

Minutes of the October 25, 2004 Town Board Meeting of the Town of LaFayette held in the Meeting Room of the LaFayette Commons Office Building at 2577 Route 11 in the Town of LaFayette at 6:30 p.m.

Present: Gregory Scammell, Supervisor
Sandra Smith, Councilwoman
David Knapp, Councilman
Thomas Bailey, Councilman
William McConnell, Councilman

Recording Secretary: Mary Jo Kelly, Town Clerk

Others Present: Kevin Gilligan, Town Attorney
Leon Cook, Highway Superintendent
Ralph Lamson, CEO
Jack Sutton, LFD/Dep. CEO
Greg Hoxie, LFD
Tom Chartrand, Bookkeeper
Heidi Smith, Dodge Rd.
Marshall Taylor, Assess/Clerk
Regina Reinschmidt, Rec. Coord.
John McCrea, 4300 Roberts Dr.
Maurice Bodley, 6403 Hedgerow Lane
Ben Werbowsky, 6400 Hedgerow Lane
Ed Carroll, 6401 Hedgerow Lane
Jim Sutton, 6402 hedgerow Lane
Sue Snavlin, Dep. D.C.O.

1. Supervisor Scammell called the meeting to order at 6:31 p.m.
Supervisor Scammell asked for everyone to observe a moment of silence for the recent loss of 3 students in our community and we are also praying for Joe Marzo's recovery.
2. The Town Clerk took the Roll. All present.
3. Pledge to the U. S. Flag led by Town Councilor Bill McConnell.
4. **Councilmen McConnell moved and Knapp seconded the motion to accept the October 18, 2004, Budget work session Minutes as submitted by the Town Clerk. Motion passed unanimously.**

5. **COMMUNICATIONS:**

A. Residents.

• **John McCrea – Keough subdivision (new speed limit).**

Supervisor Scammell read John McCrea's letters of September 28, 2004, and October 8, 2004 regarding the notice of the change in speed limit for the Keough Farm Subdivision.

Mr. McCrae said he has lived here 23 years and it's the first time he has ever had to attend a Town Board Meeting. This must mean he has been pretty satisfied with the things in LaFayette. He called the state engineer and asked him about this speed limit. He was advised their study was for a 30 mph speed limit which was permitted. He asked the engineer how he could get a hold of the study. He was advised he would have to put his request in writing. Mr. McCrae did this. The next day the engineer called Mr. McCrae and said there was no linear study done for a 25 mph. Mr. McCrae asked

him what the next step would be. The engineer advised him the town would have to request that a linear study be done. Everybody in the tract is upset and he would hope the Board could find a way to get the speed limit reduced to 25 mph by requesting the linear study and then decide if we want to go through with it. The linear study was never done. That was his concern.

Councilman Knapp asked what the difference between an area study and a linear study is.

A resident said an area speed zone only requires an introduction to the zone. It only requires a sign coming into the tract. That is basically the only signs you would have to have. You don't have to have 12-13 signs in such a small area. This area is only about 4/10 of a mile. They have sign clutter.

Mr. McCrae said doing a linear study requires someone to go up to the area and check out 100 cars. If they weren't able to get a fair idea of what is going on, they would bring in the State Police. They have signs for Handicapped Children, 30 mph, 25 mph around the curve, etc. He spoke to the parent of the handicapped child as she likes her child to be able to go out to get the mail and with the 30 mph sign, she is worried about allowing her to do so.

Councilman Knapp asked if this resident is on Coye Rd.

Mr. McCrae said no, she is on Hedgerow. You would not be comfortable driving this area at 30 mph.

Maurice Bodley said they have 12 signs down there. It seems like overkill. He went to the corner of Coye Rd. and Apulia Rd. and headed towards DeWitt. He went 4 miles and saw 15 signs and two of them were for 20 mph. There were 13 – 30 mph signs. They have 12 right now in a 4/10 mile area. He has lived there since 1963 and 30 mph is too fast to travel in this area. Most of the people who travel this tract live there.

Jim Sutton said there is a guy in the neighborhood whose dog got hit by a car which is what started this thing. He has two dogs that are always in the road. The people he complained about reside in the area. The kid who was speeding has moved out of the neighborhood so neither he nor his buddies are speeding down the road any more. He doesn't feel like changing the whole neighborhood. He doesn't like to see 30 mph signs all over the place. He has a sign outside his house now which says 20 mph which is all he needs. He is against all the signs that are there now.

Supervisor Scammell asked Leon Cook if there is any guidance for the signs.

Leon Cook said they must go according to the state requirements. The area involved is a little over ½ mile. He put the signs up according to the state requirements that he must go by. This is the same for the size of the signs. They have to have a minimum of 7' between the bottom of the sign and the center line of the road. They ended up having to use a 10' post to get the 7' requirement. They probably could have gotten by with 11 signs but the way the area is, they put 12 up.

Supervisor Scammell asked if we have done any area speed limit postings.

Leon Cook said no. The Town Board has always sent in a request for a speed limit reduction. The county sends it to the state. The state has the final say on any speed limits. The state does the study. They used to do a more thorough study than what they do now. This request is almost two years old.

Supervisor Scammell asked if there is a particular term for the more thorough study.

Leon Cook said not that he knows of.

Councilman Knapp said basically the towns roll is to put the request together with the petition and forward it on to the county who forwards it on to

the state. The Board has never requested a linear study.

Mr. McCrae said the engineer told him all the town has to do is petition for the linear study and they will do it.

Mary Jo advised she fills out a standard form for speed reduction requests.

Mr. McCrae said if the Town Board wanted 25mph, they would have to ask for a linear study. The state should have come back and asked which study the Town Board wanted.

Supervisor Scammell said we can write a letter to them requesting a linear study. He asked the resident's to be sure they give their names to the Town Clerk so they are included in the Minutes which will accompany the request.

Mr. Werbowsky asked if this linear study is for an area sign or will they have the same number of signs they have now?

Mr. McCrae said it would be for the same number of signs that are in the area now.

Mr. Werbowsky asked if we really want this. He would like to see one sign at the entrances of the tract stating the speed limit rather than the 12 that are there now.

Supervisor Scammell will ask about this.

Mr. Werbowsky said the 12 signs are on top of the signs that are already there.

A resident said he had a discussion with Leon Cook that the signs that are there now will have to be repaired in the spring after plowing.

Leon Cook said the resident's have to mow around all the signs.

Jim Sutton said this has been a feud between a couple of neighbors and all these signs aren't needed.

Mr. McCrae said if the Town Board would drive through the area, they could see all the signs.

Supervisor Scammell said the town doesn't have control over this as Leon stated.

Councilman McConnell asked if they are looking for just 4 signs entering the tract.

Mr. McCrae said he just did the homework. He is just bringing to the Town Board's attention that the decision that was made has upset both groups in the area. Maybe the Town Board can go back and satisfy one group with the 25mph but it wouldn't satisfy the other group that doesn't want any more signs. Personally, he feels they have all the yellow signs that have worked for years and he believes they are adequate.

Ed Carroll said if you had the area speed limit signs coming into the tract, they would be more enforceable than what is there now. If the state comes in and does a linear study, he doesn't think their tract would qualify for it. The signs are too close together. He thinks it would satisfy both groups if the Town Board could get 25 mph speed zone signs at each entrance. This would be enforceable and get rid of all the signs that are there. He has lived there for 25 years and believes it's a self-limiting speed zone.

B. Onondaga County Supervisors Association President Robert DeMore: 2004-2005 Snowplowing contract proposal.

"The Association met on September 21, 2004, and has the following proposal for our snowplow contracts for the coming winter..."

Supervisor Scammell said we are at \$4,600 per mile now. He thinks this is what the number will be for the coming year.

Leon Cook said he talked to Bruce Trexler today and he told him that Nick Pirro is going to be calling Supervisor Scammell. They are proposing \$4,600/mile for a 3-year contract. After the first year they add on the fuel and salt increase. We were getting \$4,300 per mile and now we are getting \$300 more a mile. He thinks this is a pretty good increase.

Supervisor Scammell said plus the fuel and salt increase will be added.

Leon Cook said the salt has only gone up \$2/ton. He has our salt all in. The fuel is the only thing we have to worry about.

Tom Chartrand asked Leon if he would still have to track everything.

Leon Cook said he will still have to keep a record. Every trip will have to have a ticket made out for it. He is satisfied with the \$4,600 and the clauses in the contract.

Councilman Knapp wouldn't want to go more than 3 years.

Leon Cook said there are 4 towns that are not going to go with it. Out of that 4, some of them will change their minds.

Councilman Knapp asked who they are.

Leon Cook said Camillus, Onondaga, Otisco and Skaneateles.

Supervisor Scammell said as Leon Cook mentioned before, the resident's will be calling the towns if the roads aren't plowed. They won't be calling the county.

Leon Cook said every road the town plows for the county he has to go over anyway to get to the town roads.

Councilman Knapp asked what is in the budget for this now.

Tom Chartrand said \$4,500/mile. The budget can be amended tonight if the Town Board would like to.

Leon Cook would rather the Town Board wait until he gets something in writing about this. The contract is suppose to start 11/1/04. Bruce Trexler said it will take him awhile to get the contract done up and he wants to be sure the roads will be plowed if needed before the contract is in place. Leon said it is O.K. with him.

Councilmen Knapp moved and Bailey seconded the motion authorizing the Highway Superintendent to plow the roads that will be under contract. Motion passed unanimously.

C. NYS Assemblyman Jeff Brown: Proposed changes in fine collections by NYS.

D. Onondaga County Legislature: 9.29.04 agenda.

E. LaFayette Public Library Board of Trustees President Constance Foote: Appointment of Virginia Collinson to Trustee.

This was taken care of at the last meeting.

F. LaFayette Central School District Superintendent of School Mark Mondonaro: Tennis Courts.

Supervisor Scammell thanked Councilman McConnell for all his work on this.

Councilman Knapp asked if we are all set with this budget-wise.

Tom Chartrand said yes. He believes Supervisor Scammell has already received the check from the school.

G. USA Today, Health costs.

"...Health insurance premiums paid by U.S. Workers have risen nearly three times faster than average earnings in the past four years...Premium costs for private health insurance coverage grew 35.9% from 2000 to 2004. Average individual earnings grew 12.4%, the study found....the number of Americans whose health care costs exceed one-fourth of their earnings rose to 14.3 million from 11.6 million...In 26 states, workers' premium costs rose by more than 40 % The average premium amount paid by workers for family coverage rose from \$1,433 to \$1,947. The share of health premiums paid by employers also rose, but at a slightly smaller rate, 31.8 %. The share of employer-paid premiums for family coverage went from \$5,595 to \$7,373..."

H. NYS Office of the State Comptroller Hevesi: Homeland Security Aid.

"The purpose of this bulletin is to inform local government officials of the establishment of new revenue and appropriation codes to account for and report homeland security aid and related expenditures...Grant provisions require a comprehensive, coordinated strategy be

implemented to achieve the goals of the State Homeland Security and Terrorism Prevention Program. Accordingly, all planning, training, exercises and/or equipment purchased with grant awards must support the prevention, response and/or recovery goals set forth in the new York State's Homeland Security Strategy..."

I. NYS Office of the State Comptroller Hevesi: NYS Rail Infrastructure Investment Act of 2002.

"This bulletin highlights the New York State Rail Infrastructure Investment Act of 2002 and creates a new revenue code for accounting and financial reporting purposes for aid received under the Act..."

J. Onondaga County Health Department: Water sample analysis.

"...LaFayette Commons # 1 Library...facility was of a satisfactory, sanitary quality at the time of sampling on September 23, 2004..."

K. NYS Office of Real Property Services: 2004 STAR Administrative Aid Distribution.

The Town will get approximately \$2,148.70.

Tom Chartrand believes this is down a little. He thinks we were over \$3,000 last year.

Councilman Knapp asked if this is for administering the program.

Tom Chartrand said yes.

Marshall Taylor said it fluctuates.

Supervisor Scammell believes it fluctuates with the 20-year bond rate.

L. Other.

6. SPECIAL REPORT.

7. REPORTS:

A. Departmental (4th Monday).

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

- **Junk vehicle status (attached spreadsheet).**
 - a) **Prioritized (multiple vehicles and long standing violations) spreadsheet listing.**
 - b) **Route 91.**
 - c) **LaFayette Road, 1/2mile North of Route 20. Abandoned red auto on east side.**
 - d) **Rout 11 South, across from cemetery, multiple autos.**
- **Written report September.**

Ralph Lamson said he would like to discuss people who need to have family members come live with them. They have been called in-law apartments. He has probably had this brought up to him 5-10 times in the past few years. The way our zoning is set up now, this wouldn't be allowed. He thinks this should be looked into. If we can limit it to relatives, he isn't sure there is a problem with it. If the apartment was put over the garage, it might not be attached to the house. He talked to Supervisor Scammell and Marshall Taylor about this. Marshall said it wouldn't cause a problem with the assessing of the property.

Supervisor Scammell asked the Town Board to think about this.

Councilman Knapp asked how other towns do it.

Kevin Gilligan said the rule is a single family use per parcel. He thinks the problem comes when they set up a separate living unit and when the relatives pass on and the owner wants to subdivide or sell the house to someone. It depends on the situation. You run into difficulties down the line when something else is tried to be done with the building they have built.

Supervisor Scammell asked Kevin Gilligan to draft up some ideas on this.

Ralph Lamson said people are living longer and he thinks this request will be made more and more often in the future.

Councilman Bailey said in placing a structure over a garage, you really aren't adding an additional structure.

Supervisor Scammell said usually an addition on a structure isn't a problem. The problem usually develops when it's a separate structure completely.

Councilman Knapp asked if there was anything to report on the motel.

Ralph Lamson said he hasn't noticed anything.

Councilman Knapp believes the sale has been completed.

Supervisor Scammell hasn't seen it in the paper. He asked Marshall Taylor if he had gotten anything on it.

Marshall Taylor said not yet.

Councilman Knapp asked what its possibilities are being within the Hamlet re: motel versus apartments?

Ralph Lamson said he would have to look it up to see exactly what is allowed. It's been used as apartments so he doesn't think the use of it has really changed.

Ralph Lamson said he was out on Route 91 and he didn't notice any violations out there under the junk vehicle status.

Supervisor Scammell said it's on the west side of the road. He will get Ralph the address. Maybe they have cleaned it up.

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

Sue Snavlin said she was in court Wednesday night regarding a dog case. The owners plead not guilty and there will be an upcoming trial for this.

Supervisor Scammell hasn't received any further calls on this. It seems to have quieted down.

3) Highway Superintendent: Leon Cook.

- **SPDES/MS4 Stormwater Phase II (see J. Dunkle list). Time & expense log.**
- **Drumm Road turnaround.**

Supervisor Scammell said Drumm Rd. will be discussed in Executive Session later in the meeting.

Leon Cook said they have been keeping up with the mowing. They are still using the ballfields a lot. They mowed up close to the casting pond with the road mower. It made it look a lot better.

Councilman Knapp thanked him and said it looks a lot better.

Leon Cook said they paved everything around the Highway Garage and repaired the catch basin at the corner of the building. He doesn't think one person came out and said they liked the speed limit on the Keough Tract.

Councilman Knapp asked if we have a legal obligation to post what the state decides the speed limit should be. Can we remove the signs and leave it the way it was?

Leon Cook said he thinks we could take the signs out and just put the area speed signs up.

Councilman McConnell asked if we have the authority to do that or do we have to request a study? Do we need to do a linear study or can it be done by at the Town Board's judgment?

Councilman Bailey said it must be done by the state.

Leon Cook said he puts signs up according to the state requirements.

Councilman McConnell asked if we have the authority to take the signs down that have been put up with the 30 mph and just put them at the entrance to the tract?

Leon Cook thinks we can just put in the area signs. We can put two signs up, one on each entrance, He asked the Board to give him until their next meeting to research this.

Councilman McConnell said when Leon puts up signs that advise of handicapped children, etc., how do we keep up with when to remove these kinds of signs?

Leon Cook said he keeps track of it and removes them when they can be removed.

Leon said they were having trouble with the drainage on Summerridge. They cleaned the catch basin out and the county helped suck the pipes out. They cleaned the catch basin out again. The stone the developer put in was too small. They went up both sides of the road and put rip-rap in.

Councilman McConnell asked when the bridge on Webb Rd. would be completed.

Leon Cook said it was supposed to be done about 2 weeks ago. Because of the weather, they are behind. It should be done this week.

Leon advised the new water system has been put in at the pool. Both tests the county did passed. Regina Reinschmidt took a test and it passed.

Councilman Knapp asked if this is the ultra-violet system.

Leon said yes.

Leon said they have hauled in 3,000 ton of sand for the winter. They had 1,000 left from last winter along with 1,000 ton of salt. These are all mixed together now. If this winter is like last winter, we will be all right.

Supervisor Scammell asked if he had an update for Scammell Road.

Leon Cook said they told him that it would definitely be done before winter. They are afraid of Route 11 caving in too. They are waiting for the governor to sign the emergency work order right now. He will talk to the state engineer again this week.

4) Justice: Malcolm Knapp & Maureen Perrin.

- **Written reports April, May, June, July, Aug. & Sept.**

5) Library Director: Scott Kushner.

- **Board Minutes and Report for Sept.**

Supervisor Scammell noted circulation has increased from just a little over 4,000 in 1995 to about 6,000 now. Patrons have risen from 95 to 186.

6) Recreation Director: Regina Reinschmidt.

Regina Reinschmidt said soccer has ended. It was successful again. They had over 100 participants and 9 coaches. They are hoping to reinstate the adult volleyball on Friday nights. It's open to anyone. Adult aerobics began in September. The numbers are average for this season. Lacrosse had an extra program in the fall on Friday's for boys in grades 3 – 6. The 1st and 2nd grade boys continued their program through the fall. They are practicing now for the upcoming Turkeyshoot. After that they should be done with the fields. They had approximately 20 games for flag football this fall. The Apple Festival Pizza Booth was an average year for earnings. Youth volleyball started last week for grades 3 through 6. The testing of the water at the pool tested fine. Everything was approved and they lifted the "Do Not Drink the Water" order. She thinks that's all for over there. Leon Cook is going to winterize it.

Leon Cook said the health inspector still doesn't want to give up. He wants the area by the pool dredged out. The brush has to be cut before they can get in there.

Councilman Knapp asked what they are going to try to do it with.

Leon Cook said he will have to put some run-a-crush in before he takes his equipment in there.

Supervisor Scammell asked what the inspector thinks this will accomplish.

Leon Cook said he took tests of the water in that area and then at the other end of the pool and it improved quite a bit in that distance. There's mud in there. It's gotten silted in and this will improve it a lot.

Regina Reinschmidt said it has really filled in. It's up almost to the intake basin.

Councilman McConnell asked if they reseed this area in the spring.

Regina Reinschmidt wanted to do that this fall. She will have to see if it's too late to do it now.

Councilman McConnell thinks it's too late now because of the temperature.

Leon Cook said the area where the water system is put in must be raked and seeded too.

Regina said when Mike Cook is over there, she is going to ask him to do that area too.

Hopefully Mike will be able to get in there and yolk rake it.

Leon Cook said it was too wet when he tried last week.

Regina Reinschmidt said men's basketball started.

7) Town Clerk: Mary Jo Kelly.

- **Written report submitted for Sept.**

8) Town Supervisor: Greg Scammell.

- **Intermunicipal Cooperation & Consolidation.**
- **2005 Budget (new) items for review (JFD capital plan, Bailey Park pavilion, Town Signs (Signage Systems quote)).**

B. Committee (2nd Monday).

1) Communications & Technology.

- **Town Website & email - Digital Towpath evaluation.**

2) Emergency Response.

- a) **AEDs (Defibrillators).**
- b) **LFD house numbers mailing.**
- c) **LFD exhaust vents – grants available?**

3) Employee Policies & Benefits.

4) Environmental & Conservation Advisory Board.

- **Forest Tent Caterpillar & Gypsy Moth – Informational meeting to be scheduled, Feb. 5, 2005.**

5) Highway.

6) Physical Plant.

- **LaFayette Commons/Library: Leaking over library circulation desk. Resheet rock when complete.**

Councilman Knapp said he has been working on the leak. Fred Groth was here and found another sizeable spot in the siding over the weekend and repaired it. It was another big spot without any flashing behind the siding. We will keep monitoring it.

Supervisor Scammell said he sent Scott an e-mail today that he must contact Fred Groth as soon as it starts leaking so he can look at it while it's happening.

Councilman Knapp said they are feeling pretty confident that they got it.

- **LaFayette Commons/Library: Heat tape to be installed in valley over library entrance.**
- **LaFayette Community Center: Insulate or heat tape over the kitchen area to prevent ice buildup.**

7) Recreation & Youth.

a) Bailey Park.

- **Charcoal grills. Sources and prices – budget time. (DK/GS).**
- **Pavilion (deferred until budget time).**

b) LaFayette Beach.

- **Survey/transfer LaFayette Beach from LCC to town.**
- **Options for limiting vandalism (lighting, etc.).**
- **Options for noise control from lacrosse box – reinforced panels.**
- c) **Stafford Park.**
 - **Tennis court renovation – additional insured, worker’s comp, DBL certifications (KG 10.5.04 memo - Okie Court Systems). Bids & certified payrolls to Tom C.**

Supervisor Scammell said he did receive the check from the school for the tennis court.

Tom Chartrand said he forwarded the paperwork to Okie and they are going to fill it out and send it back, We have the bids but not the certified payroll. This should be attached to the payment.

- **Lacrosse facility – estimates, (re)location possibilities.**

8) Safety.

9) Senior Transportation & Housing.

- **Grant from Assemblyman Jeff Brown. Application in process.**

10) Service Awards.

- **Service Fee Agreement.**
- **CCF/Karyn Godsoe: Amendment to Fire Service Award Program.**

11) SOTS & OCRRA Liaison.

Supervisor Scammell read Karen Godsoe’s letter of October 4, 2004.

Councilman Knapp asked if down the road the Town Board would like to put some working in like “one year goes to 5”, etc. Could we do one referendum with that schedule in it or would we have to have a separate referendum for each increase?

Kevin Gilligan believes you could do one referendum for the whole thing.

Supervisor Scammell asked if the Board would have to advertise the stepping in it and the timeframes?

Kevin Gilligan said yes.

Supervisor Scammell asked if the Town Board is free to do whatever stepping they want to.

Kevin Gilligan believes so. He thinks the only limit is the \$700.

Councilmen Knapp moved and McConnell seconded the motion to authorize the supervisor to sign the service award agreement. Motion passed unanimously.

12) Water.

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

13) Zoning Review.

- a) **Simple/small subdivision Guidelines – Under Review.**
 - **PB/ZBA/CEO/CCF input.**
 - **TB review (JL).**
 - **Fee schedule.**
 - **NYS Comptroller’s opinion (what constitutes a subdivision?).**
- b) **Ad hoc committee for Review of Planning and Development processes (form letter complete).**
- c) **Corridor Plan.**
- d) **Digitized zoning map.**

8. LITIGATION & OTHER LEGAL MATTERS.

A. People v. Claire Watson.

- **NYS Ag & Markets letter – response.**
- **DeWitt Court, 9.21.04.**

Supervisor Scammell advised Stephen Beggs and John Langey met with Ag. & Markets in Albany. He hasn't had a chance to meet with them yet.

B. LaFayette Hotel/Mr. Muraco's project at the four corners & DEC septic approval (engineering study complete).**C. Drumm Road turnaround.****9. UNFINISHED BUSINESS & ACTIVE PROJECTS.****A. Time-Warner Cable TV franchise renewal.**

- **Franchise expansions – 3 miles in the last 12-18 months.**
- **Richard Strong special report on 11.8.04.**

Supervisor Scammell advised Richard Strong will be at the next Town Board Meeting.

B. Speed limit reduction requests.

- **Route 91 appeal (awaiting NYS SP study requested by Sen. John De Francisco).**

D. Cram Communications, WVOA-AM towers.

- 1) **Engineering study performed by Cram to be reviewed by independent consultant, pertaining to impact on Groth Road Communications Tower.**
- 2) **Detuning costs responsibility.**
- 3) **CCF/John Langey: Clough Harbor & Associates, Professional consultant sought.**
- 4) **CCF/John Langey: SEQR Determination & NYS DEC: Archeologically sensitive site.**

Supervisor Scammell said this is very important to the Town of LaFayette regarding its revenues from the tower that Crams proposal might interfere with.

Kevin Gilligan said the engineer study would be covered by the Developer Fee. The more significant information we have received on this application is the letter on the Native American Archeological Study.

Councilman Knapp said this is because of the proximity to the Nation.

Kevin Gilligan said the Board can't go forward until this is completed now.

Supervisor Scammell asked how they do these studies.

Kevin Gilligan said they look at paper trails first and then might do an actual field study.

Every so many feet they have to do some sampling to see what they come up with.

Supervisor Scammell asked what determines if they need to move on to the actual digging.

Kevin Gilligan said SHIPO decides this.

D. Zone change request for Route 20 & Tully Valley Extension (referred to PB).

No request has been made from the owner of the property.

E. ZBA request for mobile home inventory, including status.**F. Strategic Plan survey update.**

Councilman McConnell said he has talked with Syracuse University and has a meeting with them in November. He will update the Board of his findings.

G. Other.

Nothing has been heard from Festival Gardens.

Kevin Gilligan said the PILOT will expire in 2005. If the Town Board doesn't hear from them, the property will go back on the taxroll in 2006.

Supervisor Scammell referred to the Service Award Agreement with Penflex. He asked about the optional service fee schedule.

Tom Chartrand said the only thing the Town has been paying extra for is the 1099's and 1096's.

10. NEW BUSINESS:

A. Electric payment at LaFayette Rural Cemetery.

Councilman Knapp moved and Councilwoman Smith seconded the motion authorizing the town to pay the electricity for the lighting and water at the LaFayette Rural Cemetery. Motion passed unanimously.

B. Other.

It was decided the Okie payment will not be sent until the certified payroll, etc. is received.

Councilwoman Smith moved and Councilman Knapp seconded the motion for the Town Board to go into Executive Session to discuss a matter of potential litigation and to include the Highway Superintendent and the Town Attorney. Motion passed unanimously.

The Town Board went into Executive Session at 8:07 p.m. and Supervisor Scammell called the Regular Town Board Meeting back to order at 9:17 p.m.

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

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

HIGHWAY FUND	# 2086 through 2099
SPECIAL DISTRICT FUND	# 2100
TOWN & AGENCY FUND	# 2102 through 2113
GENERAL FUND	# 2114 through 2150

Motion passed unanimously.

13. **Executive session (as needed).**

Held earlier in the meeting.

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

The Regular Town Board Meeting adjourned at 9:18 p.m.

Respectfully submitted,

Mary Jo Kelly

Town Clerk