

Minutes of the Regular Town Board Meeting and Public Hearings held by the LaFayette Town Board on June 13, 2005 in the Meeting Room of the LaFayette Commons Office Building at 2577 Route 11 in the Town of LaFayette at 6:30 p.m.

PRESENT: Gregory Scammell, Supervisor  
Sandra Smith, Councilor  
David Knapp, Councilor  
Thomas Bailey, Councilor  
William McConnell, Councilor

RECORDING SECRETARY: Mary Jo Kelly, Town Clerk

OTHERS PRESENT: Leon Cook, Highway Superintendent  
Thomas Chartrand, Bookkeeper  
Kevin Gilligan, Town Attorney  
Marshall Taylor, Assessor/Clerk  
Doug Morris, Amidon Rd.  
Doug Drumm, Thunder Rd.  
Pete Paul, Dep. Supervisor  
Heidi Smith, Dodge Rd.  
Vince Maher, Route 20  
Steve Forward  
Dennis Maher, Route 20  
Rainer Brocke, Env. Board Chair.  
Leah & Amos Race, Thunder Rd.  
Anne Mosher, Thunder Rd.

1. Supervisor Scammell called the Meeting to order at 6:30 p.m.
2. The Town Clerk took the Roll. All present.
3. Pledge to our U. S. Flag led by Town Councilor David Knapp.
4. **Councilor's Knapp moved and McConnell seconded the motion to accept the May 23, 2005 Regular Town Board Meeting Minutes as submitted by the Town Clerk. Motion passes unanimously.**

5. **PUBLIC HEARINGS:**

**A. Rezoning of property on Palmer Road and Route 20.**

Mary Jo Kelly said this public hearing cannot be held this evening. She has spoken to Sumner Palmer on the phone and has written him a letter advising we must receive

the metes and bounds description of the property he is requesting to be rezoned. We cannot refer this matter to County Planning or do a public notice without this information. She advised him if she receives the necessary information by June 21<sup>st</sup>, she can get the referral to County Planning by their deadline for their meeting July 5<sup>th</sup> and public notice can be given on the matter with a public hearing scheduled for the Town Board's next meeting. She has not received any of the information yet.

**B. Local Law No. 2 – 2005, Amending subdivision regulations – definitions.**

The purpose of this local law is to streamline subdivision approval procedures for small subdivisions, to increase the economy and efficiency of the Town Planning Board's efforts and time, to reduce costs and delays that can accompany a full Planning Board review process on matters that do not warrant full Planning Board review and to accelerate the approval process for minor subdivisions of land.

Supervisor Scammell noted Onondaga County Planning has recommended this be disapproved for the following reasons.

- 1) The proposed local law delegating Planning Board powers to the Zoning Enforcement Officer is inconsistent with state law.
- 2) The proposed minor subdivision approval process would not exempt the Town from SEQR, referral to the County Planning Board as per General Municipal Law Section 239, and required reviews by the Onondaga County Health, Onondaga County Department of Transportation, or New York State Department of Transportation.
- 3) The proposed minor subdivision approval process would introduce several practical difficulties to the Town's land use regulatory process, including record management (keeping track of approvals over time), notification of decisions, county recommendations under General Municipal Law Section 239, and SEQR reviews.
- 4) The Board has concerns regarding potential negative county-wide and intercommunity impacts on infrastructure, including the state and county highway system, and the environment, including groundwater, wetlands and agricultural districts.

Kevin Gilligan said County Planning and the State D.O.T. didn't like this. If the Board wishes to proceed with it, he thinks there are things that could be done to make it more palatable to the state.

Councilor McConnell asked in what areas.

Kevin Gilligan said we might have to supercede state law in a number of areas.

Councilor McConnell asked if this would be more restrictive.

Kevin Gilligan said it would be less restrictive. The big concerns seem to be the coordination with the county and state on their highways and who is doing the environmental review and all the things that go into the coordination of the application.

Doug Morris said it would certainly leave you with an Article 78 if someone really got upset.

Councilor McConnell asked if we went the distance to change those items to bring it up to a different level, are we doing any better with the intent?

Kevin Gilligan said we need to define a subdivision to a certain amount of lots and there would be no review process.

Councilor McConnell asked if this would be done just by changing our local law.

Kevin Gilligan said that is correct. He believes the Board should have some kind of plan filed with the court house. If not, it creates title problems through the years. He doesn't know what to recommend to the Board as he is a big advocate of the Planning Board review process. We make the process pretty fast. The only way we could make it faster would be to have the Planning Board meet twice.

Mary Jo said the Planning Board would still not be able to make a decision on applications which had to be referred to County Planning as they only meet once a month.

Kevin Gilligan would suggest the Board give this some thought rather than act on it tonight. The spirit of this is wonderful, to take the easiest subdivisions and try to get them moved quickly.

Supervisor Scammell asked Kevin Gilligan for a recap of this law for those residents who arrived late.

Kevin said it is to allow someone to be able to come in and subdivide 4 lots or less by going before the Code Enforcement Officer.

Supervisor Scammell asked for any questions or comments from the Board or the public.

Doug Morris said he took a look at this proposed law. He wondered how public notification would be handled. With most subdivisions notice is put in the paper. Would there be any public notification to the neighbors? This would be up to the CEO so there wouldn't be much opportunity for neighbors to have a say. The only appeal to the Planning Board would be by the CEO and he believes this should be opened up to any interested citizens. The other thing he didn't see in the proposed law is a time-frame under which the CEO would have to operate. The Planning Board has a strict time-frame set up by state law. His other comment is about the record keeping part of this. Someone is going to have to keep track of when these things are subdivided to see if they fall within the 3-year period. He wonders if this wouldn't become quite burdensome. The wording of Article 2 Section E is very confusing. It states "Only one (1) minor subdivision may be approved on the same part, parcel or area of land within any three year period". He found this to be pretty vague. In the beginning of this, it said you could make it into 3 lots. A year later, resubdivisions could be done which is why very strict records would have to be kept. It seems this opens the door to a lot of subdivisions taking place without anyone really looking at them. He has attended Planning Board Meetings and he thinks they do a good job. He thinks the planning process is very important. The Planning Board can recommend ways to save the applicant time and money. If this Public Hearing is continued, would it be readvertised?

Kevin Gilligan said if the Board makes any changes, it will have to be renoticed.

Supervisor Scammell asked about keeping the Public Hearing open.

Kevin said it will have to be renoticed.

Vince Maher would like to know how many times the Planning Board has over-ruled County Planning. They never agree with anything being done in LaFayette. The Planning Board has over-ruled them on many occasions. He has been before the Planning Board 3 times and the Planning Board over-ruled County Planning all 3 times. He spent \$7,000 to build a house on 140 acres. The rituals we are going through here are like the ones in Liverpool, Lysander and Salina. There's no way for LaFayette to accomplish anything the way things are. He believes these things get procrastinated. He believes the State Troopers Barracks was a fiasco. There's never going to be anything here if we continue to chase it out.

Doug Drumm said since we are on that subject, there are others who have said they will never do work in this Town again. Others said they might want to. He thinks if you call all the developers who have worked in this town in the past, they would say the same thing Vince said. He knows the Troopers Barracks cost his brother a fortune.

Vince Maher thinks this is what drove Pompey to where they went. County Planning just doesn't understand the small towns in the southern end of the county.

Supervisor Scammell asked what types of things he thinks they don't understand.

Vince Maher said the area. He said the Health Dept. recognizes 5 acres for a lot and the town recognizes 1 ½ acres. The Health Dept. doesn't like this nor does County Planning. He doesn't either because ½ the wells are bad or there are sewage problems with lots this size.

Supervisor Scammell asked if there were other problems besides sewage and water.

Councilor Knapp asked if there are some things compared to some of the towns mentioned on the north side that we are equal to or more restrictive on than they are.

Vince said we get billed for Lake Ontario water and never touch a drop of it. They get all the water they want. He owns 4 or 5 buildings here and it's about all he can do to keep up with the public demand of what they want. It's virtually impossible to construct anything here and continue it. The State Highway Dept. had the salt barn on Route 11. Anyone could see the salt drainage went into Kennedy Creek and the apartments have it now. He believes the State Troopers Barracks is having problems now too. What the state wants to do is fine but what we want to do isn't fine. When he built the Post Office, there wasn't a Health Dept. or Planning Board either but it's worked all these years.

Steve Forward said with due respect to the party that spoke earlier, he heard two things that were incorrect. One thing was if you do these simple subdivisions, it will cause problems with the titles. Abstracts are used for title searches. The other thing he heard was the amount of record keeping that would be required. The Zoning Officer would have to keep records but it wouldn't be a major task for him to go to a file cabinet and look up an address to see if the parcel has been subdivided in the past 3-4 years. He doesn't see this as a new burden on the town.

Supervisor Scammell confirmed under this proposal, the person would still have to submit maps to the CEO.

Kevin Gilligan said correct.

Supervisor Scammell asked if the applicant would still have to have a survey.

Kevin Gilligan said yes.

Doug Drumm appreciates seeing the Town Board at least make an attempt to make the process easier. He believes it's over burdensome now.

Supervisor Scammell asked if there is something in particular.

Doug Drumm said he almost went through a subdivision on Commane Rd. which was just going to take too long. Quite often he believes the process takes 3-4 months. He was happy to hear the Board was at least making an attempt to streamline the process.

Supervisor Scammell asked if Doug Drumm could think of any other items of this nature.

Doug knows that developers he has talked to regarding the towns policy on engineering fees and someone deciding how much they will charge without the developer getting the bills is a concern.

Mary Jo said the developers do get copies of all the engineering or legal bills received when she refunds the balance of the Developer Deposit or requires more of a deposit.

Doug said he believes the concern is that the bills aren't itemized enough. The engineering fees are duplicated because the applicant has an engineer do the plans and then the town engineer must charge to review them.

There were no further questions or comments.

**Councilor's McConnell moved and Knapp seconded the motion to hold the public hearing open for the July 11, 2005 Town Board Meeting. Motion passed unanimously.**

### **C. Zoning Ordinance Amendment, Application Fees.**

Kevin Gilligan said we have two items. One is an ordinance amending the Zoning Ordinance and one is a local law amending the Subdivision Regulations. Basically these say rather than setting the fees inside the Zoning Ordinance or Subdivision Regulations, these will be set from time to time by the Town Board. This allows a little more flexibility to the town.

Supervisor Scammell asked the Board for their input.

Councilor Knapp felt this was a good idea.

Supervisor Scammell asked for any comments from the public.

There were none.

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

## **TOWN OF LAFAYETTE**

### **RESOLUTION TOWN BOARD MEETING**

June 13, 2005

**The following resolution was offered by Councilman Knapp, who moved its adoption, seconded by Councilman McConnell, to wit:**

**WHEREAS, pursuant to the provisions of the Town Law, a proposed ordinance was presented and introduced at a regular meeting of the Town Board of the Town of LaFayette held on May 23, 2005 which would amend the 1970 Zoning Ordinance of the Town with respect to amending the zoning application fees in the Town; and**

**WHEREAS, a public hearing was held on such proposed ordinance on this date by the Town Board of the Town of LaFayette and proof of publication of notice of such public hearing, as required by law, having been submitted and filed, and all persons desiring to be heard in connection with said proposed ordinance having been heard, and said proposed ordinance having been in the possession of the members of the Town Board of the Town of LaFayette in the manner required by law; and**

**WHEREAS, at its May 23, 2005 meeting, this Board determined that the proposed ordinance amendment, as herein described, was a Type II action for purposes of environmental review under SEQR.**

**NOW, THEREFORE, it is**

**RESOLVED AND DETERMINED, that the Town Board of the Town of LaFayette, Onondaga County, New York, does hereby adopt the proposed Ordinance amendment, as follows:**

**AMENDMENT TO THE 1970 ZONING ORDINANCE  
OF THE TOWN OF LAFAYETTE, AS AMENDED  
ZONING APPLICATION FEES**

**BE IT ORDAINED, by the Town of LaFayette, acting through its duly constituted Town Board and pursuant to the authority conferred by Section 265 of the Town Law, that the 1970 Zoning Ordinance of the Town of LaFayette, as previously amended, is hereby further amended as follows:**

**SECTION I.**

**Article III - CONTROLLED SITE USES, Section AB1@, is amended so that the last sentence thereof reads, as follows:**

**AThe application fee for site plan consideration shall be determined and set from time to time by resolution of the Town Board.@**

**SECTION 2.**

**Article VI - BOARD OF APPEALS, Section AD@, entitled APROCEDURE@, paragraph 1, is amended so that the last sentence thereof reads, as follows:**

**AThe application fee for interpretation, Specific Permit and variance shall be determined and set from time to time by resolution of the Town Board.@**

**SECTION 3.**

**Effective Date: This Amendment to the 1970 Zoning Ordinance of the Town of LaFayette, as amended, shall take effect as provided in Section 265 of the Town Law.**

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

<b>Gregory Scammell</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>
<b>Sandra Smith</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>David Knapp</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Thomas Bailey</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>William McConnell</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

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

**D. Local Law No. 3 – 2005, Amending subdivision regulations – filing fees.**

Kevin Gilligan said this deals with the Subdivision Regulations. It was introduced May 23, 2005 and determined to be a Type II Action in the SEQR. It amends the Subdivision Regulations allowing the Town Board to establish and change fees from time to time by resolution.

Supervisor Scammell asked for any questions or comments.  
There were none.

**TOWN OF LAFAYETTE  
RESOLUTION TOWN BOARD MEETING**

**The following resolution was offered by Councilman Knapp, who moved its adoption, seconded by Councilman Bailey, to wit:**

**WHEREAS, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law entitled AA Local Law Pursuant to Section 271 of the New York Town Law Amending the Subdivision Regulations of the Town of LaFayette, Originally Adopted by the Town of LaFayette Planning Board on May 12, 1987 and Approved by the Town of LaFayette Town Board on July 13, 1987, As Previously Amended With Respect to Subdivision Filing Fees", was presented and introduced at a regular meeting of the Town Board of the Town of LaFayette held on May 23, 2005; and**

**WHEREAS, the SEQR review for this action was completed at this Board=s May 23, 2005 meeting the Board having determined this to be a Type II action; and**

**WHEREAS, a public hearing was held on such proposed local law on this 13th day of June, 2005 by the Town Board of the Town of LaFayette and proof of publication of notice of such public hearing, as required by law, having been submitted and filed, and all persons desiring to be heard in connection with said proposed local law**

**having been heard, and said proposed local law having been in the possession of the members of the Town Board of the Town of LaFayette in its final form in the manner required by Section 20 of the Municipal Home Rule of the State of New York; and**

**WHEREAS, it is in the public interest to enact said Proposed Local Law No. 3 of 2005.**

**NOW, THEREFORE, it is  
RESOLVED, that the Town Board of the Town of LaFayette,  
Onondaga County, New York, does hereby enact Proposed Local Law No. 3 of  
2005 as Local Law No. 2 of 2005 as follows:**

**TOWN OF LAFAYETTE  
LOCAL LAW NO. 2-2005**

**A Local Law Pursuant to Section 271 of the New York Town Law  
Amending the Subdivision Regulations of the Town of LaFayette,  
Originally Adopted by the Town of LaFayette Planning Board  
on May 12, 1987 and Approved by the Town of LaFayette  
Town Board on July 13, 1987, As Previously Amended With Respect  
to Subdivision Filing Fees**

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

**Section 1. The purpose of this local law is to provide a mechanism for the  
Town Board to periodically review and amend, as needed, the filing  
fees for subdivisions, charged pursuant to section 160-1 of the  
Town=s Subdivision Regulations.**

**Section 2. The Subdivision Regulations of the Town of LaFayette, originally  
adopted by the Town Planning Board on May 12, 1987 and  
approved by the Town Board of the Town of LaFayette on July 13,  
1987, as previously amended are hereby further amended pursuant  
to New York Town Law Section 271, as follows:**

**A. Article 1, entitled "Enactment, Authorization, Purpose,  
Variance", Section 160 thereof, entitled "Applications, Fees  
and Costs", paragraph 1 thereof entitled "Filing Fees" is  
amended so that paragraph "1" reads, in its entirety, as  
follows:**

**A1. Filing \_\_\_\_\_ Fees.**

**Subdividers are required to pay fees to cover the  
Town=s costs of administering these  
regulations, including, but not limited to all  
reasonable clerical and advertising and  
processing expenses incurred. At the time a  
subdivider first submits an application for  
approval of a proposed subdivision plat and  
before any hearing on the proposed subdivision  
shall be called and opened, the subdivider shall  
pay a fee to the town accordance with an**

**amount to be set from time to time be resolution of the Town Board.@**

**Section 3. Effective Date.**

**This local law shall take effect upon its filing with the New York Secretary of State.**

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

<b>Gregory Scammell</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>
<b>Sandra Smith</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>David Knapp</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Thomas Bailey</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>William McConnell</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

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

Discussion took place regarding the Town of LaFayette waiving the zoning and subdivision application fees for any town residents who submit an application before the Planning Board or the Zoning Board of Appeals for a new business use. If there are multiple applications that are necessary, it would apply to each and every such application. This would cover both subdivision and zoning type applications.

Councilor McConnell said we have residents who own business in the town and there are non-residents who own business in the town. Should this apply to non-residents too?

Supervisor Scammell said he was looking for something for those who do live here. That was his intent.

Councilor McConnell said that is the intent but if a non-resident is paying taxes here for the business and decides to expand, that is a benefit to the town. He feels this should be offered to them too.

Supervisor Scammell would still like it to remain with local businesses owned by local residents.

Kevin Gilligan said if the Board wishes this to apply to non-residents who own businesses in the town, this would have to be amended. Would this also apply to expansions of current businesses?

Supervisor Scammell wouldn't have a problem with this applying to current business expansions.

Kevin Gilligan asked if the Board wants to extend this to existing town businesses that are owned by someone who is not a town resident.

Councilor McConnell believes if you limit this to residents, you are not encouraging growth.

Supervisor Scammell said he would be in favor of giving this to a local business rather than to a big business like Wal-Mart. He would rather see someone like the True Value Hardware Store get it than a big outside business.

**Councilor’s Knapp moved and Smith seconded the following resolution:**

**Application Fee Waiver  
Proposed By Town Supervisor Greg Scammell**

**As an economic development incentive to local residents and businesses who wish to open a new, local business or expand a current one.**

**The Town of LaFayette will waive the zoning and subdivision application fees for any town resident or town business owner who submits an application to the Planning Board or Zoning Board of Appeals for a new or expanded business use within the town. If there are multiple applications that are necessary, the waiver would apply to each and every such application.**

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

<b>Gregory Scammell</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Aye</b>
<b>Sandra Smith</b>	<b>Councilor</b>	<b>Voted</b>	<b>Aye</b>
<b>David Knapp</b>	<b>Councilor</b>	<b>Voted</b>	<b>Aye</b>
<b>Thomas Bailey</b>	<b>Councilor</b>	<b>Voted</b>	<b>Aye</b>
<b>William McConnell</b>	<b>Councilor</b>	<b>Voted</b>	<b>Aye</b>

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

**E. Zoning Ordinance Amendment, family accessory units.**

Ralph Lamson sent a letter dated June 12, 2005 regarding the proposed amendments.

Councilor McConnell is in favor of what we are trying to do but thinks Ralph Lamson brings up some very good points.

Councilor Knapp agreed with some of Ralph Lamson’s comments.

Councilor McConnell said Ralph Lamson did a lot of research on this and he agrees with a lot of his reasons.

The Board reviewed Ralph’s letter as follows:

“I have reviewed the proposal for the In-Law additions. My recommendation would be to not add this Amendment to the Zoning regulations as it is written for the following reasons:

- 1) The type of rooms should not be limited to a select few. Everyone has a different life style and they may want an office, family room, game room, etc., in their addition.

Supervisor Scammell said he wouldn’t mind adding family room and game room but he isn’t sure about the office.

Councilor Knapp said an office might create an intent that wasn’t meant to be.

Supervisor Scammell asked if there is a need to restrict it to certain types of rooms.

Kevin Gilligan said he doesn't think the proposal restricts it to those types of rooms. He doesn't see a problem with adding these things. A bathroom and kitchen are really what triggers a separate living space.

2. The occupation should not be limited to Father, Mother, Sister, or Brother. Any Relative (Aunt, Uncle, Cousin, Grandparent, Etc.) may need some assisted living arrangements.

Supervisor Scammell believes Ralph Lamson is talking about any blood relative.

Kevin Gilligan said this was originally brought forward as an in-law apartment. It gets very broad which wasn't the original intent. Originally an in-law apartment was asked for which is where this came from.

Supervisor Scammell asked if the family relationship matters.

Councilor's Knapp and McConnell said no.

Supervisor Scammell asked what would happen if we didn't limit this to a family member.

Kevin Gilligan said you might as well get rid of your single family dwelling then. The Board can accomplish what Ralph is suggesting by putting in bathroom, kitchen and/or other living areas.

Councilor Knapp believes grandparents should be included.

3. I feel the two year renewal is an infringement on peoples honesty and not necessary.

Kevin Gilligan said this is just a way to review this after so many years. This doesn't have to be every 2 years. These things aren't supposed to go on forever.

Supervisor Scammell could go with 5 years instead of 2.

The Board was in agreement with this.

4. After more consideration there should be no size limitation. I can put a 3,000 sq. ft. addition on my house right now. Why should it be limited if a family member is going to use it.

Councilor McConnell asked if there was some higher guidance in selecting 800'.

Kevin Gilligan said no. They grabbed this out of an ordinance from another town.

Councilor McConnell believes something larger than 800' should be used.

Supervisor Scammell asked about the person who might have wanted to add on to their house in the future anyway so would like to add 1800' on now rather than 800'? He asked about restricting the addition to a certain ratio of the existing house.

Kevin said this would be a disadvantage to the smaller home owner.

Councilor McConnell isn't sure there is a need to have the restriction. With the 5 year renewals, if the arrangement has become not a temporary one and is now part of the house, it will be recorded.

Councilor Bailey asked about mobile homes.

Supervisor Scammell noted you cannot expand a non-conforming use anyway which would take care of this.

6. There should be no restrictions as to the appearance of the structure or the number of entrances. These would be impossible to enforce. Everyone has different ideas on what a house should look like. Every structure has to have more than one entrance now it would be against code to limit them to one.

Kevin Gilligan said doorbell could be removed from the proposal. He believes you don't want it to be set up like a 2-family house.

Councilor Knapp didn't see the problem with having a separate door.

Pete Paul said he was concerned about the existing septic system, etc. of the original house if an addition is approved.

**Councilor's Knapp moved and McConnell seconded the motion to continue the public hearing for an amendment to the Zoning Ordinance regarding family accessory units at the July 12, 2005 Town Board Meeting. Motion passed unanimously.**

## **6. COMMUNICATIONS:**

### **A. RESIDENTS.**

Doug Drumm said he bought some land on Summerridge to build a house. When he went up there one day he saw a road sign which was very offensive to him. The name was Thunder Road. His understanding was that he would have to submit a petition signed by the residents on the road to get the name changed. Lynn Hutton told him the people who lived on the road came up with the name. He didn't realize someone who was going to live on the road came up with the name. He got in touch with these people and they agreed to go along with changing the name but wanted to be involved with it. He hasn't submitted a petition tonight but would ask the Board if they would hear this at a future date.

Anne Mosher said she and her husband have owned land on Thunder Road and paid taxes to the Town of LaFayette since March of 2003. They have been contractually bound with Lynn Hutton for the property since 2000. They have lived through the second subdivision. Their house is nearly finished and one of the things they discovered last May was that their bank was going to require the name of the road changed. At that time it was proposed to be called Naomi Road as originally there was going to be an extension. They were told to contact County Planning who told her how to go about getting the name changed. Over the last year, they went through the process and it was approved by the county and town. They thought this was a done deal and they were pleased about that because the bank isn't going to close on their mortgage until this is settled. They are getting ready to close within the next two weeks on this property. If this is going to be opened back up now, it will cause a problem for them. She was notified about this at 4:15 p.m. today. She

notified the other future residents on the road. They are here tonight. They appreciate the concerns about the name of the road but it has gone through due process. They are willing to consider something else but would like to be part of the process.

Councilor McConnell said the Board was surprised when the name came up.

Ann Mosher said she believes it went through the town. Changing this will cause some hardship. They have already ordered their checks, etc.

Supervisor Scammell asked how many other people own parcels on the road.

Amos Race said Lynn Hutton told him two other lots have been sold.

Leah Race said they do feel bad and are aware of the tragedies that have happened in this town. She didn't think of car racing or any connection between the name of the road and what has occurred in the town. She had a bad incident happen to a friend when she was younger and is reminded of it every time she drives on Webb Rd. because the person's last name was Webb.

Doug Drumm said his proposal and the other people who discussed this is that there are so many other names out there. Basically this road is a part of Summerridge. He did make an attempt by going through Summerridge and getting everyone's signature on a petition. He did try to contact these residents. He thought Lynn Hutton named the road.

Supervisor Scammell said Doug Drumm doesn't like the name at all, two other folks do like the name and a third resident might consider changing it.

Ann Mosher said they would like to see the name stick. They went through the proper process. If there is a strong objection in the community to it, she would like to know.

Councilor McConnell said when this was started, the Board recommended Doug Drumm go through the petition process. He did sign the petition as it didn't go through the proper protocol for Thunder Rd.

A resident asked what the proper procedure from the developer is.

Supervisor Scammell asked what the procedure is if someone would like to change the name of a road.

Kevin Gilligan said they would petition the county through the Town Board.

Councilor McConnell said the house numbers are so out of sequence up there because of a different road that this may be an issue.

Councilor Bailey asked if there is any other roads in the county with this name.

Ann Mosher said no. They couldn't have gotten this name if there was another road named Thunder Rd.

Leon Cook said he still has the letter from the county stating the county has approved this name. Nothing went through the Town Board like it usually does.

Ann Mosher said Lynn Hutton shepherded the process along. It was their understanding that the names that would go on any petition would be the names of the people who live on the street and would be using the street name.

Kevin Gilligan believes the people who own property on the road should make the decision. Whatever they decide should be brought to the Town Board. The residents on the road will have to work this out.

Doug Drumm thinks they should wait to contact the possible two new purchasers of property on the road as they might have different feelings.

Councilor McConnell would agree to wait and settle this in the future.

Ann Mosher said they have another issue. What do they use as a mailing address?

Councilor McConnell believes the parcels for sale should be settled soon.

Supervisor Scammell asked should they decide to do something different, what is the proper procedure?

Kevin Gilligan said if they decide something different than Thunder Rd., they should come back to the Board with their petition.

Supervisor Scammell asked if they could go directly through the county with their proposal.

Kevin Gilligan said they could but he thinks the county is going to ask the town what they want to do.

Ann Mosher said she is offended by this whole thing.

The Board took no action at this time.

- Melody Roy: Town Highway department praise.

“The highway dept., went above the deadline for lawn pick up. I purchased my home approximately three years ago. Three trees on the front lawn were growing onto the roof of the house, and one side of the pine tree died as the maple tree grew into the tree. I finally found a gentleman whom for 20 years cut trees as a profession. He generously gave his time and cut all three trees. He was only available to cut these branches on May 31. I went to the highway dept. explained my situation and expressed he was available after the deadline. I was told yes, we can help! As soon as possible, get the branches cut and we’ll haul them away. The trees were cut late yesterday afternoon at 6:15 a.m. the highway dept. stopped to survey the scene. By 9 a.m. they were hauling all the branches away. I thank you so much for helping me.....

**B. Syracuse Post-Standard, 5.20.05: April, 05 employment picture.**

“The Syracuse area’s unemployment rate fell below 5 percent last month for the first time this year. The jobless rate was 4.7 percent in April, matching the state’s rate and falling below the nation’s unemployment rate of 4.9 percent....not coincidentally, there were more jobs to go around. In Madison, Onondaga and Oswego counties, employers reported 3,700 more jobs last month than in April 2004. It represented a 1.2 percent gain in jobs....The 320,400 jobs in the three counties was the most for any April since April 2001...Almost every major industry sector gained jobs...The only two sectors to lose ground were manufacturing (down 300) and information (down 200). But Labor Department officials saw positive news in the fact that manufacturing was down by only 300 jobs compared with April last year and gained 100 jobs since March...Randy Wolken, president to the Manufacturers Association of Central New York, said manufacturing employment has bottomed out and is heading up...”

**C. Onondaga County Department of Mental Health Deputy Commissioner Kristen Riley: Children’s mental health needs.**

“Onondaga County, in partnership with Arise, St. Joseph’s Hospital Health Center, Onondaga Pastoral Counseling center, Hutchings Psychiatric Center and Upstate Medical University, are developing a new approach and expanded capacity for clinic treatment for children and families...”

**D. NYS DEC: Environmental cleanup activities continue at the LCP Bridge Site.**

**E. NYS Public Service Commission Secretary Jaclyn Brillling: Time Warner Cable TV franchise Temporary Operating Authority.**

“The Franchise under which Time Warner-Syracuse Division has been providing service in the Town of LaFayette will expire May 29, 2005. The Company and the municipality are negotiating a franchise renewal...This Temporary Operating Authority is granted on condition that during the terms of this authority, the parties shall comply with all the terms and provisions of their expired franchise and all of the provisions set forth in Part 595 of our cable rules. In the event any franchise provision is inconsistent with a provision of Part 595, the provision most beneficial to the subscriber shall be controlling...”

**F. Onondaga County Legislature: 06.07.05 agenda.**

“...Amending the 2005 County Budget to accept \$30,000.00 in funds for the Aerial Pictometry Programs (\$4,657,847.)...”

**G. LaFayette Public Library Board of Trustees President Constance Foote: Andrea King resignation & Phyllis Olmsted appointment.**

“...We have accepted, with regret, the resignation of Andrea King from the Library Board. It has been a pleasure to have her on the Board and we will miss her wit and wisdom. We are pleased to submit the name of Phyllis Olmsted to fill Andrea’s position. Phyllis is a longtime library volunteer and friend and we look forward to having her join us on the Board. I think her term should start as of June 2005 and end in December 2009...”

**Councilor’s Knapp moved and Bailey seconded the motion to accept the appointment of Phyllis Olmsted to fulfill Andrea King’s term on the Library Board. Motion passed unanimously.**

**H. Home Aides of Central New York: Neighbors Caring for Neighbors mobile office.**

“The severe shortage of home health aides to care for our community’s growing elderly population is continuing. Although Home Aides of Central New York currently has several aides serving your area, we have had to turn down a number of cases because we did not have enough aides...Through the support of areas businesses and organizations, our mobile office will be parked in several locations in the LaFayette, Tully and Nedrow areas from June 14 thru 24, 2005...”

**I. Onondaga County Health Department: Fight the Bite.**

“With the summer and warm weather fast approaching, please be reminded that mosquito-borne diseases (West Nile virus, Eastern Equine encephalitis) may affect Onondaga County this season. In an effort to educate the community on effective ways to reduce mosquito breeding sites and to increase resident’s personal protection measures, the Onondaga County Health Department is requesting your assistance in distributing West Nile virus *“Fight the bite: Protect Yourself...Protect Others”* ...”

**J. Onondaga County Department of Transportation Commissioner Bruce Trexler: Preclosing of bridges in Onondaga County.**

“On December 1, 1986 the Onondaga County Legislature adopted Resolution No. 436 establishing a Task Force for the Pre-Closing of bridges within Onondaga County. The Task Force was established to develop alternative routes and plans for bridge closings...Following is a list of bridges that will be discussed: Bridge C-147 is located in the Town of Otisco on Otisco Valley Road over Fish Gulf Creek...”

**K. NYS Office of Real Property Services (ORPS): Tentative Equalization Rate – 93.5%.**

“Tentative Equalization Rate 93.50...On 5/19/2005 the State Board of Real Property Services established a tentative 2005 State equalization rate of 93.50 for your municipality. This equalization rate was computed using data from your municipality’s tentative assessment roll. If final assessment roll data produces a significantly different rate, we will recompute the equalization rate and notify you...”

**L. NYS DOT: Designation of restricted highway.**

“Pursuant to Section 104 of the Highway Law the following describe highways: Asphalt concrete resurfacing on Interstate 81 in the Towns of Tully, LaFayette and Onondaga; Onondaga County...”

**M. Onondaga County Health Department: LaFayette Commons satisfactory water supply.**

“Library...The enclosed library report # 0507916-011 indicates that the water supply for the above mentioned facility was of a satisfactory, sanitary quality at the time of sampling on May 24, 2005...”

**N. Other.**

Rainer Brocke said he wanted to update the Board on what has happened regarding the tent caterpillars. Most everyone has noticed there is quite a lot of serious damage due to the tent caterpillars. DEC is going to do a damage survey this week. He has been assured we will get the results. He talked with John Mueller who advised Gutchess Lumber has sprayed 1200 acres. They lost about 1/3 of their maples up in Altmar. He thinks hiring a forester to do a survey of the infested areas is a good idea. These areas will be delineated by the DEC. The cost would be about \$50/hour to hire a forester. If we are talking about a week or so of work, it would be about \$2,000. He thinks we should budget at least \$4,000 for this and

possibly for the beginning of a contingency fund for emergencies. If we hire someone this fall, it would have to be in September so the decision would have to be made fairly soon. He would suggest hiring Brian Skeval. He asked if a competitive bid would be needed.

Supervisor Scammell didn't think so when it involves professional services.

Councilor Knapp asked what a forester could do that the DEC wouldn't.

Rainer Brocke said a forester could predict for the next year what might happen.

Councilor Knapp said the DEC will map out the areas damaged.

Rainer said yes. He understands we are one of the hardest hit townships around. The options for the future are 1) we have private action on this which means all the people involved. It's difficult to get all the people affected involved. 2) You might be better if the town paid for the spraying. You might increase the taxes of the town to cover this. He thinks this might be another solution.

Supervisor Scammell asked at the end of a weeks time with the forester, what would he provide us?

Rainer believes he could supply a pretty solid assessment of what can be expected in the following year. You must get organized very early so you have all your ducks in a line by April. He thinks it's very hard to do the best you can do with just private support.

Supervisor Scammell asked about the town-wide spraying.

Kevin Gilligan said he has questions. Does the town have the authority to spray? This is not a health issue but an economic one. When we have spraying in Onondaga County, it has been for health issues. He doesn't know if any towns or villages spray. He is very concerned about what happens when some residents might want their land sprayed and others don't.

Rainer will check into this to see if other municipalities have sprayed and let the Town Board know.

Supervisor Scammell asked if the assessment we would get from the forester would include any areas other than what's in LaFayette.

Rainer said the forester will have to get permission from some people to fall some trees to get specimens from the top of the trees.

Supervisor Scammell said if there is a larger infestation than what we saw on the maps last year, maybe neighboring towns might be more interested in participating in this.

Councilor Knapp asked when Rainer thought we would get the DEC report.

Rainer believes they are doing the survey this week and we should have the results in a couple of weeks.

Kevin Gilligan asked if a forester is the right person to do this or do we want a biologist?

Rainer said a forester is a biologist.

Councilor Bailey said there was something on the news the other night that Oswego County is being hit with them.

Supervisor Scammell asked Rainer to let him know when the maps are done.

Rainer thinks the maps will show that the area has spread considerably from last year.

Supervisor Scammell said the Board will need a proposal from Brian Skeval about what it will cost.

Rainer asked if the Board has decided they will budget some money and hire Brian.

Supervisor Scammell said it depends on what the price is.

Rainer would recommend budgeting \$4,000 for this. If the town doesn't get involved with the spraying, nothing may get done.

Supervisor Scammell said we must get input from the town attorney on this too.

Rainer asked what the last date a budget request for next years budget can be made.

Supervisor Scammell believes at the beginning of September.

Tom Chartrand said he must have all the information by September 15<sup>th</sup>.

Supervisor Scammell said in August most of the organizations are putting together their budgets. He would recommend having the budget request submitted by September 1<sup>st</sup>.

Rainer wondered if it would be possible for Supervisor Scammell to write a letter like he did last time to the surrounding town supervisors. If they are going to be involved, they also have to have their ducks in a line by September 1<sup>st</sup>.

Supervisor Scammell said he would write letters. He will need to see the DEC map before he sends the letters out.

Rainer said he will attach supporting documentation to the letters if Supervisor Scammell gets the letters to him.

Supervisor Scammell will draft a letter up that can be used for all the surrounding towns and get it to Rainer.

Councilor Knapp asked if Brian and David Skeval are both foresters.

Rainer didn't know.

Councilor Bailey asked if there is any awareness at the state level about this pending crises.

Rainer thinks he can find out at the meeting he will be attending in June. He would suspect the DEC is claiming they are doing what they can do by doing the survey. He doesn't feel this is just a town problem. He feels it's a county problem and we are one of the worst hit in the whole state. It would seem this would be important to someone.

7. **SPECIAL REPORT:** None.

8. **REPORTS:**

A. **DEPARTMENTAL (4<sup>th</sup> Monday).**

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

a) **Junk vehicle status – prioritized (multiple vehicles & long standing (apparent) violations) spreadsheet listing (in process).**

1. **2300 – 2330 Route 11 South, across from LaFayette Rural Cemetery, multiple autos & properties.**

- 2. **Route 11N (just north of town offices) – 2 autos, visible from LPL parking lot.**
- 3. **6171 Route 20 – Grand View Motel, resident complaint.**
- 4. **2875 Apulia Road, resident complaint.**
- 5. **Scheduled spring cleanup.**
  - **2774 LaFayette Road – unregistered vehicle.**  
Per Ralph’s report this violation has been corrected.
  - **2226 Route 11 – junk/ no building permit.**

**b) House attachments & additions.**

This was discussed earlier in the meeting.

**c) Vehicle dismantling? – Route 11 South.**

**d) May Report.**

A written report was submitted.

Supervisor Scammell said he received a complaint about a property on Tully Farms Road being infested with mosquitoes.

**2) Dog Control: Sue Snavlin & Madeline Despres.**

**3) Highway Superintendent: Leon Cook.**

**a) Alternate name for Thunder Road.**

Leon Cook gave the name of the head person in charge of house numbers. She is the one they would have to get in touch with at County Planning. He checked with her when he knew that the Thunder Rd. topic would be discussed tonight. She advised the one person who they must get approval from is the other person living on the road now. She was present at the meeting tonight.

They have been keeping up with the mowing and roadside mowing. They have been doing some ditching. They have repaired two driveway pipes and put a new pipe in on Commane where a house is being built and one on Thunder Rd. for a house being built. They have been watering the flower boxes.

They worked most of May getting rid of everything that was brought in during Cleanup Days. They still have 3 loads of tires to get rid of. They did get rid of one load. He will be getting rid of the last 3 loads this Thursday.

Cleanup Costs	\$7,874.49
Income: Tires/Metal	<u>\$5,324.20</u>
Total Cost	\$2,550.29

Leon thinks this is about the lowest we have ever been.

There is a meeting scheduled with Supervisor Scammell, at least two state engineers and himself regarding the drainage problems in the Hamlet. It’s going to

be up to the Supervisor and Town Board to lean very heavy that something has to be done.

Councilor Knapp asked what the engineer said about the Hamlet.

Leon said they came out to study the situation so they would have answers when they meet with Supervisor Scammell and himself on Wednesday. They keep saying it's not a state pipe. If it's not, whose is it and why is water running from a state road through it? They have their work cut out for them Wednesday. If any Board Members can make it, it would be good as it shows Supervisor Scammell has backing.

Councilor Bailey will try to make it.

4) **Justice: Malcolm Knapp & Maureen Perrin.**

- **New copier – wiring.**

Supervisor Scammell said Fred Taylor will be doing the work on this.

- **May Report.**

5) **Library Director: Scott Kushner.**

6) **Recreation Director: Regina Reinschmidt.**

7) **Town Clerk: Mary Jo Kelly.**

- **Marriage Officer Appointment.**

Mary Jo said she sent a letter to the Town Justices and Kim Amidon advised her they had no problem with this. This would only be upon their referral.

**Councilor's Knapp moved and Smith seconded the motion to appoint the Town Clerk of the Town of LaFayette, Mary Jo Kelly, as Marriage Officer for the Town of LaFayette. Motion passed unanimously.**

- **May Report.**

A written report was submitted.

8) **Town Supervisor: Greg Scammell.**

- a) **Intermunicipal Shared Services/Cooperation & Consolidation, 2005 Onondaga Citizens League study.**

- b) **HAVA.**

- c) **Apulia Road property – flooding & ice buildup: Awaiting SEMO grant application.**

- d) **May Report.**

A written report was submitted.

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

- 1) **Communications & Technology (MF/PK/MJ/MT/GS).**

- a) **Town Website & email (new email(s) – code enforcement) - Digital Towpath evaluation.**
- b) **New server applications** (MS Office, pictometry, town website).
- 2) **Emergency Response** (TB/BM).
  - a) **AEDs (Defibrillators)** (TB).
  - b) **LFD exhaust vents – grants available?**
  - c) **OCSD services/local law enforcement contract.**
  - d) **Onondaga County Department of Communications - OCICS MOU.**
  - e) **Susquehanna RR brush fires created by grinding.**
- 3) **Employee Policies & Benefits** (MJ/SS/MD).
- 4) **Environmental & Conservation Advisory Board.**
  - a) **2006 budget estimates for contract forester.**
    - **2006 assessment, strategy & alternatives (large landowners to small shrubs)**
    - **2006 Contingency Fund for biological issues.**
    - **2006 strategy & alternatives (large landowners to small shrubs).**
  - b) **Assessment of community impact.**
    - **1,098 acres (DEC map) of ~28,800 acres (~45 square miles). 3 – 4% of total land area.**
    - **Mailer sent to 150 parcels. 32 interested citizens, 23 parcels who attended meeting.**
  - c) **CCE follow-up.**
- 5) **Highway** (PP/LC/DK/SP/CP).
- 6) **Physical Plant** (HS/DK/BM).
  - a) **LaFayette Community Center: Evaluate, propose & estimate solution to ice buildup over kitchen area. Deferred until later this year.**

**b) Town offices – temperature controls (Upstate Temperature Controls proposal).**

Supervisor Scammell will contact them to follow-up on this.

**c) Ice buildup on SW inside corner – heat tape installation.**

Councilor Knapp will follow-up on this to see if it's been completed.

**d) Smoke alarm installation.**

The alarms have been installed so this may be removed from the agenda.

**e) Heating/Cooling system alternatives.**

Supervisor Scammell said there are times it's terribly hot. He is interested in getting some bids for alternative heating/cooling systems.

Councilor Knapp said one big item is if the ductwork can remain the same.

Supervisor Scammell asked if the Town Board would like him to contact a heating/AC man to give an estimate for this. He asked if Clay Smith would be O.K. with the Board.

The Board was in agreement with this.

Councilor Knapp will contact Clay Smith.

**f) Usage charge for Community Center to offset heating costs.**

Discussion took place regarding user fees for town facilities. The Board will review exempt groups and annual costs.

Marshall Taylor asked if the expenses for the facilities have been tracked.

Tom Chartrand said yes.

**g) LCC – Front porch light out (light ok, probably needs ballast – per Herb Salladin).**

Supervisor Scammell will contact Fred Taylor to see if he can add the porch light to his list.

**7) Recreation & Youth (DK/SS/RR).**

**a) Marion Bailey Park.**

- 1. Install charcoal grills.**
- 2. BSA Scout Stephen Kuhns – Eagle project.**
- 3. Pavilion YCIP/Local estimates.**

**b) LaFayette Beach.**

- 1. Survey/transfer LaFayette Beach from LCC to town.**
- 2. Options for limiting vandalism (lighting, etc.).**

Leon Cook believes the first time the gate was hit it was an accident. They went over to the Beach today to do some work and the gate was pulled over again. They moved the gate up 2”.

Councilor McConnell said the Beach is being used a great deal right now. Every day he goes by there he sees a number of kids 16 and over playing lacrosse and basketball.

**3. Options for noise control from lacrosse box – reinforced panels.**

**c) Fred Stafford Park.**

**1. Lacrosse facility – estimates (\$5K – materials only), (re)location possibilities.**

- **Tully-\$12k – materials only (all volunteer labor).**

**2. Charcoal grills (BM).**

**d) Park startup/shutdown procedures. Dumpsters, park patrol, bathrooms, etc.**

**8) Safety (TR/SS/LC/RR).**

Councilor Smith said the next meeting will be Wednesday night.

**9) School District liaisons (BM/PP).**

Councilor Knapp said the Boys Lacrosse Team got the State Championship a little over a week ago. They were undefeated this year.

## **PROCLAMATION TOWN OF LAFAYETTE**

**Upon motion of Councilor Knapp, seconded by Councilor McConnell, the following proclamation was unanimously adopted.**

**WHEREAS, on June 4, 2005 the LaFayette Varsity Boys Lacrosse Team won the New York State Class C Lacrosse Championship over Manhasset by a score of 10-9; and**

**WHEREAS, this undefeated Lancer team has brought to LaFayette a second State Championship in three years; 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 women, who have demonstrated that, working together great things can be accomplished.**

**NOW, THEREFORE, the Town Board of the Town of LaFayette does proclaim June 4, 2005 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 coach on a fine season and a job well done; 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.**

**Motion passed unanimously.**

### **10) Senior Transportation & Housing (GS/BO).**

**a) Transportation options (PP/GS).**

**b) Onondaga County Department of Aging & Youth – mobile office.**

Supervisor Scammell asked for them to send him some information so he could put something in the Newsletter about this but he hasn't received anything yet.

### **11) Service Awards (DK/BM/JS/GH).**

**a) Amendment to Fire Service Award Program - July 28, 2005, referendum.**

### **12) SOTS & OCRRA Liaison (DK/BM).**

### **13) Water (GS/SS).**

**a) U.S. Army Corps of Engineers/Jamesville Reservoir – Preliminary Restoration Plan complete, seeking nonfederal (NYSDEC) cosponsor for 33% share of \$7.2M.**

**b) Northeast LaFayette Water district.**

Supervisor Scammell said they are working on boundaries. They will probably be submitting 2 petitions. One will be the Smokey Hollow Improvement District to be added to the Coye Rd. Water District.

Councilor Knapp asked if those people on Smokey Hollow currently get water from E. Syracuse.

Supervisor Scammell said they are on wells. In general there are 4 areas: North Apulia which is Apulia Rd. north of the Beach, Apulia South which is Apulia Rd. south of the Beach, Cook Farm Rd., and W. Shore Manor. The petitions submitted must include more than 50% of the total assessed value of the properties within the boundaries.

Councilor Knapp asked about the trailer park.

Supervisor Scammell has spoken with the owner. The owner has concerns about the way it is being suggested now.

- c) **Hamlet drainage study – request submitted to NYS DOT.**
  - **NYS DOT notified of subsidence behind M. Amidon’s property.**

14) **Zoning Review (GS).**

- a) **Jamesville Reservoir Preservation District/JRPA change request proposals** (referred to PB & ECAB).

1. **Boundary map.**
2. **Lot size – 3 acres.**
3. **Housing to include permanent basements.**
4. **Height & lighting within current parameters.**
5. **No cul-de-sacs.**
6. **No public access to Jamesville Reservoir.**
7. **Boat compliance – speed & noise parameters.**
8. **Grant opportunities.**
9. **ECAB response.**

Supervisor Scammell said he has not heard back from them.

Councilor McConnell believes we should respond to them with the response of the Zoning Officer.

Supervisor Scammell will try to draft something up for the Board to review at the next meeting.

- b) **Application Fee Waiver proposal - for town residents opening new, local businesses or expanding current local business.** (\$200 – PB, \$50 – ZBA).

Discussed earlier in the Meeting.

c) **In-law/family accessory units proposal.**  
Discussed earlier in the Meeting.

d) **Minor/small Subdivision proposed Law No 2-2005.**  
Discussed earlier in the Meeting.

e) **Corridor Plan.**

f) **Digitized zoning map.**

9. **LITIGATION & OTHER LEGAL MATTERS:**

**A. Onondaga Nation land claim & land rights.**

- **Oneida Land Claim – U.S. Supreme Court decision.**

Supervisor Scammell said the Onondaga Nation is stating this is not a land claim but a land rights issue.

**B. William May mobile home on Jamesville Reservoir. \*(3)**

**C. Robert Shute – Route 11.**

Supervisor Scammell asked what the next date something will happen on this is.

Councilor Knapp asked if the DeWitt Court transfer has taken place.

Kevin Gilligan said Mr. Shute had 30 days to perfect his appeal. The 30 days has passed and nothing was submitted. He thinks we should hear something from the judge soon. The lawyer for Mr. Shute must initiate the paperwork to have the case heard in DeWitt Court.

Councilor Knapp asked if there is a time-frame to do this.

Kevin said his lawyer was supposed to bring the motion within 30 days.

**D. Selective Insurance/Estate of Janay Le-Ann Davis.**

**E. Residential Multifamily (RM) zoning district parameters.**

Kevin Gilligan said he talked to an engineer who advised nothing like patio homes should go in an area without public water.

It was noted the Board is waiting to hear back from Fredenburg's on this request after they have discussed it with their engineer.

10. **UNFINISHED BUSINESS & ACTIVE PROJECTS:**

**A. Cram Communications, WVOA-AM towers. Professional detuning consultant - Mullaney Engineering.**

Kevin Gilligan said they received the report today. He thinks we are still waiting to hear something from SHPO.

**B. ZBA request for mobile home inventory, including status.**

**C. FOCUS 2010 - Strategic Plan survey.**

**D. Assessors: 2006 Town-wide property revaluation.**

**E. Pictometry (HD vs. LD) – deferred until 2006 budget.**

**F. SPDES, Phase II (BM, RL, JN, SB, JD).**

- **Time & expense log (J. Dunkle letter).**
- **2004/05 Stormwater Management Program Annual Report.**

**G. Surplus equipment list for Earth Day, 2005.**

1) **Town Historian computer.**

2) **Town offices (individual & general area), highway garage and community center.**

Supervisor Scammell said the above items may be removed from the agenda.

**H. Open Assessor position, effective 6.1.05** (remain at three assessors or go to sole assessor).

Councilor Knapp said the Board must first officially decide if they will be staying with 3 assessors.

Councilor McConnell said he is in favor of it.

Supervisor Scammell said he is O.K. with staying with 3 but we must find someone qualified.

The Board was in favor of remaining with 3 assessors.

Councilor McConnell asked what the qualifications are.

Supervisor Scammell said the person must attend school, be computer literate, etc.

Marshall Taylor said to have the available time. The person can't work another job and do this on the side.

Councilor Knapp asked if they offer the school continuously.

Marshall said yes.

Councilor McConnell asked what time-frame the Board wants to set to decide who they would like to appoint to fill the vacancy.

Councilor Knapp said he has one more person he would like to talk to.

**I. Other.**

Tom Chartrand advised we have received the grant money for the Sr. Citizen transportation.

## **11. NEW BUSINESS.**

- Other.

**12. Suggestions for improvement and positive contributions.**

The Board was very thankful for the beautiful job the Boy Scouts did this past weekend in planting all the flowers and maintaining the flowerbeds in front of the Town Offices.

Supervisor Scammell suggested providing the Boy Scouts with a certain amount of cash for planting and maintaining the flowerbeds.

Councilor McConnell offered to write a thank you letter to them.

The Board thanked him for this.

A monetary amount will be decided upon at a future meeting.

**13. Executive session (if needed).**

**14. Councilor Knapp moved and McConnell seconded the motion to audit & pay the following bills:**

<b>GENERAL FUND</b>	<b># 3490 – 3533</b>
<b>HIGHWAY FUND</b>	<b># 3475 – 3489</b>
<b>SPECIAL DISTRICT FUND</b>	<b># 3535</b>
<b>TRUST &amp; AGENCY FUND</b>	<b># 3536 - 3540</b>

**Motion passed unanimously.**

**15. Councilor’s Knapp moved and McConnell 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