

**Town Board Meeting  
December 18, 2017  
6:00 p.m.**

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

**Also Present:** Sue Murphy, Jim Condon, Don Kasper, Hank Chapman ( Haylor, Freyer & Coon Insurance), Rob Howard, Paul Higman, Mark Tucker, Eric Amberge, Charlene McGraw ( Laker Limo), Jason Gabak ( Skaneateles Press).

**Department Reports**

*Highway, Water, Transfer Station:* Supervisor Lanning stated Highway Superintendent Allan Wellington was not present this evening. He also reported the last water hookup had been completed at the new water main project on Old Seneca Turnpike. He thanked Senator DeFrancisco for the grant funding.

*Parks Department:* Sue Murphy reported they had been plowing at the park. She also reported that she and Connie attended the public hearing on the transfer of Austin Park with the Village Board last Thursday and it was approved by the Village. Sue Murphy thanked the outgoing Board members Connie and Claire and outgoing Supervisor Jim Lanning for their years of service and dedication. She said it had been a pleasure to work with them.

Councilor Brace stated the Village Board had a very positive reaction to the transfer. The one request that the Village had is that a formal agreement be submitted to clarify the Village's role in plowing the Austin Pavilion parking lot and walk ways. They are willing to continue the services but would like a more formal agreement.

*Budget:* Bridgett Winkelman reported she is preparing for the annual audit. She stated there will be two abstracts for each meeting in January one for invoices dated 2017 and one for invoices dated 2018. She thanked the outgoing Board members and Supervisor for their years of service and it had been a pleasure working with them.

**Minutes:** On a motion of Councilor Howard, seconded by Councilor Coville and with unanimous (5-0) affirmation of the Town Board, the minutes of December 4, 2017 were accepted.

**Public Comment:** Eric Amberge, Commander of the Skaneateles American Legion introduced himself to the Board. He explained to the Board the history of Wainwright Drive, the circle driveway in front of the American Legion on Jordan Street. Wainwright Drive was a local historical memorial dedicated in honor of General John Wainwright, the highest ranking prisoner of war in World War II. He asked if the Town of Skaneateles could provide snow removal service for Wainwright Drive. He stated that this had been done in the past. It was used as a turnaround point for the Village and Town plow trucks. This support would save the legion roughly \$3000/year enabling them to balance their budget, modernize the facility and continue to broaden their community based programs.

Supervisor Lanning asked if the Village had plowed in the past and how long ago it was. Mr. Amberge said he wasn't sure if it was the Town or Village since it was last done about 20 years ago.

Supervisor Lanning stated he spoke to Allan Wellington, Highway Superintendent and Allan stated the Village trucks would be better equipped. Town trucks are larger and could damage the driveway.

Councilor Coville and Councilor Badami expressed their support but they were worried about the liability to the Town. Attorney Smith stated that could be worked out with a written agreement with the legion.

Supervisor Lanning said they would take their request into consideration and get back to them.

**Proclamation Recognizing the NYS Class C Skaneateles High School Football Champions:**

Supervisor Lanning presented to the Board a certificate of recognition for the Skaneateles High School football team in recognition of them winning the NYS Class C Championship. He stated there was no representative from the team there this evening and the Town would mail the certificate to the school for the team.

**Reschedule January 1<sup>st</sup> meeting to January 8<sup>th</sup>:** On a motion of Councilor Badami, seconded by Councilor Coville and with unanimous (5-0) affirmation of the Town Board, the January 1, 2018 meeting was rescheduled to January 8, 2017 due to the New Year's Holiday.

**DOT Substance Testing Services Agreement:** Supervisor Lanning stated the Town of Skaneateles contracts with Five Star OCC MED for the DOT Substance Testing Services. The annual Contract will expire December 31, 2017. The 2018 pricing is \$72.00 per employee/per year. Urine drug screening \$61 per driver, Breath Alcohol Screen \$35 per driver, \$100 per hour for any after hour services.

On a motion of Councilor Brace, seconded by Councilor Howard and with unanimous (5-0) affirmation of the Town Board, contract with Five Star OCC MED for the DOT Substance Testing Services with the following pricing: 72.00 per employee/per year. Urine drug screening \$61 per driver, Breath Alcohol Screen \$35.00 per driver, \$100 per hour for any after hour services was approved.

**Liability Insurance – Haylor, Freyer & Coon:** Supervisor Lanning introduced Hank Chapman of Haylor, Freyer and Coon, the Town of Skaneateles insurance carrier. Mr. Chapman explained to the Board the current insurance carrier for the Town is Houston Casualty. Due to losses the Town had occurred the past year which included the Laker Limo accident, Houston Casualty will not cover Laker Limo and the premium increased from about \$41,000 to 57,000. Mr. Chapman explained that there is another carrier, Trident Insurance that had bid on the insurance last year and they are willing to cover the Town with Laker Limo, even with their concerns about the Laker Limo service. Their proposal is for \$49,153.19. This is about \$9,000 less than Houston Causality and they are willing to cover Laker Limo. Mr. Chapman stated in his opinion this is an easy choice. This coverage is the same or better than the coverage with Houston Causality.

Supervisor Lanning stated that this was not only due to the Laker Limo loss but other losses the Town had. Mr. Chapman stated the Laker Limo is the biggest part of the increase. They paid out more than they have collected in premiums. He stated that part of Trident's proposal is a loss control person that will come and work on training with Laker Limo drivers. This will be a requirement. They are willing to give a quote without Laker Limo but he did not think it would lower it more than about \$2,000.

Supervisor Lanning asked if the premium was for a calendar year. Mr. Chapman said yes, even if Lake Limo finds their own insurance the Town would still pay the same premium. The only discount would be the vehicle insurance, which would not be much.

Supervisor Lanning asked if it would be the same coverage. Mr. Chapman answered yes it would still be \$1,000,000 general, \$3,000,000 per year and a \$5,000,000 umbrella for a total of \$6,000,000 per incident.

Mr. Chapman also stated that another requirement of Trident is the Town must have either a Town Board Member or an employee oversee the Laker Limo program.

Charlene McGraw, representing Laker Limo, stated they have a training program for their drivers. She stated that there was one accident that \$150,000 dollars had been paid out and this would have been covered under the no fault part of the policy. The person involved in this accident had passed away but she stated the person was elderly and did not believe it was due to the accident. The clients that the Laker Limo services are elderly, this is what the service is for, the elderly and the disabled. She stated the Laker Limo board has looked into purchasing their own insurance and it would be considerably more than what the Town pays.

Councilor Brace stated she would like the Board to continue to support Laker Limo.

Councilor Badami asked if the increase was budgeted for. Budget Officer Winkelman stated that they had increased the budget for 2018. She said it will still be a little short but it can be amended.

Attorney Smith stated that this is not unusual for an insurance carrier to cancel and Trident would be a good company. Mr. Chapman stated that Trident is one of the leading municipal insurance carriers.

On a motion of Councilor Howard, seconded by Supervisor Lanning and with unanimous (5-0) affirmation of the Town Board, the contract with Trident insurance was approved with a premium cost of \$49,153.19, which will include covering Laker Limo transportation service.

**6:30 p.m. - Public Hearing for Local Law – Mandana Parking Lot:** Supervisor Lanning asked if anyone wanted to have the public notice read. No one made the request.

Attorney Smith explained the change in the Mandana Parking lot law adds the ability for nonresidents to use the parking area for a fee. He stated no fee schedule had been added to the wording of the law, so it could be changed from time to time at the pleasure of the Town Board.

Councilor Brace stated she would like to have it clearly stated in the law that no fee shall be charged to residents. She stated that the way the proposed law is written it does not clearly state that no fee will be charged to residents. Attorney Smith reviewed the additions that he could make to the law to state clearly that no fee will be charged to residents.

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

Supervisor Lanning asked if anyone would like to comment either for, against or have any comment at all. No one commented.

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

Councilor Badami said he had a conversation with Charlie Major, who was Supervisor at the time the original law was enacted and Charlie stated that the intent was only for residents and was not comfortable with nonresidents using it. It was not the wish of the Board at that time.

Councilor Brace stated it would bring more people to the Town boat launch and parking area, but it could be a source of revenue.

Supervisor Lanning stated that it could be a source of revenue for an attendant at the lot and an attendant for the new boat washing station.

Councilor Howard stated that she was not in favor of the change.

Councilor Brace stated that it should be looked at by the incoming Board. The Board asked Attorney Smith if another Public Hearing would have to be held with the new Board. He answered no another Public Hearing did not have to be held.

Supervisor Lanning and the Town Board tabled this discussion for the incoming Board to discuss and make a decision.

**Proposed Legislation –Definition of remodel and renovation Site Plan review for projects within 500ft (present Legislation 200ft) of lakefront or tributaries:** Attorney Smith presented to the Board new legislation for the Board to review on the definition of remodel and renovate and legislation regarding site plan review for projects within 500ft of the lakefront or a tributary. Attorney Smith explained that this issue had come to the attention of the Board when a request for an interpretation had been submitted to the Zoning Board of Appeals and a letter had been submitted by Debbie Williams regarding this issue. This proposed legislation is in response to this appeal and comments from the Zoning Board of Appeals Public Hearing on the project in question. He stated that the law being reviewed is section 148-12 of the zoning code.

With the Salzhauers project in question the lot was nonconforming, and the existing structure was nonconforming. The applicant applied for a permit to renovate the existing nonconforming structure. The applicant proposed building in the exact same footprint, keeping the footings and floor joists and having a new structure built on those existing structures. Under the current code they were free to do so with only a building permit. The appeal to the ZBA was the question if this was a demolition not a renovation. The ZBA had to decide if enough of the structure was left

to be considered a renovation and not a demolition. The ZBA decided that there was enough of the structure left to be considered a renovation to a nonconforming structure. The ZBA decided that the law does need to be clearer and a change should be made.

Attorney Smith explained to the Board the three alternatives he had prepared to clarify the law. The first option would be considered the “Least Restrictive”. This would clarify the law by removing the “demolition” versus “alteration/renovation” distinction. Thus, it would not matter if the entire structure was removed or just part of it, so long as the new structure was constructed in the same footprint as the prior structure and does not increase any non-existing nonconformity. The advantage to this would be allowing people with decaying or dilapidated homes to renovate or replace those homes with similarly sized structures without having to appear before the Planning Board. The disadvantage to this to this is that it would not require a review by the Planning Board and allow them the ability to obtain a reduction in impervious surface coverage or impose conditions to control erosion storm water.

The second option would be considered the “Most Restrictive”. This would clarify the law by defining demolition to mean the reduction of the existing building value by 50%, or what the Board decides as an appropriate percentage. If this was the law when the application in question by the Salzhauers the Codes Officer would have required them to apply for a special permit. The advantage to this approach is that it gives the Planning Board maximum leverage to require changes in plans under the special permit process, including the reduction in impermeable surface coverage. The disadvantage to this option is that it would be complex in determining the value of the remaining portion of the structure and would most likely require an appraiser. Also, it discourages, and makes it more expensive to replace decaying and dilapidated buildings in the same footprint.

The third option would be “Site Plan Approval Requirement”. It is a compromise between the most and least restrictive options. This amendment to the law would use the same definition of demolition as the most restrictive option, but rather than require the issuance of a special permit resulting in the associated impermeable surface reduction negotiation, this amendment would require site plan approval instead. The advantage to this amendment is that it gives the Planning Board the ability to impose site specific conditions to protect the lake from erosion and storm water runoff, without the requirement that the homeowner reduce impermeable surface coverage in order to renovate their home. This compromise would allow the homeowner to construct in the same footprint without being required to remove a driveway, shed or patio to reduce impermeable surface coverage. It would allow the Planning Board the discretion to impose conditions to protect the lake without the more restrictive aspects of a special permit.

Supervisor Lanning asked how the Planning Board handles the height of a building. Attorney Smith stated height restriction is 35 feet, the new proposals would not change that.

Supervisor Lanning asked if this would be a Town wide legislation or only in the watershed. Attorney Smith stated that it would be considered Town wide but in the third option there is language that would change the current law that states site plan approval is required for any structure located within 200 feet of Skaneateles Lake or the bank of any water course. The new proposal would change that to 500 feet of the lake or any water course.

Councilor Badami stated he is in favor of giving the Planning Board more options for reviewing these types of applications. He stated that it is favor of a combination of the least restrictive and site plan approval options. The most restrictive would cause disagreements in what would constitute the percentage of value. Also, the change from 200 to 500 feet is an important change.

Supervisor Lanning stated that this is part of what Joel Russell is reviewing in the current code and it should be referred to the Planning and Zoning Boards.

Attorney Smith stated this is for discussion of the Board and it should not be a formal referral to Planning and Zoning, but they should review the options and submit their comments.

Councilor Howard stated that if the more restrictive version was applied it would allow the Planning Board the ability to make the nonconforming lot more conforming. Councilor Badami stated that he does not want to make it more difficult for people to renovate older homes. Councilor Howard said the issue should be if it is a property located in the watershed, it should be more restrictive.

Supervisor Lanning stated that the proposed options will be circulated to the Planning and Zoning Boards and wait for their comments.

**Board of Assessment Review – William Whipple:** Supervisor Lanning explained to the Board that William Whipple's term on the Town's Board of Assessment Review expired in September 2017.

On a motion of Councilor Badami, seconded by Councilor Howard and with unanimous (5-0) affirmation of the Town Board, William Whipple was reappointed to the Board of Assessment Review for the term 10/1/2017-9/31/2021.

**Codes Enforcement Officer – Part Time Position:** Supervisor Lanning stated that this position will be discussed in executive session.

**Codes Enforcement Officer – Appoint Full Time Codes Enforcement Officer 12/31/2017:** Supervisor Lanning stated that this position will be discussed in executive session.

**Skaneateles Falls Pavilion:** Nothing new to report.

**Equipment Reserve Transfer not to Exceed \$5,000 – 4 computers for Town Hall:** Budget Officer Winkelman explained that this transfer is to put in place the new computers that were budgeted for 2018.

On a motion of Councilor Brace, seconded by Supervisor Lanning and with unanimous (5-0) affirmation of the Town Board, authorization was given to transfer not to exceed \$5,000 from the Town Hall Equipment Reserve Fund to purchase computers for the budget office, codes office, town clerk's office and the Supervisor subject to the permissive referendum requirements of Town Law and General Municipal Law.

**Announcements/Correspondence/Updates**

- *Update on Transfer of Austin Park to the Town:* Public Hearing was held at the Village and this is one of the last steps. The Village Attorney is working on the deed.
- *Update on Town Request for Easement over City of Syracuse Property– Mill Road:* Attorney Smith is working with the City of Syracuse.
- *Update on Eastern Gateway:* Nothing new to report.
- *Update on Skaneateles Marina Proposal:* Attorney Smith said he had spoken to the owner and he will be coming up with a new proposal. The owner of the marina purchased the adjoining property to the north.
- *Update on Joel Russell Zoning:* No report from Joel Russell.

**Budget Amendments/Adjustments:** On a motion of Councilor Howard, seconded by Councilor Badami and with unanimous (5-0) affirmation of the Town Board the following budget amendments were authorized:

**General Fund**

\$100.00	Increase	014104.01.004.65	Town Clerk – C/E – Advertising
\$100.00	Decrease	014104.01.004.00	Town Clerk – C/E

Legal postings by Town Clerk

\$ 5,000.00	Increase	014404.01.004.00	Engineering – C/E
\$ 5,000.00	Decrease	019904.01.004.00	Contingency – C/E

Cost of Doing Business – additional Municipal Projects

\$ 2,750.00	Increase	016204.01.004.00	Building – C/E
\$ 2,750.00	Decrease	019904.01.004.00	Contingency – C/E

Replace sewage pipe at Town Hall

\$ 350.00	Increase	016804.01.004.00	Central Data Processing – C/E
\$ 55.00	Increase	016802.01.002.00	Central Data Processing – Equipment
\$ 405.00	Decrease	016704.01.004.00	Central Print/ Mail

Cost of Doing Business

\$ 4,300.00	Increase	071104.01.004.44	Summer Rec. – Parks
\$ 4,300.00	Decrease	071104.01.004.51	Summer Rec. – Fields

Balance expenses within department

\$ 500.00	Increase	081602.01.002.00	Refuse & Garbage – Equip
\$ 500.00	Decrease	081604.01.004.00	Refuse & Garbage - C/E

Cost of Doing Business

**Budget Adjustment**

**Part Town Fund**

\$ 10,000.00	Increase	080201.02.001.00	Planning – P/S
--------------	----------	------------------	----------------

\$ 10,000.00 Decrease 080101.02.001.00 Zoning – P/S  
Balance expenses within department

Water Consolidated

\$ 2,000.00 Increase 090308.08.008.00 Social Security – C/E  
\$ 2,000.00 Decrease 083101.08.001.00 Water Admin – P/S  
Balance expenses within department

**Abstract #17-24:** On a motion of Councilor Coville, seconded by Councilor Badami and with unanimous (5-0) affirmation of the Town Board voucher #17-1331 to 17-1420 were authorized from the following funds:

General Fund:	\$ 75,246.22	Part Town:	\$ 3,068.25
Highway:	\$ 8,077.52	Highway P/T:	\$ 6,935.51
Water:	\$118,491.73	Sewer:	\$ 2,155.80
T & A:	\$ 1,972.52		
Total:	\$215,947.55		

**Public Comment:** Don Kasper asked the Board about the parking at the Mandana Boat Launch. Was it clarified if the launching ramp was owed by the Town. Supervisor Lanning said yes, and there is an agreement in place for Town residents to use the launch. The Launch is open to the public, but the parking lot is specifically for Town residents as it's written currently. Mr. Kasper stated that opening the parking lot would allow more out of Town people to use the lake and the launch. Opening the parking would cause more problems.

Paul Higman asked the Board if the number of spaces for out of town users could be restricted and a parking machine could be used to collect the fees for those out of town users.

Mark Tucker stated that an attendant at the parking lot would be necessary to monitor the parking.

Councilor Coville stated that machines have been explored but the enforcement is still the issue.

On a motion of Councilor Coville, seconded by Councilor Badami and with unanimous (5-0) affirmation of the Town Board the meeting was adjourned to Executive Session at 7:30 p.m. to discuss a personnel issue.

Meeting return to open session at 7:55 p.m. and on a motion of Councilor Howard, seconded by Councilor Brace and with unanimous (5-0) affirmation of the Town Board, The Town Board approved hiring R. Curt Coville as fulltime Codes Enforcement Officer at a salary of \$53,000 per year effective 12/31/2017

Meeting was adjourned at 8:00 p. m

Respectfully submitted,  
Julie A. Stenger  
Deputy Town Clerk