that included a standalone building used to store equipment for park maintenance, and instead expand the existing pavilion building to achieve that goal; and

**WHEREAS**, additional public meetings were held on August 25, 2022, and September 13, 2022, by Zoom and at the Property to discuss changes to the Project, ahead of this meeting notices were mailed to 60 nearby property owners, the school, fire department, Skaneateles Recreational Charitable Trust, the Rotary, St. Mary’s Church, and the Village; and



**WHEREAS**, on January 30, 2023, an additional parks project information meeting was held at the Skaneateles High School Cafeteria to discuss the revised Project plans; and

**WHEREAS**, on March 3, 2023, representatives of the Town Board and Village Planning Board discussed the possibility of a pre-application joint meeting of the two boards at the Property and the Village Planning Board declined the offer; and

**WHEREAS**, on March 30, 2023, representatives of the Town Board met with the Village Code Enforcement Officer to discuss the Project and gather input; and

**WHEREAS**, the Town applied for site plan approval for the Project from the Village of Planning Board; and

**WHEREAS**, the Project was first appeared for discussion on the Village Planning Board's agenda on May 4, 2023; and

**WHEREAS**, the Village Planning Board left the public hearing open and had further discussions of the Project at its July 6 and August 3, meetings, and ultimately voted to deny the Town's application; and

**WHEREAS**, because the Project is being conducted for a public purpose and is located on Town-owned property, the Town may be immune from local zoning regulations with respect to the Project; and

**WHEREAS**, the New York State Court of Appeals, the State's highest court, has created a framework of factors that are designed to balance public interest in determining if a project is being conducted for a public purpose and therefore exempt from traditional zoning requirements, which framework is known as the *County of Monroe* Doctrine, as set forth in *Matter of County of Monroe v. City of Rochester*, 72 N.Y.2d 338 (1988); and

**WHEREAS**, no entity has been specifically designated by the Town Board to make determinations of governmental immunity and such power therefore vests in the Town Board; and

**WHEREAS**, the Town Board, having general, specific, and detailed knowledge regarding the Project and the community, now wishes to undertake a review and investigation of the *County of Monroe* balancing of interest's factors for purposes of determining whether the Town is entitled to assert immunity from local zoning regulations in connection with the Project; and

**WHEREAS**, in making the findings and determinations set forth herein, the Town Board has carefully and thoroughly reviewed all necessary and appropriate documents and materials concerning the Project, including:

1. Detailed site plans.
2. Completed Short Environmental Assessment Form.

3. Drainage and Planting Design Considerations Memorandum prepared by Anchor QEA dated April 20, 2023.
4. Visual simulations and elevations; and
5. Layouts and design plans for various project components.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board hereby makes the following findings and determinations with respect to the *County of Monroe* balancing of interests factors relative to the Project:

1. The nature and scope of the instrumentality seeking immunity.

The instrumentality seeking immunity is the Town, a political subdivision of the State of New York. The Project includes the expansion and improvement of the Property for uses consistent with its existing use as a park, entirely for the public benefit.

2. The encroaching government's legislative grant of authority.

The Town has made no specific grant of legislative authority and as no entity has been specifically designated by local law to make determinations of governmental immunity. Such power therefore vests in the Town Board by default.

3. The kind of function or land use involved.

The Property is currently designated and used as a public park and the proposed use and function remains entirely for public recreation. The Project shall construct improvements in Austin Park in order to improve the park for use by the public. The Project includes the renovation and expansion of certain space located in the Austin Pavilion to be used for storage of equipment used to maintain the park. The Project also includes the construction of pickleball courts, upgrades to drainage and access infrastructure, resurfacing of tennis courts and repaving of basketball courts.

4. The effect local land use regulation would have upon the enterprise concerned.

Enforcing local land use regulation on the Property would altogether prevent its use as contemplated in the Project as well as its current, designated, and long-accepted use as a public park, depriving the public of the significant benefit of the park. The Village Planning Board has denied the Town's application to construct a facility to store equipment necessary to maintain the park. With no alternative location to store this equipment, the park will eventually fall into disrepair. In addition, the denial of the site plan application was complete in that it also denied the Town's request to make stormwater improvements, repairs to the basketball and tennis courts, and to construct pickleball courts. The Village Planning Board has taken the position that it would be illegal, under multiple theories, to use any portion of Austin Park to store equipment used to maintain the park.

5. Alternative locations for the facility in less restrictive zoning areas.



There is no reasonable alternative location to construct the Project. The Town studied alternate locations to store park maintenance equipment on the Property and determined that the Austin Pavilion location was optimum. It is obviously not efficient to store the equipment necessary to maintain the park many miles away from the location where that equipment will be used. The Town Parks Department stated in the record that the equipment that would be stored at the Property would be used to maintain the Property itself more than 80% of the time. The remaining 20% of use would be at smaller parks located in the Town. The Village Planning Board further concluded that it would be illegal to construct the necessary storage facility anywhere on the Property, and moreover, on any other parkland owned by the Town due to their interpretation of the State's parkland alienation rules, thus, making the relocation of the storage facility to another park impossible. The Town's application to make improvements to the tennis courts, basketball courts, drainage and to construct new pickleball courts, was also denied. It would be impractical to relocate these facilities to another location distant from the Village because having them available to residents in the Village is desirable to the public.

6. The impact upon legitimate local interests.

The impacts on legitimate local interests are minimal compared to the benefits of the Project to the community. Property is a necessary part of the community that must be maintained and improved. Extensive discussions were held with a variety of stakeholders in more than a dozen meetings and the overwhelming conclusion was that the above-listed improvements were necessary for the continued use of the park. The Town reacted to initial criticism of a stand-alone storage building and redesigned the Project to repurpose an existing structure. The primary objection to the Project is that the current pavilion structure is open to the elements and neighboring properties located immediately across the street from it enjoy being able to view parkland through the structure. The Project would include enclosing the existing pavilion so as to make it available for use as a year-round recreation area in future phases of the Project and completely renovating the exterior to make it more attractive. The Project includes landscaping to minimize the visual impact to the few neighboring properties that could see the improvements. Some Village Planning Board members expressed concern that space would be used for storage instead of park programming. This would be a minimal impact in the context of a 40-acre park where the storage space would not exceed 6,000 square feet.

7. Alternative methods of providing the proposed improvement.

The Town Board considered, and invited and received extensive public input on, alternative methods for providing the proposed improvement over a long period of time during the planning stage of the Project. No method was deemed more beneficial to the public interests of the Town, and the Town Board now determines that no methods were then or more recently proposed that would significantly mitigate the impacts discussed by the Village Planning Board. The Property and the Austin Pavilion are centrally located and ideal to store the equipment at issue. The improvements to the basketball, tennis, drainage infrastructure and the new pickle ball courts should be located in the park so that residents can access those resources.

8. The extent of the public interest to be served by the improvements.

It is beyond dispute that Austin Park is a jewel of this community. The park is a necessary and vital part of the Town. Residents use the park for a variety of recreational purposes. In order for the park to continue to function, the grounds and playing surfaces must be maintained. It is necessary that the lawnmowers, pick-up trucks, edgers, tools and tractors used to maintain the park, be stored inside in order for them to remain in working order. The continuation of the park and its maintenance as a recreational facility is of the utmost importance to this community.

9. Intergovernmental participation in the project development process and an opportunity to be heard.

More than a dozen meetings were held that were open to the public and Village officials for the purpose of obtaining input. The Town reacted to that input and altered the design of the Project. The Town took the further step of applying to the Village Planning Board even though the assertion of immunity was available. It is difficult to conceive of what more the Town could have conceivably done to illicit input from the Village government and the community at large.

**BE IT FURTHER RESOLVED** that based upon the foregoing findings, the Town Board hereby determines that the Project provides public benefits that, after balancing the *County of Monroe* factors, weigh in favor of the Project being exempt from local zoning regulations; and

**BE IT FURTHER RESOLVED** that the Project shall henceforth be immune from further land use and zoning review; and

**BE IT FURTHER RESOLVED** that the Town's consultants and contractors are hereby directed to proceed with construction of the Project; and

**BE IT FURTHER RESOLVED** that the Town Clerk is hereby directed to forward copies of this Resolution to the Village of Skaneateles and the Onondaga County Department of Planning; and

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately.

Attorney Smith stated before the Board could act on the proposed Immunity Resolution they would have to prepare the SEQRA documents to satisfy the Town's obligations under SEQRA. The SEQRA documents were originally prepared in April 2023 as part of the Town's application to the Village Planning Board. Part I of the SEQRA Form is the same and Part I was submitted to the Village and the Town Board would be reusing it for this purpose today.

Attorney Smith stated the proposed action does have conflict with Village's land use regulations, and that it will result in some change in the intensity of the use of land, and that presently most of the vacant building will be put to beneficial use. There have been some statements as part of the Planning Board process that the renovation of this building would represent a change in the

character of the building and the character of the neighborhood. The Village had declared the area to be part of a Critical Environmental Area. And then the other thing to point out is that allegations were made as part of the planning process that there would be a potential impairment of aesthetics or visual impacts. Taking into account all those potential impacts that had been discussed, considered, and studied in Part I and present for all those discussions as part of the Village Planning Board process, his recommendation would be to check all 11 of those questions, no or small impact.

Attorney Smith asked the Board if they agreed or had any comments. The Board agreed with Attorney Smith’s recommendation to answer all questions, “no or small impact”.

Brody Smith reviewed and completed the Short Environmental Assessment Form Part 2 as presented:

***Short Environmental Assessment Form  
Part 2 - Impact Assessment***

**Part 2 is to be completed by the Lead Agency.**

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions, the reviewer should be guided by the concept “Have my responses been reasonable considering the scale and context of the proposed action?”

	No, or small impact may occur	Modera te to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	✓ <input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	✓ <input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	✓ <input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	✓ <input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	✓ <input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable	✓ <input type="checkbox"/>	<input type="checkbox"/>

energy opportunities?		
7. Will the proposed action impact existing: a. public / private water supplies?	✓ <input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	✓ <input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	✓ <input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	✓ <input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	✓ <input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	✓ <input type="checkbox"/>	<input type="checkbox"/>

Attorney Smith stated with “no or small impact” there are no further impacts to analyze in Part III for determination of significance. He recommended that the Board issue a negative declaration.

He asked if the Board have any questions?

The board agreed to declare a Negative Declaration.

The Board approved the following resolution as presented:

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

**Determining that Proposed Austin Park Improvement Project  
Will Not Have a Significant Effect on the Environment**

**WHEREAS**, the Town Board of the Town of Skaneateles (the “Town Board”) is considering a project to renovate and expand park facilities located upon real property owned by the Town at 1 East Austin Street in the Village of Skaneateles, more commonly known as Austin Park (the “Property”), involving a series of upgrades in the park including renovation and expansion of the size and uses of and existing pavilion building, renovation of existing recreation and parking spaces, construction of new pickleball courts, improvements to landscaping, and improvements to drainage facilities (the “Project”); and

**WHEREAS**, the Town Board desires to comply with the New York State Environmental Quality Review Act (“SEQRA”), as set forth in Article 8 of the New York State Environmental

Conservation Law, and the requirements of the implementing regulations set forth at 6 NYCRR Part 617 (the “Regulations”), with respect to the Project; and

**WHEREAS**, the Town Board has prepared Part 1 of an environmental assessment form (“EAF”) in connection with the Project to aid the Town Board in determining whether the Project may have a significant effect upon the environment; and

**WHEREAS**, pursuant to the Regulations, the Town Board has considered the Project in light of the actions included on the Type I list specified in Section 617.4 of the Regulations and in light of the actions included on the Type II list specified in Section 617.5 of the Regulations.

**NOW, THEREFORE, BE IT RESOLVED** that **the Town Board** classifies the Project as an “Unlisted” action under SEQRA (the “Action”) and states that it will conduct an uncoordinated review; and

**BE IT FURTHER RESOLVED** that the Town Board hereby concludes that **the** following impacts are expected to result from the Action, when compared against the criteria in Section 617.7 (c) of the Regulations:

- a. There will not be a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems.

As detailed in the Drainage and Planting Design Considerations Memorandum prepared by Anchor QEA dated April 20, 2023, the Town has carefully considered potential erosion, flooding, leaching or drainage problems and how to best mitigate any adverse changes. Improving existing drainage facilities at Austin Park is a major element of the Project, and the plans prepared by the Town’s consultants are expected to improve drainage on the Property.

- b. There will not be large quantities of vegetation or fauna removed or destroyed as the result of the Action; there will not be substantial interference with the movement of any resident or migratory fish or wildlife species as the result of the Action; there will not be a significant impact upon habitat areas; there are no substantial adverse impacts on any known threatened or endangered species of animal or plant, or the habitat of such species; nor are there any other significant adverse impacts to natural resources.
- c. There are no known Critical Environmental Area(s) on the site which will be impaired as the result of the proposed Action.
- d. The Action will not result in the creation of a material conflict with the Town’s current plans or goals as officially approved or adopted.

The Project will further the goals set forth in the Town’s Comprehensive Plan by



expanding and improving upon the recreational opportunities that Austin Park offers and ensure that park operation and maintenance can continue safely and efficiently.

- e. The Action will not result in the impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character.

The Town Board has carefully considered public comments that have been received over the years-long planning of the Project and numerous changes have been made as a result. Many of these changes were related to comments received regarding the visual impacts of the Project. To the extent that the Project will result in a change in the aesthetic and historical character of the Property, the Town Board has taken measures to mitigate negative impacts to the maximum extent possible.

- f. There will not be an increase in the use of either the quantity or type of energy resulting from the Action.
- g. There will not be any hazard created to human health.

The Action will have a positive impact on human health by expanding and improving upon the recreational opportunities that Austin Park offers.

- h. There will not be an irreversible change in the use of active agricultural lands that receive an agricultural use tax exemption or that will ultimately result in the loss of ten acres of such productive farmland.
- i. The Action will not encourage or attract large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the Action.
- j. There will not be created a material demand for other Actions that would result in one of the above consequences.
- k. There will not be changes in two or more of the elements of the environment that when considered together result in a substantial adverse impact.
- l. There are not two or more related Actions which would have a significant impact on the environment.

**BE IT FURTHER RESOLVED** that, based upon the information and analysis above, the Action will not result in any significant adverse environmental impacts; and

**BE IT FURTHER RESOLVED** that the information available concerning the Action was sufficient for the Town Board to make its determination; and



**BE IT FURTHER RESOLVED** that **the Town** hereby approves and adopts the attached Short Environmental Assessment Form for the Action (Parts 1, 2, and 3); and

**BE IT FURTHER RESOLVED** that a Determination of Non-Significance on the proposed Action is hereby issued; and

**BE IT FURTHER RESOLVED** that the preparation of an environmental impact statement for the Action shall not be required; and

**BE IT FURTHER RESOLVED** that **the Supervisor is hereby** directed to sign the Short Environmental Assessment Form Part 3 and issue the Negative Declaration as evidence of the Town Board’s determination; and

**BE IT FURTHER RESOLVED** that this Determination of Non-Significance has been prepared in accordance with SEQRA and the Town Clerk is hereby directed to file, publish and distribute a notice of this Negative Declaration pursuant to 6 NYCRR § 617.12(a)(1); and

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately.

The adoption of the foregoing Resolution was moved by Councilor Alexander, seconded by Councilor Legg, and duly put to vote, which resulted as follows:

Janet Aaron	Voting	Aye
Courtney Alexander	Voting	Aye
Sue Dove	Voting	Aye
Chris Legg	Voting	Aye
Mark Tucker	Voting	Aye

The resolution was thereupon declared duly adopted.

Attorney Smith stated the board had completed their obligations under SEQRA and are now free to consider the immunity resolution.

Supervisor Aaron asked if any of the Board would like to make any comments. Councilor Dove made the following statement:

“In 2017 I was on the Village Board when the Village Board voted positively on Mayor Hubbard’s idea to transfer ownership of Austin Park from the Village to the Town. As stated in the petition the Village filed with the State of NY in May of 2017 it stated, and I quote: “The transfer of Austin Park would facilitate the improvement of the Austin Pavilion”. The Village Board at that time talked about the Town’s need to be the sole owner of Austin Park so that it could apply for grant funding and expend the money necessary to make needed improvements. The petition also noted

that the Town had been operating Austin Park for the good of the entire community since 1980 and would continue to do so after transferring ownership from the Village to the Town.

While none of us sitting here at this table wanted to take this step to assert immunity it has become clear that it is the best way to move forward in a timely manner. I am 100% confident that putting the storage facility at the north end of the Pavilion is the most cost effective and efficient way to operate and maintain Austin Park and the Pavilion for many years to come. The storage area is only one small part of this multi-phased project. Work is already underway to encourage community use of the Pavilion. For example, in the last few months Parks and Recreation Director Sue Murphy has been working closely with the Seniors of Skaneateles to provide meeting space for that group. This past summer, the Pavilion hosted the Rotary Pancake Breakfast and the Firemen’s Field Days. Events which will continue to be held at the Austin Pavilion for as long as these groups wish to have them there.

Our goal is to bring the Austin Park Pavilion back to life and provide the community with a multi-purpose recreation space we will all be proud of. Please trust us to fulfill that mission.”

On a motion of Councilor Alexander, seconded by Councilor Tucker, and with unanimous (5-0) affirmation of the Town Board, The Town Board approved the resolution “Determining that Proposed Austin Park Improvement Project is Exempt from Local Zoning Regulations” declaring immunity as presented.

The adoption of the foregoing Resolution was moved by Councilor Alexander, seconded by Councilor Legg, and duly put to vote, which resulted as follows:

Janet Aaron	Voting	Aye
Courtney Alexander	Voting	Aye
Sue Dove	Voting	Aye
Chris Legg	Voting	Aye
Mark Tucker	Voting	Aye

Supervisor Aaron stated the resolution, and a letter would be forwarded to the Village Board tonight. Supervisor Aaron thanked the Board for all their work on this difficult decision.

**Jacob Fey Letter of Resignation – Highway Department:** Supervisor Aaron stated a letter of resignation had been submitted by Jacob Fey. Jake worked at the Highway Department and had taken a job with Onondaga County.

On a motion of Councilor Alexander, seconded by Councilor Tucker, and with a (5-0) affirmation of the Town Board, the Town Board accepted the resignation of Jacob Fey.

**Appoint Town Engineer:** Supervisor Aaron stated the Board had agreed to hire Miranda Robinson as Town Staff Engineer. She would be working on the Andrews Road water project and

would also be working on applying for grants for Town projects including the Andrews Road water district.

Councilor Legg stated this would not affect the relationship with the Town’s contracted engineers at C&S Engineering.

On a motion of Councilor Dove, seconded by Councilor Legg, and with a (5-0) affirmation of the Town Board, the Town Board authorized the appointment of Miranda Robinson to the position of Town Staff Engineer, to start November 22, 2023, at a salary of \$81,600.

**2024 Finger Lakes SPCA Contract:** Supervisor Aaron stated the Town was in receipt of the 2024 Finger Lakes SPCA contract for renewal. The contract fees for 2024 were \$500 per quarter plus boarding fees for dogs not claimed after 5 days.

On a motion of Councilor Alexander, seconded by Councilor Legg, and with a (5-0) affirmation of the Town Board, the Town Board authorized Supervisor Aaron to sign the 2024 contract with the Finger Lakes SPCA at a cost of \$2000 per year plus additional boarding fees.

**Shoreline Legislation:** Supervisor Aaron stated the Shoreline Committee had done an incredible job on the regulations for the Shoreline. The Town Board had requested special legislation from the State, to allow for the Town to have zoning authority on the lake. That prompted the Town to change zoning guidelines and regulations. At the Public Hearing previously held, the Town Board heard from a large group of the public. With the public’s comments and concerns the Shoreline Committee went back to the drawing board and the legislation was brought back to public hearing again, again the Board received enough comments and decided to refer the legislation back to the Shoreline Committee. The committee did an incredible job of putting together a document that showed what had changed based upon the comments that were received at the public hearing. She thanked Karen Barkdull and Howard Brodsky for all their work as well. They created the following outline:

**Reformat** the shoreline code with

- a. general guidelines listed first,
- b. then onshore zoning code
- c. Offshore zoning code
- d. Other areas such as marinas
- e. Removal of graphics to the “shoreline guidelines”

Created “**shoreline guidelines**” that include all graphics removed from the zoning code and includes the outline of the code and agencies with jurisdiction of Skaneateles Lake. The guidelines assist with examples of how to calculate property line extension, setbacks, etc.

Reduced the ambiguity of the zoning code applicability by providing clarification for **what sections apply to Onshore and/or Offshore structures.**

Expanded **commercial use restrictions** to include onshore structures as well as offshore structures.

**Necessary Maintenance and Repairs:** The section allows an increase in footprint reduced to 10% of the total structure (based on the existing footprint of January 1, 2024), from the earlier proposed 20%.

Allowance for an 80 square foot **storage shed** located onshore.

Allow for **limited exemptions for lots that have existing easements** (prior to January 1, 2024). The lot may have a seasonal structure located outside of the designated water perimeter for the lot.

Attorney Smith stated it was his recommendation to reinitiate the process since the amendments that were made were substantive. He reviewed the following resolution presented to the Board:

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

**Proposed Shoreline Development Amendments**

**WHEREAS**, Pursuant to Municipal Home Rule Law Section 20(4), for consideration Local Law No. 8 of 2023 entitled “A Local Law Amending Chapter 148 of the Code of the Town of Skaneateles” (the “Proposed Local Law”); and

**WHEREAS**, the purpose of the Proposed Local Law is to amend Sections 148-7-1 and 148-12-2 of Chapter 148 of the Code of the Town of Skaneateles, more commonly known as the Zoning Law of the Town of Skaneateles (the “Zoning Law”), related to shoreline development in the Skaneateles Lake watershed in furtherance of preserving the economic, environmental, aesthetic and recreational resources of the Skaneateles Lake watershed and to promote public health, safety and welfare; and

**WHEREAS**, the Town Board desires to comply with the requirements of the State Environmental Quality Review Act (“SEQRA”) and its implementing regulations set forth at 6 NYCRR Part 617, and Section 239 of the General Municipal Law, with respect to these proposed amendments to the Zoning Law.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board hereby declares its intent to serve as lead agency for purposes of a coordinated review under SEQRA of the Proposed Local Law.

**BE IT FURTHER RESOLVED** that the Town Board hereby preliminarily classifies the Proposed Local Law as a Type 1 Action under SEQRA, and the Town Board hereby directs the Town Clerk to send Part 1 of the Full Environmental Assessment Form and the Proposed Local Law to all interested agencies to request their comments thereon;

**BE IT FURTHER RESOLVED** that the Town Clerk shall refer the Local Law to Onondaga County Planning for its review pursuant to General Municipal Law Section 239;

**BE IT FURTHER RESOLVED** that the Town Clerk shall refer the Proposed Local Law to the Town of Skaneateles Planning Board for its review and report pursuant to Section 148-10-11 of the Zoning Law, no later than thirty (30) days from the date of this resolution; and

**BE IT FURTHER RESOLVED** that the Town Board shall hold a public hearing to receive comments about the proposed amendments on January 8, 2023 at 7:00 pm.

On a motion of Councilor Alexander, seconded by Councilor Dove, and with a (5-0) affirmation of the Town Board, the Town Board approved the Resolution for the “Proposed Shoreline Development Amendments” as presented and scheduled the public Hearing for January 8, 2023 at 7:00 pm.

**Village of Skaneateles Police Intermunicipal Agreement:** Supervisor Aaron stated the Board was receipt of the Intermunicipal Agreement with the Village of Skaneateles Police Department. This agreement would allow Village Police officer to work at the Town Court when needed and additional support in the Town if requested.

On a motion of Councilor Alexander, seconded by Councilor Tucker, and with a (5-0) affirmation of the Town Board, the Town Board authorized Supervisor Aaron to sign the Intermunicipal Agreement with the Village of Skaneateles Police Department as presented.

**Methodist Church Easement:** Supervisor Aaron stated the Town has requested a easement from the Methodist to install a generator for the Town Hall;. She had met with Bob Pohl, a representative from the Methodist Church and made some changes they had requested. The updated document was submitted to Town Attorney for his review.

**Town Hall Generator Quotes:** Supervisor Aaron stated Codes officer Herrmann had received the following quotes for the generator project at the Town Hall:

<b>Company</b>	<b>22KW</b>	<b>24KW</b>	<b>26KW</b>	<b>Brand</b>
911 Generators	\$16,503.30	\$16,916.19	\$18,230.28	Generac
Commercial Power	\$17,534.35	N/A	\$19,606.31	Generac
Hurricane Home	N/A	N/A	N/A	
Anderson Power	N/A	N/A	\$12,240.00	Cummins

The Codes Officer recommended the Cummins unit, which is a smaller unit but would be adequate. His recommendation would be for the 911 Generators or Commercial Power for the 22 KW system. They are a better system for the Town Hall building.

Supervisor Aaron stated the Town is looking for grants to help with funding for the Town Hall generator.

On a motion of Councilor Alexander, seconded by Councilor Tucker, and with a (5-0) affirmation of the Town Board, the Town Board accepted the quote for the 22-kilowatt generator from 911 Generators for a cost of \$16,503.30.

**Townwide Tax Revaluation:** Supervisor Aaron stated the Town Board had authorized a data collection for all parcels in the Town which was done in preparation for a townwide property revaluation.

Attorney Smith had prepared a draft bid packet and submitted it to the Board for review. This would be on the December 4, 2023, meeting agenda.

**MyLS (My Local Safety) App:** Supervisor Aaron stated she attended a meeting with the Village regarding a program that the fire department currently uses called the My Local Safety app, which they can communicate internally. As part of this program, community member can get emergency information on their phones for free. The Town and Village can shore the program for a three-year contract cost of \$550 per year.

On a motion of Councilor Alexander, seconded by Councilor Legg, and with a (5-0) affirmation of the Town Board, the Town Board authorized Supervisor Aaron to sign a three-year contract with MyLocal Safety App for a cost of \$550 per year.

**Local Law to Abolish the Position of Tax Collector and Transfer the Duties to the Town Clerk - Referendum held on December 12, 2023- 12:00 noon – 8:00 p.m. at the Skaneateles Town Hall:** Supervisor Aaron stated the prepared resolution was need to continue with the process of abolishing the position of Tax Collector and transferring the duties to the Town Clerk. This was being done since the current Tax Collector Lori Milne had been elected to the Town Board and would start her term as Town board member January 1, 2024.

Councilor Alexander stated this would be a savings for the taxpayers and it is an opportunity to consolidate departments. Lori Milne is also in favor of this transition.

On a motion of Councilor Alexander, seconded by Councilor Legg, and with a (5-0) affirmation of the Town Board, the Town Board approved the following resolution as presented:

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



**Proposed Local Law Relating to the  
Abolition of the Office of Tax Collector**

**WHEREAS**, pursuant to New York State Town Law Section 26, Board Member Alexander has introduced for consideration Local Law No. \_ of 2023 entitled “A Local Law to Abolish the Position of Tax Collector” (the “Proposed Local Law”); and

**WHEREAS**, the purpose of the Proposed Local Law is intended to abolish the elected position of Tax Collector created by New York State Town Law Section 35, and is further intended that the duties of the Tax Collector will be assumed by the Town Clerk pursuant to Town Law Section 36; and

**WHEREAS**, the Town Board has elected to abolish this office by using the procedure set forth in Municipal Home Rule Law Section 23, and thus, shall require a mandatory referendum by the voters to effect this change to the law; and

**WHEREAS**, by resolution dated September 11, 2023, the Town Board classified the Proposed Local Law as a Type II Action under SEQRA involving the “adoption of regulations, policies, procedures and local legislative decisions” as set forth in Section 617.5(c)(33) of the Regulations; and

**WHEREAS**, following publication of notice in accordance with all legal requirements, the Town held a public hearing concerning the Proposed Local Law on September 25, 2023, in satisfaction of the requirements of the New York Town Law and the New York Public Officers Law; and

**WHEREAS**, by resolution dated September 25, 2023, the Town Board approved the Proposed Local Law for submission for a mandatory referendum and directed the Town Clerk to submit the required documentation to the Onondaga County Board of Elections for a mandatory referendum on the Proposed Local Law to be held on December 12.

**NOW, THEREFORE, BE IT RESOLVED** that a special Town election shall be held on Tuesday, December 12, 2023 at the Skaneateles Town Hall, 24 Jordan Street, Skaneateles NY 13152 for a mandatory referendum on the following proposition: “Shall the Town of Skaneateles abolish the office of Tax Collector in the Town of Skaneateles and transfer the powers and duties to the office of the Town Clerk of the Town of Skaneateles effective January 1, 2024”; and

**BE IT FURTHER RESOLVED** that polls for such special Town election shall open at 12:00 p.m. and close at 8:00 p.m. on December 12, 2023; and

**BE IT FURTHER RESOLVED** that absentee ballot applications shall be available to all eligible voters and may be obtained from the Town Clerk’s office or the Town’s website; and

**BE IT FURTHER RESOLVED** that the Town Clerk shall give notice of such special town election by the publication of a notice in a newspaper at least ten days prior to the time of such special election and cause a copy of such notice to be posted on the signboard of the town in accordance with Section 82 of the New York State Town Law; and

**BE IT FURTHER RESOLVED** that this resolution shall take effect immediately.

The adoption of the foregoing resolution was moved by Councilor Alexander, seconded by Councilor Legg, and duly put to vote, which resulted as follows:

Janet Aaron	Voting	Aye
Courtney Alexander	Voting	Aye
Sue Dove	Voting	Aye
Chris Legg	Voting	Aye
Mark Tucker	Voting	Aye

The resolution was thereupon declared duly adopted.

**Announcements/Correspondence/Updates**

▪ *Town Departments Hours November- December:* Supervisor Aaron announced the following Town Department schedule:

November 23 & 24, 2023 -Thanksgiving	November 23, 2023, All Departments Closed – including Transfer Station
December 4, 2023,	November 24, 2023, Town Hall Closed
December 15, 2023,	6:30 P.M. Town Board Meeting
December 18, 2023,	All Departments closed at 12:00 noon (Employee Holiday Luncheon)
December 25, 2023 – Christmas	6:30 p.m. Town Board Meeting
	All Departments Closed

**Announcements/Correspondence/Updates**

▪ *NYS Municipal Workers' Compensation Alliance Town of Skaneateles Member Loyalty Award:* Supervisor Aaron announced the Town received \$1,172 from NNYS Municipal Compensation Alliance for safety in the workplace award for 2023

▪ *Town of Skaneateles Outreach Looking for Santa's Helpers:* Supervisor Aaron announced the Town of Skaneateles Outreach Department is looking Santa's Helpers to adopt families for Christmas, contact Jacque McConnaghy, Town of Skaneateles Outreach Coordinator.

Councilor Tucker reported on the Skaneateles Land Trust and their programs.

Councilor Alexander reported on a program she attended with the NYS DEC and their work on Shotwell Brook.

Councilor dove announced the following community events:  
December 2, 2023, Operation Christmas Hope Fundraiser.  
December 7, 2023, Skaneateles Rotary Fundraiser

**Public Comment:** Ed Evans congratulated Chris Legg, Lori Milne, and Courtney Alexander on their winning election.

Mr. Evans asked if the Board had addressed the alienation issue with the State regarding the proposed parks project. Attorney Smith stated there was no alienation issue with this project.

Attorney Smith stated parkland may not be conveyed for a use change, without the State Legislature authorizing it to do so. The Town Board does not believe that the project alters the use of the property as parkland. Some people on the Village Planning Board disagreed. For example, when the Town mows the lawn, we don't ask the state for permission. We do not ask the State for permission when things are built in parks.

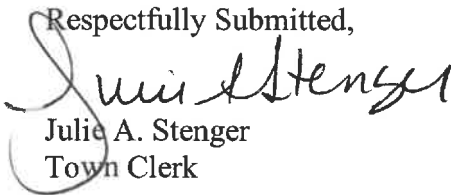
Mr. Evans asked based on what was said tonight the Village has no say? Attorney Smith answered yes, the Town is immune from local zoning.

On a motion of Councilor Legg, seconded by Councilor Tucker and with unanimous (5-0) affirmation of the Town Board the meeting was adjourned to attorney advice at 8:10 p.m.

On a motion of Councilor Dove, seconded by Councilor Tucker and with unanimous (5-0) affirmation of the Town Board the meeting returned to open session at 9:00 p.m.

On a motion of Councilor Dove, seconded by Councilor Tucker and with unanimous (5-0) affirmation of the Town Board the meeting was adjourned at 9:00 p.m.

Respectfully Submitted,



Julie A. Stenger  
Town Clerk