

Minutes of the Town Board Meeting held by the LaFayette Town Board on June 9, 2003, 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  
Sandra Smith, Councilor  
David Knapp, Councilor  
Thomas Bailey, Councilor

Recording Secretary: Mary Jo Kelly, Town Clerk

Others Present: Kevin Gilligan, Town Attorney  
Leon Cook, Highway Superintendent  
Tom Chartrand, Bookkeeper  
Marshall Taylor, Assessor/Clerk  
Anne Smith, Historian  
John Harper, LFD  
Cindy Heckerman Resident  
Sue Snavlin, Dep. DCO  
Jim and Christine Cromley, Residents  
Craig Fox, CRAM Communication  
Jeff Murray, Resident

Supervisor Scammell called the meeting to order at 6:30 p.m.

The Town Clerk took the Roll. All present.

Councilor Knapp led in the Pledge to the U.S. Flag.

**Councilor's Knapp moved and Bailey seconded the motion to accept the May 12, 2003, Town Board Meeting Minutes as submitted by the Town Clerk. Motion passed unanimously.**

**Councilor's Knapp moved and Bailey seconded the motion to accept the May 12, 2003, Town Board Public Hearing Minutes as submitted by the Town Clerk. Motion passed unanimously.**

### **COMMUNICATIONS:**

A. Residents.

Supervisor Scammell asked if there were any resident's present who wished to address the Board.

Marshall Taylor said he would like to address the Board about being able to cash checks at M & T Bank. This is the third time he has gone into M & T Bank to cash a check written by the Town and been told he must be fingerprinted to cash the check. They made him feel like a criminal. They advised it is their policy not to cash checks for people who don't have accounts with them without getting fingerprints. If the check is drawn on that bank, they should cash it. He knows the Board would like to keep business in the Town but this is not a local

bank. He would ask the Board to move their accounts to the bank in Tully. He can take the same check there and they would cash it with no questions asked. He can show his driver's license for I.D. at M & T Bank and they won't accept anything but his fingerprints.

Supervisor Scammell said they have advised him that they have waived this policy for town employees.

Marshall said they have promised this before and here we are again.

Tom Chartrand submitted the M & T check cashing policy which he just received in the monthly statements.

Supervisor Scammell read the policy.

Marshall said after he explained to the person at the bank that Supervisor Scammell has spoken to their manager about this, he was advised they would show him their policy which is what Supervisor Scammell just read. That policy is written by someone higher up than the manager.

Supervisor Scammell said after his conversation with the manager, he was advised they have waived this policy for the town. He does understand Marshall's concern and he has a concern too as the town is their customer and they are a local bank. He is also concerned about thumbprint signatures without knowing what they plan on doing with the information. He would need to be convinced this information was safe.

Marshall said when you offer your drivers license with the photo I.D. and it's not acceptable, it's ridiculous.

Supervisor Scammell said if this should happen in the future, we could change the account.

Councilor Paul asked if this would need to be done at the Organizational Meeting.

Kevin Gilligan said you would just make a motion to move your account.

Tom Chartrand said his other towns deal with Alliance Bank in Tully.

Supervisor Scammell asked if they have a similar policy.

Tom said it's much simpler. He will get the Supervisor a copy.

Supervisor Scammell asked if there is any reason he goes to the Alliance Bank rather than HSBC in Tully.

Tom said Alliance always seems to come in with the best interest rates and lowest service fees. He has a good working relationship with them.

Supervisor Scammell asked what constitutes an account.

Leon Cook said having a checking or savings account with the bank.

Marshall Taylor said he will not be going back to M & T again to see if it happens. For a bank not to honor the checks written on that bank is terrible. It defies all common sense in his opinion.

Councilor Smith said an example is when she went in to talk to the manager about the defibrillator and she was advised any decisions would come from higher up.

Supervisor Scammell believes the waiver was granted from higher up.

Leon Cook said all the highway guys go there and none of them have ever had a problem.

Supervisor Scammell asked if they all have accounts there.

Leon said no.

Tom said those are payroll checks and not voucher checks.

Supervisor Scammell asked why that would make a difference.

Tom asked if there is a law higher up regarding payroll checks.

Kevin said not that he is aware of.

Tom said right now the town has close to a million dollars in that bank.

Sue Snavlin said the logical place to go for a town check to be cashed is the place where the account is. If they don't cash it, who will?

Supervisor Scammell advised he had a very stern discussion with the manager about how the Town Board felt regarding this matter.

Councilor Knapp said his only concern would be making employees drive to Tully to cash checks.

Supervisor Scammell said some folks would still have an account at M & T and would be able to cash their checks there. He is very aware of Marshall's concerns and believes we should wait and see if this happens again.

Sue Snavlin said she had a bad encounter with M & T regarding their farm account. They gave her a hard time cashing one of their farm checks. They made her feel just like Marshall said. They were very nasty. They have the farm business account there.

Supervisor Scammell believes we will just have to keep an eye on it to see if it happens again and then maybe have to re-evaluate our banking.

Cindy Heckerman asked where the SOTS records are housed.

Councilor Knapp said it depends on what you are looking for. A copy of the contract and various bids are housed here. This is the official headquarters of the district. Obviously the financial information is with Tom Chartrand.

Cindy asked where she would have to go to inspect the financial records.

Councilor Knapp said Tom Chartrand would have them.

Tom said he would bring the records to the town offices under a FOIL request so she could review them.

Councilor Knapp found it interesting that when she called the SOTS secretary today, she refused to give her name. The 2002 information is here and the 2003 information is in motion.

B. Mr. & Mrs. Cromley: Zone Change Request.

Councilor Knapp asked how many runs they are looking at.

Mr. Cromley said a maximum of 50.

Mrs. Cromley said the survey is the last survey that Mr. Bierman had and she sketched in where the kennel would be.

Councilor Paul said according to their letter, they attended the Planning Board Meeting on the 20<sup>th</sup> and advised they received incorrect information.

Mr. Cromley said they came in and discussed their intentions with the Zoning Officer and Ralph informed them it was an A/R District which wouldn't allow for a kennel. He also mentioned there was something going on with the zoning in that area. After research was done, they found it could be allowed in either district. Ralph said the next thing they should do is attend the Planning

Board Meeting with a sketch plan. The attorney for the Planning Board reviewed the clause regarding A/R Districts and kennels. He determined they would have to own 40 acres to establish a farm to allow a kennel in an A/R District. He was advised the best way for them to go was to request a zone change rather than a use variance. They are here now requesting a zone change for their property.

Councilor Paul asked if this is in addition to the purchasing of Bierman's property.

Councilor Knapp said the property runs between Route 11 and Route 81.

Mr. Cromley said the house sits at the forefront of the property on Route 11 and the property next to Route 81 would be where the proposed kennel would be. The property is about 5,000 square feet.

Councilor Paul asked about water and sewage.

Mr. Cromley said it would depend on what the Planning Board required. The plan would be to tap into the existing well for water and depending on the requirements for sewage, they would tap into their sewage or design a new septic.

Councilor Knapp asked how most towns do it.

Mr. Cromley said it depends. The simplest thing to do for sanitary purposes is to put in a septic system for the kennel.

Councilor Bailey asked if Mr. Cromley had approached any of the neighbors in the area informally about this.

Mr. Cromley said the Planning Board advised everyone within 300' would be notified of his application. There are 2 to 3 properties on the east side of the road. He has a neighbor to the north and the apartment complex to the south on the other side of the road. They will definitely contact anyone and talk to them about it and answer any questions they have.

Councilor Knapp asked when they will be moving in.

Mr. Cromley said June 30<sup>th</sup> is their closing.

Councilor Knapp asked Kevin what steps come into play here.

Kevin said the most reasonable thing to do if the Board is inclined to go with the zone change is to tack this property onto the Lok-N-Logs request. The problem is we don't know how much momentum Lok-N-Logs has right now. You don't want to leapfrog that property. You would like to do it all together. Lok-N-Logs hasn't done anything since May so this request hasn't been referred to the county yet as the necessary documentation has not been submitted.

Councilor Knapp asked them how they were coming along and they told him they are working on some internal things but he thought they wanted to keep the momentum going.

Kevin said technically we are scheduled for a public hearing tonight on the Lok-N-Logs zone change request. We will need a survey showing meets and bounds of the property as well as any proposed buildings and operations. They basically need a site plan. We need this information to refer this request to County Planning. We would require similar information and a site plan from the Cromley's to submit to the county. He asked Mr. Cromley if he had spoken with anyone from Lok-N-Logs.

Mr. Cromley said he has made the attempt but has not actually spoken to anyone yet.

Kevin said we will need the same information from Cromley's as we need from Lok-N-Logs to refer this to the County for a requested zone change. He said we will refer both of these parcels to the county once the meets and bounds of both properties and the site plans are submitted. This Board can't act on this until they hear from County Planning. If we get the information from the Cromley's soon, he can draft the amendment to the ordinance for the next Town Board meeting. At that time the zone change request will have to be reintroduced.

Supervisor Scammell said if he has difficulty getting in touch with Jennifer to let him know and he will give him the number for the business in Sherburne.

Councilor Knapp asked about the driveway.

Mr. Cromley said they would probably extend the existing driveway with some parking at the end of it. There would be probably 3-4 parking spaces in the back.

Councilor Paul asked if he would be the owner of the kennel.

Mr. Cromley said he and his wife.

Councilor Bailey asked if he had any experience in the kennel business.

Mr. Cromley said his parents had a breeding kennel for 30 years. He grew up around one.

Councilor Bailey asked if he made any provision for noise.

Mr. Cromley said they use a material in the kennels that cuts down on the noise approximately 60%. With Route 81 being heard, it's possible no one would be able to hear the dogs barking 20' away. They have made certain plans in case there is strong objection from the neighbors. They have discussed the possibility of closing the entire kennel in if necessary. They would like to let the dogs outside but they will have to see. There is currently a line of pine trees which act as an additional sound barrier between the house and Route 81.

Kevin said to be sure to show the row of trees on the site plan. He asked how many acres the parcel is.

Mr. Cromley said 2.46 acres.

Councilor Knapp asked if he would be breeding dogs too.

Mr. Cromley said no.

The Board welcomed the Cromley's to town.

C. U.S. Department of Justice, FBI: NCIDP National Call to Action.

This correspondence involves fingerprint identification kits and they are encouraging participation.

It was suggested a copy of this letter be sent to the fire departments. Councilor Smith said through the 21<sup>st</sup> Century Grant she knows there is an informational meeting in September about this. She will be sure the school gets a copy.

D. Syracuse Post-Standard, 5.08.03, C-1: Local Unemployment.

This is an article about unemployment in the region dropping to 5.2% in March.

E. NYS Attorney Eliot Spitzer: Gang violence forum.  
The forum will be held June 12<sup>th</sup> at the South West Community Center at 7:00 p.m.

F. Syracuse Post-Standard, 5.30.03, CNY Jobs.  
This article states the region gained jobs in April in all sectors except manufacturing.

G. Onondaga County Legislature: Agenda 6.02.03.  
Supervisor Scammell believes the vote on the modification to Agricultural District No. 4 to include 4.6 acres of land owned by Claire Watson has been tabled.

Jeff Murray said it wasn't tabled but it was put on hold. It was decided not to be acted on. It could come up or not come up again. If it had been tabled, it would have to come up at the next meeting or they would have to set a date to vote on it. Because it wasn't tabled, it could come up at any time.

Supervisor Scammell believes he read they have 180 days to act on it. We will keep an eye out for it.

Councilor Knapp said the next legislature meeting is July 7<sup>th</sup>.

Kevin said the Economic Development Meeting was cancelled.

H. Onondaga County Department of Finance: Property Auction.  
Supervisor Scammell noted the property to be auctioned is the Passino property at 6475 Oschner Rd.

Councilor Paul believes this is the property that the Town ordered to be demolished.

Kevin said the cost includes the demolition costs.

I. Lake County Veterinary Clinic: Annual Contract.  
Supervisor Scammell said he is still waiting for a letter from NYS Ag & Markets as well as a letter from Dr. Cadwallader regarding the recent incident.

Sue Snavlin said she is too. Lake Country is not in a rush.

Councilor Knapp asked if all our dogs are going there now.

Sue said yes. Everything is working out great. They are great people. Costs of things are not a priority to them. This item can be carried over to the next meeting.

J. Onondaga County: Municipal Vehicle Auction.  
Councilor Knapp asked if the 1-ton truck will be in the fall auction.  
Leon said yes. He is thinking of taking it to the fairgrounds when that auction is held. They bring a lot more money there.

K. Onondaga County Department of Finance: Auction 5.6.03.

Supervisor Scammell said the only property that might be of interest here is Limestone Ridge at 5724 Sentinel Hgts. Rd. but he thinks it could be in the Town of Onondaga.

- L. Onondaga County Department of Transportation: Resolution No. 436, Preclosing of Bridges.

Supervisor Scammell noted the only bridge being repaired in LaFayette is the one on Palladino Rd. over Butternut Creek. The work will be completed in 2003.

Leon said this road is used as a shortcut to Route 91. When the county closes the road to work on the bridge, the fire departments will be notified and they will have an agreement for coverage. Pompey might agree to cover the other end of the road. The county will notify them.

- M. Tully Ambulance District: Certificate of Need (due 6.17).

Supervisor Scammell said a copy of this letter has been mailed to Greg Hoxie.

Councilor Knapp feels we should write something to show our support.

Supervisor Scammell said we just have to write a letter stating we support their ambulance using the proper wording.

John Harper said they are a big help. It does cut way down on response time. If we need help, we can evaluate the situation and bang it out for another ambulance. It's a good thing they are there. They have worked hard to keep it going.

Councilor Paul asked if John is speaking as a Treasurer of the LFD.

John said he is speaking as a firefighter.

Councilor Paul said he remembers getting a letter awhile back stating they wanted to receive a certain amount of money or they would discontinue their service to us. This Board and the firefighters at the LFD were quite unhappy with that letter.

John said he spoke with the firefighters and medics in Tully and they advised it was the town that wrote the letter and that they would supply mutual aid whenever needed. The LFD has a good relationship with the ambulance and fire departments in Tully.

Councilor Knapp asked if the LFD is going to write a letter of support.

John said he was unable to attend their last monthly meeting. He can find out and let the Board know.

The Town Board would like to be sure that the Board and the LFD are both on the same page with this.

John left to contact members of the LFD to see what they suggested doing about this.

- N. CNY Regional Emergency Medical Services Council (Determination of Public Need Public Hearing).

**Councilor’s Paul moved and Knapp seconded the motion to write a letter of support for the Tully Ambulance District upon the approval of the LFD. Motion passed unanimously.**

Upon John Harper’s return, he advised the LFD has already sent a letter of support for the Tully Ambulance District. Supervisor Scammell asked Mary Jo to draft a letter.

O. Other.

**PROCLAMATION  
TOWN OF LAFAYETTE**

**Upon a motion of Councilor David Knapp, seconded by Supervisor Gregory Scammell, the following proclamation was unanimously adopted.**

**WHEREAS, on June 7, 2003 the LaFayette Varsity Boys Lacrosse Team won the New York State Class C Lacrosse Championship over Sommers High by a score of 18 – 3; and**

**WHEREAS, this “race horse” Lancer team has brought to LaFayette a State Championship; and**

**WHEREAS, by virtue of their dedication, hard work, perseverance, cooperation, great skill and good example, the coaches and members of the LaFayette Varsity Boys Lacrosse Team have brought acclaim to their school and unbridled happiness to their community; and**

**WHEREAS, the people of the Town of LaFayette are justifiably proud of these young men, who have demonstrated that, working together great things can be accomplished.**

**NOW, THEREFORE, the Town Board of the Town of LaFayette does proclaim June 16, 2003 as...**

**LAFAYETTE BOYS VARSITY LACROSSE TEAM DAY**

**In the Town of LaFayette, and it is further**

**RESOLVED, that on behalf of the residents of the Town of LaFayette, the Town Board does hereby extend its sincere congratulations and appreciation to the team and its coaches on a fine season and a job well don; and it is further**

**RESOLVED, that a copy of this proclamation be inserted into the minutes of the Town Board and that by so doing, the accomplishments of this fine team and the joy that it has brought to our community be made part of the permanent record of the Town.**

**By Order of the Town Board**

**June 9, 2003**

**Gregory Scammell, Supervisor  
David Knapp, Councilor  
Sandy Smith, Councilor**

**Pete Paul, Councilor  
Thomas Bailey, Councilor**

**Mary Jo Kelly, Town Clerk**

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Councilor Knapp asked if signs could be put up for this at the 4 main roads into Town.

Jeff Murray said the City of Fulton has them.

Mary Jo will check with the Town of Onondaga to see how they did theirs.

Tom Chartrand said the towns of Fabius and Pompey both went in on the signs they put up for the baseball team.

Councilor Paul said he heard the state may have their own particular signs for things like this.

**SPECIAL REPORT:** (None)

**REPORTS:**

A. Departmental (4<sup>th</sup> Monday).

1) Dog Control: Jon Rogers & Sue Snavlin. TAC vouchers on hold.

Sue Snavlin said on the Lake Country contract, vaccination costs should not be shown as a cost to the town. If the dog is adopted out, the cost is passed on to the new owner. If the dog is claimed, the cost is passed onto the owner.

Kevin asked if a dog is inoculated even if they are going to be euthanized.

Sue said they really don't euthanize. Lake Country does 6 towns. They have been neutering, spaying and adopting out the dogs and eating the costs.

Councilor Knapp asked about an injured dog.

Sue said if a dog is critically injured then the town would have to be billed for the euthanasia. The issue is the care of the animal at this clinic. She has a copy of a letter Dr. Cadwallader sent to NYS Ag. & Markets. This is not the Ag. & Markets response.

Supervisor Scammell asked about the last set of vouchers.

Sue said the \$75 was not to be paid to Tully. This was paid to Madeline. The other 3 charges will have to be paid.

Discussion took place regarding the 4 wild dogs seen in the Webb Rd. area. They are very aggressive.

Sue submitted photo's of the dogs to the Board. This is outside her jurisdiction as they are wild dogs.

The Board discussed hiring a wildlife trapper. These wild dogs are not scared of humans and are more aggressive than coyotes or wolves. One dog is 100 pounds or more. The town will check on the cost of getting a wildlife trapper. There is a danger of these dogs bothering people.

2) Building & Zoning Code Enforcement: Ralph Lamson & Jack Sutton.

- South Syracuse Motel – Route 20 W – planned demolition (1.27.03).

- Former lumber company office on Route 11 N – septic review.
- Junk vehicle status.
  - a) 2954 Jamesville-Apulia Road.
  - b) 3052 Sentinel Heights Road.
  - c) 2774 LaFayette Road.
  - d) Behind former IGA & Nice & Easy.
  - e) 4135 Apulia Road, Howard Reals.
- Webb Road certificate of occupancy needed?
- Trailer on Apulia Road just north of Bush Road.
- Zone change/variance request, Cree property.

3) Highway Superintendent: Leon Cook.

- SPDES, John Dunkle review & timeline. (See below.)
- Watering of planters in hamlet. (See below.)

4) Justice: Malcolm Knapp & Maureen Perrin.

5) Library Director: Scott Kushner.

6) Recreation Director: Regina Reinschmidt.

7) Town Clerk: Mary Jo Kelly.

8) Town Supervisor: Greg Scammell.

B. Committee (2<sup>nd</sup> Monday).

1) Communications & Technology.

- Digital Towpath – Demo & Testing to resume in the summer (GS). Supervisor Scammell said there are no new developments on the website.

2) Emergency Response.

- Tully Ambulance District response.
- Defibrillators (TB).

- Annual Review of Disaster Preparedness Plan – Backup communication system options.
- Joint review of Plan by town, & school (SS).

3) Employee Policies & Benefits.

- B. Amidon query (email).

Bev Amidon asked if she should get married, could she still continue to pay and be covered under the town insurance.

The Board concluded Bev could continue as she has been doing, however, a future husband could not be covered under the town insurance.

- Update employee handbook (sick time).

The employee handbook needs to be updated to reflect the resolution passed at the May 12<sup>th</sup> meeting. Mary Jo will work on this.

- Employee Medical Plan contributions. \$9,637/year X 1% = \$96.37/year = \$3.71/pay period (currently \$2/month).
- NYS Disability Insurance. ~\$4/month – males, \$8/month – females. Review at budget time.

4) Environmental & Conservation Advisory Board.

5) Highway.

Leon said they took 85.72 tons to OCRRA from the Clean-Up Days.

\$58/Ton to OCRRA	\$4,971.76
Take care of Tires	\$1,618.65
Environmental (microwaves)	\$1,157.70
K & Stire	<u>\$ 820.00</u>
Total	\$8,568.11
Roth Steel (sale of metal)	\$3,407.84
Took in on tires	<u>997.00</u>
Total	\$4,404.84

The total cost to the town was \$8,568.11 - \$4,404.84 = \$4,163.27  
 OCRRA refused the microwaves. Last year the total cost was \$3,750.

Leon attended a meeting on May 28<sup>th</sup> in Clay. They discussed the ice storm and FEMA. He has submitted a claim. As a result of the storm, they have hauled 297 10-wheeler loads of brush which took 21 days of labor. FEMA will not pay for straight time, only overtime. His claim totaled \$21,076. He said the actual cost to clean up from the ice storm was more like \$48,000 ±. He's trying to get more funding.

- New EPA ditching/storm water management requirements (SPDES).

Leon said he and John Dunkle went around every town road. John did a lot of marking on a map he had. They stopped at every cross-over pipe and drainage along the road. John is drawing up a map at his office and by using a topographical map, he will be able to pinpoint where the sites are. We will have a finished map here and so will EPA. It doesn't look like it will cost us a fortune for this new law. Right now you have to have plans of what you are going to do. John thinks the law is going to be strict on new developments. John said if they are going to force us to put holding basins in on town roads now, they will have to come up with funding for it which isn't available. New developments will have to have them. The county hasn't done anything on their roads yet. The county and state will both have to do their own roads.

- Hamlet planters watering.  
This can be removed from the agenda as it's all taken care of.

#### 6) SOTS & OCCRA Liaison.

- Amend local law: Awaiting R. DeMore's proposal.

Councilor Knapp said this can be removed from the agenda. The stickers for trash were mailed out last week.

#### 7) Physical Plant.

- Roof/ceiling leaks: Library (repair) & Community center (new side roof estimate), new siding or repair old siding?

Councilor Knapp said he received an estimate from Fred Groth for residing. Fred strongly recommended against vinyl siding as it wouldn't match the rest of the building. If we reside that side of the building with cedar it will cost approximately \$4,200. In addition to the residing it will need to be painted. He has a phone call into Mr. Cavallo to get an estimate for this. Fred said this will have to be kept painted as this area of the building is what faces the harshest weather.

- Evaluate flooring shift.

Councilor Knapp said Mr. Puttkamer has recently undergone quadruple by-pass surgery and he wondered if the Board would like to do something for him from the fund everyone contributed to. It was decided to have Mary Jo pick up a fruit basket for him.

#### 8) Recreation & Youth.

Councilor Knapp said the Community Council is using a couple of their fields at the Apple Festival Grounds for lacrosse practice. Regina asked if a port-a-john could be put down there.

**Councilor's Knapp moved and Smith seconded the motion to place a port-a-john at the Apple Festival Grounds for the remainder of June and the months of July and August. Motion passed unanimously.**

Councilor Knapp will let Mary Jo know exactly where to have them place it.

a) Bailey Park.

b) LaFayette Beach.

- New facilities (SS).

Councilor Smith said the quote for the casing was \$700 from Shutes.

**Councilor's Knapp moved and Bailey seconded the motion to allow \$700 to make the necessary improvements to the LaFayette Beach well. The motion passed unanimously.**

Councilor Smith said she just received the drawings from John Dunkle for the septic system at the Beach. When she initially put out a letter to people who did septic systems the only response she got was from Mike Cook. If it's O.K. with the Board, she will get with Mike to go over the drawings sometime this week and come up with a figure.

Councilor Knapp asked what the time schedule is for the septic to be finished.

Councilor Smith said as soon as possible. The survey had to be completed first.

Kevin said a SEQR should be done for this.

**Councilor's Knapp moved and Smith seconded the motion to make this Board the Lead Agency, this is a Type II action pertaining to SEQR and to approve the septic work to be done in accordance with the plans and not to exceed \$13,000. Motion passed unanimously.**

Councilor Knapp asked if the grant would be helping with some of the cost of this.

Councilor Smith said some of it will go towards this.

- Survey/transfer LaFayette Beach from LCC to town.

c) Stafford Park.

Mary Jo asked if it was O.K. with the Board for Shari Wheatley to clean the bathrooms behind True Value twice a week. Once at the beginning of the week and once at the end. People are using the park every weekend and there are games almost every night.

It was fine with the Board. Mary Jo will let Shari know.

9) Safety.

10) Senior Transportation & Housing.

11) Ser/vice Awards.

12) Water.

13) Zoning Review.

- Digitized zoning map.
- Industrial zones to business zones update.
- Misc. review: Communications/Cell Towers & Private (single horse) horse stables.

### **LITIGATION AND OTHER LEGAL MATTERS:**

A. Watson v. Town of LaFayette.

This will be discussed in Executive Session.

B. Groth Road Communications Tower – AT & T, permissive referendum.

Kevin said the time hasn't run out on this yet. We do not yet have the signed consents from all the other tenants on the tower. They have paid any outstanding fees. Once everything is in place, the Board has already approved the lease and authorized the supervisor to sign it. Once everything is in, we will be underway.

Mary Jo asked about the bonding.

Kevin said we should receive the bonding prior to issuing a building permit.

C. Letter regarding Mr. Muraco's project at the four corners.

Supervisor Scammell said he and Councilor Knapp will be meeting with a DEC representative and Assemblyman Brown about this property.

D. Lok-N-Logs & Bierman property zone change.

Supervisor Scammell opened the public hearing at 8:50 p.m. for the Lok-N-Logs scheduled for this evening. He asked if there was anyone present who wishes to speak on this request. No one came forward.

**Councilor's Knapp moved and Smith seconded the motion to close the public hearing. Motion passed unanimously.**

The public hearing closed at 8:52 p.m.

### **UNFINISHED BUSINESS AND ACTIVE PROJECTS:**

A. Town of LaFayette urn & tile display case (GS).

B. Time-Warner Cable TV franchise renewal (GS).

Supervisor Scammell said he received a call from a Senior Citizen who

said in some other town they get Sr. Citizen discounts.

Kevin said we could request a rate schedule from them to see if they have Sr. Citizen discounts.

Supervisor Scammell believes it's something with the franchise.

C. Town holiday lighting.

D. Alternate ZBA and Planning Board member appointments.

E. Dell Bush stream naming.

Supervisor Scammell said this will be done in about 1 ½ months.

F. Speed limit reduction request for Tully Farms Road.

G. Reagan Agency, Public Officers renewal options (SS).

Councilor Smith said the 1 million was the limit per claim.

H. Fox Communications, WVOA-AM towers.

Kevin said he will be reviewing the new drawings.

Councilor Knapp asked what the total acreage is.

Craig Fox said approximately 72 acres.

- Onondaga Nation contact.

Kevin will notify the attorney who represents the Onondaga Nation.

Craig asked if they would be given a time limit to reply.

Kevin suggested 30 days.

Craig asked about the temporary tower.

Kevin said everything has to be done for the temporary tower that would be done for the permanent ones.

Craig said this would be removed after the testing is done.

Kevin said to aim for doing the temporary tower at the July meeting. He asked if the orange color is required.

Craig said it is mandated by the FAA. If the tower isn't painted orange, it would require white lights in the daytime.

Councilor Knapp asked what would have to be done for the temporary tower.

Kevin said the SEQR must be done. Putting even the temporary tower up has an impact. He will try to get this ready for the July meeting.

Craig said he did a short SEQR for it.

Kevin asked how long it will have to be up.

Craig said a maximum of 60 days.

### **NEW BUSINESS:**

Leon said there is public water on Route 11A through the Onondaga Nation right to the town line. Every 1,200' there is a hydrant.

Marshall reported that 5 people came before the Assessment Grievance Board of Review.

Kevin said the moratorium for Specific Permits is due to expire at the end of July.

**TOWN BOARD RESOLUTION  
TOWN OF LAFAYETTE  
June 9, 2003**

**Councilor Knapp introduced proposed Local Law No. 6-2003, to provide for the extension of the moratorium on specific permits relating to nonconforming uses in the Town of LaFayette, for an additional three (3) months, and made the following Resolution, which was seconded by Councilor Smith.**

**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 the result that the Town Board shall act as lead agency in this matter.**

**NOW, THEREFORE, it is**

**RESOLVED AND DETERMINED, that the enactment of proposed Local Law No. 6-2003 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 of 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 6-2003 at the Town Hall, 2577 Route 11, LaFayette, New York on July 14, 2003, at 6:30 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 the foregoing Resolution was duly put to a vote and, upon roll call, the vote was as follows:**

<b>David Knapp</b>	<b>Board Member</b>	<b>Voted</b>	<b>Yes</b>
<b>Sandra Smith</b>	<b>Board Member</b>	<b>Voted</b>	<b>Yes</b>
<b>Thomas Bailey</b>	<b>Board Member</b>	<b>Voted</b>	<b>Yes</b>
<b>Norman Paul</b>	<b>Board Member</b>	<b>Voted</b>	<b>Yes</b>
<b>Gregory Scammell</b>	<b>Board Member</b>	<b>Voted</b>	<b>Yes</b>

**The foregoing Resolution was thereupon declared duly adopted.**

**DATED: June 9, 2003**

**TOWN OF LAFAYETTE**

**PROPOSED LOCAL LAW NO. 6-2003**

**A LOCAL LAW EXTENDING THE MORATORIUM ON APPLICATION FOR AND ACTIONS ON SPECIFIC PERMITS RELATING TO NONCONFORMING USES IN THE TOWN OF LAFAYETTE**

**Be it enacted by the Town Board of the Town of LaFayette, as follows:**

**Section 1. The moratorium on specific permits relating to nonconforming uses in the Town of LaFayette, originally enacted as Local Law No. 3-2003, is hereby extended for an additional three (3) months, until October 27, 2003 or until the Town of LaFayette enacts new legislation regulating such uses, whichever shall first occur.**

**Section 2. This local law shall take effect immediately.**

**Councilor's Knapp moved and Smith seconded the motion to hold Town Board Meetings once a month for June, July and August on the 2<sup>nd</sup> Monday of the month at 6:30 p.m. Motion passed unanimously.**

A. Public Assembly Permit: Blue Grass Festival.

The Board reviewed the Blue Grass public assembly application.

**Councilor's Smith moved and Knapp seconded the motion to approve the Blue Grass Festival Public Assembly Permit for July 30 through August 3, 2003. Motion passed unanimously.**

B. Other.

Supervisor Scammell asked Mary Jo to contact Dave Hess to find out the cost for a street light to be placed at the corner of Ortloff Road and Route 20 as a resident has requested one there.

Tom Chartrand said the Town of Fabius just went through this and the supervisor had to write a letter.

Supervisor Scammell asked Mary Jo to find out who to send the letter to.

Councilor Knapp asked if the lights that were not working in the Hamlet area have been fixed.

Mary Jo will check.

Supervisor Scammell said he received a letter from the Library Board advising they have a new Trustee. Katie Whitney will be taking Ken Schoeck's spot on the Board. Her term will run from January 2003 to the end of December 2007.

Councilor Knapp believes she will do a good job.

**Councilor's Knapp moved and Smith seconded the motion for the Board to go into Executive Session to discuss pending litigation and to include the town attorney. Motion passed unanimously.**

The Town Board went into Executive Session at 9:20 p.m. and the regular Town Board Meeting was called back to order by Supervisor Scammell let 10:17 p.m.

There were no suggestions for improvement & positive contributions.

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

<b>GENERAL FUND</b>	<b># 9008 thru 9052</b>
<b>HIGHWAY FUND</b>	<b># 8978 thru 8988</b>
<b>SPECIAL DISTRICT FUND</b>	<b># 9089</b>
<b>TRUST &amp; AGENCY FUND</b>	<b># 8990 THRU 8993</b>
<b>COMMUNITY DEVELOPMENT AND CAPITAL FUND</b>	<b># 8994</b>

**Motion passed unanimously.**

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

The Town Board Meeting adjourned at 10:25 p.m.

Respectfully submitted,

Mary Jo Kelly  
Town Clerk