

Minutes of the Town Board Meeting held by the LaFayette Town Board on September 11, 2006 at 6:30 p.m. in the Meeting Room of the LaFayette Commons Office Building at 2577 Route 11 in the Town of LaFayette

Present: Gregory Scammell, Supervisor  
David Knapp, Councilman  
William McConnell, Councilman  
Adrian Shute, Councilman

Absent: Thomas Bailey, Councilman

Recording Secretary: Mary Jo Kelly, Town Clerk

Others Present: Leon Cook, Highway Superintendent  
Kevin Gilligan, Town Attorney  
Marshall Taylor, Assessor/Clerk  
Tom Chartrand, Bookkeeper  
Tom Kingsley, Zumpano Drainage District  
Juanita Titus  
Nadine Titus  
Karen & Jim Brower  
Roy & Renate Brunner  
Michael LaCava, LaFayette School Board  
Gary Hodge, LaFayette Trail Riders  
Carole Dwyer, LaFayette School Board  
Kurt Watson  
John Harper, LFD  
Ed Holohan, Penflex  
Mike Mahlmeister, RBC Dain Rauscher  
Mr. Johnson

1. Supervisor Scammell called the meeting to order at 6:33 p.m.
2. The Town Clerk took the Roll. Councilman Bailey absent. All else present.
3. Pledge to our U. S. Flag led by Town Councilor Bill McConnell.
  - **Moment of silence in remembrance and honor of those who lost their lives September 11<sup>th</sup>, 2001.**
  - **Moment of silence in respect for J. Terry Moore, son of Jim & JoAnne Moore, as he begins his deployment to Iraq.**

It was noted Councilman Bailey is absent as he is attending the funeral on behalf of the Town of LaFayette for the Trooper that was recently slain in the Buffalo area.

4. **Councilman McConnell moved and Councilman Knapp seconded the motion to accept the August 21<sup>st</sup>, 2006 special meeting with the following corrections:**

**Page 1 - # 4 Should read: Councilman Bailey seconded the motion.**

**Page 26 - b) should read: Supervisor Scammell is looking for information to come this week regarding some money.**

**Motion passed unanimously.**

5. **PUBLIC HEARINGS.**

It was noted the Cohen Drainage District public hearing will be held September 25, 2006 at 6:30 p.m.

Kevin Gilligan said this is so any cost for maintaining this district is the burden of those within the district and not town-wide.

Supervisor Scammell asked if there were any questions from the Board or the residents regarding this district.

Councilman Knapp asked what the vote we took awhile back was for.

Kevin Gilligan said the Planning Board moved on this application.

Councilman McConnell said in the past the Board voted that a district should be formed.

Kevin Gilligan said the vote the Board will take after the public hearing is whether to accept the actual drainage district.

Tom Chartrand asked if we anticipate charges for this next year.

Kevin Gilligan doesn't believe so. He suggested Tom call John Langey to be sure. This is more for maintenance in the future.

Mr. Brower said as a resident and a taxpayer, he wants to be sure all the costs of creating the drainage district and maintaining it are absorbed by the people within the district rather than by the taxpayers as a whole.

Kevin Gilligan said all drainage costs: maintenance, operation, problems requiring reconstruction, etc. all go to the drainage district. The point of forming a district is to be sure the people within the district absorb the costs.

The request for formation of a drainage district by Mr. Zumpano was discussed.

Tom Kingsley asked what they will need for the meeting on the 25<sup>th</sup>.

Kevin Gilligan said the map plan and report has been reviewed by the engineers and he doesn't think he needs anything else. He should check with John Langey to be sure.

**IN THE MATTER**

**OF**

**THE PETITION FOR THE CREATION OF THE  
ZUMPANO SUBDIVISION DRAINAGE DISTRICT IN THE  
TOWN OF LAFAYETTE, COUNTY OF ONONDAGA, NEW YORK**

**WHEREAS, a written Petition, dated September 5, 2006, in due form and containing the required signatures, has been presented to and filed with the Town**

**Board of the Town of LaFayette, Onondaga County, New York, for the creation of the Zumpano subdivision Drainage District in said Town and bounded and described as set forth on Schedule AA@ attached hereto; and**

**WHEREAS, the costs in connection with the creation of said District, including all legal and engineering expenses incurred by the Town, and all costs of construction of drainage facilities necessary to serve said district and also all costs and expenses incidental to the acquisition of necessary lands and rights-of-way therefore will be paid by the petitioner(s), its grantees, successors or assigns, who will subsequently execute, if necessary, an instrument conveying title to all or such portions of such drainage facilities including lands or rights-of-way that may be required by the Town Board of the Town of LaFayette, free and clear of all liens and encumbrances, to the said District at no expense to said District or the Town of LaFayette; and**

**WHEREAS, no other agency (including any Federal agency) is involved within the meaning of the New York State Environmental Quality Review Act (SEQR) with respect to this matter, with the result that the Town Board shall act as lead agency in this matter; and**

**WHEREAS, the special district is an unlisted action for purposes of environmental review under SEQR; and**

**WHEREAS, the Town Board had determined that a short environmental assessment form (EAF) shall be required in connection with this matter; and**

**WHEREAS, the said EAF has been prepared and has been reviewed by the Town Board; and**

**WHEREAS, the Town Board has considered the proposed District, has considered the criteria contained in 6 N.Y.C.R.R. Part 617.11 and has compared the impacts which may be reasonably expected to result from said action against said criteria;**

**NOW THEREFORE, on motion of Councilor McConnell, seconded by Councilor Knapp, it is hereby**

**RESOLVED AND DETERMINED, that said District and construction of improvements therein will have no significant adverse effects on the environment, and this Resolution shall constitute a negative declaration under SEQR for the following reasons:**

**The improvements shall consist of the installation of drainage facilities to provide surface water and storm drainage for the residential development which may eventually be constructed within the area of said district. Such installation will result in no substantial adverse changes in existing air quality, water quality or noise levels, and no substantial increase in solid waste production. The potential for erosion, flooding or drainage problems will be greatly reduced. There will be minor and temporary removal and destruction of vegetation during installation of the facilities. No substantial interference with or adverse effects on animal life is anticipated. Eventually, home owners and residents will be attracted to the area, but not in numbers so as to result in any significant change in the**

**character of the area. None of the other criteria listed in 6 N.Y.C.R.R. Part 617.11 have been identified as being relevant to this action; and it is further**

**ORDERED, that a hearing of the Town Board of said Town of LaFayette shall be held at the Town Hall located at 2577 Route 11 in said Town, on the 25th day of September, 2006, at 6:45 p.m., or as soon thereafter as the matter can be heard, to consider the said Petition and to hear all persons interested in the subject thereof, concerning the same, and for such other action on the part of said Town Board with relation to the said Petition as may be required by law or proper in the premises; and it is further**

**ORDERED, that certified copies of this Order shall be duly published and posted as required by law.**

**Upon a canvass of the Town Board, the votes of its members upon the Resolution were as follows:**

<b>Supervisor Scammell</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman Knapp</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman McConnell</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman Shute</b>	<b>Voted</b>	<b>Yes</b>

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

**SCHEDULE AA@**

**ALL THAT TRACT OR PARCEL OF LAND situate in the Town of LaFayette, County of Onondaga and State of New York, being part of Lot No. 20 of the Onondaga Purchase of 1817 in said town and bounded and described as follows: BEGINNING at a point on the southerly line of said Lot 20 with its intersection with the east line Interstate Route 81, Nedrow to Lafayette, Map No. 71 Parcel No. 73; thence N14122'30"W along said easterly highway boundary line for a distance of 829.60 feet to a point; thence N13125'30"W continuing along said easterly highway boundary line for a distance of 120.00 feet to a point, said point being at the intersection with the easterly line of Webb Road; thence N25120'30"E along said easterly highway boundary line of Webb Road for a distance of 169.00 feet to a point; thence N16107'30"W along said easterly highway boundary line of Webb Road for a distance of 263.92 feet to a point on the southerly boundary of lands belonging to Damiano-Ryan Properties, LLC by deed recorded in the Onondaga County Clerks Office in Book 4344 of Deeds at page 81; thence N90100'00"E along said Damiano-Ryan Properties, LLC southerly boundary line for a distance of 815.57 feet to a point on the westerly road line of U.S. Route 11; thence S08155'00"E along said westerly road line of U.S. Route 11 for a distance of 221.85 feet to an iron pipe on the northerly boundary of lands belonging to Clemens by deed recorded in the Onondaga County Clerks Office in Book 3656 of Deeds at page 342; thence S81105'00"W along said Clemens= northerly boundary line for a distance of 90.15 feet to a point; thence N90100'00"W continuing along said line for a distance of 62.13 feet to a point; thence S00100'00"E for a distance of 151.46 feet**

to a point; thence S08155'00"E for a distance of 120.00 feet to a point on the southerly boundary of lands belonging to Carter by deed recorded in the Onondaga County Clerks Office in Book 2693 of Deeds at page 229; thence N81 105' 00"E along said Carter=s southerly boundary line for a distance of 175.00 feet to a point on the westerly road line of U.S. Route 11; thence S08155'00"E along said westerly road line of U.S. Route 11 for a distance of 140.00 feet to an iron pipe in concrete on the northerly boundary of lands belonging to Thompson by deed recorded in the Onondaga County Clerk=s Office in Book 2616 of Deeds at page 144; thence S81105'00"W along said Thompson=s northerly boundary line for a distance of 121.33 feet to a point; thence N90100'00"W along said Thompson=s northerly boundary line for a distance of 54.32 feet to a point; thence S83149'30"W continuing along said Thompson=s northerly boundary line for a distance of 250.06 feet to an iron rod; thence S08155'00"E for a distance of 674.74 feet to a point on the southerly boundary line of said Lot 20 (also centerline of Alpeter Road, A.K.A. Orchard Lane); thence N90100'00"W along said southerly boundary line for a distance of 358.95 feet to a point and place of beginning, containing 17.38 plus or minus acres of land.

Subject to all covenants, easements and restrictions of record.

## 6. COMMUNICATIONS.

### A. Residents.

#### 1) Grader family: Mill Street/Road.

#### 2) Kurt Watson : zone change request.

Supervisor Scammell said Kurt Watson is requesting a zone change for his property on Route 11. Ralph Lamson has submitted a letter regarding this request which reads as follows:

“I was at the last Zoning board Meeting on September 5, 2006. The Zoning on the east side of Route 11 from the Town Offices to Mondore Drive was brought up. I noticed looking at the map this section of the own is basically spot zoned. There are four changes in the zoning and they occur every time there is a change in occupancy on the road. I would recommend a zone change for this area of Route 11. If the section were zoned Business then all the existing properties would still be in compliance...”

The Board will wait for Kurt to arrive before discussing this further.

#### 3) Gary Hodge: LaFayette Trail Riders.

Supervisor Scammell said Gary Hodge submitted a request regarding the snowmobile trail on Niagara Mohawk land. The Board will return to this later in the meeting when Mr. Hodge arrives.

#### 4) Other.

Councilman McConnell introduced Ed Holohan of Penflex, Mike Mahlmeister of RBC Dain Rauscher and John Harper of the LaFayette Fire Dept. Over the past 5 months they have been reviewing the Fire Department Service Award Program. They have drawn up an Action Timeline for Calculation & Depositing of Annual

Contributions and an Action Timeline for Entitlement Age and Post-Entitlement Age Payments. They want to eliminate any trips or falls along the way. He submitted these two policy letters to the Supervisor and Town Board for their signatures.

Ed Holohan said there have been some changes in the state laws which were primarily prompted by some programs that are not funded very well. In 1999 the Town and the LaFayette Fire Dept. had some choices on how they wanted to do this Program. They decided on the Defined Contribution Program. If a fireman met the point system, he would get \$700/year put in his account. It's pretty straight forward. Due to complications with the other types of programs, beginning in 2007 an audit will be required. There has not been a lot of talk about what the audit will be but due to the towns program, it wouldn't be too difficult. There are probably 700 of these programs in New York State right now. The one thing that will have an affect on our program is the need for an audit. With regards to legislation having an affect on this program, it's really positive for the town because of the program it selected. They are now involved at a national level. In the future, if the legislation is passed, they could be able to do tax free rollovers. It gives a lot more flexibility to the volunteers.

Councilman Knapp asked if we would do the audit or do they provide this service.

Ed Holohan said the intent is that the state doesn't want the folks who deal with the fund distribution to be involved in the audit. They will probably give the Town names of folks in New York State who are familiar with these programs who could help with the audit.

Councilman Knapp asked how the other program that came into play a year or so ago regarding the property tax credit affected this program.

Kevin Gilligan said that doesn't really have anything to do with the Service Award Program.

Ed Holohan said there is a lot of creative thought about what you can do to increase volunteerism. These thinks are all coming about in an attempt to recruit and retain.

Councilman McConnell said Dan Raucher provides a quarterly report which will cut our costs as no end-of-the-year report will have to be prepared.

Ed Holohan said the individual firefighters can get individual reports now. This is a major improvement which will save the town significantly.

Mike Mahlmeister said they are basically using the lifestyle fund. The fund will adjust each year as the fireman ages. It becomes more conservative as the firemen age.

Councilman McConnell said that is an individual member's choice. The Town Board doesn't pick this.

Ed Holohan said there's a menu of investments and the Town Board could decide they want to change the menu.

Councilman Knapp asked John Harper if they have had a chance to review the time-lines and if they are comfortable with them.

John Harper said he hasn't seen it yet. Prior to Councilman McConnell contacting him this afternoon, he just thought he was meeting with Ed and Mike tonight at the fire barn.

Councilman McConnell said he submitted these same letters 2-3 weeks ago to the President and Service Award Committee Member to review. He asked John to be sure these are signed by the Fire Dept. and returned to us.

Gary Hodge arrived.

Supervisor Scammell said the request was made a couple of weeks ago regarding the snowmobile trail on Niagara Mohawk land. He confirmed with Kevin Gilligan that the town doesn't have any zoning aspect regarding snowmobiles.

Kevin Gilligan said the Board just wants to be sure if they give permission for this that the neighbors in the area won't be upset. He would recommend that rather than the Board giving its consent, if the Board is inclined to approve this, that they just have no objection.

Councilman Knapp said these trails have been around for a long time. Basically National Grid just wants to have some kind of formal agreement with the Trail Riders.

Gary Hodge said in the past they didn't have a formal agreement for these trails.

Supervisor Scammell asked the Board if they feel we should invite the property owners along the easement to attend a meeting about this.

Councilman McConnell doesn't think that would be necessary.

Gary Hodge said they have had permission from the landowners right along.

Councilman Shute confirmed we are just talking about the Niagara Mohawk property.

Marshall Taylor would like to be involved if this is involving the property behind his house that is owned by Niagara Mohawk.

Councilman Knapp noted Gary Hodge stating any land they are leasing requires the signature for approval from the neighboring property owners. This property is owned by Niagara Mohawk so they require permission from the town.

Gary Hodge said they are only looking for approval for the trail from LaFayette Road to Apulia Road. This is the only area they are seeking permission for.

**Councilmen Knapp moved and McConnell seconded the motion authorizing the Town Attorney to write a letter to Niagara Mohawk stating the Town of LaFayette has no concerns with this request. Motion passed unanimously.**

Councilman McConnell introduced Richard DeVito who he met through Councilman Shute a few weeks ago. Since last November they have been trying to find solutions for the LaFayette Hotel. They have met with various agencies. Empire Management has discussed donating this building to the town. The issue at hand would be the septic system needs to be resolved. Another issue would be parking space. Empire Management owns the neighboring property which is fenced in right now and it would be willing to lease this space to the town for parking.

Councilman Shute said I believe that the most important issue facing the town is the status of what we have come to call the LaFayette Hotel. This building, the focal point of the town, has stood as a landmark and reminder of our town's history, but now stands as a symbol of decay and decline. Business owners have told me that they give customers directions through Nedrow or Tully to avoid the four corners area. I have heard from parents that their children returning from college won't take friends through town because of the impression they feel it gives. Any conversation I have with someone from town ultimately ends up with the question, 'what are you doing about the boarded up building?' Now we have the opportunity to take charge of this problem. We have the ability to take control of the building and make sure that the eventual outcome is in the

best interest of the town. While it may be easier to sit back and hope the problem takes care of itself, we have a duty to make sure the problem doesn't continue to stagnate. If we allow the building to go to tax auction, we cannot control who will own the property. There is no way to know if the buyer will have the ability or resources to rehabilitate the building. Even if the auction were not a concern, we would still need decisive action. In the short period between my first and last tours of the vacant building, it has deteriorated. Left alone the building will continue on this path and once again become not only an eyesore but a hazard to the community. Are there risks to this course of action? Maybe. If we think hard enough, we can come up with any number of reasons why no developer will want the property, and there are certainly many excuses we could use to put off action. However, I believe we have a duty to not only take care in avoiding a wrong choice, but to step up and take on this task to do what is right for the town."

Councilman McConnell said Armory Square was developed by Richard DeVito and his partner.

Richard DeVito said their expertise is mixed use. He was asked by Councilman Shute to come as a potentially interested party. After meeting with Councilman McConnell and Councilman Shute at the property as well as with a representative of the existing owner, he has decided to step back and offer his opinion to the town. The question he has is if the current owner is interested in donating the property to the town.

Councilman McConnell said yes.

Richard DeVito thinks that is a great advantage to the municipality. He thinks if the town takes title to the property, it will be able to overcome some of the obstacles quicker than a developer would be able to. If parking and the septic system can be done, the property could be offered to a developer. It could be done by sealed bids. This would allow you to sell the property back to a potential owner who could go forward with the property. There seems to be some water damage from water coming in from the ground off of the street. This is causing some mold and deterioration for the timbers. He would recommend in addition to taking care of the public hookup for sewer and the parking to be resolved, a minimal amount of work should be done to assure no more water enters into the property.

Councilman McConnell asked if he has seen municipalities take over properties like this.

Richard DeVito said no. He doesn't think any specific individual of the Board will be responsible for the property. As a municipality, you can provide the property with solutions quicker than a private developer would be able to. Does the Board want to take on the risk to rehabilitate the property or have it become a vacant lot? You are not going to get any architectural interest or same beauty to the community if this building is taken down. He thinks the building has enough interest architecturally to become a prominent element to the corner.

Councilman McConnell asked what this building could be utilized for.

Richard DeVito thinks you could get a little diner in the ground level. He doesn't know what the Town of LaFayette's interest might be. You might be able to use the ground floor for a not-for-profit organization. The LaFayette Fire Dept. might be interested. There are all kinds of options. He thinks you will get someone interested in the community. You might get a doughnut shop there.

Councilman McConnell said there is potential for road improvement in 2009. Some of the visuals make this property a little more appealing.

Richard DeVito said if you are losing parking at the front of the building, how important is the parking available at the rear of the building.

Councilman McConnell said if the town were to take the property, Empire Management would draw a 25 year lease up for the parking. Expansion of the sidewalks could be done.

Robert DeVito said you have to think about this as if you were the retailer. As long as parking is next-door to the building, a retailer doesn't care. They want to know where the parking is and if it will be sufficient.

Councilman McConnell thinks that building is an anchor to the community.

Robert DeVito would agree and thinks it's important for it to maintain itself there. He doesn't think a building would be built like this again. One other advantage is that the town will have a certain amount of money invested into the property once they receive it. If you spend \$30,000 to \$40,000 to bring the property up to a saleable state, then you are able to bring people in that will only have to invest \$40,000 to begin with. The town might want to add \$10,000 to the price to make some money. He is confident that property could support itself as long as the municipality chose a credible developer with a good track record to sell it to.

Councilman McConnell thinks this property is slated for auction October 17<sup>th</sup> and he hopes it doesn't come to this as you don't now who will purchase it at that time.

Robert DeVito said the integrity of the property is in jeopardy and you can't afford another mistake.

Councilman Shute asked what the chances are if this goes to auction that someone will purchase it that will make a serious go of it.

Robert DeVito said he would have no idea. The chances are much greater that if you have possession of the property, you have a greater chance to get a good developer for the property. If someone were to buy it at auction, they are going to have the same problems the previous owner had. He doesn't think you will find someone who can overcome the obstacles the prior owner couldn't. He believes it's essential for the town to step in and provide the vehicle for the property to be rehabilitated and be able to sell it to a reliable developer.

Councilman McConnell thanked Robert for coming out and providing his professional opinion.

The Town Board thanked him.

Robert DeVito said he would be glad to come back if the Board had any other questions in the future.

Curt Watson had arrived. He is requesting a zone change of his property on Route 11.

Councilman Knapp asked how large the parcel is.

Kurt Watson said 14 acres.

Councilman Shute said he attended the Zoning Board of Appeals Meeting. The reason Kurt is here tonight is that the Zoning Board of Appeals told him he probably wouldn't get a variance on this property. They instructed him to come to the Town Board to request a zone change.

Councilman Knapp asked if he is moving the existing building down to this site or building a new building.

Kurt Watson thinks he will move the existing building.

Councilman Shute asked who owns the property to the north.

Councilman McConnell asked if he has defined yet how the property will be used.

Kurt Watson said there are no sales out of the building. It would be a place for an office and storage of landscaping equipment.

Councilman Knapp said there would probably be some piles of topsoil and mulch.

Councilman McConnell asked if there is a pond on the property.

Kurt Watson said no. There's a 6-7 acre parcel that has been put in a wildlife habitat which will always remain as that.

Supervisor Scammell asked if there were any other questions regarding this request.

Councilman McConnell believes the Code Enforcement Officer's memo indicates there is spot zoning all through this area. He feels comfortable holding a public hearing for this.

Kevin Gilligan said an application for zone change should be submitted first with an Environmental Assessment Form. This must be done by local law. This information has to be received prior to scheduling a public hearing.

Councilman McConnell asked Kurt if he had a time-line he is looking at for this.

Kurt Watson said as soon as possible.

Kevin Gilligan said if the application comes in, he can draft up some proposed legislation and a public hearing could be scheduled at the next Town Board Meeting for October.

**B. Syracuse Post-Standard, 8.18.06: "CNY Employment – Strong Job Growth".**

"Seasonal job cuts in government, most of that in school-related positions, kept the area's July unemployment rate steady compared with the same month a year ago..."

**C. NYS Senator John DeFrancisco: S.1544/A.4354.**

"Thank you for taking the time to contact me about your support for S.1544/A.4354, a bill to equalize the treatment of collateral sources in tort actions against public defenders. As you know, the 2006 State Legislative Session ended in June, and it is not likely that this bill will be considered by either house until January 2007..."

**D. Onondaga County Department of Finance: Centralized property tax collection survey.**

"Earlier this year, as a part of the County Executive Message to the County legislature, Mr. Pirro recommended a serious look at whether a centralized property tax collection system could save money, improve efficiency, and maintain customer service. To ensure a fair, careful, and knowledgeable review, a task force of volunteers was assembled to take a fresh and open-minded look at the tax billing and tax collection process. The task force is made up of representatives from the Tax Receivers/Collectors Association, municipal officials and county staff. In an effort to assess the total cost of the current county collection function, the task force has developed a survey. On behalf of the task force, I am asking for your assistance..."

Supervisor Scammell said the survey has been completed and returned to them. He has not heard back from them.

Councilman Knapp asked if we would have to allow them to take it over.

Kevin Gilligan doesn't now if you would abolish local services or if you would have an intermunicipal agreement.

Councilman Knapp is concerned that people wouldn't be able to come into the Town Offices to do their business.

Kevin Gilligan said you definitely lose the personal touch.

Councilman Knapp said there are a lot of things to think about. By the town collecting the taxes, it gives Tom Chartrand more flexibility than if the county collected the money first.

Supervisor Scammell said that is a good point and agreed there is a lot to consider.

#### **E. Onondaga County Board of Elections: 2006 Elections.**

“The NYS Election Consolidation legislation of 2005 has changed the way we all do business. Certain duties are no longer vested with the towns or city, but are now the responsibility of the County. The lever machines will be used for at least 2006. In addition one ballot marking device for disabled voters will be located at our office in the Civic Center. You are no longer responsible for paying election inspectors, custodians or party representatives. You do not need to secure polling places. The county Board of Elections now has the responsibility to draw election district boundaries. All of this has been a tremendous strain on our staff. This is why we still need your help with a few items...”

Mary Jo said there is still some confusion but things should work out.

Councilman Knapp said we have been able to get two residents to volunteer to be inspectors and Mary Jo noted for primary tomorrow, they are bringing people in from other towns rather than using our own residents. He will be talking to Board of Elections about this tomorrow.

#### **F. NYS ORPS: Additional State Aid Available for Coordinated Assessment Programs.**

“I would like to take this opportunity to make sure you are aware of a supplemental aid-program that is available for new coordinated assessment programs (CAPs) and additions to existing programs effective with the 2007 or 2008 assessment roll. As the function of real property assessment administration has grown increasingly complex, many jurisdictions, especially smaller ones, have had difficulty both in finding qualified persons to serve as assessor and in paying adequate salaries for the job. One option you might want to consider at this time is the formation of a coordinated assessment program (CAP) or joining an existing CAP. This option offers an opportunity for many of the State's towns and cities to realize various cost efficiencies, introduce new technology and valuation expertise and change from part-time to full-time assessors. For a coordinated assessment program, at least two cities and towns in the same county or adjoining counties agree to share a single assessor, however, they maintain their individual assessing unit status. Assessing units must also assess property at the same percentage value as well as use the same assessment calendar. New York State provides several financial incentives to encourage the formation of a CAP. Consolidation

Incentive Aid provides for a one-time payment of up to \$7 per parcel to assessing units participating in a CAP. Also, for a short time, there is an additional Enhanced Coordinated Assessment Aid program. This Enhanced Coordinated Assessment Aid program provides for an additional one-time payment of up to \$5 per parcel for new participation in a CAP. Therefore, at the present time, there is the potential for receiving up to \$12 per parcel in State Aid if a new CAP is formed effective with the 2007 or 2008 assessment roll. The enhanced aid payment will no longer be available after the 2008 assessment roll. You should be aware that in order to receive the Enhanced Aid on either the 2007 or 2008 roll, an approved CAP agreement should be in place at least 45 days before taxable status date of the 2007 roll and the appropriate paperwork filed with ORPS by February 1, 2007...”

Councilman Knapp said we currently have elected assessors and he is sure they are talking about appointed or hired assessors for this. Fabius and Pompey do it together as a town and school district.

#### **G. NYS DOT: LCS Board of Education concerns.**

“We have received letters by you and the Board of Education on June 26 concerning two different issues. This is intended to address the Boards letter. Your letter will be addressed by Dave Smith the Department’s Resident Engineer for your area. The Board of Education is concerned about the center left turn lane proposed for Route 20 in front of Grimshaw Elementary School. Specifically, the Board stated the turn lane may create ‘more of a safety issue than is currently present’. We offer the following to alleviate the concern.

- 1) Center left turn lanes are a proven accident counter measure.
- 2) Center left turn lanes provide left turning traffic an opportunity to wait for safe gaps in the opposing traffic stream in order to turn. This reduces the potential for left turn head on accidents.
- 3) Center left turn lanes reduce rear end accidents by removing slowing and stopped traffic from the through traffic stream.
- 4) The department will be providing uniform and consistent traffic movement by eliminating shoulders. Vehicles will no longer drive on shoulders to go around turning traffic. This type of movement is a threat to unsuspecting pedestrians waiting to cross.
- 5) There will be little to no increase in the width of the roadway.

I would like to use this opportunity to bring up another traffic related issue. At the public meeting concern was expressed with pedestrian safety on route 11 in the vicinity of the High School. One way to lessen this concern is to reduce the speed limit in the area. If you would like to have a school speed limit at this location, please submit a letter to Diana Graser at this address. The letter should indicate that there are students that walk or bike to the high school and you desire a school speed limit...”

Councilman Knapp said we have two School Board Members here tonight. He thinks the wrong issue was addressed. He thinks the specific issue the school has is concern about the design adding the turn lane starting almost at the bridge. To have that lane start way back there would encourage cars to go faster in front of the school. If you had the turn lane start after Grimshaw, the traffic could remain slow in front of Grimshaw.

Mike LaCava said they are still discussing this as well as the speed limit at the high school.

Supervisor Scammell noted we had the speed limit reduced to 45 mph at the high school a few years ago.

Councilman Knapp said getting the speed limit lowered in front of Grimshaw was great. He thanked Councilman Shute for his help as there have been many attempts in the past. He said if the school needs help with the request for the high school, just let the Town Board know.

**H. NYS Senator Joseph Bruno: S.1544 – collateral sources.**

“I am writing to acknowledge your correspondence in support of State Senate Bill 1544, which relates to equalizing the treatment of collateral sources in tort actions..”

**I. NYS Department of State: 4<sup>th</sup> Annual Quality Communities Teleconference.**

Supervisor Scammell noted this will be Wednesday, September 27<sup>th</sup>.

**J. NYS DEC: Permits at Jamesville Reservoir. \***

“Enclosed is your permit under New York State Environmental Conservation Law. Please take some time to review it and note:...”

Supervisor Scammell said it appears this is basically for the milfoil on Jamesville Reservoir.

**K. Farm Family: Policy Reinstatement Notice – 3134X0289.**

Supervisor Scammell noted this is a notice we received before regarding cancellation of Watson Landscaping Inc. insurance policy.

**L. NYS DEC: Extension of Expiration Date: NYS DEC #7-3134-00094/000001.**

“In response to your verbal request of August 16, 2006, the above reference permit is hereby modified to extend the permit expiration date to December 31, 2008..”

Supervisor Scammell noted this is for Robert Drumm’s property.

**M. National Grid: Business Services Office representative contact.**

“As many of you know, a significant storm swept through National Grid’s service area at the end of July. If you were among our customers whose service was affected by that event, thank you for your patience. Roughly 38,000 customers lost power beginning on Saturday July 29<sup>th</sup>, with virtually all customers being restored by Monday, July 31<sup>st</sup>. All resources were brought to bear to return service to our customers in a safe and efficient manner. The following week, high temperatures settled over our region, prompting a new record for electricity demand among our customers of 5, 592 megawatts on August 12...”

**N. Onondaga County Legislature: 9.5.06 agenda.**

**O. Other.**

Supervisor Scammell said he put a list of delinquent tax parcels that will be going up for auction in each of the Board Members mail trays. There are 5 properties listed in the Town of LaFayette.

Supervisor Scammell said he received a letter from the Jamesville Fire District that they would like to renew their contract with the Town of LaFayette for fire protection.

7. **SPECIAL REPORTS. Richard DeVito – City Square Development owner.**

This was done earlier in the meeting.

8. **REPORTS.**

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

- 1) **Assessors: Mary Doster, Marshall Taylor & Jim Munnell.**
- 2) **Building & Zoning Code Enforcement: Ralph Lamson & Jack Sutton.**
  - a) **2300 – 2330 Route 11 South, across from LaFayette Rural Cemetery, numerous violations.**
  - b) **Route 11N (just north of town offices) – 2 autos, visible from LPL parking lot, spring removal.**
  - c) **Junk complaint at 3903 Eager Road.**
  - d) **3649 Coye Road.**
  - e) **Apulia Road – various violations south of Jville Rez.**
  - f) **July newsletter article (junk vehicles) response (BM).**
  - g) **3231 Webb Road. Four junk vehicles.**
  - h) **Signage for seasonal as well as year round businesses on town, county, state roads.**

Supervisor Scammell said he put a copy of an article regarding manufactured homes in the Board Members mail trays and he gave a copy to Ralph Lamson.

3) **Dog Control: Jim Moore & D. Scholes.**

- 4) **Highway Superintendent: Leon Cook.**
  - a) **Town signs at major entrance/exits to town.**
  - b) **Town signs at minor entrance/exits to town.**
  - c) **Cabinet transfer to Community Council.**
  - d) **Access terminal at town offices.**
  - e) **Mill Road/Street options.**

Leon Cook said they have been keeping up with the 40 acres of mowing. They have been mowing roadsides too. They put a new crossover pipe in on Webster Rd. that is about 1,000' this side of Webster Bridge. It was really deteriorated and starting to sink in.

They have been cleaning ditches. Today they picked up the last of the brush.

On Commane Road, a little over a year ago the County cut a tree at the request of a property owner. It fell across a stream and they left it there. The beavers got up in there and created a real problem. They got the stream cleaned out and opened up. Hopefully this will discourage the beavers. The County came up with a chainsaw and cut the tree up. The Highway Dept. carried the wood away. The beaver hasn't been around for the last week or so. The Highway department took the dam out about 3 times.

Leon said he turned paperwork in at the last meeting for the agreement with the state for the salt shed.

Supervisor Scammell said it's been signed and submitted.

Councilman Knapp thanked Leon for doing this. He thinks it will really help.

Leon Cook said they will send a signed copy back to us. Back in 1990 when we had the old Brockway hauling truck, we had to buy a dump box for it. In 1994 we bought the International and put the old dump box on it. It's been deteriorating on the inside. It's hard to hold the tailgate now. The big problem is holding fine stone. You can't get the tailgate closed enough to hold it.

Councilman Knapp said they had a Highway Committee Meeting and checked the box out. It's actually becoming a safety hazard. The tailgate could easily come undone and if someone was close enough to it, it could cause a real problem.

Leon said he is getting some prices for a new one. He got one price of \$12,180 with the RAM. If the cylinder he has fits in this box, we can take \$685 off of this price. If the Board gives him the O.K. to purchase this, he can get it on the county bid. A referendum would have to be done to take the money out of the Reserve Account. He has this in the new budget to do next year. Tracey Equipment won't hold the box until next year. If they get a sale for it, they will let it go.

Councilman Knapp asked how much is in the account now.

Leon said \$25,000.

Councilman Knapp said this was going to go for the pickup truck.

Leon said he isn't going to get a new pickup. He had it in the budget to buy one in 2006 and it was taken out of the budget. It cost a lot of money to get the current one to pass inspection. At budget time one of the Board Members said instead of adding it to the 2006 budget it could be taken out of the Reserve Account. The Reserve Account is set up for cases like this when you have to get something.

Supervisor Scammell said this isn't in the current budget. We would have to take it out of the Reserve Account.

Leon said yes. That is why you would have to do a Permissive Referendum.

Councilman Knapp said the \$25,000 is there but isn't allocated for anything.

Supervisor Scammell asked what happens to the \$25,000 that was there for the pickup truck.

Councilman McConnell asked Leon how much he puts back in the Reserve every year.

Leon said \$35,000? Usually.

Councilman Shute confirmed the \$12,180 is the number he got for buying it now.

Leon said yes.

Councilman Shute said by the time we have a referendum, that equipment may not be there any more.

Leon said the referendum has to be for 30 days.

Councilman Knapp thinks if they know we are going to buy it, they will hold it otherwise they will sell it.

Kevin Gilligan asked if he had a county bid number on this.

Leon said he can get it to Kevin.

Kevin said if there's a county bid, we can purchase this without putting it out for bid.

Councilman McConnell said if the Board should approve this and the Reserve Account is cut almost in half this year, you won't be able to purchase the pickup next year. He believes this is a safety factor. He can see no reason to deliberate any more on this.

**Councilmen Knapp moved and Shute seconded the motion authorizing the expenditure of \$12,180 from the Highway Reserve Fund and the resolution is subject to a 30 day Permissive Referendum. Motion passed unanimously.**

Ralph Lamson sent the Board a memo regarding his computer. "I have recently discovered that my computer is going to be obsolete. The office computer runs Windows 98. Microsoft recently announced that they are no longer going to support this software. I have talked to Tom Chartrand and found out there is enough money in the budget to support his purchase. Office Depot has adequate computers for less than \$1,00. I am bringing this up to you per the Town Procurement Policy. I appreciate your time in reviewing this matter."

The Board was in agreement for Ralph to talk to Marshall Taylor about this. They want to be sure he gets what he needs.

**5) Justice Court: Malcolm Knapp & Maureen Perrin.**

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

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

**8) Tax Collector: Teresa Mech.**

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

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

**a) Intermunicipal Shared Services/Cooperation & Consolidation, 2005 Onondaga Citizens League study (published May, 2006), Southern Onondaga County towns.**

**b) Shared Municipal Services Incentive Grant Program, 10% matching.**

**c) '07 budget – deferred items (none).**

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

**1) Agriculture (DK/MK).**

**2) Communications & Technology (MF/PK/MK/MT/GS).**

**a) Town Website.****b) Transition to Digital Towpath.**

- **Parallel operations.**
- **Website – townoflafayette.org (now is townoflafayette.com). Secure additional .gov?**
- **Town email addresses (tolxxxxx@aol.com to tolxxxxx@??) – conversion & new.**
- **File transfers.**

**c) Access for highway department at town offices with temporary, nonstandard email account.**

Supervisor Scammell said he talked about having a terminal for the Deputy Highway Superintendent to have access for email, etc.

Councilman Knapp said they discussed this at the Highway Committee Meeting. The Deputy Highway Superintendent is using his own computer for this but down the road they would like to look at something else.

Supervisor Scammell asked if he would give the Town Board his email address.

Councilman Knapp will get it. He will discuss the terminal with the Deputy Highway Superintendent and let the Board know his findings.

**3) Economic Development (BM/GS).****a) LaFayette Hotel.**

Councilman McConnell said it's up to the Board to make a decision on what road they want to take now.

Supervisor Scammell said Richard DeVito mentioned the town would invest the money in the building regarding parking and septic. He wasn't sure if the plan for the septic might be something like a sewer district in the Hamlet area that people would have to request. He wasn't sure if Richard DeVito was talking about working with the septic system that is there or having a new system.

Councilman McConnell said usually when a developer works with the DEC or a group like that, there are usually already biases formed. When a town goes to one of these groups, they seem to be able to work through problems easier. Many of the obstacles could be easier to overcome if worked on by a municipality.

Councilman Shute thinks the town may be able to reach an agreement with Dave Muraco for the parking space where another developer might have trouble doing this.

Councilman McConnell said the key issues are the opportunity that the current owner is willing to donate the building and the opportunity to lease the parking area.

Supervisor Scammell asked for any questions or comments.

Councilman Shute thinks with the tax auction coming up in October, tonight we should agree to come up with a plan the Town Board can vote on at the next meeting.

Councilman McConnell would agree with Councilman Shute. He is willing to touch base with Ms. Carney again and try to put everything together as to what we have to work with and who would help. He said there are two other interested parties in this building. With that in mind, he would hope to minimize the cost to the taxpayers.

Councilman Shute said we would have the ability to put this property out to bid.

Councilman Knapp was pleased to hear this.

Councilman McConnell said whatever the Board looks to invest in it, we have an idea what we would like the building to become and have a way to control this.

Councilman Knapp asked Kevin Gilligan for his thoughts on this.

Kevin Gilligan said he isn't prepared to offer an in-depth legal opinion on this.

Councilman Knapp asked if there were any concerns about this.

Kevin Gilligan said environmental issues. We don't know what is in there or what things might jump up at us later or the cost that might be involved to get it to a point where a developer might be interested in going forward.

Councilman Knapp asked as far as the town taking ownership of it and putting some money into it and then putting it up for a public bid, does Kevin see any problem there?

Kevin Gilligan said he isn't sure we are allowed by statute to do this as a town. He isn't sure that a town has that jurisdiction. He will need to look into this.

Councilman McConnell will research this with the county agencies. We may not be able to do this through a municipality our size and money would be needed. There may be too many wickets for us to do this. He will research this.

A PILOT agreement for the building was discussed.

Kevin Gilligan said towns don't have PILOT's. They are done through development agencies. We agree to them or we don't.

Supervisor Scammell asked if we are allowed to have a PILOT like at Festival Gardens.

Kevin Gilligan said that is not a town PILOT, it's a HUD PILOT. There are agencies like housing authorities that might be able to do things like apartments.

Councilman McConnell said when he met with Economic Development in March they gave him a list of laws, etc. He will put this information together tomorrow and get it to the Board

**b) Focus 2010.**

**4) Emergency Response (TB/BM).**

**a) LFD exhaust vents – '06 AFG grant submitted (TB).**

**b) Onondaga County Department of Communications - OCICS.**

**c) NYS PSC – TSP (Telecommunications Service Priority) (BM).**

**d) Pandemic/Avian/Bird Flu.**

Councilman McConnell said he and Councilman Bailey are putting some information together for the next Town Newsletter on this.

**e) NIMS training (TB).**

**5) Employee Policies & Benefits (MK/AS/MD).**

- **Implement employee-share healthcare premium increase.**
- **Optional employee paid benefits.**

This can be removed from the agenda.

**6) Environmental & Conservation Advisory Board (RB, BF, KF, WG, EG, NM).**

- Newsletter – property owner options for Tent Caterpillars - complete.
- SPDES subcommittee – tba.

**7) Highway (PP/LC/DK/SP/JG).**

**a) Long term – 5 year capital equipment forecast.**

**b) Road maintenance schedule.**

Councilman Knapp said they had a meeting last week where they reviewed the equipment plan as well as the road maintenance schedule. They will present the road maintenance schedule at the budget meeting next week.

**c) Computer terminal in highway garage.**

**e) Multimodal/CHIPS funding – in process, via Senator DeFrancisco’s office.**

**8) Physical Plant (HS/DK/BM).**

**a) Heating/Cooling system alts & new temperature controls - bid, Clay Smith, P.E.**

**b) Energy usage reduction program, MEGA & town buildings (BM).**

**c) Motion sensors (BM).**

**d) Alarms at Town Offices & Community Center.**

Councilman Knapp said the light that shines on the flag at the Town Offices wasn’t working. Fred Groth repaired the bulb.

Supervisor Scammell said the rope has broken on the flag.

**9) Recreation & Youth (DK/AS/RR).**

Councilman Knapp said Community Council is having a meeting to finalize their budget. Soccer has started up and they are putting out the word for helpers at the Apple Festival.

**a) Marion Bailey Park.**

**1. Short term.**

- New trees & maintenance (stump removal & tree trimming) to existing trees -94%.
- Park signs “children playing” - 76%.

- **Basketball court improvement (new nets, paint backboards, straighten basketball pole, remove old volleyball pole) - 73%.**
- **General maintenance and improvement (more mowing, weed trimming, trash pickup, remove old concrete pad) – 70%.**

Councilman McConnell said 4 trees were planted by community members. The trees were provided by Watson's and they assisted at no cost to dig the holes. He and Leon Cook met with a representative of Grimm Landscaping today. There are two trees that need to be cut down right now. Grimm Landscaping is going to get an estimate for this in about 2 days. Leon has volunteered some help to haul the debris away and remove a couple of the smaller stumps. Grimm Landscaping will do this work in late October if we accept their bid as they are too busy right now.

Councilman Knapp asked Leon if he is going to take care of the old foundation down there.

Leon said probably tomorrow.

## **2. Long term.**

- **Resurface basketball court.**
- **Add fencing (north side) to protect children from ditch & road.**
- **Speed limit reduction to 30 mph.**
- **Traffic flow control (light, sign, 4way stop @ 11A & Rowland).**
- **Parking area from 11A.**

### **b) LaFayette Beach.**

- 1. Evaluate survey/transfer LaFayette Beach from LCC to town.**
- 2. Roof/cover over sandbox (Herb Salladin). Bids. (DK).**
- 3. Repair/move lacrosse box.**
- 4. Structural repairs – bid (DK).**

### **Fred Stafford/Optimists Park.**

- 1. Lacrosse facility – estimates (\$5K – materials only), (re)location possibilities.**
  - **Tully-\$12k – materials only (all volunteer labor).**
- 2. Bird problems – remove light (see PP) (DK).**
- 3. Install grills.**

### **c) Park designs.**

- **Parkitects.**

## **10) Safety (TR/AS/LC/RR).**

### **a) Electrical work list.**

### **b) 5.22.06 inspection (AS).**

- **Town Offices.**
- **Concession Stand.**
- **Stafford Park.**

- **Bailey Park.**

Councilman Shute said Herb Salladin did everything on the lists that didn't require an electrician to do. He knows of an electrician in town that is out of work right now that would be willing to do this work.

Supervisor Scammell said the problem is that people who do work for the town have to provide an insurance policy.

Kevin Gilligan said the Incidental Contract would be required. Mary Jo can get him a copy of it.

Councilman Shute said he talked to Tom Rezsnyak tonight. A battery was removed from one of the smoke detectors at the Community Center and left in the kitchen. He wondered if something could be added to the Usage Facility Guidelines not to remove batteries from the smoke detectors. Tom Rezsnyak inspected the Highway Dept. and didn't find anything wrong there.

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

**12) Senior Transportation & Housing (BO/GS).**

**13) Service Awards (BM/DK/LP/NV).**

**a) Firefighters Tax Exemption Law (Onondaga County Supervisors Association memo).**

**b) Requirements for service awards & tax exemption reconciliation.**

**c) Action timeline for calculations & depositing of annual contribution. Penflex visit.**

Councilman McConnell apologized to the Board for the other Fire Dept. members not showing up. The information was given to them a couple of weeks ago. John Harper John Harper is the contact at the L.F.D. for the Service Award Committee.

Supervisor Scammell confirmed there should be two representatives on the Committee from the L.F.D.

**14) SOTS & OCRRA Liaison (DK/BM).**

- **Prevailing wage impact on contract.**

Councilman Knapp said we are in the process of rebidding the contract. He gave Mary Jo the date that information would be available for public viewing.

**15) Water (GS/PP).**

Supervisor Scammell said a grant for \$488,000 was received from Congressman Walsh's Office. There is a low interest loan of 4.4 % from EPA. John Dunkle estimated these two items would reduce the estimated cost per household by \$300. This would be per unit per year.

Kevin Gilligan said if we had known this ahead of time, we wouldn't have needed the State Comptroller's approval for the district.

Councilman Knapp said this doesn't include the other probable money from Community Development.

Kevin Gilligan said that won't have a significant impact on the overall dollar amount though.

- 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 and Smokey Hollow Service Improvement districts.**

- 1. **Grants & long term, low interest loans (RD & EFC).**

**Councilmen Knapp moved and McConnell seconded the motion authorizing the supervisor to sign any and all documents relating to the EPA grant. Motion passed unanimously.**

**Councilmen Knapp moved and McConnell seconded the motion authorizing the supervisor to sign the standard lease and operating agreement with OCWA to purchase water subject to review and approval by the Town Attorney. Motion passed unanimously.**

- 2. **Letter to Dale Sweetland, Onondaga County Legislature Chairman – complete.**
- 3. **NYS Comptroller's Office – approved.**
- 4. **Phase I archeological study – NYS OPRHP.**

Supervisor Scammell said there will be a meeting very soon with the Onondaga Nation regarding an archeological survey.

Kevin Gilligan said he was advised the \$200,000 is in the town account. The steps will be taken to reimburse the town for expenses it has incurred. This gets us a head start for the spring.

- c) **Hamlet drainage study – request submitted to NYS DOT.**
  - 1. **NYS DOT notified of subsidence behind M. Amidon's property.**
  - 2. **6.6.06 NYS DOT meeting @ Grimshaw Elementary School.**
- d) **OCWA – Coye Road Water District hydrants at Roberts Drive & Hedgerow Lane – approved. 12" line to be installed.**
- e) **Drainage Districts.**
  - 1. **Jamesville Grove Subdivision (9.25 PH).**
  - 2. **Zumpano Subdivision.**

#### **16) Zoning Review (GS/MK).**

- a) **Jamesville Reservoir Preservation District/JRPA change.**

- b) **New instruction sheet for subdivision, variances & controlled site approval (note riparian rights/drainage, SOCPA meets every 3 weeks, public notification of neighbors, applicants without counsel/surveyor/engineer, meeting frequency, include Onondaga County subdivision filing requirements, riparian rights) .**
- c) **Corridor Plan.**
- d) **Digitized zoning map, correction & amendments.**
- e) **Density (rezoning from A-R to Rn).**
- f) **11/20 signage for local businesses.**

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

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

#### **B. William May mobile home on Jamesville Reservoir.**

- **County court rules in town's favor.**
- **NYS Supreme Court rules in town's favor.**
- **Appealed by Mr. May.**

#### **C. Robert Shute – Route 11.**

- **Town of DeWitt Court rules in town's favor.**
- **5.16 sentencing.**
- **Fine imposition.]**

Kevin Gilligan said the court imposes a fine. There is a procedure to convert this to a civil fine which allows you to collect the fine within means of the law. This allows a lien to be put on the property.

#### **D. NY Limited Partnership (Apple Ridge Apartments) v. Town of LaFayette Board of Assessors & Board of Assessment Review.**

Marshall Taylor said they are suing for their assessment at 1.8 million dollars. They just sold the property for 2.8 million dollars.

Supervisor Scammell said so they are taking us to court because they think 1.8 million dollars is too high but just sold the property for 2.8 million dollars.

Marshall Taylor said he has been working with John Langey on this. The sale just came in last week. The attorneys representing the previous owner may or may not be representing the new owner. He is trying to find this out.

Councilman Knapp asked if since they sold it, is there still a lawsuit?

Marshall Taylor said the attorneys are trying to figure this out now. They are asking to go down to \$750,000 from 1.8 million dollars in the court.

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

### **A. Cram Communications – agreement and bond.**

Kevin Gilligan said the Board may be getting an agreement. He will draft it and they will sign it and it will be submitted for the Town Board's approval.

**B. Crime coverage – review of town books (TC).**

Supervisor Scammell said there is a single item left here. Tom Chartrand is done with the rest.

**C. Community Development Grant app.**

Councilman Knapp asked when they vote on the grants.

Kevin Gilligan thinks it's usually in September.

It was noted this was not on the September agenda for the County Legislature.

**1) Water district.**

**2) Water district hookups.**

**3) Park designs (SU &/or playground equipment manufacturers- Parkitects)**

➤ **Bailey Park.**

➤ **LaFayette Beach.**

➤ **Stafford Park.**

**4) Neighborhood/Transportation infrastructure.**

**D. SPDES – MS 4 Phase II, in kind.**

**1) New NYS DEC TMDL requirements (JD).**

**2) NYS DEC letter (GS) – complete.**

**E. Onondaga County: proposal for centralization of tax collection –data collection.**

**F. NYS Department of Labor: prevailing wage rates (KG).**

Councilman Knapp said an update on this is that Bob DeMore and a few other folks met with Senator DeFrancisco's Office last Wednesday. The big issue is that having categorized on the garbage truck that the driver and thrower are the same. This is affecting what they are having to do on these bids. This is affecting every municipality contract in the state. The state has come down quite a bit from what they were doing earlier. He will update the Board more as he hears more.

**G. CNY Community Foundation - Grants for Green Spaces.**

- **Stafford Park: Community Council – LaFayette Beach (AS, RR) – submitted and approved**
- **Bailey Park: Boy Scouts (BM) – estimates in process. CNYCF - \$750, ToL - \$?.**

Councilman Shute said he has been unable to get in touch with Regina Reinschmidt about this. It was for \$750. It was going to be used for bleachers. He will keep trying to get in touch with her.

**H. Reagan Agency/Selective Insurance loss control visit/8.21(BM/AS).**

Councilman McConnell said he spoke with Tom Riley about this. Our increases were due to large increases in materials and other contracting costs that have not been kept up with. We were undervalued regarding materials and labor. Marshal Swift is the software used which is in agreement with Selective's amounts. He noted if one of the buildings went, we would be covered but if all the buildings went together, that is where we would be in trouble. He thinks the only option we have to reduce the cost is to debate the assessment of the buildings.

Councilman Shute thinks we have the ability to insure these buildings at what we think they the cost to replace them would be. He doesn't think we need to take the numbers. They have applied some sort of formula to come up with their figures. The increase they are talking about is fairly substantial. The only way it will come back to hurt us is if every building goes at once.

Councilman McConnell would gladly reduce the replacement cost for the Community Center. He is sure Reagan Agency works with other companies besides Selective. We could ask for another avenue to bid this as the cost for replacement is too high.

Councilman Shute said if we find another insurance company that will give us some different numbers. He thinks we should be choosing what we think the fair cost is and paying for that much insurance.

Councilman Knapp said we need a balloon big enough to handle one building at a time.

Councilman McConnell will discuss this with Mr. Riley. He will ask for some competitive bids on this and to see the cost for one facility.

**I. NYS EFC: DWSRF regulation revisions/8.21 (KG/JD) – reviewed – no comment necessary.**

**J. LaFayette Trail Riders & National Grid property/8.21(GS) – real estate dept feedback.**

- 1) **Neighboring properties.**
- 2) **Hold harmless agreements.**

These were discussed and completed earlier in the meeting.

**K. National Grid – 10,000 trees and growing.8.21 (TB).**

**L. NYS DOT project – sewer & water feedback.**

Councilman Shute said he read through the plan they developed in 1994. He thinks they made a big mistake not trying to use to our advantage the Onondaga Nation's standing complaint about this situation. It would seem they would have an easier time getting some federal funding for this than we would. In the first paragraph of the 1994 plan it discusses the sewer drainage and Kennedy Creek. He would be willing to contact Tony Gonyea about this.

Councilman McConnell believes it's prudent for the town to appoint a standing committee to gather these facts. Whatever water goes through the town would affect

others and it needs to be up to standard. He would suggest having two Board Members on it, members from the community including members from the Hamlet. Its charter would be to report back on an impartial basis. Need, cost and flexibility were the main questions asked in 1994.

Supervisor Scammell thinks it's the residents themselves who drive this. It's something they agree to pay for and we're just the conduit.

Councilman McConnell said in working on the LaFayette Hotel issue, there were surrounding property owners that were interested.

Councilman Knapp said we need to find an individual or two that are willing to head up the committee that might have the interest and could chair a meeting so it's not the Town Board pushing it on the residents.

Councilman McConnell thinks it would work well if this had the Town Board involved in the investigating part of it.

Councilman Shute asked if forming a district is the only way it can be handled.

Kevin Gilligan said it's strictly a district. Most towns might have 10-12 districts. Just because some place is in the district, it doesn't mean they would get served.

Councilman McConnell would suggest this move forward to start putting together the wickets.

Councilman Knapp said to see if there's an interest.

Supervisor Scammell would agree to see if there is an interest and to get an idea of the cost. Somewhere you need to get some kind of money figure and some tentative boundaries. They might be the same for water and sewer or the might not.

Councilman McConnell will start out with the committee and anyone can participate from the Board and start laying the groundwork.

Councilman Knapp said and to find out if we want to do water, sewer or both.

Supervisor Scammell said it's very tricky to determine the boundaries. If you took the same tentative boundaries for the project, it may help to firm it up.

Councilman McConnell said having documented the problem we have in the Hamlet with water or sewer it may add leverage to some assistance down the road.

Supervisor Scammell said it could.

Councilman McConnell will put something together for the Board.

Councilman Shute thinks Councilman Knapp had a good idea. Trying to identify a couple of people from inside the area would be good.

Councilman McConnell has spoken to a couple of folks already who have volunteered.

## **M. Other.**

## **11. NEW BUSINESS.**

### **• Other.**

Councilman Shute said now we have the money for reimbursement from the money spent for the water district, he would like to talk about the sign again. We talked about \$3,000. he has people who would donate the material for the sign and the landscaping. It would be a matter of finding the sites and getting permission to put these signs up.

Councilman Knapp asked Leon Cook who we have to talk to.

Leon cook said the State Department of Transportation.

Councilman Knapp said they are talking about 4 signs to start with on Route 11 and Route 20.

Leon said these are state roads.

Marshall Taylor asked the status of putting new flags up along the road. Is there money in the budget for replacing periodically?

Councilman Knapp said the street flags are replaced once a year. The Optimist Club has been doing that for the past several years. The Town gave a couple hundred dollars towards it. He is sure the Optimist Club would love the Town's help with this.

Councilman McConnell thinks the Town should budget for this next year.

Marshall Taylor said he would be happy to knock some money out of his budget for this. He would like to have the flags replaced in October and in April.

Councilman Knapp said generally they keep them up until after the Apple Festival.

Councilman Knapp said the Presbyterian Minister's (Reverend Kloepffer) wife passed away a week ago after a very long battle with cancer. She will really be missed.

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

**13. Councilmen Knapp moved and McConnell seconded the motion for the town Board to go into Executive session to discuss a matter of potential litigation and to include the Town Attorney. Motion passed unanimously.**

The Town Board went into Executive Session at 9:21 p.m. and the Regular Meeting was called back to order by Supervisor Scammell at 9:51 p.m.

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

<b>HIGHWAY FUND</b>	<b>#6156 - 6163</b>
<b>GENERAL FUND</b>	<b>#6164 – 6201</b>
<b>SPECIAL DISTRICT FUND</b>	<b>#6218</b>

**Motion passed unanimously**

**15. Councilmen Knapp moved and McConnell seconded the motion to adjourn. Motion passed unanimously.**

The Regular Town Board Meeting adjourned at 9:52 p.m.

Respectfully submitted,

Mary Jo Kelly  
Town Clerk