

Minutes of the Town Board Meeting Held by the LaFayette Town Board on June 28, 2004 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
Sandra Smith, Councilwoman
David Knapp, Councilman
William McConnell, Councilman

Absent: Thomas Bailey, Councilman

Recording Secretary: Mary Jo Kelly, Town Clerk

Others Present: Kevin Gilligan, Town Attorney
Leon Cook, Highway Superintendent
Tom Chartrand, Bookkeeper
Marshall Taylor, Assessor/Clerk
Jim Nakas, Planning Board Chairman
Heidi Smith, Dodge Rd.
Capt. Bronstad, Sheriff's Dept.
Jon Rogers, Dog Control Officer

1. Supervisor Scammell called the meeting to order at 6:30 pm.
2. The Town Clerk took the Roll. Councilman Bailey absent, all else Present.
3. Pledge to the U. S. Flag led by Town Councilwoman Sandy Smith.
4. **Councilwoman Smith moved and Councilman Knapp seconded the motion to accept the May 24, 2004, public hearing minutes as submitted by the Town Clerk. Motion passed unanimously.**

Councilman Knapp moved and Councilwoman Smith seconded the motion to accept the May 24, 2004, Regular Town Board Meeting Minutes as submitted by the Town Clerk. Motion passed unanimously.

5. **COMMUNICATIONS:**

A. Residents.

Jim Nakas said several people down in the Cardiff area have asked about the placement of two picnic tables at the Cardiff playground area and possibly a pavilion would help during inclement weather. There's a small playground but there is no place for adults to sit and relax. A grill would be great too. The second item is for the same request at the ballfields behind the LaFayette Inn. They would like a pavilion and grill there too. He believes we could make it a little more user friendly during rain delays, etc.

Councilman Knapp asked if there weren't picnic tables there awhile ago.

Leon Cook said there were but something happened to them and we didn't replace them.

Jim Nakas believes it would be nice as a lot of people use these fields. He thinks it shows cooperative efforts between the town and private business.

Supervisor Scammell said the Board will discuss these requests at budget time.

B. NYS Board of Real Property Services: Tentative Equalization Rate – 100%.

C. Syracuse Post-Standard, 5.20.04, Workers' Compensation rates

“...Last year, the insurance department rejected proposed increases of 11.2 percent and 2.7 percent; it increased rates by 1.7 percent...”

D. Syracuse Post-Standard, 5.21.04, CNY Unemployment stats.

“The Syracuse area gained about 2,200 jobs in April compared with the same month last year, but its unemployment rate remained above the national average. The job gains all came in the private sector...The nation's jobless rate was 5.4 percent in April...The Labor Department said the state's economy continues to show signs of recovery from the long-term effects of the national recession...”

E. OCRRA: Annual Report.

“...The 2003 Annual Report discusses the restructuring of OCRRA's debt and contract for operation of the Waste-To-Energy Plant. The restructuring allows OCRRA the ability to stabilize our tipping fees and still provide sound environmental solutions for our community's trash and recyclables. The tipping fee for garbage remains unchanged in 2005. It will once again be \$60 per ton with a \$4 per ton credit for prompt payment; net disposal fee is \$56 per ton...If you have not already done so, please consider a Resolution asking for an expansion of the Bottle Bill to reduce litter and increase recycling...”

The bill will be rolled over to the next Town Board Meeting so the Board can review it before making a decision.

Supervisor Scammell said there's a couple of items in the annual report. On page 1 it says “...To place it in perspective, in 2003 the Waste to Energy Facility safely processed a record 349,000 tons of non-recyclable waste into electricity. And yet, this pales by comparison when stacked up against the combined mandatory and voluntary recycling efforts that topped 767,000 tons. Better than 68% of all the waste generated by business and homes within the OCRRA system was recycled...”

F. Empire Management/Alliance of New York, LLC/Dave Muraco: Taxes.

Supervisor Scammell advised he contacted Kevin Gilligan about this. We can not go back on the taxes already charged. We do not have any control over the taxes and he will write a letter to Mr. Muraco in that respect. He is exploring some areas that might help him regarding the Empire Zone.

Councilman Knapp said this still wouldn't help him regarding taxes.

Kevin Gilligan said correct. He knew what the taxes were when he purchased the property and set up payment of them. When things started going sour with the DEC, he stopped making his payments.

Supervisor Scammell submitted a letter from Marshall Taylor regarding the assessment on the property.

Councilman Knapp said so he still owes \$18,000 from the legal fees.

Marshall Taylor said part of it is the legal lien, part is the taxes and part is interest and penalties. The interest and penalties total about \$120/month. That is pretty substantial.

Supervisor Scammell said he has written the DEC requesting the status of the project. He believes it has stalled out over the septic system. He doesn't believe there is anything we can do for Mr. Muraco regarding this bill.

Councilman Knapp asked when the property would go up for auction.

Kevin Gilligan said it could be anytime since he is violating the agreement.

Marshall Taylor said the letter says in January of 2005.

Supervisor Scammell noted it read all taxes must be paid in full prior to January 2005 or it could result in the loss of the owners property.

Councilman Knapp said right now it's at \$75,000.

G. NYS DOT: Route 91 speed limit.

"...Based on these findings, we have determined that reduction of the speed limit is not appropriate at this time..."

Supervisor Scammell said he feels we should send a copy of these requests to Senator DeFrancisco when we submit them.

H. CNYRPDB: MS4 meeting cancellation.

"The Tuesday, June 15th MSR meeting at the Clay Town Hall has been cancelled. This meeting will re rescheduled later this summer..."

I. U.S. Senator Charles Schumer: 2004 National Community Policing Conference.

"....the conference will be held from June 21, 2004 through June 23, 2004 at the Marriot Wardman Park Hotel..."

Supervisor Scammell noted this was sent too late again.

J. NYS ORPS: Marshall Taylor completion of State Certified Assessor, Advanced.

"Congratulations! You have completed the requirements for the designation of State Certified Assessor, Advance pursuant to the laws of the State of New York and the State Board's Rules for Real Tax Administration..."

The Board congratulated Marshall.

K. Town of DeWitt Supervisor James DiStefano: Bond withholding for Fehrer Rubbish.

"This letter is to notify you of failure to provide the Refuse Collection District No. 1 Contract # 6 with a bond. Pursuant to the trash removal contract we are withholding \$13,000.00 for the bond amount stated in the contract. The Town will withhold the above mentioned amount from the June 2004 trash removal bill until the town receives notification or a letter of credit. If you have a bond or letter of credit, please forward confirmation to my attention..."

Supervisor Scammell asked what the impact of this would be.

Councilman Knapp said we hadn't gotten a bond for SOTS either and they have taken care of it .

Kevin Gilligan said they had the same problem in Geddes. They stopped paying Fehrer until the bond was in place.

L. Onondaga County: Mortgage tax apportionments.

Supervisor Scammell noted LaFayette is at \$59,792.23.

Councilman Knapp asked how it effects us.

Tom Chartrand said we will be ahead of where we were last year.

M. Onondaga County Health Department: Lab analysis reports – water (satisfactory).

Supervisor Scammell noted all the tests were fine.

N. Home Aides of Central New York: "Neighbors Caring for Neighbors" campaign.

“The severe shortage of home health aides for our community’s growing elderly population is continuing...A not-for-profit agency, we have a 35-year tradition of providing our older citizens with needed services to avoid unnecessary placement in a nursing home or other facility...”

Supervisor Scammell noted they were scheduled to have their mobile office parked in LaFayette sometime between June 23 through July 1.

O. NYS DEC: Solvay Waste Beds 1-8 Preliminary Site Assessment to Commerce.

“A Preliminary Site Assessment (PSA),, which investigates the presence of hazardous waste contamination at the Waste Beds will be performed this year (2004)...The Waste Beds I-8 site is located along the northwest shore of Onondaga Lake, adjacent to the city of Syracuse in Onondaga County...Samples to be collected and submitted for laboratory analysis include nearly 40 groundwater samples, 35 surface soil samples, and numerous samples of seeps, sediment, surface water and soil...the OPSA is scheduled to be complete in 2005...”

P. Onondaga County Legislature: 6.7.04 agenda.

Q. Onondaga County District Attorney William Fitzpatrick: Van Sickle letter for zoning violations.

“Re: People v. Frank Paladino...Please consider this letter as the District Attorney’s authorization for you or members of your firm, as Municipal Attorney(s) for the Town of LaFayette, to appear on behalf of the District Attorney and the People of the State of New York, before the Town of LaFayette Justice Court for the limited purpose of prosecuting the above referenced matter under the LaFayette Zoning Ordinance...”

Councilman Knapp asked if this gentleman was all cleaned up.

Kevin Gilligan said he came into compliance.

Councilman Knapp believes Ralph Lamson has a schedule to follow-up on it.

Kevin Gilligan would hope the neighbors are happy because there was a big change.

R. Town Resident Jon Lochner: Property damage.

Supervisor Scammell said this is a very small item and it has been taken care of.

Leon Cook said it wasn’t located on the owner’s property but was on the highway right-of-way. He has spoken to the owner and it’s all taken care of .

S. Central New York Community Foundation: Grants for Green Spaces.

“The Central New York Community Foundation believes that the life and vitality of neighborhoods depend on the combined efforts of its residents. Neighborhoods that come together and work collectively toward improving their immediate environment ultimately strengthen the larger community’s quality of life. Grants for Green Spaces awards up to \$1,000 in grants to support small, targeted initiatives to improve the neighborhood spaces and waterways. We especially encourage resident-led projects on greening, clean-up and/or beautification of public areas creeks/canals, trails or vacant land...”

Councilwoman Smith will pass this information on to Jim Nakas.

Supervisor Scammell said they are very active in the Cardiff area.

Councilman Knapp said he took a trash can down there a while ago to help keep the area clean.

T. Town Resident Wayne Moore/Sunquest Tanning: Route 11 truck traffic and Route 81 inspection stations.

“While sitting at my counter daily I have the opportunity to watch traffic throughout the day. I am seeing a trend forming and rapidly increasing with traffic flow North and South and becoming alarmed with what I see. Many times I can feel the earth vibrations and know when to look up and see these big-rigs. There is never a doubt in my mind as to

when the New York truck inspection stations on Interstate 81 are open in either direction...”

Supervisor Scammell said he spoke to someone at the troopers station and they implied that they quite often do have a second stop when the inspection station is open. He responded to Wayne advising what he found out. He spoke to Leon Cook and we don't have any jurisdiction in this area.

Leon Cook said when there's an accident on Route 81, they reroute the traffic onto Route 11. This happens quite often. He will explain this to Wayne.

U. Costello, Cooney & Fearon, Sam Young. People v. William May. **

V. Onondaga County Health Department: “Fight the Bite” & West Nile virus.

Supervisor Scammell noted this is information they send out every year.

W. Syracuse University, Community Link program: Study opportunities.

“The COMMUNITY LINK PROGRAM of Syracuse University's Maxwell School is again offering to help you meet your research needs. We will provide you with a student to conduct a study requiring the collection and analysis of quantitative data...If you are interested in participating this fall, please send us the form by July 30, 2004...”

Supervisor Scammell said we have used them from time to time.

Councilman Knapp said they do a good job.

X. Onondaga County Division of Environmental Health: Water analysis satisfactory.

Y. Eastern Copy Products: Marketing brochure.

Z. Onondaga Citizens League: 2005 OCL Study Topics.

“Conducting an annual study on an issue of community importance is the Citizens League's main function, and selection of the study topic is a critical part of the process. As we work on completion of this year's study, “How to Increase Political Participation in Onondaga County”, the 2005 Study Topic Selection Committee, chaired by Joe Ash, would appreciate your input...”

AA. OCRRA: Free recycled paint.

“Once again, OCRRA is pleased to announce that we will be providing recycled latex paint to local towns, villages, parks departments, schools, fire departments and local non profit organizations at no cost. There will be two colors available, off-white and light gray. The recycled paint is from OCRRA's household hazardous waste collections, It was reprocessed locally by Strathmore Paints, where it was blended, filtered and repackaged in convenient 5-gallon containers. The paint is recommended for exterior applications. The paint will be available in July, and due to limited quantities will be distributed on a first ordered, first served basis...”

Supervisor Scammell asked Leon Cook if we have any use for this. He asked if it will work on blocks.

Leon Cook said Regina Reinschmidt is talking about getting some of it.

BB. NYS Governor George Pataki: Redevelopment of Brownfields.

“I am pleased to provide you with the enclosed brochure which explains the latest State program to assist you with redevelopment of some of the most challenging properties facing communities today – brownfield sites...”

CC. NYS ORPS: Town of LaFayette Fair and Equitable Assessments

Award.

Supervisor Scammell thanked the assessors for this.

Councilman Knapp asked what the criteria is.

Marshall Taylor said you have to have a rate of 100%. This is the first year they have given this award out but we have been at 100% for 3 years.

Supervisor Scammell said there was an article in the paper regarding Cicero who hasn't had a reval. Cicero and Otisco were named as not doing reassessments.

DD. Syracuse Post-Standard, 6.18.04: Local employment.

"Manufacturing had 1,700 fewer jobs, a 4.4 percent loss in the number of factory jobs from May 2003...The national jobless rate was 5.3 percent in May, down from 5.4 percent in April and 5.8 percent in May 2003..."

EE. U.S. Senator Charles Schumer: Youthbuild Program.

"...The Youthbuild Program provides funding to public and private non-profit organizations, including grassroots faith-based and community organizations, State and local housing agencies or authorities, and State and local units of government to provide economically disadvantaged young adults with opportunities to obtain an educational experience that will enhance their employment skills as a means to achieving economic self-sufficiency..."

FF. Voting Machine Service Center: Electronic voting machine miscounts & malfunctions.

Supervisor Scammell recalled awhile back we got a letter from the Board of Elections that we will be using electronic machines in the future. He assumes this would cost us quite a bit of money. He isn't aware of any major problem with the existing machines.

Councilman Knapp agreed. Supposedly they have warehouses full of spare parts to service the machines we have.

Mary Jo Kelly asked if they could make it mandatory.

Kevin Gilligan said he knows they have been pushing this. There was supposed to be funding which didn't come through.

Supervisor Scammell asked if it would be worthwhile for him to give the Board of Elections a call about this.

Councilman Knapp said the biggest concern he has is that we only use these machines 3 times a year and the rest of the year they are stored. They are very sensitive machines. The Board of Elections was talking about collecting them all each year and keeping them in a special storage facility. He knows their biggest concern is that these machines only have 13 lines and there are 14 or 15 recognized parties in New York State. Up until now they haven't all had a list of candidates so it hasn't been an issue. Down the road there could be a problem.

Supervisor Scammell will give the Board of Elections a call to find out the status of the electronic voting machines.

Marshall Taylor thinks we should propose an internet based voting system.

GG. Jamesville Reservoir Preservation Association: Jamesville Reservoir Wetlands.

Supervisor Scammell said he has gotten this information for the residents.

HH. Other. None.

6. SPECIAL REPORT: Town Signage (Steve Evans, Syracuse Signage).

Steve Evans said he was recently approached by Supervisor Scammell and Councilman McConnell for some suggestions on signs entering the Town of LaFayette. He submitted some designs for the Town Board to review. He had 4 different layouts which are all the same size.

All the signs would be 8' wide by 3' high. The material is lusterboard. New taglines and colors can be put in very easily. The signs are guaranteed for 10 years. They range in price from \$1,500 to \$2,200. He described the different types of sign material that could be used as well as the different type of lettering.

Councilman McConnell said he was considering 4 signs.

Steve Evans said by purchasing 4 signs, there would be a savings.

The Board thanked him for coming.

7. **REPORTS:**

A. **DEPARTMENTAL** (4th Monday).

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

- **Junk vehicle status (attached spreadsheet). ****
 - a) **Prioritized spreadsheet listing.**
 - b) **Jamesville Apulia (numerous violations just south of Jamesville Beach Park). Resolved. *(see 5. U.).**
 - c) **Route 91.**
 - d) **LaFayette Road, 1/2mile North of Route 20. Abandoned autos on east side.**
- **Other violations.**
 - a) **Apulia Road: Other trailer. Need property owner's information.**
Supervisor Scammell will prioritize the spread sheet list and take the top offenders and give Ralph Lamson these to work on.

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

- **Return of feral/domestic dogs.**
Supervisor Scammell said he asked Kevin Gilligan and Kathy Piercy of Ag. & Markets whether or not we can charge for the capture of them if we need to do this in the future. He asked Kevin about this.
Kevin Gilligan said unless they go to the pound, he doesn't think we have a mechanism to do that. We don't really put them through the system. Usually they are picked up and returned home.
Councilman Knapp asked if we have something for repeat offenders.
Kevin Gilligan said if they go through the court system.
Councilman Knapp said but unfortunately if someone doesn't live in the Town of LaFayette, there's not much we can do.
Kevin Gilligan said it's a gray area when living on the Nation.
Supervisor Scammell said they have to comply with speeding laws, etc.
Kevin Gilligan said that is correct.
Supervisor Scammell said maybe we could do something for the repeat offenders.
Councilwoman Smith said if they want the dog back.
Supervisor Scammell said the cost of capturing some of the feral dogs was very high and they are already back.
Jon Rogers said he was a little discouraged that they were given back. Probably 1 ½ days later, they were back. If we take them to the kennel and if no one ever calls, they can be adopted out. He has picked up 2-3 dogs from the Nation over the years and no one has ever called for them. They are grateful to get the dogs back but will not tie them up.
Supervisor Scammell isn't sure what we can do about this.
Councilman McConnell wouldn't recommend doing anything. Like Jon said, he was disappointed at the outcome too. He agreed the owners will not keep the dogs in their yards.

Supervisor Scammell asked if he had seen them recently.

Councilman McConnell said they have been back a few times.

Jon Rogers said they have been called about the dogs in the trailer park. By the time he gets up there, the dogs are gone.

The Board will wait to see what happens.

Jon picked up 4 dogs since March. Two were the ones he picked up at Councilman McConnell's house. He handled 6 complaints for barking dogs. He did give Sue Snavlin a report to submit for him. The Town sent a letter that he didn't hand in a report since September. He did give Sue Snavlin a report which the Board might not have realized was his. He intended to come to a couple of meetings but ended up working til midnight.

3) Highway Superintendent: Leon Cook.

- **SPDES/MS4 Stormwater Phase II (see J. Dunkle list). Time & expense log.**
- **Weller Road (200' paving) grant – Awaiting grant payment.**
- **Transitional Duty Program (PERMA Loss Control).**

Leon Cook said they took 80+ tons from the CleanUp Days to OCRRA with a cost of \$4,835.40. On tires the cost was \$1,425.00. The cost to take the freon out of 60 units plus the charge for the generator was \$987.47. Last year at a Highway Superintendent's Meeting there were 2 guys from Auburn that came and said they would take tires in at a better rate than the place in Williamstown who charged \$110.25 a ton. The place in Auburn charged \$25/ton for tires and tires that had rims on them had no charge because they said they get enough money from the rims. We have been telling people to take the tires off the rims before bringing them over but we will change that now. The total cost to the town for CleanUp Days was \$2,888.92.

They have oiled and stoned 2 6/10 mile. He has oil set up for July 13th for another 2 ½ miles. They have been mowing the 40 acres at the parks and mowing roadside. They are a little behind on the roadside mowing. When the grass was really growing they had to mow twice a week at the parks. The grass is starting to slow down a little bit now.

He had to work on a complaint they had at the landfill. First it was Mrs. Williams of the DEC handling it until she turned the matter over to someone else. The water comes off the property and comes down and goes out towards Route 81 and down. It's been like that for as long as he's been here. Early this spring we had a couple of heavy rain storms and they caused a little more erosion than they have in the past. The DEC wanted it swaled out and ditched and rip-rap put in. They did this and put a holding basin in with 4" pipe so no matter how bad it rains, only so much water can run. They used 50 ton of stone and 16 ton of run-a-crush.

Councilman Knapp asked if some of this wasn't caused by the clearing of the land.

Leon Cook said no it was when the owner of the proposed towers widened the road and covered the access pipe. What started the whole thing was when the owner had to apply for a permit and all the folks have been coming out and monitoring it. It's all taken care of now. He charged the stone to the dump budget.

They put a kickup in to protect 4-5 homes on McClarey Road. The road got kind of worn down and the water was running down onto private property. They put a little one in on Dodge Road. The road was starting to break up under the railroad tracks so they took it out and put new blacktop in. On Bush Road they had two spots where the road seemed like there was nothing underneath it. They

leveled the spots out and put blacktop on them. They had a spot like this on Colton road and took care of that one too. They cut the shoulders on Colton and are still cutting some shoulders on other roads.

Agway lost the contract on regular gas. Griffin got it. Agway will be delivering the heating oil and diesel fuel but the regular gas will be coming from Griffin.

He got a letter from Governor Pataki's Office about the CHIPS. They got \$31,925.72 in CHIP money.

Leon said we have to have some coordinating at the pool. We are putting in the bath houses and septic system with a pumping station which has to be wired for 220. We have to coordinate who's going to put in the electric. Mike is doing the septic system. He's thinking of having Dan Pinkerton do some of the electric work and probably he would be real reasonable to do the whole thing.

Councilwoman Smith said she will take care of that.

Leon Cook asked her to call Mike Cook and let him know what she plans on doing.

Supervisor Scammell asked if we have anything to do on the Transitional Duty Program. Is this still active?

Leon Cook said he was going to write up a report on it. In the paperwork submitted earlier, there's samples of different ones. What we come up with has to be put in the Employee's Manual. It's really not a big thing.

Councilman McConnell asked about the problem on Deer Run with Mr. Lochner and if they came to an agreement.

Leon Cook advised Mr. Lochner to put a sign up stating not to mow that area.

Councilman McConnell asked if they couldn't just make a mental note about this.

Leon Cook said he will talk to Mr. Lochner again but if he doesn't want the roadside mowed he will have to be sure he takes care of it so it doesn't overgrow.

Councilman McConnell asked what the leeway from the center of the road is that he has to maintain.

Leon Cook said 29 ½' from the center of the road. Deer Run is 30'. All new development is 30'.

Councilman McConnell said in the letter it said they didn't want any reimbursement but the flowers weren't on town property.

Leon Cook said yes they were. He went up the next day. He called the first day and left a message on Mr. Lochner's phone that other people put signs up stating not to mow if they don't want the property near them mowed on the roadside. Usually the Highway Dept. knows who doesn't want mowing done but Mr. Lochner is new.

Councilman McConnell said if Mr. Lochner does the mowing, he can take his sign down.

Leon Cook asked what the problem is with him having a sign up.

Councilman McConnell said because it's a piece of paper on his mailbox.

Leon Cook said that is just temporary. Other people who want to take care of it themselves put a sign up stating "Do Not Mow". When he talked to Mr. Lochner, he was fine with this. Leon would appreciate it if Councilman McConnell would let him handle the highway problems. He said to just give him a call if there is something and let him take care of it. Sometimes when someone else gets involved they might say the wrong thing which makes the problem bigger than it has to be.

Councilman McConnell said he won't meddle in town business but will take the opportunity to go look at things like this.

4) Justice: Malcolm Knapp & Maureen Perrin.

A written report was submitted.

Councilman Knapp said he was told \$11,000 of this was paid by credit card and on back tickets.

Supervisor Scammell said the court has changed their hours for court to 6:00 p.m. on Wednesday nights.

Councilman Knapp asked what it was originally.

Mary Jo said 7:00 p.m.

5) Library Director: Scott Kushner.

6) Recreation Director: Regina Reinschmidt.

A written report was submitted.

Councilwoman Smith said the beeper was brought up at a Safety Meeting so Regina can be contacted if there is a problem at the Beach. Last year there was a problem at the Beach and she couldn't be contacted. At least if she is out of town we can get in touch with her to see what should be done.

Councilman Knapp asked the cost.

Leon Cook said it is \$3 - \$4 per month.

Supervisor Scammell said Community Council is running a little over in their budget so this must come out of the General Fund.

Councilman Knapp asked what the equipment cost would be.

Leon Cook said originally there is a small cost.

Councilman McConnell said she routinely goes to Rochester in the summer.

Will it reach that far?

Leon Cook isn't sure.

Councilman McConnell asked if we are talking for just the summer or year-round. He carries a beeper at work and he knows there are limitations. He would be in favor of getting her a beeper and would recommend just finding out if it will go to the extreme distances.

Leon Cook said he knows he and Dave Baker have tried to get in touch with her when she needs to get things done and haven't been able to.

Councilwoman Smith said when she's at the office she could be online so people can't get in touch with her. She has had phone calls that people can't reach her.

Supervisor Scammell said if the beeper doesn't reach Rochester, she could just leave the number of the place she goes to.

Marshall Taylor said we might get a good deal with PAETEC.

Councilman McConnell said there are options. He has been on a radio and can speak to someone in Binghamton.

Leon Cook said in the winter they need the beepers so the guys can be contacted for plowing.

Supervisor Scammell asked him who their beepers are through.

Leon Cook couldn't remember.

Supervisor Scammell asked the cost.

Tom Chartrand said about \$3.15 to \$4.00/month. They have one beeper during the summer and 8-9 during the winter. This is an existing setup and they are real lenient about turning them on and off.

Leon Cook said their beepers are on state contract. Otherwise they would cost you around \$12/month per setup.

The Board was in agreement to get Regina a beeper.

Leon Cook will take care of this.

7) Town Clerk: Mary Jo Kelly.

A written report was submitted.

8) Town Supervisor: Greg Scammell.

- **Intermunicipal Cooperation & Consolidation.**

A written report was submitted.

Supervisor Scammell said for the second month in a row we are running slightly over on expenses. About 43% of our budget has been spent.

Tom Chartrand said Councilman Knapp has addressed this with the Community Council and he and Regina Reinschmidt have discussed several things.

Councilman Knapp said most of their buying is done for the year. It should be coming more in line.

Tom Chartrand said another reason the expenditures look high the last couple of months is because \$30,000 went out for general insurance as opposed to \$3,000 to \$4,000 a month.

Councilman Knapp asked about the Xerox refund.

Tom Chartrand said we have about 3 service contracts where they send a pre-invoice, a bill, etc. This was a refund from last year. They actually sent us 3 bills and last year he must not have caught one of the duplicates.

B. COMMITTEE (2nd Monday).**1) Communications & Technology (MF/PK/MJ/MT/GS).**

a) **Town Website alternatives (Keep home grown, Digital Towpath, other) and location alternatives (town server, PAETEC, other). Need costs.**

b) **Email alternatives (Mike Forte – Kerio Mailserver 5.7.7 testing, AOL, PAETEC, other). Need costs & trial period/evaluations.**

c) **TOL web status (via email).**

2) Emergency Response (TB/BM).

- **AEDs (Defibrillators) (TB).**

3) Employee Policies & Benefits (MJ/SS/MD).

- **Retirement Savings Plan (403-b).**

Tom Chartrand said he really hasn't had any interest from anyone on this.

Councilman Knapp asked if there was any interest in the Highway Dept.

Leon Cook said no.

It was decided to remove this from the agenda.

4) Environmental & Conservation Advisory Board.**5) Highway (PP/LC/DK/SP/CP).**

Councilman Knapp said he heard Leon Cook is down a man.

Leon said Bill Doupe is out on medical. He came in today and wanted to go back to work. Leon told him he had to have a slip from the doctor saying he could come back to work. He brought a slip from the doctor in stating he can't work until at least July 10th. It's hurting a little now with all the paving, oiling and stoning.

Councilwoman Smith asked if he will be on restricted duty when he comes back.

Leon Cook said no. Our insurance paid for the operation and everything.

6) Physical Plant (HS/DK/BM).

- **LaFayette Commons/Library: Leaking over library circulation desk. General contractor to remove sheetrock & find source of leak.**

Supervisor Scammell said the roof at the library is still leaking. He believes the Board was in agreement to hire someone to come in and open the ceiling to see where the rain is coming in from.

Councilman Knapp said maybe whoever we hire can help us out with our winter problems too.

Supervisor Scammell asked for any suggestions on who to get to do this.

Councilman McConnell asked if bids could be solicited.

Councilman Knapp said it depends on the cost. He will try to find someone for this.

- **LaFayette Commons: SW walls, complete.**
- **LaFayette Commons/Library: Heat tape to be installed in valley over library entrance.**
- **LaFayette Commons/Library: Resheet rock repaired area over Library circulation desk area, Spring 2004.**
- **LaFayette Commons/Library: Floor settling (installation in process).**
- **LaFayette Community Center: Insulate or heat tape over the kitchen area to prevent ice buildup.**

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

Supervisor Scammell said he will add the pavilion, grill and picnic tables to discussion at budget time.

Councilman McConnell believes that people are looking for picnic tables this year and probably a pavilion next year. He has been at the softball games behind the Inn and the folks don't have any place to sit.

Councilman Knapp said in the past we have gotten tables from YCIP.

Councilman McConnell doesn't know if picnic tables are on their schedule of items to do this year. Last year they were making them. The cost a couple of years ago was \$65 each. He would suggest the Board talk to Mrs. Roorda to see if they can use 3 of the Booster club tables that are stored at the Apple Festival Grounds.

Supervisor Scammell asked if he thought the town could borrow them for the remainder of the summer.

Councilman McConnell would believe if he talked to Mrs. Roorda she would be fine with this.

Councilman Knapp said instead of borrowing 3, why not just borrow 2 from the Booster Club for up at the Inn and he is sure the Apple Festival Committee would donate a couple for Bailey Park.

Councilman McConnell would only say if they are damaged, Booster Club would expect them to be repaired. He would ask Leon Cook to bring the tables up for the fields behind the Inn. He will talk to Mrs. Roorda about this.

Supervisor Scammell said as far as the pavilion, it will be discussed at budget time. He doesn't know the cost for a grill.

Tom Chartrand said you might want to check with the town insurance agent to see if it interferes with anything else.

Councilman McConnell said he will have an answer for Leon Cook by Friday about the tables from Booster Club.

Leon Cook said he won't be here Friday. Thursday would be a good day for him to do this.

Councilman McConnell said to plan on doing it Thursday unless he calls to say no. He advised he is a member of the Booster Club too.

Councilman Knapp said he will put two picnic tables by the Optimist Booth for Leon to pick up and take to Bailey Park.

Supervisor Scammell asked if the pavilion would be something the YCIP could bid on.

Councilman McConnell said yes as long as they could do it in the fashion and within the price range we have.

Councilwoman Smith said their summer is already booked.

Councilman McConnell said this would be in the future.

Councilwoman Smith said we would supply materials and they would supply pay for the kids.

Councilman McConnell said that is correct. They have someone supervising them and teaching them how to do the project.

Supervisor Scammell said we would need to get a price before budget time.

Councilwoman Smith can get in touch with them if the Board could give her approximate sizes.

Councilman Knapp said about the same size as Jack's Shack.

Councilman McConnell was thinking the same thing.

Leon Cook said if the Board is thinking about buying tables, they can't have treated lumber. Our Safety Officer brought this up.

Councilwoman Smith said this just went into effect.

Councilman McConnell would suggest talking to Jim Nakas about what he had in mind.

Supervisor Scammell said it might be able to be built where the tennis court used to be at Bailey Park. He will email Jim Nakas.

Councilman McConnell said to let him know the picnic tables are coming on a temporary basis.

Councilman Knapp said to let him know it was Booster Club and the Apple Festival that were lending out the tables.

Tom Chartrand will get Supervisor Scammell the site for state contracts for merchandize to see about the cost of the grills.

Supervisor Scammell asked if the grills at Stafford were O.K.

Councilman Knapp believes the Optimist Club just fixed them a year or two ago.

b) LaFayette Beach.

- **Plumbing to start in Spring, 2004.**
- **Survey/transfer LaFayette Beach from LCC to town.**
- **Options for limiting vandalism (lighting, etc.).**
- **Options for noise control from lacrosse box.**

Supervisor Scammell advised Mr. Morris has been keeping a log of the problems. Mr. Puttkamer's log shows he has been going over there every night. Mr. Morris feels he has been harassed by the people who use the Beach and box lacrosse.

Councilman Knapp said there is no organized activity going on there.

Supervisor Scammell said Doug Morris has some license plate numbers. He's had his American Flag ripped down a couple of times on his property. He has the sense that Mr. Morris feels we are not being a good neighbor. He does have some suggestions. When Mr. Morris called law enforcement, they advised we didn't have any signs up stating the hours the Beach is open.

Councilman McConnell said he witnessed an incident of vandalism today. He plans on talking to the kids parents. He agrees with Councilman Knapp that

he isn't sure about the lacrosse noise. He's been home and drives buy there all the time and hasn't seen anything in two weeks. He believes one lifeguard isn't gong to handle the vandalism problem if they see it. They aren't going to turn a friend in.

Supervisor Scammell said he will be meeting with Mr. Morris to at least find out the times the problems seem to be occurring.

Councilman McConnell said when he gets this information, he would like the information forwarded to him so when he talks to the kids parents he can relate some of this information to them. The basketball court is used quite often. The lacrosse field isn't used after dark. He thinks maybe the noise Mr. Morris hears could possibly be an M80 like the one he caught the two youths letting off today.

Capt. Bronstad said between last weekend and through a week after July 4th, it's the 4th of July season. It's just the way it is. When they use M80's like that in a closed container, there's the danger of someone getting hurt by the metal.

Councilman McConnell said when he got over there, the smoke was still rising.

Procedures were discussed on what to do if the youths continue to vandalize the Beach.

Supervisor Scammell believes it would be good to have the signs stating the hours the Beach is open.

Councilman McConnell would hate to see the facility shut down because of vandalism.

Supervisor Scammell doesn't believe the Board is in favor of shutting it down.

Councilman McConnell believes the best spot for the box, if the town had the money, would be at Stafford Park.

The Board agreed.

Councilwoman Smith said there is funding available for a project of this magnitude if anyone is interested. She was surprised at the mount of money available for a large project like this.

Kevin Gilligan said the Board might want to work out something with the school district regarding the tennis courts with this. If there was a box sponsored jointly with the school, they could have summer leagues and play during the summer.

Supervisor Scammell said if there is interest in this, he will put it on the agenda so the Board keeps working on it and when the funding becomes available we will be ready to submit the information.

Councilman McConnell would put deadening material on the south side of the box behind the goal.

Supervisor Scammell will put this on the agenda so it can be discussed at future meetings and hopefully next year we will have the information needed for a grant.

Councilman McConnell will put some information together to find out who would be interested, etc. so we have some of the critical information needed when we apply for the grants. He asked Councilman Knapp if he would be interested in helping on this.

Councilman Knapp said sure.

Supervisor Scammell will meet with Mr. Morris. He would like to see a sign with set hours there from dawn to dusk.

Councilman Knapp moved and Councilwoman Smith seconded the motion to erect a sign at the LaFayette Beach stating the Beach opens at dawn and closes at dusk. Motion passed unanimously.

Supervisor Scammell asked Leon Cook if he would put the sign up at the Beach.

Leon Cook said he will get a couple of signs for the Beach stating the hours it's open.

c) Stafford Park.

• **Tennis court renovation – contracts (school (KG), Optimists), budget source.**

Councilman McConnell said the average tennis roster is 20 students. He asked Kevin Gilligan about the payment on page 3 of the handout under paragraph 1.

Kevin Gilligan believes as long as it's being pointed at the tennis facilities, it gives the town some flexibility.

Councilman McConnell asked if item # 6 was the student liability insurance.

Kevin Gilligan said yes.

Councilman Knapp asked if they submit this insurance for the use of the tennis court, could this be a blanket insurance for when the school uses any town facilities throughout the year.

Kevin Gilligan believes it would be good for anything. When they renew the policy, they could send this to the town once a year.

Councilman McConnell asked how we get the insurance for them using the tennis courts now.

Mary Jo Kelly said she isn't involved with that so she doesn't know. She believes the arrangements are made with Community Council.

Kevin Gilligan said we could do a letter agreement that would take care of everything else they might use. We could ask them to just supply the insurance certificate with the town each year when they renew their insurance.

Councilman McConnell asked if the signature block should be for the school superintendent or the president of the school board.

Kevin Gilligan said he set this one up the same way they set it up. He noted we need to know how long this contract is for.

Councilman McConnell would think it would be indefinite.

Kevin Gilligan said if you do it indefinitely, what happens when additional improvements are needed? You will come to a point where the same thing needs to be done again and you would have to go back and negotiate again. You would want the term to be at least 1-2 years for scheduling purposes.

Councilman Knapp would recommend 5-10 years.

Kevin Gilligan said you can't go over 5 years.

Councilman McConnell believes 5 years would be good. He isn't sure the school can commit to 5 years.

Kevin Gilligan said he is very familiar with this law. As a co-municipal government we have a lot more flexibility. In terms of the contract, he doesn't think there would be any difficulty at all having a contract for services which basically means they are paying to use the park. He will set this up for a 5-year term. In year 4, the Board should be sitting down to talk to the school to discuss if anything needs to be done and to advise we are looking at renewing the contract for another 5 years and possible future budgets for things that might need to be fixed, etc.

Councilwoman Smith asked where the \$25,000 came from.

Councilman McConnell said that was for a 4th court. The actual cost would be \$11,000.

Supervisor Scammell said \$11,195 is what the Board discussed.

Kevin Gilligan said in our draft he limited it to the tennis season which runs from March 1st to June 1st. He suggested some other changes: that this is limited to the tennis courts and there is no ongoing fee.

Mary Jo said there is a possibility that in the future the tennis season might not fall between these dates.

It was recommended to omit the dates and say tennis season.

Kevin Gilligan will make these little adjustments.

Supervisor Scammell said it must be decided if there is money in the budget this year to do this.

Marshall Taylor asked who would be responsible if vandalism took place while they are using the court.

Councilman McConnell would add into the agreement that any vandalism occurring during practice or matches, they are responsible for.

Councilman Knapp asked if the school has seen the town's draft agreement.

Kevin Gilligan said not yet. He wanted the Town Board to come to an agreement before anything was sent to the school.

Discussion took place on where funding for this could be taken from in the budget.

Councilman McConnell said if you don't do this between now and October, you won't be able to put pavement down until next year and another season will go by and the school will miss out on their investment.

Councilman Knapp said it will be another 30 days before the Board meets and we will have a better picture of things.

Councilwoman Smith said we should know the cost for repairs at the library and community center by then.

Councilman McConnell asked if this agreement will be forwarded to the school to review.

Kevin Gilligan said once the Board tells him to send it, he will.

Supervisor Scammell believes once the changes are made, it would be O.K. to send on.

Kevin Gilligan will get the revised agreement to Supervisor Scammell.

The basketball courts were discussed.

Councilwoman Smith asked if they would be able to practice basketball while tennis is going on.

Councilman Knapp said they would be able to play while the team was practicing but not during home matches. There are only about 5 to 6 matches a year.

Councilman McConnell believes if they host a home match the school will probably bring down a set of bleachers from the school.

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

Leon Cook said the next meeting will be the 3rd Tuesday of July. Tom Rezsnyak couldn't make it on the 2nd Tuesday.

Councilman Knapp said that would be July 20th at 6:30 p.m.

9) Senior Transportation & Housing (GS/BO).

Supervisor Scammell said he is working on a very modest grant.

10) Service Awards (DK/BM/JS/GH).

11) SOTS & OCRRA Liaison (DK/BM).

12) Water (GS/SS).

- **U.S. Army Corps of Engineers/Jamesville Reservoir – Preliminary Restoration Plan complete, seeking nonfederal sponsor for \$6M.**
- **Village of East Syracuse Water District.**

13) Zoning Review (GS).

a) Private/Public horse stables – Under Review.

- **Fencing: 2 open acres + 1/5th acre per horse minimum..**
- **Manure management plan (May through Oct, max. 1 cubic yard accumulation for up to 2 horses. Greater than 2 horses - .5 cubic yards per horse, same period?).**

Supervisor Scammell said right now we do require a manure management plan. It would be different for 5 horses to 75 horses. We have discussed the fencing before. He would suggest sending a memo to the Planning Board and Zoning Board of Appeals stating it's the Town Board's intention that 2 acres plus 1/5 acre for each additional horse regarding fencing would be the intent of the Ordinance.

Councilman McConnell would agree. They asked for guidance how to interpret it. He said we could advise them that this is the Town Board's interpretation.

b) Simple/small subdivision Guidelines – Under Review.

- **PB/ZBA/CEO/CCF input.**
- **TB review (JL). ****
- **Fee schedule.**
- **NYS Comptroller's opinion (what constitutes a subdivision?).**

c) Ad hoc committee for Review of Planning and Development processes (form letter complete).

d) Corridor Plan.

e) Digitized zoning map.

8. LITIGATION & OTHER LEGAL MATTERS:

A. People v. Claire Watson.

- **DeWitt Court, 7.27.04.**

Supervisor Scammell advised the case is rescheduled for July 27th.

B. LaFayette Hotel/Mr. Muraco's project at the four corners & DEC septic approval (awaiting DEC response).

- **Response to tax relief query.**

C. Decision on PILOT agreement w. Festival Gardens.

Supervisor Scammell said we are waiting for reimbursement from them.

Kevin Gilligan said they advised they would not be paying it until July 10th.

This was their agreement to pay all the towns legal expenses for this matter.

Supervisor Scammell said he has had a follow-up complaint. He hasn't called the resident back yet. He would guess it might have been vandalism but he isn't sure.

Councilman McConnell wondered if it's the action of the tenant that was evicted.

D. Noise/nuisance ordinance.

- **Noise - Public nuisance laws. NYS Penal Law, Section 240.20.**
- **Open burning/noxious odors.**
- **NYS Penal Law (TB).**

➤ **CCE materials (GS).**

Capt. Bronstad said he attended a meeting in Jamesville and the person who was having the fires said he would hold-off on the fires for awhile.

E. Letter regarding (former) Jamesville Grove rock concerts. Complete.

F. People v. William May.

Supervisor Scammell said this is completed. It was decided in the town's favor.

9. UNFINISHED BUSINESS & ACTIVE PROJECTS:

A. Time-Warner Cable TV franchise renewal (GS).

B. Speed limit reduction requests.

- **Route 91 appeal (denied).**
- **Tully Farms Road (denied).**

C. Cram Communications, WVOA-AM towers.

• **Engineering study performed by Cram to be reviewed by independent consultant, pertaining to impact on Groth Road Communications Tower.**

- **5.6.04 letter: AM Tower Project.**

Kevin Gilligan said the town should require the applicant to be responsible for the detuner on the town tower.

D. Welcome Signs (BM).

E. Active duty service personnel roster (BM, DK).

Councilman McConnell said he spoke with Brian Skeval today. Delivery is changed to August. The cost still remains between \$300-\$400.

Councilman Knapp has the list.

Councilman McConnell would suggest when we do the dedication that the families will be contacted. The plan is to dedicate it at the Town Board meeting in August. He will be sure the families involved know.

10. NEW BUSINESS:

A. Certificate of Appreciation for Jim Quartier.

Councilmen McConnell moved and Knapp seconded the motion to issue James Quartier a Certificate of Appreciation for his years of service on the Planning Board. Motion passed unanimously.

Councilman McConnell will invite Jim Quartier to the July 26th meeting to receive the Certificate.

B. Other.

Councilman McConnell asked if anyone saw the editorial commenting on the Optimist Club's flag written by a woman driving back and forth on Route 81.

Councilman Knapp will bring it in at the next meeting.

11. There were no suggestions for improvement & positive contributions.

12. Councilmen McConnell moved and Knapp seconded the motion to audit and pay the following bills:

GENERAL FUND

#1279 – 1284, #1370 -

1431

HIGHWAY FUND

1285, 1348 – 1369

SPECIAL DISTRICT FUND #1286 – 1287, #1434

TRUST & AGENCY FUND #1435 – 1445

Motion passed unanimously.

13. Executive session (as needed).

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

The Town Board Meeting adjourned at 9:45 p.m.

Respectfully submitted,

Mary Jo Kelly
Town Clerk