

Minutes of the Public Hearing held by the Town Board of the Town of LaFayette on February 12, 2001 at 7:00 p.m. in the Meeting Room of the LaFayette Commons Office Building on Route 11 in the Town of LaFayette.

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

Absent: David Knapp, Councilor

Recording Secretary: Mary Jo Kelly, Town Clerk

Others Present: Leon Cook, Highway Superintendent
Mary Doster, Assessor
Marshall Taylor, Assessor/Clerk
Kevin Gilligan, Town Attorney
Cindy Heckerman, Resident
Walter Shannon, Resident
Lisa Brown, S.U. Student
Laura Fienberg, S.U. Student

1. Supervisor Scammell opened the public hearing at 7:02 p.m.
2. Roll call taken. Councilor Knapp absent. All else present.
3. Pledge to the U. S. Flag led by Town Councilor & Deputy Supervisor "Pete" Paul.
4. Motion to accept prior meeting minutes.

Councilor's Dadey, Jr. moved and Paul seconded the motion to accept the January 22, 2001 public hearing minutes as submitted by the Town Clerk.

Supervisor Scammell	Aye	
Councilor Paul		Aye
Councilor, Dadey, Jr.	Aye	
Councilor Smith		Abstain

Motion passed.

Councilor's Dadey, Jr. moved and Paul seconded the motion to accept the January 22, 2001 regular meeting minutes as submitted by the Town Clerk. Voting was as follows:

Supervisor Scammell	Aye	
Councilor Paul		Aye
Councilor Dadey, Jr.		Aye
Councilor Smith		Abstain

Motion passed.

5. Supervisor Scammell advised the reason for this Public Hearing is to hear the public regarding Local Law No. 2-2001: Disability Exemption.

Mary Doster said the Assessors would be in favor of increasing by 1,000 each limit from 5% to 50%. We currently have 5 people on disability. These are people who generally very much need the help because they have exhausted every resource they have. She would speak in favor of this.

There were no further comments.

Councilor's Dadey, Jr. moved and Smith seconded the motion to close the public hearing. Motion passed unanimously.

The public hearing closed at 7:04 p.m.

Respectfully submitted,

Mary Jo Kelly

Town Clerk

Minutes of the Public Hearing held by the Town Board of the Town of LaFayette on February 12, 2001 at 7:00 p.m. in the Meeting Room of the LaFayette Commons Office Building on Route 11 in the Town of LaFayette.

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

Absent: David Knapp, Councilor

Recording Secretary: Mary Jo Kelly, Town Clerk

Others Present: Leon Cook, Highway Superintendent
Mary Doster, Assessor
Marshall Taylor, Assessor/Clerk
Kevin Gilligan, Town Attorney
Cindy Heckerman, Resident
Walter Shannon, Resident
Lisa Brown, S.U. Student
Laura Fienberg, S.U. Student

1. Supervisor Scammell opened the public hearing at 7:04 p.m.
2. Roll call taken. Councilor Knapp absent. All else present.
3. Supervisor Scammell said the reason for the public hearing is to hear the public regarding Local Law No. 3-2001: Senior Citizens Exemption.

Supervisor Scammell asked for any comments.

Mary Doster said she again speaks in favor of this. The county has already passed it. Generally the town has stayed with the county and she would urge the Town Board to pass this.

Supervisor Scammell asked for any other comments.

There were none.

Councilor's Dadey, Jr. moved and Smith seconded the motion to close the public hearing. Motion passed unanimously.

The public hearing closed at 7:05 p.m.

Respectfully submitted,

Mary Jo Kelly
Town Clerk

Minutes of the Regular Town Board Meeting held by the Town Board of the Town of LaFayette on February 12, 2001 at 7:00 p.m. in the Meeting Room of the LaFayette Commons Office Building on Route 11 in the Town of LaFayette.

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

Absent: David Knapp, Councilor

Recording Secretary: Mary Jo Kelly, Town Clerk

Others Present: Leon Cook, Highway Superintendent
Mary Doster, Assessor
Marshall Taylor, Assessor/Clerk
Kevin Gilligan, Town Attorney
Cindy Heckerman, Resident
Walter Shannon, Resident
Lisa Brown, S.U. Student
Laura Fienberg, S.U. Student
John Harper (arrived 8:05 p.m.)

1. Supervisor Scammell called the meeting to order at 7:05 p.m.
2. Roll call taken. Councilor Knapp absent. All else present.
3. Supervisor Scammell welcomed everyone.
3. Communications.

A. Residents.

There were no comments from the public.

B. Time Warner Cable: TWI & AOL merger = AOL Time Warner, Inc.

“...This is to advise you that on January 11, 2001 the merger of TWI and AOL closed. As a result of the merger, both TWI and AOL are now wholly owned subsidiaries of the new company AOL Time Warner Inc....”

Thomas DiNapoli, Chairman, Committee on Local Government: Pesticide Notification.

“The Pesticide Neighbor Notification Act was recently signed into law. This law, which I sponsored in the Assembly provides for advanced warning of pesticide applications. The law gives counties and new York City the option to notify neighbors when pesticides are to be applied and require retailers to post informational signs where pesticides are sold...”

February 12, 2001 – Town Board Meeting Minutes

Page 2

Greater Syracuse Chamber of Commerce (Syracuse Convention & Visitors Bureau): Onondaga County Photographs.

“The Syracuse Convention & Visitors Bureau is compiling photographs of Onondaga County for the 2001 Syracuse/Onondaga County Travel Guide. We’re requesting that you send us any pictures you might have that show impressive representation of our County...”

Supervisor Scammell said he has forwarded this on to Roy Dodge.

E. Syracuse Post-Standard: December Employment Figures.

“Employers in Cayuga, Madison, Onondaga and Oswego counties reported having 7,400 more people on their payrolls last month than they did a year earlier...That gave the Syracuse area a job growth rate of 2.1 percent, one of the highest growth rates among the state’s metropolitan areas...December’s job count of 361,200 in the Syracuse area was also a record for the month...The area’s unemployment rate in December was 4.3 percent, the same as it was in December 1999...Private-sector employment grew even faster than overall employment...The state’s unemployment rate was 4.2 percent in December, down from 4.3 percent in November and 4.5 percent in December 1999...The nation’s unemployment rate was 3.7 percent in December...”

F. Syracuse Post-Standard and Neighbors East: Engineers, Lawyers, & Architect expenses (recap).

Supervisor Scammell said this is just a recap of the comparison for legal fees. For the

Town of LaFayette the attorney fees for the past 3 years have been \$181,141 with a 1999 cost to the taxpayer of \$14.89.

Onondaga County Town Clerk's Association Monthly Meeting: Voting machines.

"Onondaga County Town Clerk's Association – Monthly Meeting at Geddes Town Hall on Thursday, February 15, 2001, 12:00 noon. The Guest Speaker will be Dale Marshall – President of Voting Machine Service Center Inc. and Election Rental Division of Gerry, New York..."

Councilor Dadey, Jr. asked if Mary Jo was going.

Mary Jo said no.

Councilor Dadey, Jr. asked if this was in conjunction with the supervisor's meeting.

Supervisor Scammell doesn't believe so.

H. Voting Machine Service Center: The Automatic Voting Machine.

February 12, 2001 – Town Board Meeting Minutes

Page 3

Supervisor Scammell said this is the front of a brochure he was sent. It discusses Preventative Maintenance Programs and Reconditioning Programs for \$987.80 per machine. He believes the Voting Service Center is offering an option to purchasing new machines by reconditioning the ones we have.

Councilor Dadey, Jr. believes there's talk right now at the federal and state level to allow money for this so he thinks the county's stand is to take a step back to see what is going to happen.

Supervisor Scammell thinks we have had a low maintenance problem with our current machines.

Councilor Paul said the Board of Education advised we are running out of slots for the parties. They are looking at requiring more signatures on petitions which might make this problem go away too.

Councilor Dadey, Jr. believes it's more a wait and see for now.

Supervisor Scammell feels the same way. We should forward this information to Dave Fox and Don Dolson for their input.

I. Office of Governor George E. Pataki: Land Stewardship.

Supervisor Scammell said this concerns land stewardship. It discusses preserving open space, Environmental Protection Fund, Superfund Program, New York State Parks, Hudson River revitalization and the Clean Water/Clean Air Bond Act.

J. Office of County Executive Nicholas J. Pirro: Earth Day.

"Again we call on you to help us to mobilize citizens to clean up our community on the

last Saturday of April (April 28) in connection with the celebration of Earth Day. This annual event regularly attracts more than 5,000 people from 250 community groups who work on that one morning to pick up litter in a park, street or roadside area of their choice. Here's how the day works: By Mar. 25, register your intent to participate by returning the enclosed form to OCRRA. OCRRA will send you special stickers to be used on the trash bags on the day of cleanup...By 11:30 a.m. on Saturday, Apr. 28, deliver your litter to your local municipal highway department garage...The highway department, in turn, will deliver the litter to OCRRA at no cost that day...."

Leon said he has received information and some applications for new groups. He has advised them we will be involved in this. The new groups interested should contact him and they will be assigned an area to pick up.

Supervisor Scammell asked about participation in the past years.

Leon said every year it grows. This is a real good thing because it's a week before our town cleanup. It gets the tires picked up off the side of the road.

K. New Life Industries: Earth Day 2001 T-Shirts.

Supervisor Scammell advised there are shirts available to put the names of the groups on if anyone is interested in purchasing them.

February 12, 2001 – Town Board Meeting Minutes

Page 4

L. Onondaga County Division of Purchase: Public auction.

Supervisor Scammell said the auctions listed are for Personal Property, Heavy/Construction Equipment, Bicycles/Police Evidence, Vehicles, Personal Property, VanDuyn/Medical Property, Personal Property, OCC Property and Vehicles. The auction site is located at 6170 Eastern Avenue in East Syracuse.

Councilor Dadey, Jr. asked Leon if he had some items to send.

Leon said he won't have enough time to get them ready.

M. Greater Syracuse Chamber of Commerce: Syracuse/Onondaga County Calendar of Events.

"We are currently compiling information for the next printing of the Calendar of Events...begin with April and include all definite bookings of tourist events through June of 2001...The deadline for any event to be published is February 15, 2001. (Please mail to: Convention and Visitors Bureau, 572 S. Salina St. Syracuse, NY 13202 Attn: Patty Murphy or fax it to 471-8545)..."

N. F. O. C. U. S. Greater Syracuse: F. O. C. U. S. on Families.

"Come feed the mind, body and spirit of your family. Come to the first ever F.O.C.U.S. on Families scheduled for March 16 & 17, 2001 at the Convention Center at Oncenter...Family oriented businesses and organizations will provide information and demonstrations; there will be hands-on activities for the children, and entertainment for

everyone...Exhibit space and sponsorship opportunities are still available...People often ask what F.O.C.U.S. Greater Syracuse does. Here's what we tell them: Convener, Communicator, Catalyst, Clearinghouse and Champion..."

O, New York State Department of Environmental Conservation: Final Title V Permit for Tennessee Gas Pipeline Co.

"Final Title V Permit for Tennessee Gas Pipeline Co. Application ID#7-3134-00022/00011...Enclosed please find the above referenced finalized permit. The permit will be effective on January 24, 2001 and expire on January 24, 2006.."

Supervisor Scammell said if anyone would like to see the whole packet, let him know.

P. LaFayette Central School Superintendent, Mr. Joe Coleman: Grimshaw School Crossing Guard.

"In the past, the Town has provided financial support for the hiring of a crossing guard at the Grimshaw School driveway as it enters Route 20. The position could not be maintained due to a lack of individuals who wanted to be employed in that capacity. This February 12, 2001 – Town Board Meeting Minutes

Page 5

past week, Deputy Torrance from the County Sheriff's Department has provided traffic control at 2:25 p.m. when the buses leave Grimshaw School to go to the High School. He recognizes the need for the crossing guard position, which he conveyed to me in a conversation. I am willing to communicate with the Secretary of the Sheriff's Department to see if there are special deputies that would provide this service for us in the afternoon when school is in session. Will the Town provide the remuneration so that they can be hired? I hope the answer is "yes", based on past practice..."

Supervisor Scammell asked if the salary would have to be decided at budget time. He read from a memo by Kevin Gilligan: "According to Section 208-a of the New York Municipal Law, towns in new York may designate, authorize and appoint crossing guards, at such salaries as the appointing town deems advisable. While the statute specifically authorizes towns to take these actions, schools and school districts are not included and do not appear to have this power...GML Section 208-a is permissive in nature and contains no obligation upon a municipality to provide this service...As noted in Tom Reiley's letter of January 29, 2001, there are considerable liability issues associated with providing school crossing guards, related to training, hiring and supervision.."

Kevin said if you haven't budgeted for it, you must find a spot to take it from.

Councilor Paul asked if they can contribute to what our rate would be.

Marshall asked if the school requires any students to walk to school.

Councilor Dadey, Jr. will look into this.

Kevin would look at the insurance issue.

Supervisor Scammell said some of the questions are: insurance issues, salary, whether the school requires students to walk or not and how many students are involved.

Councilor Paul said in the letter we received it said the position couldn't be

maintained due to lack of interest. We almost have to keep with the deputy.

Marshall said another issue is the school calendar, half days, etc.

Supervisor Scammell believes people would do it if it wasn't right in the middle of the day. As it is, they have to stop what they are doing and come up to the school and do this for about an hour. He believes the salary was only about \$6.50 or \$7.50.

Marshall would ask what happens on the days the school closes early and the crossing guard must be called out.

Councilor Dadey, Jr. said municipalities must pay for the crossing guards.

Walt Shannon asked what the liability issue is.

Mary Jo said Tom Reiley told her in the schools or towns they cover, the towns don't pay for the crossing guards unless the school requires the students to walk to school. The liability issue is if there is an accident and then everyone gets sued. The guard and anyone who hires him/her or pays his/her salary will be could be named in a suit.

Marshall asked how many kids are involved.

Mary Jo said she has seen approximately 5 in the morning.

Supervisor Scammell read some of Tom Reiley's memo "...From the letter it appears that the school district is just seeking renumeration for the crossing guards. If this is the case the district will be responsible for the hiring, training and supervision of

February 12, 2001 – Town Board Meeting Minutes Page 6

the guards. Under these conditions the school district will be picking up the majority of the liability exposure. If the town chooses to provide funds for this service it would be my suggestion that the Town of LaFayette be named on the school districts liability policy as an additional insured..."

Marshall asked where the guard would be.

Mary said previously it was in front of the driveway.

This will be discussed at the next Town Board Meeting.

Kevin said it seems he is complaining more about the buses. He is wondering if the concern is pedestrian children or the buses going in and out of the driveway.

Supervisor Scammell asked Councilor Dadey, Jr. if this was part of the concern.

Councilor Dadey, Jr. will find this out.

Q. Onondaga Resource Recovery Agency: Historical Summary & Energy Facts memo.

"In the months ahead, OCRRA will request DEC to reconsider our 1997 application for a permanent increase in the tonnage cap to 361,350 tons. Without DEC's approval, OCRRA will be compelled to bury the trash in the ground once the existing limit of 336,000 tons is reached. This option is considered the least favorable disposal solution by New York State..."

Supervisor Scammell said this is quite informative regarding OCRRA's operation. Tom Rhodes will let us know when the meetings with the DEC will be.

Councilor Paul said they want to increase the tonnage but do they decrease their tipping fee if they do get the increase?

Supervisor Scammell didn't see this addressed anywhere.

R. Thank you from John MacDaniel – Chili Cook-off.

“Over three hundred people attended and everyone seemed to have a great time...we were able to raise a little over one thousand dollars for LaFayette Outreach...We plan to have the cook-off on the same week-end (Super Bowl Saturday). We would welcome any suggestions how we can make this event even more successful in the future...”

S. Letter from Douglas Robert re: Summer Ridge future subdivision.

“Dear LaFayette Town Board Members: We are currently interested in purchasing Summer Ridge Lot 21 in the Town of LaFayette. LaFayette is a gorgeous town and we are very excited about the possibilities of being residents in such a nice community. We are expecting our first child in May and are therefore very anxious to begin planning for our near future. We understand that the lot has not yet gone through the final stages of zoning approval by the Town, but has the possibility of being completed and finalized in January at the next LaFayette Town Meeting. Currently, there is a temporary road to the lot as an extension of Amidon Road. According to the current February 12, 2001 – Town Board Meeting Minutes Page 7

land owner, Lynn Hutton, a permanent road and necessary utilities would be provided in April upon approval from the Town. Given our sincere enthusiasm and circumstances, we are hoping for your permission and approval to begin building our house on the lot in February, obviously assuming the Town’s final zoning approval and ownership. We understand that the situation may change as events play out. However, we would like to be as prepared as we could possibly be, and we would like to offer the Town as much information as necessary in order to help the process along successfully and predictably. We look forward to a result that is mutually beneficial and are very excited about the possibilities you are helping to create. Thank you for your time. Sincerely, Mr. And Mrs. Douglas K. Roberts”

T. Cornell Cooperative Extension – Reducing Impacts of Stormwater Runoff.

“Cornell Cooperative Extension..would like to invite you to...”Let’s Not Muddy the Waters: Reducing the Impacts of Stormwater Runoff. Thursday, March 1, 2001, Holiday Inn Convention Center, Auburn, NY.”
Councilor Smith will see if she can attend.

Other.

There were no other communications.

6. Reports.

A. Departmental (4th Monday).

B. Committee (2nd Monday).

1) Communications and Technology.

Town web site.

Mary Jo advised she has sent Mike Forte the minutes for the year along with the Zoning Ordinance and he will be downloading them onto the web shortly. The School, Southern Hills Garden Club and the Optimist Club would like links to their sites.

Town Office phone system requirements (MT).

Marshall gave the update on installing the computer in the Justice Dept. He is working with Mary Jo now to be sure the system requirements are met for the DEC going online this year. As far as the phone system, he is still working on some loose ends and will report more at the next Town Board Meeting.

2) Employee Policies and Benefits.

February 12, 2001 – Town Board Meeting Minutes

Page 8

Draft Employee Handbook: feedback from TB members.

Councilor Dadey, Jr. asked if under Exempt Employees on Page 7, Assessors should be deleted.

Kevin will check into this.

Councilor Dadey, Jr. noted type errors on page 6.

Discussion took place regarding who should be the Personnel Manager.

Councilor Dadey, Jr. asked what other towns do.

Kevin said it varies. The Comptroller in Geddes and Solvay is their Personnel Manager. This will be discussed further at the next meeting.

Councilor Dadey, Jr. questioned on page 19 under Resignation and Terminal Leave where it states “Upon resignation or retirement, an employee will receive a lump sum cash payment up to a maximum of 20 days of earned and unused vacation...”

Mary Jo clarified this as unused vacation time the employee has coming to him/her.

Councilor Dadey, Jr. asked if on page 21, the retirement system was changed to 5 years for vested rights to retirement benefits?

Mary said one reason for changing this to 10 years was to prevent someone from coming in and working 5 years for the town and getting full retirement benefits from the town. We believe you should work for the town 10 years prior to getting full retirement benefits which the town offers.

Kevin will check with his people on this.

Walt Shannon asked if there is a specific policy on vestige.

Councilor Dadey, Jr. believes it's 5 years for state retirement purposes. He asked for Mary Jo to get a copy of the employee handbook for the library. He asked if we need to make sure in the handbook that we define the hours of the employees.

Mary Jo said we don't define them now, it's just full-time, part-time, seasonal, etc.

Memo – Question of Discipline.

“It is not necessary to include the procedures to be taken by any Department Head or the Town Board for discipline...”

Adoption and Distribution.

This handbook will be discussed further at the next Town Board Meeting.

3) Highway.

New EPA ditching requirements (EPA handout).

Supervisor Scammell said the Storm Water Phase II fact sheet is a whole packet and he will get it to Councilor Smith if she thinks she can attend the meeting.

February 12, 2001 – Town Board Meeting Minutes

Page 9

4) OCCRA Liaison.

Nothing new to report.

Physical Plant.

Nothing new to report.

Recreation and Youth.

Bailey Park: dumpster, recreational options, basketball hoop, additional sand and safety hazard (left over posts in former tennis court).

Town ball-field insurance for Women's and Men's Softball Leagues (DK).

LaFayette Beach transfer.

LaFayette Beach neighbors' concerns: noise, parking, access/hours, lighting, loitering. **

Lacrosse program facilities evaluation and re-siting.

Nothing new to report on any of the above.

7) Safety.

Councilor Smith said they are expecting to have another meeting tomorrow night. They are trying to get things finalized before spring for the parks.

8) Senior Transportation and Housing.

Housing Survey. SU Links Program.

Supervisor Scammell advised the housing survey is underway by the Syracuse Links Program.

Transportation Survey: MCOA.

Supervisor Scammell advised the transportation survey is also still being done.

Service Awards.

February 12, 2001 – Town Board Meeting Minutes

Page 10

List of Members.

Mary Jo submitted the list of names which John Harper dropped off.

Authorization for Penflex.

Supervisor Scammell read: "I hereby authorize PENFLEX,INC. to use the data herein submitted about active volunteer firefighter Service Award Program 2000 records. I understand this data will be used to determine the funding requirements of the Service Award Program, the eligibility of persons to be paid Service Award Program cash benefits, and the amount of benefits to be paid to such persons. I understand that if any of the 2000 administration services provided by PENFLEX, INC. must be redone due to errors in the calculation of the amounts due to or payable from the Service Award Program Trust Fund which are the direct result of an error or errors in the data submitted herein."

Councilor Paul asked if Supervisor Scammell should be signing giving that authorization? He is really absolving any errors PENFLEX might have.

Kevin said it reads PENFLEX would not be responsible for the mistakes of the Fire Dept. information submitted. Under these circumstances it would be a mistake the fire department made in giving us data.

Councilor Paul noted it says there may be an additional charge payable by the sponsor which is us. Does that mean if there's a mistake, by Supervisor Scammell signing this, the Town of LaFayette will pay the fee.

Kevin said he thinks this means you must be sure the fire department is supplying the correct information.

Councilor Paul said the other paper says the Town Board approves the firefighters listed, etc, should it be written that the Town Board approves the list submitted by the fire department?

Kevin noted the fire department did sign that they agree with the names listed. Supervisor Scammell said on the last page it states the names of those who compiled the information.

Councilor's Dadey, Jr. moved and Paul seconded the motion that the Town Board of the Town of LaFayette herein approves the volunteer firefighter Service Award Program list of all 2000 active volunteer firefighters of the LaFayette Fire Department as submitted by the LaFayette Fire Department for posting in the fire station(s) for a period of at least 30 days for review by members subject to a fully executed document. The listing must be returned to the Town Board after the expiration of the 30 day period with all changes to the listing fully documented on the listing. Motion passed unanimously.

More discussion followed regarding PENFLEX. Councilor's Paul and Dadey, Jr. will try to set a meeting up with John Harper and Larry Paige to be sure everything is going O.K. Councilor Paul will get in touch with Jack Sutton about this.

Kevin said we should notify the Fire Dept. to retrieve their list and have it notarized.

February 12, 2001 – Town Board Meeting Minutes

Page 11

It was decided the Town Board would file the document with Mary Jo and it would not be released until she receives the notarized documents back.

Water.

Northern Apulia Road.

Supervisor Scammell said there were 2 different studies done. "The first study evaluated a water district from the Village of Jamesville-Town of LaFayette line south on Jamesville-Apulia Road, including both Cook Farm Road and West Shore Manor. The approximate average annual unit charge (for 20 years) for such a water district is \$350. This figure does not include rock removal costs (expected to be 'substantial'), water usage (expected to be about \$120/year), and one-time right-of-way costs (expected to be \$370 to \$632). This translates into a first year charge of \$840 to \$1,102 and about \$470 per year thereafter. The second study evaluated a water district from the Village of Jamesville-Town of LaFayette line south on Jamesville-Apulia Road, including the above as well as Palladino Road. The approximate average annual unit charge (for 20 years) for such a water district is \$400. this figure also does not include rock removal costs (again, expected to be 'substantial'), water usage (expected to be about \$120/year), and one-time right-of-way costs (expected to be \$370 to \$632). This translates into a first year charge of \$890 to \$1,152 and about \$520 per year thereafter....rock removal costs are still not included (as they are unknown)...For those of you with immediate pressure and quality needs, we did place calls to local water conditioning businesses, such as Mr. Neil Shute, of LaFayette Water Conditioning. He gave estimates of \$150 for in-line household water filtering (to improve water quality) and \$800-\$850 for installed household booster pumps and pressurized tanks (to increase water pressure)." He received the information for this letter from our town engineer, OCWA, and our town assessors.

Councilor Paul asked if the Cook Farm Trailer Park is represented as one hook-up.

Supervisor Scammell said no, it counts as 24 units.
Councilor Paul asked when this letter will go out.
Supervisor Scammell said soon, probably this week.

11) Zoning Review.

Industrial zones.

Adult Entertainment Businesses.

Public and Private Horse Stables.

Supervisor Scammell advised the above items are currently being worked on.

February 12, 2001 – Town Board Meeting Minutes

Page 12

7. Unfinished business & active projects.

A. Litigation and other legal matters.

Hamlet SE Corner Properties – Grey Building & Coral House/Route 20E, Red Brick/Route 11S.

Kevin said the county has decided to go to bankruptcy court and lift the stay and hold a separate auction for these properties.

Supervisor Scammell asked if there was any idea when this would be.

Kevin believes sometime in May.

Councilor Dadey, Jr. asked about the Notice of Entry.

Kevin said the order is written so it applies to the property in case anyone else owns it.

Councilor Dadey, Jr. asked how long it is good for.

Kevin said indefinitely.

Councilor Dadey, Jr. said it isn't dated.

Kevin said sometimes judges do that. It has no termination on it.

Councilor Dadey, Jr. asked if our Code Enforcement Officer or the Fire Dept. or engineers wanted to go in there and look around, does this give them the right to do so?

Kevin doesn't know how it is worded.

Councilor Dadey, Jr. asked what else the reason for this order would be.

Kevin said to vacate the property. Right now, no one can live in this property and they must keep it boarded up and secured until we say it's in compliance. One of the concerns we had was that someone else might acquire it and say it's not binding on them.

2) Apple Ridge assessment.

Kevin advised we are making a counter proposal.

Summer Ridge reconfiguration.

Kevin advised he is getting signatures from the people involved.

Hold Harmless Agreements.

Kevin said our insurance company brought this up. It's basically saying whoever we have work for the town will hold the town harmless. Any time we have someone doing work for us, they want us to have a hold harmless agreement. He sent a copy of this to the insurance agent in early February.

Councilor's Smith moved and Dadey, Jr. seconded the motion to approve the hold harmless agreement. Motion passed unanimously.

February 12, 2001 – Town Board Meeting Minutes

Page 13

Groth Road Communications Towers (executive session).

This will be discussed later.

Rainbow (on hold).

Onondaga Nation Land Claim (pending).

B. Other Active Projects.

LaFayette Community Council: Not-for-profit 1st annual filing.

Supervisor Scammell asked Mary Jo to look and see when Bruce Donohue said the filing would be done for the LaFayette Community Council.

6475 Oschner Road: Affix demolition charges to tax bills.

Mary Jo advised there is a voucher submitted by the County Clerk for filing for the Oschner Road property and Robinson property.

Marshall said the expenses will be added to the bills.

Kevin asked the assessors to let him know when this has been completed.

Justice Department audit procedure follow-up .

Mary Jo advised Dave Lamson has completed a report which will be submitted with the Justice Report at the next Town Board Meeting.

Annual IRS Requirements for LCC, LFD, & LPL.

Nothing new to report.

Town Newsletter.

Delivery options.

Mary Jo advised she is waiting for the application from the Post Office.

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

8. New Business.

February 12, 2001 – Town Board Meeting Minutes

Page 14

A. LaFayette Nature Preserve – Composting Toilets, LCS/YCIP proposal.

Councilor Smith said she and Supervisor Scammell met with Joe Coleman, Tom Turner and Dan McConnell from YCIP to discuss what they want to do. They want to do a bathroom facility at the ropes course. There were a lot of unanswered questions regarding Health Dept. regulations, if there would be any contamination, who would be responsible for it, etc. They are checking into the answers and will get back to us when they have them.

Supervisor Scammell said the upkeep is another area of concern.

B. Festival Gardens – Pilot Program.

Mary Jo advised the first payment has been received for \$12,500.
This will be discussed in Executive Session.

C. Other.

The following resolution was offered by Councilor Dadey, Jr. , who moved its adoption, seconded by Councilor Smith, to wit:

WHEREAS, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law entitled Local Law No. 2 of 2001, “A Local Law Amending Local Law 1-1999 to Provide for an Increase in the Partial Real Property Tax Exemption for Persons with Disabilities Whose Incomes are Limited by Reason of Such Disabilities”, was presented and introduced at a regular meeting of the Town Board of the Town of LaFayette held on January 22, 2001; and

WHEREAS, a public hearing was held on such proposed local law on this 12th day of February, 2001 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, the enactment of Proposed Local law No. 2 of 2001 is a Type II action and will have no significant effect on the environment thus concluding the SEQR review process; and

WHEREAS, it is in the public interest to enact said Proposed Local Law No. 2 of 2001.

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. 2 of 2001 as Local Law No. 2 of 2001 as follows:

February 12, 2001 – Town Board Meeting Minutes

Page 15

TOWN OF LAFAYETTE
LOCAL LAW NO. 2-2001

A Local Law Amending Local Law 1-1999 to Provide
For an Increase in the Partial Real Property
Tax Exemption for Persons with Disabilities Whose
Incomes are Limited by Reason of Such Disabilities.

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

Section 1. New York Real Property Tax Law Section 459-c authorizes municipalities to provide a partial real property tax exemption for real property owned by persons with disabilities whose incomes are limited by reason of such disabilities.

Section 2. New York Real Property Tax Law Section 459-c has been amended to authorize municipalities to increase the maximum income eligibility levels for the exemption for persons with disabilities from its current level to \$28,900.00 in accordance with the following schedule:

EXEMPTION	INCOME LIMITS
50 %	\$20,500.00
45 %	\$21,500.00
40 %	\$22,500.00
35 %	\$23,500.00
30 %	\$24,400.00
25 %	\$25,300.00
20 %	\$26,200.00
15 %	\$27,100.00
10 %	\$28,000.00
5 %	\$28,900.00

Section 3. Local Law 1 of 1999 is hereby amended to establish increased income eligibility levels for the exemption for persons with disabilities at the maximum amounts authorized by Real Property Tax Law, Section 459-c as described in Section 2 of this Local Law.

Section 4. This Local Law shall take effect in accordance with Sections 20 and 21 of the Municipal Home Rule Law.

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

February 12, 2001 – Town Board Meeting Minutes

Page 16

Gregory Scammell	Supervisor	Voted	Yes
Norman F. Paul	Councilor	Voted	Yes
Thomas V. Dade, Jr.	Councilor	Voted	Yes
Sandra Smith	Councilor	Voted	Yes

The foregoing Resolution was thereupon declared duly adopted.

DATED: February 12, 2001

The following resolution was offered by Councilor Smith, who moved its adoption, seconded by Councilor Dadey, Jr., to wit:

WHEREAS, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law entitled Local Law No. 3 of 2001, “A Local Law Authorizing an Exemption for Real Property Owned by Senior Citizens”, was presented and introduced at a regular meeting of the Town Board of the Town of LaFayette held on January 22, 2001; and

WHEREAS, a public hearing was held on such proposed local law on this 12th day of February, 2001 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, the enactment of Proposed Local law No. 3 of 2001 is a Type II action and will have no significant effect on the environment thus concluding the SEQR review process; and

WHEREAS, it is in the public interest to enact said Proposed Local Law No. 3 of 2001.

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 2001 as Local Law No. 3 of 2001 as follows:

TOWN OF LAFAYETTE
LOCAL LAW NO. 3-2001

A Local Law Authorizing an Exemption for Real Property
Owned by Senior Citizens

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

February 12, 2001 – Town Board Meeting Minutes

Page 17

Section 1. Purpose

The purpose of this law is to adopt for the Town of LaFayette a comprehensive local law authorizing an exemption as provided for in Section 467 of the Real Property Tax Law (RPTL 467) with respect to the grant of a partial tax exemption for real property owned by persons aged sixty-five or older, and to repeal pre-existing local laws, resolutions, or ordinances governing this matter.

Section 2. Definitions

The meanings of words as used in this law shall be the same as the meanings used in and provided by RPTL Section 467.

Section 3. Exemption

- A. Real property owned by persons ages sixty-five years or older, or real property owned by a husband and wife or siblings, one of whom is sixty-five years of age or older, shall be partially exempt from taxation by the Town of LaFayette as determined by resolution adopted by the Town Board after a public hearing in accordance with RPTL Section 467.
- B. Except as specifically stated in this law and any resolution adopted in accordance with Subsection A above, the eligibility and requirements for exemption shall be as set forth in RPTL Section 467.

When title is vested in either a husband or wife, one of whom is sixty-five years of age or older, their combined income may not exceed the levels set forth in Section 4 of this article or those levels adopted by resolution in accordance with Subsection A herein. Computation of income shall include social security and retirement benefits, interest, dividends, rental income, salary or earnings, and income from self-employment. Said computation shall not include gifts or inheritance.

No person who otherwise qualifies for an exemption under RPTL Section 467 and this

article shall be denied such exemption if during any year after the effective date of this subsection said person reaches age sixty-five after the taxable status date and prior to December 31 of the same year.

Section 4. Schedule of Eligibility.

Until such time as the Town Board adopts a resolution determining the amount of exemption pursuant to Section 3, subsection A of this law, real property

owned by persons aged sixty-five years or older shall be granted a partial tax exemption according to the following schedule:

Annual Income of Owner(s)	Percentage of Assessed Valuation Exemption
Up to and including \$20,500	50 %
More than \$20,500 but less than \$21,500	45 %
More than \$21,500 but less than \$22,500	40 %
More than \$22,500 but less than \$23,500	35 %
More than \$23,500 but less than \$24,400	30 %
More than \$24,400 but less than \$25,300	25 %
More than \$25,300 but less than \$26,200	20 %
More than \$26,200 but less than \$27,100	15 %
More than \$27,100 but less than \$28,000	10 %
More than \$28,000 but less than \$28,900	5 %

Section 5. Repealer

Town of LaFayette Local Law Nos. 2-1978, 1-1980, 2-1981, and 1-1984, together with the Resolution Increasing the Income Limitation Relative to Partial Exemption from Real Property Taxes for Persons 65 ears of Age or Over dated December 13, 1994 and the Ordinances Regarding Senior Citizen Tax Exemptions dated October 2, 1972 and October 10, 1996, as well as any further and additional laws, resolutions, and ordinances regarding senior citizen tax exemptions pursuant to RPTL Section 467 not specifically mentioned herein, are hereby repealed and shall have no further force or effect.

Section 6. Effective Date

This local law shall take effect upon 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:

Gregory Scammell	Supervisor	Voted	Yes
------------------	------------	-------	-----

Norman F. Paul	Councilor	Voted	Yes
Thomas V. Dade, Jr.	Councilor	Voted	Yes
Sandra Smith	Councilor	Voted	Yes

The foregoing Resolution was thereupon declared duly adopted.

February 12, 2001 – Town Board Meeting Minutes

Page 19

DATED: February 12, 2001

Councilor’s Dadey, Jr. moved and Smith seconded the motion to send Certificates of Appreciation to Tony Minieri and John MacDaniel for their efforts with the Winter Fest. Motion passed unanimously.

Councilor Dadey, Jr. brought up the salaries of the election custodians. Mary Jo believes the current salaries were approved at budget time.

Councilor Paul brought up the \$100 bill for the security alarm.

Councilman Dadey, Jr. said he would look into it.

Supervisor Scammell said we should give it to Councilor Knapp as he originally spoke with the company.

Supervisor Scammell introduced everyone to the two students from Syracuse University.

Lisa Brown introduced herself and Laura Fienberg. She said for their course the would like to ask the Board a couple of questions. She asked what the most important issue the Board faced last year was.

Supervisor Scammell said the large gray building on the corner of Routes 20 and 11. He explained what the Town has gone through for the past year.

Councilor Paul said another issue was the Service Award Program. He explained this is like a retirement system for volunteer firemen. He explained the program and the process that was gone through.

Lisa asked if the issue with the gray building has been resolved.

Supervisor Scammell said not quite. We are hoping it will be sold to someone and it will be redeveloped.

Lisa asked what the issue that comes before the Board most often is.

Supervisor Scammell said probably zoning issues.

Lisa asked if this is when people come and have their buildings approved.

Supervisor Scammell said it involves classifications and boundaries.

Councilor Dadey, Jr. said it’s what is allowed and not allowed in certain districts.

Lisa asked if the Town is trying to preserve a certain amount of Industrial, Agricultural, etc.

Supervisor Scammell said some people would like to see the town develop more rapidly and others would like to see it stay as it is.

Lisa asked how decisions are made.

Supervisor Scammell said sometimes the law tells us we must make them in

certain ways. Other times the decisions are made right here in this room after the Board has discussed the issue fully. Sometimes public hearings are held depending on the subject.

Lisa asked what the most frequent method used to make decisions is.

Supervisor Scammell said the Board hashes everything out right in this room and comes to a unanimous decision or majority rules.

February 12, 2001 – Town Board Meeting Minutes

Page 20

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

The Town Board went into Executive Session at 8:50 p.m. and the regular Town Board Meeting was called back to order by Supervisor Scammell at 9:42 p.m.

9. Suggestions for improvement & positive contributions.

There were none.

10. Councilor's Paul moved and Dadey, Jr. seconded the motion to audit and pay the following bills:

General Fund

#4111 thru #4148

Highway Fund

#4093 thru #4110

Special District

#4162 & #4163

Motion passed unanimously.

11. Councilor's Dadey, Jr. moved and Paul seconded the motion to adjourn. Motion passed unanimously.

The Town Board Meeting adjourned at 9:44 p.m.

Respectfully submitted,

Mary Jo Kelly

Town Clerk