

Minutes of the Regular Town Board Meeting held by the Town Board of the Town of LaFayette on March 26, 2001 at 7:00 p.m. in the Meeting Room of the LaFayette Commons Office Building on Route 11 in the Town of LaFayette.

Present: Gregory Scammell, Supervisor
Norman Paul, Councilor
Thomas V. Dadey, Jr., Councilor
Sandra Smith, Councilor
David Knapp, Councilor

Recording Secretary: Mary Jo Kelly, Town Clerk

Others Present: Leon Cook, Highway Superintendent
Kevin Gilligan, Town Attorney
Marshall Taylor, Assessor/Clerk
Cindy Heckerman, Resident
Tom Chartrand, Bookkeeper
Ralph Lamson, CEO
Nancy Baker, Library Director
Tom Reiley, Reagan Insurance
Marie Buckley, Character Education
Mary Lou Murphy, Character Education
Cathy Wolfe, Character Education
Joseph Coleman, School Superintendent
Regina Reinschmidt, Rec. Coord.
Capt. Bronstad, Sheriff's Dept.
Karen Grimm, School Board

1. Supervisor Scammell called the meeting to order at 7:03 p.m.
2. Roll call was taken. All present. Supervisor Scammell welcomed everyone.
3. Pledge to the U. S. Flag led by Town Councilor Tom Dadey, Jr.
4. **Councilor's Smith moved and Knapp seconded the motion to accept the March 12, 2001 Town Board Meeting Minutes as submitted by the Town Clerk.**
Councilor Dadey, Jr. said on page 14 it should be "Congressman" instead of "Congressmen" and on page 24 it should read "He noticed down in Virginia that one of the towers there looked like it had an artificial Christmas Tree on it" instead of "He noticed down in Virginia that one of the towers there had a Christmas Tree on it".
Councilor Dadey, Jr. inquired how long the term would be for that Barb Lasky was appointed to.
Supervisor Scammell said it would be to fill out Mert Baldwin's term which began January 1, 2001 and expires in 5 years.
The above motion was passed as amended.
5. **Communications.**

A. Residents.

There was no communication from the residents.

B. NYPIRG: Door to door outreach.

“We are writing to update you on our outreach plans for the New York Public Interest Research Group Fund Inc. (NYPIRG) this summer. NYPIRG as you may know, is a non-partisan corporation organized in 1976 under the New York State Not-For-Profit Corporation Law. NYPIRG’s areas of concern include consumer protection, environmental preservation and several other public policy issues...We anticipate conducting our door-to-door outreach in your community for a brief period between May 1 and August 31...”

C. NYS DOT: CHIPS payments.

“Our records indicate that your CHIPS O&M payments for your fiscal year ending December 31, 2000 were \$6,794.82. Since this payment falls within the ‘\$5,000 or more but less than \$7,000’ range necessary to receive an exemption from completing the O&M Certificate of Accomplishment, your municipality’s request is hereby approved.”

D. Audubon New York: Smart Growth Conference.

“April 23, 2001 at the Empire State Plaza, Albany, NY...”

E. Selective Way Insurance: Policy Information.

F. Onondaga County Youth Court: Community Service.

“Onondaga County Youth Court is a court diversion program for first time offenders ages of 7 and up to 16, with minor offenses. Offenders who agree to the guilt of their crime have their cases heard before a court of their peers in one of seven regional courts operating throughout Onondaga County. Youth Court judges, upon consideration of the case hearing, determine a sentence of community service and educational sessions with the hope that both the court experience and involvement in service/education will enable the offender to make better decisions in the future.

Educational classes include, theft deterrence, job readiness, negative peer pressure and positive self-esteem, conflict resolution, scared straight, and drug and alcohol prevention. Work projects are set up two different ways. First a child may choose a certain work site...A second option is work projects that I would monitor on site with the youth...If there is anything in your community that you would like a few kids to do for a few hours during the weekends, or summer, please do not hesitate to call me...”

Supervisor Scammell noted one of the regional courts is right here in the Town of LaFayette. He asked Tom Riley if the Town had someone come here to work, would we have liability coverage?

Tom said it would be depend.

Councilor Knapp asked if working on the fields or at the Optimist Park would be covered.

Councilor Paul asked Leon if he didn’t have a problem with this at one time.

Supervisor Scammell believes we had a hard time providing the necessary supervision.

Leon said it takes a lot of supervision. Maybe for Community Council it might work out. Having them around equipment requires someone to watch them real close.

Councilor Smith said this is punishment so perhaps helping with the ballfields and getting them ready would be good.

Councilor Knapp added spring cleanup.

Councilor Smith said some sort of community service.

Tom Reiley said it comes down to supervision. Obviously if we have a youth in our care for a certain time period and they get hurt, we can be named in a suit.

Councilor Smith said everything would be funneled through Youth Court. It could be work for Oddfellows, etc. She volunteered to be the contact person for this.

Regina said she can bring a copy of this letter to their next Community Council Meeting.

G. Greater Syracuse Business Development Corp: Fifty-Forty-Ten News.

“Greater Syracuse Business Development Corporation’s Revolving Loan Fund (GSBDC RLF) has monies available to provide loans to small businesses at a below-market fixed-rate. Projects generally range in size from \$30,000 to \$300,000. GSBDC seeks to fill gaps in the financing structure by funding projects that create an above average number of jobs and provide an economic benefit to the community. Eligible businesses include firms which manufacture a product or provide a service for sale outside the Central New York region. When loans are structured with a bank and/or another lender, the lien position will usually be co-equal or subordinate...”

H. Dr. John P. MacDaniel: Thanks and acknowledgement.

“I would like to thank you for the Certificate of Appreciation I received today for my work on the recent Winterfest. I would also like to acknowledge my co-chairman, Mr. Tony Minieri, for all his help as well as my fellow Optimist Members who really made this event the success that it was. Last, but not least, I would like to thank the entire Town Board and the Community Council for your support of this worthwhile event. With your continued support and a little help from mother nature, we look forward to an even bigger and better Winterfest next year...”

I. Other.

There was no other correspondence.

6. **Special Report (20 minutes): Mary Lou Murphy: LCS Character Education.**

Supervisor Scammell turned the meeting over to Mr. Coleman.

Mr. Coleman introduced Mary Lou Murphy who is an advocate for Character Education, Mrs. Buckley who is a councilor at Grimshaw, and Mrs. Wolfe. They are looking for opportunities for the community to work with the school.

Mrs. Buckley said she works at Grimshaw. In the past, if you asked her what her job was she would have said it would have been she works with students at risk. This has changed. Student’s have changed. Now we could probably say every student is at risk. Character Education is a way of helping and addressing all our kids. It’s a school-wide effort. At Grimshaw one of the things they have done in their Character Education approach is they have a poster of 6 traits. Our students aren’t getting these kind of lessons from their environment. Character Education is a way of inserting this back into

our schools. We have a morning meeting which is actually a classroom discussion. Teachers actually hold discussions with the students about problems they are having and try to come up with solutions to make it better. They praise the students when a good job is done. It creates a community in the classroom. They are now in their third week of their 'No Putdowns' program. They are trying to get this discussed in the existing curriculum. She read through some of the examples students have written about respect. Basically, Character Education is a teachable moment at school where all the teachers and staff are using the same language and using the 6 traits to make it consistent. At the high school, they are in their first year. They put together a book for the teachers to use as a guide. In the fall they held an entire Character Education Day. The students were the facilitators along with the teachers. They are recognizing some of the students who perform the 10 traits they have picked out in a Brag Sheet.

Mr. Coleman said in addition to this, there have been various speakers.

Mrs. Buckley said the staff at Grimshaw, the staff at the high school and the staff at ONS are all working on this and it needs to go to the next step.

Mrs. Murphy has lived here a little over 3 years. They moved here on purpose. She's a counselor by profession. She thinks the world is changing and we need to have more permanent roads and need to draw more energy from the community in the schools. As the schools are trying to take on more things, the bodies aren't there nor the hours. She would like to offer her skills to the school. She would like a list put out by the school of skills needed so people can volunteer. She believes lots of people want to give and be a part of the school. There has been a small group of people who have been meeting. There needs to be visible support in the community. We know from research in towns that have anti-drug or anti-violence programs, they disband in a couple of years if they don't have community support and involvement. One of the ideas was to put up boulevard banners in the town. They had the idea to ask town businesses to purchase these banners. This is the first concrete project they want to work on. They have an upstart cost of the hardware for the banners. If the town has funds to contribute for the hardware, it would be helpful. John MacDaniel has already looked into putting a community sign in the center of town. The hardware is about \$70 per banner. The banners are about \$50-\$60 each.

Supervisor Scammell asked if the \$70 for the hardware is for each banner.

Mrs. Murphy said yes.

Mr. Coleman asked about any thoughts for banners in schools.

Mrs. Murphy thanked him for reminding her. In Grimshaw School they said they would like to have the Golden Rule up. They would like 2 copies of this and of the Character Traits and the Character Pledge. They are going to ask the churches for the school banners.

Mr. Coleman said they are looking for some inkind help from Leon and his staff to put the banners up and take them down and get the hardware up to begin with. The banners might be changed ever 2-3 months.

Supervisor Scammell asked if we are currently looking at using the utility poles.

Mr. Coleman said yes.

Supervisor Scammell asked Leon if he had any idea how many there were.

Leon said lot of poles we have hardware on already for flags. He's not sure exactly how many there are.

Mrs. Murphy asked if the hardware was for flags or banners.

Leon said for flags. He said one thing we have to remember is to get permission from Niagara Mohawk for the use of the poles. In the past, we haven't had that many flags on them. If they have to climb the poles to work on them, at least they will know the banners are there.

Supervisor Scammell will work on this.

Mrs. Wolfe submitted a handout of things other towns have done.

Supervisor Scammell asked if they had any sense in what area the children struggle the most.

Mr. Coleman thinks self-control.

Mrs. Buckley would agree. What's interesting is when you would say to a child "you have to show respect", many students don't know what that is until it's actually told or demonstrated.

Councilor Smith said that is at Grimshaw. She works with the high school kids and it carries over there. This just continues and she has to sit them down and explain it to them.

Mrs. Murphy said her kids were pretty old before she told them to take their hats off as a sign of respect. We have things in our minds that we grew up with that we aren't passing down.

Mr. Coleman asked if there was a feasibility of a partnership between the school and town for this.

Supervisor Scammell said he will get the O.K. from Niagara Mohawk. The Board will have to discuss this either at this meeting or the next one to determine how much the town can fund.

Mr. Coleman said Supervisor Scammell could contact Mrs. Murphy about this. He asked if this could be done by May.

The Town Board felt it could.

Councilor Knapp asked what they are doing about connecting the parents with what is happening in the school so they can support or at least start thinking about it.

Mr. Coleman said there is a parent group for kids 3-4 years of age preparing them for school, parents work with the high school on behavior problems, parents groups that come into Grimshaw to help with reading and math.

Karen Grimm arrived.

Mr. Coleman one of our sports teams received the Sportsmanship Award.

Mrs. Murphy said in the Green Sheet there are articles about it. Every family in the district is going to get a refrigerator magnet.

Mrs. Wolfe said they are trying to get parents together for discussion groups. There is a Safe Homes List where parents sign an agreement that they will not supply alcohol or things of that nature in their homes. They have had a very good turnout for the speakers they have had.

Councilor Smith said on May 12th they are going to have a Family Community Day Open House at the Ropes Course. They will be showing how this ties into Character Education.

7. Reports.

A. Departmental (4th Monday).

1) Animal Control – Jon Rogers, A.C.O.

Mary Jo said Jon called earlier today and advised he picked up one dog and handled one complaint. Mike picked up 2 dogs but he didn't know if Mike handled any complaints or not.

Councilor Dadey, Jr. asked about the forms being used.

Mary Jo said she has received one.

2) Code Enforcement – Ralph Lamson, C.E.O.

A written report was submitted.

Councilor Paul said he received a phone call to see if someone had pulled a building Permit to build a cabin.

Ralph said this is the first he has heard of it.

3) Highway – Leon Cook, Highway Superintendent.

Leon said it seems like they have been plowing just about every day. They have had a few days they didn't have to. Starting in November when they first started plowing, through the end of February, they have gone around 92 times. It takes 72 ton for the complete round. Sometimes the trucks come back with a little left on them. On March 5th, the day the storm hit us, Cliffy plowed 12 hours straight with his truck without stopping. He thinks the truck wasn't getting cooled like it would on a cold winter day. The hydraulic pump came apart inside. It contaminated everything in the truck except the cylinders which they were able to flush out. They had to start from scratch on this. It was down almost all week. They had a problem with truck #4, which is the truck we are going to take off the road as soon as our new truck comes. It takes 2 1/2 – 3 hours to take a trip around. It was leaking a gallon of oil every trip. He sent it to be fixed and it turned out to be a little bit more than expected. It was another expense he had. Everything adds up.

Councilor Knapp asked when the new truck is due.

Leon said it has the plow equipment on it and it's back at International. It's being scheduled to have a new truck service done on it. It should be delivered one day this month. We should be getting it. We probably won't plow with it this year because it will take a little while to put the wing and plow on. On the grant money that was promised from John DeFrancisco, you can't do any of that work until you have a job number for each project. Nobody's gotten it yet. For two weeks he has been trying to get in touch with somebody at DeFrancisco's office. He finally spoke to Marty Voss. The money for these grants was suppose to come out of the money we all voted on for bridge and repairs, etc. It didn't pass. They are trying to come up with other areas to make it up. One way or another, by April 15th we should know. If not, he said to call him back. The state is having trouble with their budget again. That all has a bearing on this grant money. Before our next meeting we should be getting our check for 1/2 of the snow money. He asked Supervisor Scammell to let him know when he receives it.

Councilor Knapp asked how the salt and sand is holding up.

Leon said they have 150 ton left.

Councilor Knapp asked how much he likes to have left over.

Leon said he had 1,200 ton left over last year. He just ordered two trailer loads of salt. There's 30-35 ton on a trailer. It will be 50-60 ton. He just wants to be sure we don't run out. There's a 15 day waiting time when getting the salt. If he mixes this up and covers it and doesn't use it, it will be there for next winter. We aren't losing anything.

Supervisor Scammell said he received notice about sandbags.

Leon said the most he has kept on hand is 100-200 bags. This area is not an area where we would be using a lot of sandbags.

Supervisor Scammell asked if we have ever used many of them.

Leon said homeowners have borrowed them and brought them back. The only place he used them was last summer down on Weller Road putting the pipes in.

4) Justice – Malcolm Knapp/Maureen Perrin – Town Justices.

A written report was received.

Councilor Smith said they are being made up for the year 2000 and this will have to be corrected.

Councilor Knapp said he will remind Dave Lamson about this. He asked Tom if he knew what we sent to the Comptroller for February.

5) Library – Nancy Baker, Library Director.

Councilor Dadey, Jr. asked if they hired a new cleaning person.

Nancy said they did but unfortunately she is going to need surgery so she has resigned. They are currently looking for another cleaning person.

Councilor Dadey, Jr. asked how often they clean the library.

Nancy said twice a week for two hours a time. She has had a couple of people express an interest.

6) Recreation – Regina Reinschmidt, Rec. Coord.

Regina said they have had baseball and softball signups. There is an increase in signups and instructional programs. Hopefully they will be able to get into the concession building soon and inventory their equipment. They had their Annual Appreciation Dinner at the Log Cabin which was very successful.

Supervisor Scammell said they did an outstanding job on it.

Regina said they had over 90 people this year and they gave out several awards. They held a new program for third and fourth grade girls which was introductory volleyball and had about 10 participants. The girls 5th and 6th grade volleyball ended last week. Youth wrestling will end it's season with a small banquet this Saturday. They had about 20 boys involved in the program. The ski bus has ended. It was a nice winter for the skiers.

Councilor Knapp asked if she'd scheduled spring cleanup yet.

Regina said they are leaning toward April 28th. Last year they made the teams responsible for a certain area and the coaches set it up and took care of it. This year, they are combining the two ideas and suggested the 28th.

Councilor Knapp was asking to see if they could coordinate something with the Optimist Club.

Leon said the 28th is Earth Day so if they bring everything to the Highway Dept. they can take it in for no charge. A lot of tires get picked up on this day from along side the roads.

Supervisor Scammell believes this has helped over the years. He thinks the community looks the cleanest it's ever looked regarding stuff along the roadsides.

Leon said last night was one of the worst nights they have had all winter. They are throwing 12 packs, 24 packs and beer bottles along the road in different places. It has to be a certain group that is doing this. They need to be taught to have a little respect.

Supervisor Scammell asked if it is in the same general area.

Leon said no. It's in different areas. It use to be on a dead-end road somewhere and now you can see them on LaFayette and Commene Roads. It doesn't happen every week. Maybe every 4th week or so.

7) Town Clerk – Mary Jo Kelly, Town Clerk

A written report was submitted.

Councilor Dadey, Jr. asked if this report is filed.

Mary Jo said this report is filed with the Supervisor. It shows how much is sent to the DEC, Ag & Markets, County Comptroller, State Comptroller, NYS Health Dept., Town Supervisor, etc. at the end of each month. The Town Clerk account is 0'd out at the end of each month and the money distributed accordingly.

8) Town Supervisor – Gregory Scammell, Supervisor

A written report was submitted.

Councilor Dadey, Jr. asked about the money to the Supervisor and the refund.

Tom said actually this is for January. He said Mary Jo turns over her report and funds to the Supervisor the first week of the month for the previous month.

Mary Jo said the refund is money she returned to the Town from the advance money the Town Board approved for everyone who went to New York for the Annual Training.

Councilor's Dadey, Jr. moved and Knapp seconded the motion to transfer \$2,700 from Account SF599 Surplus to SF9040.8 Workmens Compensation under the Special District Fund. Motion passed unanimously.

Councilor Smith asked if under the Library Fund the Pompey contribution was a result of the letter the Town sent out.

Tom said no. They have been donating for years.

Councilor's Knapp moved Dadey, Jr. seconded the motion to audit the Supervisor's records. Motion passed unanimously.

Tom advised we took in \$46,001.06 in interest the past year.

Councilor's Knapp moved and Smith seconded the motion to accept these records. Motion passed unanimously.

Tom discussed the bonding for the Town Offices. He said we may get out of this easy by M & T Bank carrying the Bond Anticipation for us for 3 years.

Councilor Dadey, Jr. said the tower money is sitting out there somewhere.

Tom said there's \$97,000 from last year and about \$30,000 was brought in this month.

Councilor Dadey, Jr. said we could use all that money to pay this off.

Tom said you could. You have about the right amount to do this now.

Councilor Dadey, Jr. asked what the deadline is.

Tom said May 5th.

Councilor Dadey, Jr. said we have another Town Board Meeting to think about this.

Kevin said you should probably make your decision at the next one because they would be starting to put the paperwork together.

Councilor Dadey, Jr. said by doing this, we will obviously save on interest payments but at the same time we will miss out on earning interest on the money sitting there.

Tom said yes but we would be paying more interest in the bond than we would be earning on it sitting there.

Councilor Dadey, Jr. asked if Tom could give the Board some information at the next Town Board Meeting as to what the last 6-8 years of the fund has been.

Tom said the Board is only missing the current year. You have the last 8-9 years on page 4 of the summary of the budget.

Councilor Dadey, Jr. said he assumes we would have a significant reduction in the tax rates if we pay this off.

Tom said as large as our budget is, you are going to see pennies and not dollars. He thinks it's about 14 cents we are saving.

Councilor Dadey, Jr. asked what Tom thought about it.

Tom thinks it would be better to pay if off. We could lock in at low interest rates but the rates could go back up. No one knows.

This was tabled until the next Town Board Meeting.

Councilor Knapp asked if it had to be all or nothing.

Tom said it's the same if you bond \$5 or \$150,000 in regards to the work involved.

B. Committee (2nd Monday).

Marshall submitted information on the phone system quotes. He explained the new phone system would be able to receive and send faxes from the individuals computer. A person could talk on the phone and fax at the same time. He reviewed the bids received.

Councilor Knapp asked if the preferred bidder was a local person.

Marshall said yes. He resides in LaFayette. He would ask the Board to set aside \$9,500 for this system.

Tom Reiley said STI has done a lot of work for them and they have been very pleased with the service.

Councilor Dadey, Jr. asked if we run into the municipal bidding law.

Marshall said when he put the bids out, he said we reserved the right to refuse them all.

Kevin said because it's under the amount requiring the bid law be followed, it's subject only to the Procurement Policy.

Councilor Dadey, Jr. said comparing SKY and STI, how much is the fax solution worth and how much is the additional warranty.

Marshall said the fax solution is worth \$400 more. If we go with any of these other companies, you couldn't fax out if you were on the line. With the solution, you can talk on the phone and send out and receive faxes while you are on the phone. The other companies will allow you to send only and not be on the line when you are sending a fax. He and Catherine Zajac fax out tons of faxes to banks, property owners, etc. he thinks it's a valuable thing to have. If the Town Board doesn't feel it's necessary, it's their call.

Councilor Dadey, Jr. said under the system bid, STI is the highest. Are they all bidding the same equipment?

Marshall said KAMA and WOLFE both bid the same equipment. Another thing he liked about STI is the mailboxes. There's room for all kinds of growth with 60 mailboxes. He made that pick based on whether we want to accomplish everything requested. He didn't select STI because it was a local resident.

Councilor Knapp asked how they work service after 2 years.

Marshall said you can purchase an additional service contract or pay the hourly rate. Life expectancy of the phones is 15-20 years.

Councilor Smith asked where the headsets and fax line would be.

Marshall said 2 headsets would be in the Justice Dept. and one at the Town Clerk's desk. There would be 2 fax lines in the Justice Dept., one at the Tax Collector's desk and one at his desk. You can always add on to this if you need to.

Councilor Dadey, Jr. is still struggling with the equipment part between SKY & STI. It just seems like we are paying a lot more for STI. Are we getting a Cadillac or a ford? He understands the headsets and fax lines.

Marshall said if you deal with SKY, you will be dealing with the subcontractor who installs the phones and the equipment person. With STI, they do it all.

Councilor Dadey, Jr. said SKY only gives us 12 mailboxes and STI gives us 60.

Marshall said the phone system rating was based on the references they gave him. He called 5 out of 6 references and asked the people to rate the service and equipment from 1 to 10. For SKY, no one could rate it because they didn't put it in.

Councilor Dadey, Jr. asked if we separate money out of the fund balance for this.

Tom said there is \$5,800 left in buildings and equipment. There is \$5,000 in the contingency fund. This wouldn't touch the tower money.

Councilor Paul asked who the representative from STI is.

Marshall said Mr. Woyton.

Ralph said he has been in the business for a long time.

Marshall said 20 years.

Councilor Dadey, Jr. suggested we talk about the copier now too.

Marshall submitted information on a copy machine. He advised the new copy machine could be hooked up to the computer and information can be sent right to it for copying.

Councilor Knapp said Minutes, etc. could be send right to the copier and by telling it what to do, it could copy both sides and stable them.

Marshall said it has a lot of capabilities. He explained the spread sheet of information he submitted. The life expectancy of the machine is 10 years. He spoke to Maureen Perrin to see if they would like the old machine. She advised the had

contemplated purchasing a new copier. It would cost about \$ 6,000 for a new copier for Justice. If you put the existing copier in Justice, it would go longer as it won't be doing the volume of work that it's required to do now. He believes the best option would be to buy a new copier for the Town Offices and give the Justice Dept. the existing copier.

Supervisor Scammell said it makes him wonder why they don't want the old copy machine.

Councilor Knapp said he doesn't think it's really that way.

Marshall said Jim Wolfe made a call to try to help us.

Supervisor Scammell said he wondered what the cost would be for them to dispose of it.

Marshall said they would probably refurbish it or donate it to a non-profit organization. Justice made it very clear they need a machine that collates. The 5-year cost whether we keep the existing system and buy one for Justice or you purchase a new system and give Justice the old one is the same cost.

Councilor Dadey, Jr. asked if this is on state contract.

Marshall said yes.

Councilor Paul asked if there was any training for it.

Marshall said the people installing the Xerox machine and the people doing the phone system would supply the training.

Councilor Dadey, Jr. asked where this money would come from. Is there money available to do all 3 of these items?

Tom said there's money in the budget right now to do one project. If you spend more, there would be \$10,000 less in the fund balance to carry over.

Marshall believes the least cost you will have is to purchase the new machine and give the old one to Justice.

Councilor Smith asked if there would still be a line for the existing fax machine.

Marshall said yes. We will not change anything with the existing fax machine.

Councilor Dadey, Jr. asked what happens to the old phone system. Do we have to decide it's surplus?

Further discussion took place regarding the phone system.

Tom doesn't believe you need to include the money for having the phone lines put in as part of the phone system bid.

Councilor's Paul moved and Knapp seconded the motion to accept the bid of STI in the amount of \$8,928. Motion passed unanimously.

Councilor's Paul moved and Knapp seconded the motion to set aside an amount not to exceed \$600 to have the phone lines installed into the building. Motion passed unanimously.

Mary Jo will send a letter out to all bidders advising who's bid was accepted.

Councilor's Dadey, Jr. moved and Knapp seconded the motion to transfer \$5,000 from the line item A16202 Contingency to the Building and Equipment Account. Motion passed unanimously.

8. Unfinished business & active projects.

- A. Litigation and other legal matters.

- 1) Hamlet SE Corner Properties – Grey Building & Coral House/Route 20E, Red Brick/Route 11S. Richard W. Robinson Bankruptcy.

Councilor Dadey, Jr. asked how soon it will go to tax sale.

Kevin said they learned today that they are trying to have one on the first of May.

Councilor Dadey, Jr. asked if there could be a bankruptcy proceeding going on in more than one court.

Kevin said theoretically yes, but at the federal court level they all feed into the same central data bank.

Marshall asked if the assessment they have on this will change.

Kevin doesn't believe so.

Councilor Knapp asked if Mr. Robinson could refile in time to stop this.

Kevin said he could. They have been urging the county to move as soon as possible.

- 2) Apple Ridge assessment.

Kevin said they are waiting to hear from the attorney representing the land owners.

- 3) Summer Ridge Subdivision Phase II (awaiting Lynn Hutton response).

Kevin said he has heard nothing from Lynn. The papers have all been signed by the neighbors up there and it has gone to the county clerk's office for filing.

- 4) Incidental Contracts.

Tom Reiley said the only time you would have someone sign the contract is if they own their own business. If you have a contractor or someone working on the roof, etc., they would have to sign this.

Councilor Knapp asked about people like the Shetler's for example, they aren't town employees and he doesn't know if they have insurance.

Tom Chartrand said they would be covered under workers compensation.

Kevin said the contract forms came from the insurance company. It was something his firm drafted in response to their request. We are trying to find a rule-of-thumb now as to when this form is required and when it's not.

Tom Reiley said basically when you are using a subcontractor.

Councilor Knapp asked if someone is working for us on a regular basis, do they have to fill one out every time?

Tom Reiley said no. They can fill it out and state for the year of ____.

- 5) Craig Fox property on Sentinel Heights Road: AM radio tower array.
This will be discussed in Executive Session later in the Meeting.

- 6) Dunn & Sgromo: Groth Road Communication Tower, Nextel structural analysis.

Kevin said all the Nextel papers are done and the lease signed. He needs a signature from Supervisor Scammell on the Capital Gains so they can file a memorandum of lease.

Councilor Knapp asked as far as the structural analysis, is that to make sure we are set up O.K. to add Nextel?

Kevin said they received a structural analysis from the applicant that indicated with this unit on the tower, it would only be 67% used. Unless the Board wants to have an independent review done for about \$500-\$1,000, you might want to just go with what the analysis they received said. There's potential for another one right around the corner. Maybe you could do them both at once.

7) Rainbow: Claim without merit.

“On November 18, 1999, Blanche B. Rainbow filed a verified complaint with the State Division of Human Rights charging the above-named respondent with an unlawful discriminatory practice relating to Employment, because of Age and Sex in violation of the Human Rights Law of the State of New York.

After investigation, and following review of related information and evidence with named parties, the Division of Human Rights has determined that, insofar as respondent Town of LaFayette is concerned, there is no probable cause to believe that the said respondent has engaged in or is engaging in the unlawful discriminatory practice complained of. This determination is based on the following:

The investigation did not disclose sufficient evidence to support a belief that the complainant was refused an interview and an available position by the respondent because of her age or sex. The investigation disclosed that the Deputy Animal Control Officer (DACO) position was offered to a woman who is in her sixties, and that the woman declined the offer. Information obtained during the investigation further disclosed that a male candidate for the position who is younger than the complainant was similarly not interviewed or hired for the Deputy Animal Control Officer (DACO) by the respondent. After investigation there is insufficient evidence to support a belief that the complainant was unlawfully discriminated against in any manner by the respondent because of her age or sex...”

8) Onondaga Nation Land Claim (pending).
Nothing new to report.

B. Other Active Projects.

- 1) LaFayette Community Council: Not-for-profit 1st annual filing.
Nothing new to report.
- 2) Annual IRS Requirements for LCC, LFD, & LPL.
Nothing new to report.
- 3) LCS/YCIP composting toilets proposal at LaFayette Nature Center.
Councilor Smith said there are some issues Joe is looking into.
- 4) School Crossing Guards (Current pay, insurance & liability issues, walking required or optional, school closings, alternative methods of service, training, locations, AM & PM, traffic control vs. pedestrian control, T. Riley's insurance memo). *(letter to Joe)

Supervisor Scammell said he did not get a letter sent to Joe. From the analysis, it appears the concern is with the buses rather than pedestrians.

5) Town Offices security system at LaFayette Commons.

- Mis/false keys.

Mary Jo advised a new bill has not been received yet.

Discussion took place regarding the keypad not registering the codes.

Ralph said it happened to him the other night. He had to hit a key 4 times and it still didn't register right.

Councilor Smith said it happened to her too.

Councilor Knapp will discuss this problem with the alarm company to see if they have any recommendations for us.

- Final payment.

Mary Jo still has the check in the amount of \$850 which the alarm installation company has not collected.

6) LaFayette Nature Preserve – Challenge Ropes Course (on hold until Spring, 2001).

7) Town office copier.

Discussed earlier in the Meeting.

8) Town Insurance proposal.

Replacement costs were discussed.

Tom Reiley said you can't get a replacement cost for vehicles or equipment.

It's like your car. The property is all on replacement cost.

Councilor Paul asked if it was available.

Tom Reiley said not for vehicles and equipment. The only place he has heard of this is for a volunteer fire department.

Councilor Paul asked where you would get the blue book price for the equipment.

Tom Reiley said he doesn't know who comes up with the it but there is a determination based on mileage, the year, etc.

Councilor Knapp said we have discussed the ballfield and sport teams. They get their own insurance and they give us a certificate of insurance and we are covered.

Tom Reiley said you are basically shifting responsibility. You can always be brought into a suit but it gives you an extra barrier of coverage.

Councilor Knapp asked about the Community Council teams on the park fields. How is that handled?

Tom Reiley said Community Council is a named insured under the towns policy.

Councilor Knapp asked if all the teams come under the town umbrella.

Tom Reiley said our policy won't provide medical insurance. If the parent comes back and sues the town or Community Council for some negligence, then you have liability coverage. The participants hopefully have their own insurance coverage.

Marshall asked if the Taylor family reunion wants to use the softball fields, do they need insurance?

Tom Reiley said it depends on whether Marshall's family comes down and uses the field and the town doesn't know about it.

Kevin said we own the town parks and we leave them open to the public. We know the public is able to use the fields during the daylight hours.

Tom Reiley said as long as we keep the park in safe condition, we have met our obligation.

Councilor Smith said the school should show a certificate of insurance to use the Nature Preserve.

Tom Reiley said yes. A family picnic is different than the school using it.

Kevin said this is true for routine use of town grounds for the athletic teams too.

Councilor Paul asked if the park closes at dark and someone gets hurt after hours, are we still liable?

Tom Reiley said if someone is there after hours, and we have posted the park closes at dark, he thinks they would be trespassing.

9) Service Awards

- Final list

"To the best of my recollection every member of the LaFayette Fire Dept. that was in good standing accumulated 50 points during the years 1994, 1995, 1996, 1997, 1998, and 1999 therefore everyone should qualify for the buy back years. This would include Karl Field."

A complete list accompanied this letter.

Councilor Dadey, Jr. said this is two separate issues. We have the list we need to adopt. We went through the appeals process so he believes this is declined.

Kevin believes the Program reads anyone qualifying for the year 1999 or 2000.

Councilor Paul said that may be.

Kevin seemed to recall that being the case.

Councilor Dadey, Jr. said that is correct.

Kevin believes that is what they are saying here. It's up to the Board, but the L.F.D. is willing to certify to it and assuming the paperwork is all in order. It also seems to him that we have the option of having this charged against the plan and not the sponsor. If the L.F.D. has supplied you with inaccurate data, it shouldn't be the towns expense. He recommended we receive an affidavit from the L.F.D. attesting to the fact that this list has been posted for 30 days commencing on____ and running through _____. This affidavit should be signed by the person who posted the list.

Councilor Dadey, Jr. moved to accept this document for 33 firefighters listed for the year 2000 based on it's having been posted at the LaFayette Fire Dept.

Further discussion took place.

Councilor Dadey, Jr. withdrew his motion until the affidavit is received.

This item will be carried forward until the next Meeting.

- Authorization of PENFLEX

No action taken at this time.

9. New Business.

A. Other.

The final draft of the Employee's Handbook was submitted. This will be reviewed one last time and be put on the agenda for the next Town Board Meeting.

Leon said the Highway Superintendent Deputy works all the time. He believes if he works overtime, he gets paid for the overtime. At the last Meeting, Kevin talked about not paying him overtime when under the title of Deputy Highway Superintendent. He believes it should be kept the way it is.

Supervisor Scammell said according to page 7, the Deputy Highway Superintendent is an exempt employee.

Tom Chartrand said exempt is a Civil Service Term. It just means the person doesn't need to take the test.

Supervisor Scammell said Shari Wheatley is already cleaning the Community Center and has agreed to clean the park buildings.

Supervisor Scammell said he met with several of the other supervisor's regarding the census. Questions have come up about the 1990 census. It certainly could be family sizes are getting smaller. But several of these numbers none of us can make sense of. Maybe when we get an age breakdown it will help us determine what groups declined. He asked about the school population.

Councilor Dadey, Jr. believes it has stayed the same.

Marshall said at the time of the referendum, it was said the population was growing.

Councilor Dadey, Jr. said this was for program needs.

Supervisor Scammell said when he drives up and down the streets, there's not a lot of for sale signs out or vacant houses.

Supervisor Scammell would like to recognize Leon Cook. Someone told him that the Town had one of the most honest people working for them. Burt and Marge Coleman told him about Leon finding a wallet at the end of Markland Road and returning it to the owner.

Leon explained what happened.

Councilor's Dadey, Jr. moved and Knapp seconded the motion for the Board to go into Executive Session to discuss possible litigation and the possible acquisition and sale of town property and to include the town attorney. Motion passed unanimously.

The Town Board went into Executive Session at 9:55 p.m. and the Regular Meeting was called back to order by Supervisor Scammell at 10:25 p.m.

Tom Chartrand said he bought a new copier last year. A copier only has a 7-year parts life. Marshall's 10-year projection on this machine is probably about 2 years too long. The digital machine they expect a 10-year life for. The computer capability is about a \$2,000 option on most copiers so it's a very nice thing to get for free.

Councilor Knapp believes Jim Wolfe definitely took care of us.

Councilor Dadey, Jr. said we approved up to \$700 for the Association of Towns. There's one here for \$853.

Mary Jo advised if it's the one for Kim Amidon, she had to pay for the room herself as there was no one to room with.

Councilor's Knapp moved and Paul seconded the motion to spend \$1,000 towards the establishment of a joint trash district with Tully and Fabius to enable us to accept bids and explore the feasibility of a trash district. Motion passed unanimously.

Councilor Knapp introduced proposed Local Law No. 4-2001, to provide for the extension of the moratorium on industrial uses in the Town of LaFayette, for an additional three (3) months, and made the following Resolution, which was seconded by Councilor Paul.

WHEREAS, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a Local Law in the Town of LaFayette, such that there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQR) with respect to the proposed enactment of said Local Law, with there result that the Town Board shall act as lead agency in this matter; and

WHEREAS, the enactment of this Local Law is a Type II action for purposes of SEQR.

NOW, THEREFORE, is

RESOLVED AND DETERMINED, that the enactment of proposed Local Law No. 4-2001 is a Type II action for purposes of SEQR, and thus will have no effect upon the environment (6 N.Y.C.R.R. Part 617.6[c][30] and 6 N.Y.C.R.R. Part 617.5[a]); and it is further

RESOLVED AND DETERMINED, that the Town Board shall conduct a public hearing as to the enactment of proposed Local Law 4-2001 at the Town Hall, 2577 Route 11, LaFayette, New York on April 9, 2001, at 7:00 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested on the subject shall be heard; and it is further

RESOLVED AND DETERMINED, that, pending consideration of this proposed Local Law, and, if enacted by the Town, its filing with the New York Secretary of State, the Codes Officer shall not issue any building permits or certificates of use for such uses.

The question of foregoing Resolution was duly put to a vote and, upon roll call, the vote was as follows:

Gregory Scammell, Supervisor	Voted	Yes
Norman F. Paul, Board Member	Voted	Yes
Thomas V. Dadey, Jr., Board Member	Voted	Yes
Sandra Smith, Board Member	Voted	Yes
David Knapp, Board Member	Voted	Yes

**The foregoing Resolution was thereupon declared duly adopted.
Dated: March 26, 2001**

10. Suggestions for improvement & positive contributions.
There were none.

- Leon Cook: Honesty & Integrity.
Discussed earlier in the Meeting.

11. **Councilor's Paul moved and Knapp seconded the motion to audit and pay the following bills:**

General Fund	#4369 thru 4377
Highway Fund	# 4364 thru 4368
Trust & Agency	# 4393

Motion passed unanimously.

12. **Councilor's Knapp moved and Paul seconded the motion to adjourn. Motion passed unanimously.**

The Town Board Meeting adjourned at 10:30 p.m.

Respectfully submitted,

Mary Jo Kelly
Town Clerk