

Minutes of the Special Town Board Meeting held by the LaFayette Town Board on August 26, 2003 at 6:00 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
Norman Paul, Town Councilman
Sandra Smith, Town Councilwoman
David Knapp, Town Councilman
Thomas Bailey, Town Councilman

Recording Secretary: Mary Jo Kelly, Town Clerk

Others Present: Craig Fox, CRAM Communications
Blanche Rainbow, Route 11A

Supervisor Scammell called the Special Town Board Meeting to order at 6:00 p.m.

The Town Clerk took the Roll. All present.

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

Councilman Knapp moved and Councilwoman Smith seconded the motion to accept the August 11, 2003, Public Hearing Minutes as submitted by the Town Clerk. Motion passed unanimously.

Councilman Paul moved and Councilwoman Smith seconded the motion to accept the August 11, 2003, Regular Town Board Meeting Minutes as submitted by the Town Clerk. Motion passed unanimously.

Supervisor Scammell asked if there was any communication from the residents.

Blanche Rainbow wanted to know why this meeting was being held during State Fair Week.

Supervisor Scammell said the State Fair is for two weeks and he hadn't thought about it when the Board was trying to coordinate a time they could all get together for a meeting.

Blanche Rainbow said many Senior Citizens are at the Fair today. She feels this was done rather secretly.

Supervisor Scammell asked why she felt this way.

Blanche Rainbow said she heard about it from her cousin.

Supervisor Scammell said there were notices posted and the newspaper was notified of the Special Meeting. Mr. Fox needed to get things moving for some testing that needs to be done. The Town Board only meets once a month during the summer and a Special Meeting is called such as this when something needs to be addressed between Meetings.

Blanche Rainbow said someone told her there is already a tower there.

Supervisor Scammell said there is a tower there and it's owned by the Town. It's a tower for cell phones. CRAM Communication's proposal is for an A.M. Broadcasting tower.

Councilman Bailey said these towers will have nothing to do with the Town.

Blanche Rainbow said she feels the Town should have something to say about it.

Councilman Paul said there will be a public hearing held for the 5 towers later on. Blanche Rainbow would like to know if everything in this town is being run like this.

Supervisor Scammell asked in what way.

Blanche Rainbow said it should have been handled at a Regular Town Board Meeting. She feels this was sneaky.

Supervisor Scammell asked how it was sneaky.

Blanche Rainbow said she didn't know about it until a couple of days ago.

Supervisor Scammell said this was decided about a week ago. All appropriate notifications were given.

Blanche Rainbow just wondered if this is the way her case was handled too. She wanted to be dog catcher and would have been a good one.

Supervisor Scammell introduced Craig Fox, President of CRAM Communications.

Craig Fox said the purpose of this temporary tower is to take field strength measurements so they can determine that the final proposal will do what they want it to do. The tower will only be up a number of weeks. A generator and transmitter will be placed there.

Supervisor Scammell asked what the tower is for.

Craig Fox said the final proposal is for A.M. broadcasting. The temporary tower will not do any broadcasting.

Councilman Knapp asked what kind of broadcasting they do.

Craig Fox said right now they do Christian broadcasting and some foreign broadcasting. The proposal would be for a new A.M. station broadcasting at 720 on the dial.

Blanche Rainbow asked if he didn't feel it would interfere with the beautiful landscaping.

Craig Fox said in most areas where he's driven, you really don't notice them.

Blanche Rainbow said she wouldn't want one of these on her land at Rainbow Creek.

Supervisor Scammell advised him where she lives.

Craig Fox said he doesn't feel she will be able to see them from her house. He asked her if she can see the town's tower.

Blanche Rainbow said not now.

Craig Fox said then he doesn't think she will be able to see his towers. One of the reasons they are putting up this test tower is to get an idea of what it will look like.

Blanche Rainbow said apparently the people who bought the property before him bought it on speculation.

Craig Fox said the land is zoned Industrial which allows towers.

Blanche Rainbow asked if the Town gets a kickback.

Councilman Knapp said frankly, the Town doesn't even get much in taxes for these.

Blanche Rainbow said she would like to know how the Town is running.

Supervisor Scammell said the Board holds meetings the 2nd and 4th Monday of each month.

Blanche Rainbow said she was ready to put a lawsuit against the Town because of what they did to her regarding the dog catcher officer position. She gave the Developmental Center a portion of her land because she believes in giving back.

Supervisor Scammell said that was very nice of her.

Blanche Rainbow said she may give the remainder of her land to the Onondaga Nation. She asked how much Craig Fox paid for the land.

Supervisor Scammell said the Town had nothing to do with it. He has no idea how much Craig Fox paid for the land.

Blanche Rainbow said she knows the owners were Mr. Vahey, Mr. Keller and Mr. Coleman. She is surprised more people aren't here tonight.

Councilman Paul said if Blanche attended the Regular Town Board Meetings, she would probably see about the same amount of people at them.

Blanche Rainbow believes the Town Board conspired against her for dog catcher.

Supervisor Scammell asked about the following concerns the Planning Board had when they reviewed the application.

- Adverse impacts regarding neighboring property owner's cell phones, radio, television and other electronic devices.

Councilman Knapp asked if they will have to detune the town tower before they do the testing.

Craig Fox said no. It's not absolutely certain that it will have to be detuned at all.

Councilman Knapp said the Board is very concerned about the town's cell tower as it's very important to our revenue and the carriers have been very good to us.

Craig Fox said he did get a signed consent from AT&T.

- Submission of a proper maintenance plan.
This is not required for temporary tower.
- Breakpoint of tower.
- No adverse impact on Route 81 area.

Councilman Knapp said the context of these two is for surrounding areas. If the tower should fall over, would it hit any neighboring property?

Craig Fox said it's far enough away from any surrounding property.

- Adopt recommendation from County Planning Board regarding resubdivision.
This is not applicable for temporary tower.
- Concern that the aesthetics are displeasing to surrounding area.

Supervisor Scammell asked if this would be the color of the remaining proposed towers.

Craig Fox said it won't be painted so it will be the silver steel color.

- Referral to town engineer regarding all potential adverse affects.
Not applicable for temporary tower.
- Recommend removal bond be in place for teardown.

Craig Fox said Kevin Gilligan didn't believe this would be necessary as long as they present the assurance that they will be taking it down when they are done.

Blanche Rainbow asked about the health issues.

Craig Fox said this would not have any impact on health.

- Consider future technology and its affect on this application.
- Require adequate fencing to avoid safety issues.

Craig Fox said they weren't planning on putting fencing up on the temporary

tower. He thought they would put a chain across their road to protect the equipment. they will be renting a U-Haul trailer to hold the equipment.

- Install anti-climb devices for each and every tower.

Councilman Knapp said both of the above concerns deal with safety issues. There was concern a child might try to climb the towers.

Craig Fox said it's an 18 inch wide tower so you could climb it anywhere.

There's nothing to prevent that.

Councilwoman Smith would recommend putting a sign up.

Councilman Paul asked about a startup and teardown time.

Craig Fox said it would be in two weeks if the weather is good.

Blanche Rainbow asked how much land there is.

Craig Fox said 72 acres.

- Explore payment options in lieu of taxes.

Not applicable to temporary tower.

- Demonstrate adequate fire suppression.

Councilman Knapp said they wondered if any of these could catch on fire.

Councilman Bailey asked if there were any combustibles.

Craig Fox said they will have a generator there which will be locked up when they aren't there.

Blanche Rainbow asked what they plan on doing with the rest of the land.

Craig Fox said the towers will cover 40 of the 72 acres.

Councilwoman Smith asked if the signal transmitted will interfere with cell phones, televisions, etc.

Craig Fox said no.

Councilman Knapp asked if he is driving down Route 81 and listening to 570, will there be an impact on this station?

Craig Fox said if you were listening to Rochester, it might affect if for about a 1 mile radius.

Supervisor Scammell asked if they are broadcasting anywhere now.

Craig Fox said they broadcast in East Syracuse and in the Town of Mexico which has repeater signals in Jamesville and DeWitt. Their audience might be 10,000.

Supervisor Scammell asked if they wish to increase their audience with these towers.

Craig Fox said yes.

Supervisor Scammell asked what date they plan to have their station going.

Craig Fox said it might be possible to get the towers in before winter but if not it won't be until next spring or summer.

Councilman Knapp asked if this temporary tower screws into the ground.

Craig Fox said it sits on a really thick metal plate and the guide wires are screwed into the ground.

Councilman Bailey said suppose you are up and running and you want to expand to audiences and increase your output, how does this work from a technological standpoint? Do you make these towers higher or seek other sites?

Craig Fox said for A.M. stations, your proposal is based on what other stations already exist and how you can fit in between them and their signals. You are only permitted to put your signal out a certain distance. This testing will provide accurate

measurements for the FCC who will tell them their maximum signal. Once that is established, there is no margin for change. WSYR has been at 5,000 watts since 1938.

Councilman Paul asked if he could discuss the ideal weather for testing.

Craig Fox said the moisture of the earth affects AM signals to some extent. The best time to test is in the summer months. It is to their advantage to do the testing at times when the weather is the most consistent.

Councilman Paul asked if the temperature enters into it.

Craig Fox said not really.

Councilman Knapp asked if the moisture is better for the testing.

Craig Fox said not really. The dryer the better for testing

Councilman Paul asked if the access would be using the town road or their road.

Craig Fox said their road.

Councilman Knapp said it would have to be the town road until they reach their road.

Councilman Paul asked about liability transporting their equipment.

Councilman Bailey said it's a public road.

Councilman Knapp moved and Councilman Bailey seconded the motion to declare this Board lead agency, this is a Type II Action in the SEQR process and to approve the temporary 199' CRAM Communication Tower for testing with the following conditions:

- **To commence on August 27, 2003 and end by September 30, 2003.**

Motion passed unanimously.

Supervisor Scammell said there is still a process for the whole 5 tower application.

Supervisor Scammell said he spoke with Frank Valetta about the Oneida Lake Resolution and it is basically asking for a letter of support.

Councilwoman Smith moved and Councilman Knapp seconded the motion authorizing Supervisor Scammell to send a letter of support regarding the Oneida Lake Resolution. Motion passed unanimously.

Councilmen Bailey moved and Knapp seconded the motion to adjourn. Motion passed unanimously.

The Special Town Board Meeting adjourned at 6:37 p.m.

Respectfully submitted,

Mary Jo Kelly
Town Clerk