

April 9, 2007 Town Board Meeting Minutes

Minutes of the Town Board Meeting held by the LaFayette Town Board on April 9, 2007 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: Norman Paul, Deputy Supervisor
David Knapp, Councilman
Thomas Bailey, Councilman
William McConnell, Councilman
Adrian Shute, Councilman

Absent: Gregory Scammell, Supervisor

Recording Secretary: Carleen LaRonde, Deputy Clerk

Others Present: Leon Cook, Highway Superintendent
Wendy Reese, Attorney
Tom Chartrand, Bookkeeper
Marshall Taylor, Assessor/Clerk
Arthur Fritz (enters at 6:50 p.m.)

1. Deputy Supervisor Paul called the meeting to order at 6:31 p.m.
2. The Deputy Clerk took the Roll. Supervisor Scammell absent. All else present.
3. Pledge to our U.S. Flag led by Town Councilor Bill McConnell.
4. Councilman Bailey moved and Councilman Knapp seconded the motion to accept the March 26, 2007 Town Board Meeting Minutes as submitted by the Town Clerk. Motion passed unanimously.
5. Public Hearings – none
6. Communications – none
7. Reports
 - A. Discussion ensued regarding the Exit signs, one in the Meeting/Court Room and downstairs in the Library. LED signs will probably be the best type to go with if replacement is needed.
 - B. Councilman McConnell is meeting with Mr. Bernie Thoma, Thoma Development Corporation, on Thursday, April 12, 2007 at 9:00 a.m. Mr. Thoma is researching possibilities for the corner building as well as water/sewer issues in the Hamlet. Councilman McConnell said the landowners and well/sewer were critical issues. After tonight's meeting, he requested an Executive Session to meet on these concerns.
 - C. Highway Superintendent, Leon Cook
 - a. Highway Superintendent Cook spoke with Mary Dunn, a resident of Cardiff regarding No Parking signs in the park on off Route 11A. Mr. Cook stated that there is a sign stating "Open at Sunrise/Closed at Sunset". Ms. Dunn suggests a sign "No Parking Beyond This Point". Perhaps a parking area on Route 11A could be dedicated for parking and put stops along area. Police have suggested that "No Parking" signs be placed near the park area.

- D. Councilman Knapp had previous discussion with David Prince to take over the park duties. He feels that Mr. Prince will do a great job. Tom Chartrand suggested a resolution be made to hire.
1. On a motion by Councilman Knapp, seconded by Councilman Bailey, a resolution was made as follows: A temporary appointment will be made to hire David Prince, effective April 9, 2007, at a rate of pay decided by Community Council. Term to end at closing of park. Motion carried 5-0
 2. On a motion by Councilman Knapp, seconded by Deputy Supervisor Paul, a resolution was made to authorize the Town Clerk to have dumpsters in place at the park effective April 16, 2007 through the end of October 2007. Motion carried 5-0.
 3. Beach Safety – A meeting is planned.
 4. School District
 - a. No meeting set as per Councilman McConnell.
 - b. Deputy Supervisor Paul talked with a gentleman who wanted to have the Town intercede with School District. Kevin Gilligan, Town Attorney said that the Town could not comply.
 5. Fire Department
 - a. Councilman McConnell reported on the Service Awards.
 - b. Councilman McConnell also reported that the new fire engine is here and being fitted. He will keep everyone informed to the progress.
 - c. A question was asked of Attorney Reese regarding fire tax. Is there a law regarding a fixed tax rate? Tom Chartrand said there is usually a dollar amount requested for the Fire Department Budget. Assessor Marshall Taylor said that the budget drives the rate. Councilman McConnell asked if their budget be set by tax rate. Councilman Knapp also suggests that a tax rate be set. Assessor Taylor said that it's all based budget. Councilmen Shute and McConnell asked yes or no if a set rate was allowable by law. Tom Chartrand said probably not, that our Board can't commit, and Attorney Reese asked to research, and let all Town Board Members know.
 6. SPDES
 - a. Councilman McConnell has met with Attorney Reese and with John Dunkle. Attorney Gilligan will handle draft of ordinances for a Public Hearing. Details on unfunded mandates and requirements were discussed as to where they come into the budget. Deadline is June 1st. Councilman McConnell will report. John Dunkle will help prepare. Local law will be ready June 1, 2008 for passage.
 7. Water District
 - a. Deputy Supervisor Paul spoke. Assessment have been made but not finalized. There was a conference among Attorney Gilligan, John Dunkle and EFC. Time constraints put on John and Kevin, but couldn't meet them. Discussion to continue, another option is Rural Development. April 23rd meeting with Kevin and John will give reasons for inability to meet deadlines. Easements and contracts were a problem. Councilman McConnell asked if it's omission or shortfall. Deputy Supervisor Paul stated a little bit of both.

8. Tom Chartrand stated that the vouchers for the railroad agreement will be ready for next meeting. Amounts were given. Rates for Rural Development comparable. 38 year Town qualifies. Not an issue. 20-year – EFC summer pool we can't make. Winter pool we can make. Financing will be some type of bridge. That's still on the table. Councilman Knapp asked if we were behind on bids. Councilman Bailey said that maybe the railroad tied us up with easements. Councilman Shute said we need a short term bridge to tie us between funding sources.

Resident Arthur Fritz stated that survey was misleading. Councilman Shute said leading. Mr. Fritz said the date was misleading and concern for safe drinking water. Mr. Dunkle said 38-year was better. John Lytel of Northeast LaFayette Water District was putting pressure on Town to follow through with EFC. He happened to meet with EFC rep at the State Fair. The 38-year factor didn't come out for 30-60 days. Mr. Fritz feels that the preference is for residents to go to 20 years and get a bridge loan. Two surveys were done, one by Supervisor Scammell and Mr. Fritz'. His was done at the November polls. His feedback was 40 people saying they preferred 20 year financing.

Deputy Supervisor Paul asked who knew the difference of 20 year or 38 year. Tom Chartrand said he did analysis, but can't remember. Councilman McConnell said he had the information at home and would email everyone. The question was who could afford the higher amount. Tom said it would be less than \$100. Mr. Fritz said it could all be psychological – 20 ears vs. 38 years. Because of the dollar amount he would encourage going with EFC. Councilman Shute said he didn't agree with our survey. Are people interested enough to show up to tell us what they would want? Is something scheduled? Deputy Supervisor Paul stated yes, we are waiting for bids. According to Assessor Taylor, 20 years vs. 38 years, 38 years have it. Tom Chartrand said date of birth of residents would be contributing factor. Just see who shows up.

Deputy Supervisor Paul stated that the contractors who bid will be guided by price of steel, etc. How long could they hold prices? Councilman Knapp said we need closure on this and to advertise number. Deputy Supervisor Paul said we need to decide on time and place of meeting.

Councilman Knapp talked about fire rate. It is \$1.08/M. Rate goes up if budget goes up; rate goes down if budget is down. Fire rate is all based on budget increase/decrease. Assessor Marshall Taylor shared document on Tax rates and the chart was discussed.

9. Litigation and Other Legal Matters

- a. William May filed a brief today. Contempt still proceeding.
- b. Onondaga Nation – nothing to report
- c. Amidon Road – done
- d. Grader vs. Town of LaFayette – Article 78 proceeding. Response being prepared. A return date of 4/25/07 so paperwork needs to be completed by 4/20/07.

10. Unfinished Business

- a. Tennessee Gas - Public Hearing set for April 23, 2007 on property rezoning to Industrial to amend Zoning Map.
- b. Optimist Park - Councilman Knapp said that the old playground equipment has been removed. New equipment is here and is being stored at Ron Bush Oil. The old

log cabin has been demolished and burned. Meeting this weekend for official cleanup. New equipment may be set up on 4/21/07. Company provides information. Bill is here. Pay at next meeting.

c. Summer Ridge/Lynn Hutton – a resolution distributed in Board packet was reviewed with Attorney Reese. The amendment has been made to correct the resolution adding "...less fees and disbursements" regarding the remaining securities being released. Document was hand-corrected by Attorney Reese. The actual remaining security is \$24,499.60. Motion made by Councilman McConnell and seconded by Councilman Knapp to accept resolution as amended. Motion Carried 5-0

On a motion by Councilman Knapp, seconded by Councilman Bailey, the Board adjourned at 7:25 p.m. into Executive Session for discussion on contractual items. Motion carried 5-0.

The following bills were approved to be audited and paid:

HIGHWAY DEPT. FUND	#7445-7455
GENERAL FUND	#7456-7481
SPECIAL DISTRICT FUND	#7482
TRUST & AGENCY FUND	#7483-7487
COMMUNITY DEVELOPMENT & CAPITAL FUND	#7488-7491

The Board returned to regular session at 8:15 p.m. A motion was made by Councilman Knapp, seconded by Councilman Bailey to adjourn this meeting at 8:16 p.m. Motion was carried 5-0.

Respectfully submitted,

Carleen LaRonde
Deputy Clerk

Adopted 4/23/07