

Minutes of the Regular Town Board Meeting and Public Hearings held by the LaFayette Town Board on July 11, 2005 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, Councilor
David Knapp, Councilor (Arrived 6:35 p.m.)
Thomas Bailey, Councilor
William McConnell, Councilor

RECORDING SECRETARY: Mary Jo Kelly, Town Clerk

OTHERS PRESENT: Leon Cook, Highway Superintendent
Thomas Chartrand, Bookkeeper
Kevin Gilligan, Town Attorney
Sumner Palmer, Applicant
Tom & Carol Kellish, Berry Rd.
Ann & Steve Chase, JRPA
Nan Slowick, LaFayette Rd.
Peter Slowick, LaFayette Rd.
Marshall Taylor, Assessor/Clerk
Pete Paul, Dep. Supervisor
Rainer Brocke, Env. Board Chair.
Jane Praetorius, JRPA
Paula Naselli, JRPA
Rick Haskins, JRPA
Karen & Jim Brower, JRPA
Joseph Jerry, Attorney (Cohen)
Ed Keplinger, Developer (Cohen)
Kristine Ken, JRPA
Bonnie Seemann, JRPA
Arthur Fritz, Smokey Hollow
Kyle LaTray, JRPA

1. Supervisor Scammell called the Meeting to order at 6:30 p.m.
2. The Town Clerk took the Roll. Councilor Knapp absent. All else present.
3. Pledge to our U. S. Flag led by Town Councilor Bill McConnell.
4. **Councilor's Smith moved and McConnell seconded the motion to accept the June 13, 2005 Regular Town Board Meeting and Public**

Hearing Minutes as submitted by the Town Clerk. Motion passes unanimously.

Peter Slowick did an Eagle Scout presentation for the park in Cardiff. He would make some signs stating the park is carry-in/carry-out. He would see if the Nice ‘n Easy would donate some bags.

Councilor Bailey asked if he would be the only one working on this or would it be the whole troop.

Peter said it’s part of what was presented earlier.

The Board thanked Peter for taking on the project.

Councilor Knapp arrived. He asked about funding for the project.

Peter said he is going to around asking for donations. There shouldn’t be much expense, just labor.

5. PUBLIC HEARINGS:

A. June 13, 2005 public hearing – Palmer Road area rezoning.

TOWN OF LAFAYETTE

**Resolution Town Board Meeting
July 11, 2005**

Councilor Knapp introduced a proposed Ordinance and made the following motion, which was seconded by Councilor McConnell:

WHEREAS, no other agency has the legal authority or jurisdiction to approve or directly undertake the adoption of an Ordinance in the Town of LaFayette, such that there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQR) with respect to the proposed adoption of said Ordinance, with the result that the Town Board shall act as lead agency in this matter.

NOW, THEREFORE, it is

RESOLVED AND DETERMINED, that the Town Board shall act as lead agency and that the proposed action is an unlisted action for purposes of environmental review (SEQR); and it is further

RESOLVED AND DETERMINED, that the following proposed Ordinance is hereby introduced for the Town Board’s consideration:

ORDINANCE

**Amending Article I, Section “C” of the 1970 Zoning Ordinance
of
The Town of LaFayette To Amend The Zoning Map and Change**

**The Zoning Classifications Of Certain Specified Properties
From
Agricultural-Residential to Business**

BE IT ORDAINED, that Article I, Section “C” of the 1970 Zoning Ordinance of the Town of LaFayette is hereby amended to revise the Town of LaFayette, 2000 Zoning Map and change the zoning classification of the properties described in the attached schedule “A: from Agricultural-Residential (A-R) to Business (B).

EFFECTIVE DATE: This Ordinance shall take effect as provided in Section 265 of the New York Town Law.”; and it is further

RESOLVED AND DETERMINED, that this matter be referred to the Onondaga County Planning Agency pursuant to New York General Municipal Law, Section 239; and it is further

RESOLVED AND DETERMINED, that the Town Board shall conduct a public hearing as to the adoption of this proposed Ordinance at the Town Hall located at 2577 Route 11, LaFayette, New York on August 8, 2005, at 6:30 p.m. or as soon thereafter as the matter can be heard, at which time all persons interested on the subject shall be heard.

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

Gregory Scammell	Supervisor	Yes
Sandra Smith	Councilor	Yes
David Knapp	Councilor	Yes
Thomas Bailey	Councilor	Yes
William McConnell	Councilor	Yes

The foregoing resolution was thereupon declared duly adopted.

This is not a public hearing but is being introduced tonight.

Supervisor Scammell said this is for a corrected zone change from Agricultural/Residential to Business.

Kevin Gilligan said this has been referred to the County Planning Agency and a public hearing can be set for August 8th at 6:30 p.m.

Supervisor Scammell asked for any comments. This involves 2 parcels.

Sumner Palmer said County Planning would like access from both properties onto Palmer Road. He feels there should be plenty of sight distance to come in off of Route 20. If they want access off of Route 20, would it have to be resolved before approval of the request?

Supervisor Scammell asked Kevin about this.

Kevin said yes. If you wish to access from Route 20, the Board would have to overrule County Planning or deny the request.

Greg asked if these matters aren't usually regulated by the D.O.T.

Supervisor Scammell asked if we can ask County Planning for their reasoning prior to the August 8th meeting.

Kevin can't guarantee we will get an answer back but we can ask. The applicant could approach County Planning and ask them too.

Supervisor Scammell asked if they had a preference for who should ask them.

Greg said whichever would be more effective.

Supervisor Scammell said he can contact them about this.

Councilor Knapp believes they are just trying to limit access to the main road.

Supervisor Scammell will try to have an answer for them by the August 8th meeting.

Kevin said originally we asked if the surrounding neighbors wished to join in this request. The applicant was going to check with them.

Councilor Knapp asked if they had checked into this.

Sumner asked if the residents were all notified and sent letters.

Kevin said notices being sent doesn't answer the question. The question is if they would like to be part of this, not whether they would like to challenge it

Councilor Knapp said for example if Brad and April wanted their property rezoned to business, they could join in this request.

Tom Kellish would hope the Board isn't going to hold up this application for some neighbor who hasn't bothered to appear.

Supervisor Scammell said nothing will be done until August 8th anyway. He asked if it would matter to the applicant which parcel would exit onto Route 20.

Greg said he would prefer the larger parcel.

B. June 13, 2005, public hearing – Subdivision Filing Procedures.

- **Public notification of neighbors.**
- **Time frame.**
- **Record keeping.**
- **SOCPA meets every 3 weeks.**

Kevin Gilligan said they are talking with the state and working on this. They will have something ready for the next Town Board Meeting in August.

Tom Kellish asked the reason for changing the subdivision regulations.

Kevin said it's really for small subdivisions. For example, if someone wished to deed off a lot or two for their children. We hope it will cut down on expenses and make the process quicker. We are hoping to streamline the process.

Tom asked by streamlining, what will you be eliminating?

Kevin said this would be used for example, if a farmer wishes to cut out a lot for his son/daughter to build a house on down the road. This would

require an approval from the Code Enforcement Officer and the applicant wouldn't have to appear before the Planning Board.

Tom Kellish said this would eliminate notification to the neighbors and public hearings.

Kevin said that is correct.

Tom asked the difference between existing highways and improved highways. He is referring to a road like Morezak Rd. If Steve Morezak as a land owner wanted to sell the place, no public hearings would have to be given to the surrounding neighbors. This would mean the town would have to build a new road without the neighbors being notified.

Leon said Morezak Road has been a road since 1928 so if someone built a house on it, he would have to improve the road. There are lots of other dead-end roads in the town. That road is 1585' long. It goes back over 1,000' further as a town road than the residence.

Tom asked who initiated the proposal for the subdivision regulations change? Who brought up this idea?

Kevin said many residents.

Tom asked who?

Kevin said various Town Board Members have been approached over the years by many people on ways to cut down the expense and streamline the process for minor subdivisions. This was in response to requests that have been received by many different residents.

Tom Kellish said in 1987 when the Subdivision Regulations were adopted, they were adopted to protect the residents. Now you want to change the Subdivision Regulations so neighbors don't know what's going on. You have to notify the neighbors of something that is going to happen next door to them. They have the right to know about it.

Councilor Knapp said that particular subdivision was done under the old system so notification should have been given. It doesn't appear it worked very well in that situation.

Supervisor Scammell asked for any other comments. He does understand what Tom is saying. In the notification aspect, it does make it worse. He asked if Tom would want to see the notification part kept the same.

Tom said yes and if there is opposition, he believes there should be a public hearing. If someone is given notification and there's opposition, there should be someone to refer them to.

Councilor Knapp said he believes there is something in there that a matter could be referred to the Planning Board.

Supervisor Scammell said but regardless, the notification aspect should be kept in there.

Tom believes it should.

Councilor McConnell said the concept of this was to make it better for all the citizens. The intent was to streamline for time and cost. Many people have called him about the expense and timeframe of the process. Obviously

there are other things to look at and this is one of them. Notification could be kept in the amendment.

Supervisor Scammell asked who the property owner is at the end of Morezak Rd.

Tom said Bob Carter.

Supervisor Scammell asked if this property was originally part of a subdivision.

Mary Jo said yes.

Tom said the road all went in after the subdivision was done. When Leon tells him he has the obligation to extend the road, it's very troublesome to him.

C. June 13, 2005, Zoning Ordinance amendment, family accessory units.

Kevin said the definition in Section B was amended a little so it now reads "and other living area". The Board expanded the people who would be considered qualified for this type of housing. In Section 3 the Board expanded the size from 800' to 1500' "but in no event shall the family accessory unit exceed 50% of the existing principal unit." The Board amended the language a little bit in #4 which said what kind of things had to be shared. In Section C it deals with specific permit approval and the Zoning Board of Appeals shall take into account water and septic systems. The Board expanded the length of the permit from 2 to 5 years and the Board expanded the length of the renewals from 2 to 5 years.

Supervisor Scammell asked for any comments or questions.

Councilor Bailey asked if on the 5-year renewal, is it an obligation of the town to follow-up on this?

Kevin said it's up to the owner to supply the necessary information to the Code Enforcement Officer.

There were no further questions or comments.

Councilor's Knapp moved and Bailey seconded the motion to close the public hearing. Motion passed unanimously.

The Board reviewed a short EAF.

**TOWN OF LAFAYETTE
RESOLUTION TOWN BOARD MEETING
JULY 11, 2005**

The following resolution was offered by Councilor McConnell, who moved its adoption, seconded by Councilor Knapp, to wit:

WHEREAS, pursuant to the provisions of the Tow Law, a proposed ordinance was presented and introduced at a regular meeting of the Town Board of the Town of LaFayette held on May 23,

2005 which would amend the 1970 Zoning Ordinance of the Town which would allow the creation of family accessory units within or physically attached to the existing structure of an owner-occupied single-family dwelling designed to meet the special housing needs of the families living within the Town; and

WHEREAS a public hearing was held on June 13, 2005, and after revisions were included a continuation of said public hearing held on such proposed ordinance on this date by the Town Board of the Town of LaFayette and proofs of publication of notice of both public hearings, as required by law, having been submitted and filed, and all persons desiring to be heard in connection with said proposed ordinance having been heard, and said proposed ordinance having been in the possession of the members of the Town Board of the Town of LaFayette in the manner required by law; and

WHEREAS, at its May 23, 2005 meeting, this Board determined that the proposed ordinance amendment, as herein described, was an unlisted action for purposes of environmental review under SEQR.

NOW, THEREFORE, it is

RESOLVED AND DETERMINED, that after reviewing the EAF submitted in connection with this proposed zoning amendment and after considering potential adverse environmental impacts in connection therewith and after considering such impacts in accordance with the criteria set forth in 6 NYCRR part 617, this Board hereby determines that there is unlikely to be any adverse environmental impacts related to this action and therefore issues a negative declaration with regard to SEQR; and it is further

RESOLVED AND DETERMINED, that this negative SEQR determination is based upon the following findings:

- **There are no identifiable adverse impacts upon air quality.**
- **Family accessory units must comply with all zoning requirements and thus are unlikely to trigger increased density of development.**
- **All such uses are subject to Zoning Board of Appeals approval and the Zoning Board of Appeals is expressly told to give special attention to septic and well issues.**
- **The ordinance amendment facilitates and fosters family life which is a fundamental policy and goal of the Town.**
- **The action allows LaFayette residents to stay in Town with medical or social needs that might otherwise force them to relocate to senior-type housing.**
- **Size limitations are designed to limit potential impacts upon traffic and other potential environmental aspects.**

RESOLVED AND DETERMINED, that the Town Board of the Town of LaFayette, Onondaga County, New York, does hereby adopt the proposed Ordinance amendment, as follows:

**AMENDMENT TO THE 1970 ZONING ORDINANCE
OF THE TOWN OF LAFAYETTE, AS AMENDED**

BE IT ORDAINED, by the Town of LaFayette, acting through its duly constitute Town Board and pursuant to the authority conferred by Section 265 of the Town Law, the 1970 Zoning Ordinance of the Town of LaFayette, as amended, is hereby further amended as set forth below:

Section 1. So that a new Article IX is added to the Zoning Ordinance as follows:

“ARTICLE IX. FAMILY ACCESSORY UNITS

SECTION A. PURPOSE AND INTENT

- 1. It is the purpose and intent of this Article to provide an opportunity for the creation of family accessory units within or physically attached to the existing structure of an owner-occupied single-family dwelling designed to meet the special housing needs of the families living within the Town of LaFayette. It is also the purpose and intent of this article to preserve and protect the efficient use of the Town’s housing, to protect property values and to maintain the character of the town’s residential neighborhoods.**
- 2. In the case of a conflict between the provisions of this Article and other regulations contained in this zoning Ordinance, the provisions of this Article shall apply. However, nothing in this Article shall impair or supercede the authority of the Town or its officers and employees from applying and enforcing other provisions of local, state and federal laws, ordinances, rules and regulations.**

SECTION B. MINIMUM REQUIREMENTS FOR FAMILY ACCESSORY UNITS

- 1. A ‘family accessory unit’ shall mean a separate living area maintained as an accessory use to an owner-occupied single-family dwelling, which living area contains a bathroom, kitchen, and other living areas and**

is occupied by the father, mother, aunt, uncle, grandparent, grandchild, son or daughter by blood, marriage or legal adoption of the owner of the single-family dwelling. A family accessory unit may not be rented to or occupied by any person other than those designated in this Section.

- 2. A maximum of one family accessory unit shall be allowed on any one lot and shall be attached to the principal dwelling.**
- 3. The family accessory unit shall be subordinate in area to the principal unit. The family accessory unit shall contain a maximum of fifteen hundred (1500) square feet, but in no event shall the family accessory unit exceed fifty percent (50%) of the existing principal unit and the family accessory unit shall contain a maximum of two (2) bedrooms.**
- 4. The dwelling shall maintain the outward appearance of a single-family dwelling. Both the principal unit and the family accessory unit shall share utility meters.**
- 5. The family accessory unit shall comply in all other respects with the provisions of this Zoning Ordinance and local, state and federal laws, ordinance, rule and regulations, specifically including the new York State Uniform Fire Prevention and Building Code.**

SECTION C. SPECIFIC PERMIT APPROVAL REQUIRED FOR FAMILY ACCESSORY UNITS

- 1. A family accessory unit shall be allowed upon the issuance of a specific permit as set forth in Article IV of this Zoning Ordinance. In reviewing any such application, the Zoning Board of Appeals shall take into account water and septic issues.**
- 2. Any specific permit issued for a family accessory unit shall remain in effect until the earlier of the following:**
 - a) Five (5) years from the date the specific permit is issued;**
 - or**

- b) **Until such time as the family accessory unit is no longer occupied as set forth in Section B above; or**
 - c) **Transfer of title ownership of the property.**
3. **Prior to the expiration of the specific permit as set forth in Paragraph (2) (a) of this Section, the owner of the single-family dwelling may apply for an extension of the specific permit on a 5-year basis. Such application for an extension shall be submitted to the Codes Enforcement Officer and shall contain an affidavit of the property owner specifying the residents of the dwelling and the family accessory unit. Such renewal application shall be granted for a period of five (5) years provided that the family accessory unit is occupied and maintained in accordance with the restrictions set forth in this Article.**

SECTION D. PENALTIES

- 1. **It shall be unlawful for any owner to construct or allow the occupancy of a family accessory unit without complying with the requirements of this Article.**
- 2. **Violations of this Article shall be an offense punishable as set forth in Article VII, Section C of the Zoning Ordinance.**

Section 2. Effective Date. This Amendment to the 1970 Zoning Ordinance of the town of LaFayette, as amended, shall take effect as provided in Section 265 of the Town Law.

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

	Gregory Scammell	Supervisor	Voted
Yes	Sandra Smith	Councilor	Voted
Yes	David Knapp	Councilor	Voted
Yes	Thomas Bailey	Councilor	Voted
Yes	William McConnell	Councilor	Voted

The foregoing Resolution was thereupon declared duly adopted.

6. COMMUNICATIONS:

A. Residents.

Tom Kellish said he has documentation that this is an abandoned road. Now he is told it's an existing Morezak Road. He has never seen a formal designation of Morezak Road. On the initial subdivision that the Town approved, it says abandoned road by the surveyor.

Leon Cook said back in 1988 Sumner Palmer appointed him as Highway Superintendent. He was given a list of roads that were town roads and roads he must work on. Morezak Road was one of these roads. There was a committee formed that did a survey to find whether extra money was needed in 1988 for roads that were in poor condition and needed to be worked on. There were 4 roads listed asking if they should be abandoned. Morezak Road was listed with these 4 roads. Leafy Tree and part of Persse Road were abandoned and they were the only ones that have been abandoned since he has been Highway Superintendent.

Tom Kellish asked until now, when was the last time Morezak Road was plowed?

Leon said they didn't plow it but they always mowed it and they used the grader on it.

Tom said no cars got stuck on it. Morezaks put logs across the road to keep kids out. He's lived here for years and knows this road wasn't used. He has a survey stating it's an abandoned road.

Leon said the Town Board must abandon a road.

Tom believes the Town Board must have approved the abandonment.

Leon said Tom Kellish must show him in the records where it was publicized and abandoned.

Tom said back in those days the rural towns didn't go through all the formalities.

Supervisor Scammell said the neighbor is showing a subdivision map by Morezaks and it does state Morezak Road is an abandoned road.

Tom said if the Town Board didn't abandon the road, it would not be significant on the map. He stated Morezak Road has been an abandoned road since 1942.

Supervisor Scammell asked Leon if it mattered to him whether it was an abandoned road or not.

Leon said yes. He has no records stating this road is abandoned. The only record he has is when this was turned over to the town.

Supervisor Scammell said so the survey map is showing it as abandoned but there is no documentation whether it was abandoned or not. He asked if

it mattered if the Planning Board approved the map with this as an abandoned road or not.

Kevin Gilligan said if it was ever a road, putting abandoned road on this survey map doesn't affect that. The only way it can be abandoned is if the Town Board consents to the Highway Department Supervisor's recommendation for abandonment.

Tom said there's also a law stating if a road isn't used in a period of time, it can be considered abandoned. One day he will ask how much money the town paid for one person's residence on this road.

Supervisor Scammell would like to gather some more information on this subject so he would like to carry this over until the next Meeting.

Tom said if he is wrong, he will stand corrected but no one has given him the information he needs.

Councilor McConnell said the resident's concerns are tax dollars spent on continuing the road.

Tom said correct.

Councilor McConnell asked if he is also protesting the person building there.

Tom said no. He takes issue with our town building a public highway. This individual has been able to avoid the expense of building a road to his residence from the public highway. He believes the right-of-way to the property became a public highway.

Pete Paul asked where the information came from on the survey.

Tom said we would have to ask the surveyor.

Supervisor Scammell asked who the surveyor is.

Tom said Gus Christopherson.

Supervisor Scammell will give him a call to see where he got the information from.

- **Peter Slowick – Marion Bailey Park, Cardiff, Eagle Scout Project.**

Peter spoke earlier in the Meeting.

- **Arthur Fritz, Smokey Hollow Water Service Improvement District (to Coye Road Water District).**

Art Fritz introduced himself. He is a resident on Smokey Hollow Road and is seeking a water improvement district. He is one of the residents who received notice that their water would be discontinued from East Syracuse Water. There is an awful lot involved in resolving an issue of safe drinking water. For over 100 years East Syracuse Water had the 110 parcels on their water system. Their water comes from two different springs in the town. Thanks to the good efforts of the town in May they held their first town meeting. This is completely a self determination process which means the residents must come up with a solution on their own and bring it into the

Town Board for approval. In 1978 it seems Smokey Hollow was included in the Coye Road Water District. You can't belong to more than one water district so there were 9 of them that had to go on their own. It represents 12 parcels. The Northeast Apulia Road Water District is a district forming from scratch. The Smokey Hollow Water Improvement District is trying to become part of the Coye Road Water District. They conducted a survey last month. They had unanimous approval of a water district and how far up Smokey Hollow they wanted to go. There are two residents at the western end who do not wish to be part of the system. At this point, there is probably only one objection to the plan. By doing this they will probably have better quality water. They were prepared to make a formal request tonight. Unfortunately, they have had somewhat conflicting information. It's their choice to go with a petition. They used the format from the Town of Onondaga and they were able in 18 hours notice to get more than half of the assessed value of signatures and were ready to go. He has two questions he must get answered before he submits the petition/request to the Board. He asked how long the public hearing period can be stretched out. They have to come to grips with the cost factor. Once this is approved, it goes to the comptrollers office who will sign-off on the procedure and give the town permission to approve the petition. If they could have 60 days, they could work with the town and work to identify external funding to make the cost more manageable. The fact that they have already filed the petition doesn't make it a final petition as they don't have the engineers report. The estimated cost for 1500' is \$90,000. Once the petition is approved, they understand that the town will support a 20-year bond. They feel this is a very important issue. They will continue to work with the Town Board and seek the Board's guidance.

Supervisor Scammell said regarding the public hearing, we haven't had one yet so it doesn't matter. According to what he's received from John Dunkle, the Board just needs to authorize John Dunkle as the Town Engineer and Kevin Gilligan and John Langey to prepare the legal documentation to go forward.

Art Fritz asked when a public hearing would take place.

Supervisor Scammell believes early in September.

Art asked if the Board would like him to follow-up in writing or would his word tonight be enough to get this going?

Supervisor Scammell believes his words tonight are enough to get it going.

Kevin said correct. The formal documentation will need to be prepared.

Art said he will tentatively accept the offer to attend a public hearing in September, however, before it's officially scheduled he would like the other 8 members of Smokey Hollow to confirm this is acceptable to them.

Supervisor Scammell said if we don't set the public hearing for September this evening, we will not have another opportunity to set that date until August 8th.

Kevin said that is correct. If we are just getting started with putting the papers together, he doesn't see a need to schedule the public hearing at tonight's meeting.

Supervisor Scammell said this can be deferred until the next Town Board Meeting.

Councilor Bailey said the meeting in September would be on the 12th.

Art said they would like the lead-time to work with the Town and find external financial aide.

Supervisor Scammell said the Board can wait to schedule the public hearing whenever it's appropriate for the residents.

Councilor's Knapp moved and McConnell seconded the motion to authorize the Town Attorney and Town Engineer to start the paperwork for the formation of the Smokey Hollow Water Service Improvement District. Motion passed unanimously.

B. Central New York Bluegrass Association: Bluegrass Festival Mass Gathering Permit.

Supervisor Scammell reviewed the Central N.Y. Bluegrass Festival Public Assembly Permit Application.

Councilor's Knapp moved and McConnell seconded the motion to grant the Public Assembly Permit for the Bluegrass Festival to be held August 2 through August 8 at the Apple Festival Grounds. Motion passed unanimously.

C. Dunn & Sgromo-John Dunkle: Cram Communications.

The Board received a letter from John Dunkle dated June 21, 2005 regarding Cram Communications Six-guyed AM Radio Towers.

Supervisor Scammell asked about the SPDES Permit.

Kevin said his understanding is that we have a permit but it hasn't been reviewed yet.

D. Assemblyman Jeff Brown: Albany Update Report Card.

"The New York State Legislature wrapped up its regular session today after a week of marathon debates and bill passage. As I do every year, I'll be issuing a report card grading the Assembly session next week, but I wanted to give you a sneak preview of how I assessed this year's effort...Accomplishments (Grade: C+)...first on-time state budget in 21 years...Leadership (Grade D-)...One notable exception to this failure in leadership was the Assembly's agreement to pass legislation creating the statewide Come Home to New York Network...Effort (Grade:C-)...Reform (Grade: B)...Overall (Grade: C)..."

E. Town Historian Anne Smith: budget request.

In a letter dated June 16, 2005

“When I submitted the estimate for expenses for the Town Historian last fall, it appears that I was shortsighted. What I projected for the year’s expenses were used up by the month of April. Some of the costs were anticipated such as photographs and mailings but the computer was not on the list of operating costs.

After speaking with Tom Chartrand and asking his advice, I am coming to the Board with a request for an additional \$500.00 for the rest of the year. This will be sufficient to cover the cost of the business that I will be conducting for the next 6 months and any that is left over will be deducted from the budget application for 2006...”

Councilor’s McConnell moved and Knapp seconded the motion to transfer \$500.00 from the Contingency Account to the Historian’s Account. Motion passed unanimously.

F. Mr. Gary DePalma: Stafford Park pavilion nuisance bird remedy.

Supervisor Scammell said this proposal is from a former resident of the Town of LaFayette. Gary DePalma proposes putting netting in the rafters of the Stafford Park pavilion to stop the birds from nesting there. The netting would be put under the trusses. The cost to do this would be \$2,100. It would be done late in November or early in 2006.

Councilor Knapp said he will run this by the Optimist Club.

Councilor Bailey asked if there are any other pavilions in the town faced with the problem of birds nesting in the lofts.

Councilor Knapp said Jack’s Shack.

Supervisor Scammell will advise Gary DePalma that we will not be doing this in 2005 and he will ask for quotes for Jack’s Shack and the pavilion at the Beach.

Councilor Knapp said there are definitely birds nesting in the lofts there. He will get Supervisor Scammell the dimensions of the other pavilions.

G. Onondaga County Health Department: Water supply lab analysis.

In a letter dated June 24, 2005 regarding the Optimist Field Concession.

“The enclosed laboratory report indicates that the water supply for the above mentioned facility was of a satisfactory sanitary quality at the time of sampling...”

H. Syracuse Post-Standard, 6.9.05: HAVA voting machine monies.

“The federal government is sending New York \$153.4 million to help buy new voting machines even though state lawmakers still haven’t agreed what kind of machines the state should have in place by next year’s election...HAVA requires only that states appropriate a 5 percent match and adopt an administrative complaint procedure to get all their federal aide. New

York did both at the end of March...If new machines are still not in place by the first federal election of 2006 – likely a fall primary – New York is supposed to return its federal aid to the U.S. Treasury...HAVA requires that New York replace its lever voting machines with a system that allows disabled people to vote without assistance. State and local officials are debating the merits of electronic touch-screen machines vs. optical scan paper ballot readers...to let county elections commissioners choose from whatever machines the state allows..”

I. Syracuse Post-Standard, 7.5.04: HAVA Editorial.

“It might surprise legislators, then, that the county’s two election commissioners, Republican Helen Kiggins and Democrat Edward Szczesniak, have pretty much made up their minds to order about 500 electronic touch-screen machines from Sequoia Voting Systems, which has a plant in Tioga County...Federal money will buy the machines. Local money, however, will pay for machine storage, some maintenance, inspectors and related costs...”

J. Syracuse Post-Standard: May unemployment picture.

“The Syracuse area’s job market continued to improve in May...The unemployment rate was 4.7 percent in May, down from 5.3 percent in the same month last year...The area’s rate was below the state’s rate – 4.8 percent – and the national unemployment rate – 4.9 percent...Private-sector employment gained 3,500 jobs - a 1.3 percent increase...Government lost 300 jobs....Manufacturing lost 100 jobs...”

K. Onondaga County Legislature Clerk Fichera: Mortgage tax apportionment.

Supervisor Scammell noted LaFayette’s Mortgage Tax Apportionment is \$48,337.69.

L. Costello, Cooney & Fearon/John Langey: Jamesville Grove Drainage District.

John Langey’s letter dated June 28, 2005 regarding Jamesville Grove Subdivision Consideration of Formation of Drainage District

“...The purpose of this correspondence is to determine the Town Board’s thoughts on the formation of the above-referenced drainage district. By copy of this letter, I request input from the Town’s Highway Superintendent insofar as the Final Environmental Impact Statement states that repairs and maintenance will be performed by the Town Highway Department. The next regularly scheduled Planning Board Meeting is July 19, 2005...”

Leon Cook would say because of the new SPDES regulations, the developer should come up with the storm sewer cost instead of using it out of

our Highway Fund. The machine he would need to maintain this would be about \$150,000.

Supervisor Scammell said he would prefer the developer pay for this.

Leon said yes.

Supervisor Scammell asked for any comments from the residents.

There were none.

Supervisor Scammell asked for any comments from the developer.

Joseph Jerry introduced himself as the attorney for the developer. He is here with Ed Keplinger who is the land planner for the developer. When this particular subdivision was originally initiated, it was to be a 20+ lot subdivision. At the 11th hour a gentleman stood up at the Planning Board Meeting and said perhaps this was an ancient burial ground. Their developer took it upon himself to hire an archeologist expertise and this area has been thoroughly explored and they now believe they have exercised all the requirements for these 8 lots. They have essentially said to the Planning Board that they only want to develop 8 lots. They don't know if they will want to develop the remainder of the land. If they decide to develop further, they would have to file the paperwork. Right now they only want the 8 lots. These are beautiful building lots such that they believe the taxes will bring \$10,000, \$15,000 or \$20,000 into the town per year in tax revenue. They believe this is a significant revenue to the Town and the Town Highway Department. They believe it would be unprecedented for this Town or any other town to form a drainage district. They want to be treated like any other subdivision and would like the Town Highway Dept. to take care of their needs for 8 lots. If the Town Board would like to see a little of the subdivision, they have brought the maps with them.

Supervisor Scammell asked Kevin for his thoughts.

Kevin said the official recommendation is that this be handled by a drainage district so the costs are absorbed by the property owners who benefit and not by the town residents which is a standard procedure in DeWitt and many other towns. It has not been done yet in LaFayette but closer attention is being paid to drainage in general with the SPDES. He believes these are upcoming especially with the reservoir.

Councilor Knapp asked what the extent of the drainage is.

Ed Keplinger showed the Board the subdivision map and explained the drainage.

Supervisor Scammell asked if the town took on the drainage, would there be any liabilities and what would they be?

Kevin said the same as anything else you maintain. It's financial at this point.

Supervisor Scammell asked Kevin to explain drainage districts.

Kevin said it's a district like any other district and it's formed to handle the cost of repair or changes if they are needed or as they come along. It's

routinely used in the Town of Onondaga. There are quite a few in Geddes, Camillus, etc.

Councilor McConnell asked for an example for a development of this size in a rural setting.

Kevin said he would have to look into this. It doesn't make any difference whether it's in downtown Syracuse or Hannibal. It's just a mechanism for paying for the cost. It's related to the need.

Councilor Knapp said on Thunder Rd. there's a catch basin. Are we responsible for that?

Kevin said yes. At the time his firm recommended a district be formed. With the added SPDES Phase II requirements and the fact that people will be looking over our shoulder for drainage issues, he believes this is important.

Councilor Knapp asked who decides when the basin needs to be serviced.

Kevin said Leon Cook. He would go and do the work and the cost would be charged back to the residents in the district.

Councilor Knapp said we would be doing the work regardless.

Supervisor Scammell asked who would pay for the \$150,000 machine to do this that Leon talked about?

Leon said you wouldn't need a brand new machine. Maybe LaFayette, Pompey and Tully could all go in together on the machine.

Councilor Bailey asked about renting the machine.

Leon said he probably could.

Councilor Bailey said the other option would be to contract this out.

Supervisor Scammell asked how this would be different from a water district.

Kevin said it would be the same. Instead of water going into the houses, it's water running onto the ground.

M. Steve Chase: Jamesville Grove Drainage District.

A letter from Steve Chase dated July 4, 2005. This letter urged the members of the Town Board to require a drainage district.

Councilor McConnell asked Steve if he felt forming a drainage district would help with the environment.

Steve believes you would have a better basin built in the first place if the residents of the subdivision would have to maintain it. He doesn't believe the residents outside the subdivision should have to pay for it. If they aren't responsible to maintain it, he wonders if the best basin would be put in. To him, this isn't about the tax dollars brought into the Town of LaFayette. It's about the environment. If the people in the district will be responsible for this, they will be sure it's done right. Who would be sure it's done right?

Councilor McConnell believes it's the Codes Officer.

Kevin said the Town Engineer. Regardless of who is going to be responsible for the finance cost of maintaining it, it will be put in according to state standards and the Town Engineer will be sure it's being done right.

Councilor McConnell said it's a matter of who bears the cost down the road for maintaining the system.

Kyle LaTray said if there's an issue with maintaining it and there's environmental issues afterwards because it's maintained incorrectly and there's a large cleanup cost, why should the town residents incur the cost? In a drainage district it will force the expense of a cleanup to fall back on the residents who benefit from it.

Marshall Taylor asked if as a landowner in Town his concern is if this passes, are we forcing everyone else to follow these guidelines? Will this be forced on everyone? If he put a pool in and it overran into a creek, would he be liable for it?

Councilor McConnell doesn't believe it would be precedent but there is one issue here, it's the reservoir.

Supervisor Scammell asked the potential liabilities for things that could happen. What kind of potential monetary liabilities are there?

Kevin said your biggest risk is siltation.

A resident said there are some severe points of flooding in that area too. What will control that siltation and where will it go? Last year a lot of that area was under water.

Supervisor Scammell asked Leon cook about the type of machine he would need to maintain this. He asked if Leon had any idea what a used one would cost.

Leon said right now they clean from the catch basins by hand. Last year he borrowed a machine and crew from the county. You can probably hire someone to clean the basins.

Supervisor Scammell asked the developer why they felt this should be a town charge.

Joseph Jerry said because the subdivision is so small. There's so little maintenance which needs to be done. They estimate a few hours each year for the catch basin and once every 5 years for the siltation basin. It's ludicrous for an 8-lot subdivision.

Supervisor Scammell asked by that thinking, wouldn't it be a small charge for each house in the subdivision?

Joseph Jerry said that is the point.

Supervisor Scammell asked him to please answer the question he asked. If that cost is small, wouldn't it be a small amount to pay for the buyer of a lot in the subdivision?

Joseph Jerry said except there is a cost to form the district and people don't like to purchase homes in special districts.

Supervisor Scammell said on the tax bill they would see this is a small charge.

Joseph Jerry said he doesn't know how the tax people would know what to assess.

Councilor Knapp asked how we come up with the number.

Marshall Taylor said the county will assign the dollar amount.

Councilor Knapp said he means how much you assess it for.

Kevin said originally you would get an estimate from Leon and then it would be on actual cost.

Supervisor Scammell asked if Leon agreed with the developers assessment of what it would take to clean out and maintain the drainage.

Leon would have to do a little studying on it and put some figures together. How big is the silt pond.

Ed Keplinger said it's 1,000-3,000 square feet in size.

Leon said that will be another problem to have a machine to reach it.

Ed Keplinger said it could probably be done with a grade-all dozer.

Leon asked if a grade-all could reach it all.

Ed said the design isn't totally done yet. It could be designed this way.

Paula Naselli said John Dunkle discussed the small amount of homes for this district. Earlier the Board discussed a small amount of homes for a water district. She believes we need to protect the environment. If these basins fail, can we afford as a town to do the cleanup?

Joseph Jerry believes the tax revenue per house being brought in should supply coverage for the services.

Councilor Knapp asked if there is maximum allowable cost.

Kevin said no. he doesn't believe this will be a significant cost. We have heard several times about an 8-lot subdivision, this district would include all the property and not just the 8 lots around the reservoir. This would be for the developed and undeveloped portion.

Joseph Jerry said that is absolutely not true.

Kevin would just like it cleared up that the whole area and not just the 8 lots would be in the drainage district.

Supervisor Scammell said the cost would be divided amongst those who live in the subdivision. He asked for other thoughts or comments.

Councilor McConnell would like to see some data on this. He would like to see some examples from Kevin of other districts. He believe when our engineers do their part, it will be safe. He believes it comes back to one issue, who will pay for the incurring costs.

Supervisor Scammell would currently believe it should be to those who benefit from living there.

The Board would like to look into this further before making a decision. The Board would like estimates from Leon regarding costs for such a drainage district.

Leon said he can come up with something.

Councilor McConnell would like examples of some comparisons.

Kevin asked if the cost for this should be assigned to the developer or town.

Councilor McConnell said he will do his own research.

Some residents asked if the proposed drainage is for the entire property or just the 8 lots.

Supervisor Scammell said this is a good question. He doesn't need to know if it's the whole parcel or the 8 lots to make his decision.

Kyle LaTray said it could be a 21-lot subdivision.

Supervisor Scammell asked for any other thoughts or comments. There were none.

This will be carried over until the August 8th Meeting.

Leon said he and Councilor McConnell can get together on this to come up with some figures.

Councilor McConnell said that would be fine. He will get in touch with Leon tomorrow.

Ann Chase asked if this district would be anything different than paying for your trash pickup.

Councilor Bailey said it would be the same.

Ann said they are using it, they should pay for it.

N. Sierra Club: Help Protect Wetlands/The Clean Water Protection Flood Prevention Act (A.20468/S.2081).

This will be carried over until the August 8th Meeting so the Board can review it further.

O. Onondaga County Legislature: 7.5.05 agenda.

P. Other.

7. **SPECIAL REPORT: None.**

8. **REPORTS:**

A. DEPARTMENTAL (4th Monday).

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

a) Junk vehicle status - prioritized (multiple vehicles & long standing (apparent) violations) spreadsheet listing (in process).

1. 2300 - 2330 Route 11 South, across from LaFayette Rural Cemetery, multiple autos & properties.

2. Route 11N (just north of town offices) – 2 autos, visible from LPL parking lot.

3. 6171 Route 20 – Grand View Motel, resident complaint.

4. 2875 Apulia Road, resident complaint.

5. Scheduled spring cleanup.

- **2774 LaFayette Road – unregistered vehicle.**

- **2226 Route 11 – junk/no building permit.**

b) Vehicle dismantling? – Route 11 South.

2) Dog Control: Sue Snavlin & Madeline Despres.

3) Highway Superintendent: Leon Cook.

- **Alternate name for Thunder Road?**

Leon said he had rough spots on Palladino, Bush and Walburger Roads. He shimmed them all out using blacktop. They repaired a real bad spot on Morezak Road. They oiled and stone 6.35 miles of road.

On Webster Rd. bridge there is some scouring taking place. It's washing and he is afraid about the footers. It was inspected and put on the dangerous list. They have to get in there and clean out by the footers and put in D50 size rock. He has a call in to find out what size rock this is. They will be taking out 2' depth and putting in 2' of rock. The Highway Dept. can't do this work. He contacted a construction company and has a guy who will be meeting wit him tomorrow to give him an estimate. He understands Suitkote does this work too. He will get 3 estimates for this work.

Councilor Knapp asked if we don't have the right equipment to do this.

Leon said no. It has low clearance. We have to detour the water and pump it dry so you can see the footers. You can barely stand up under the bridge. It could be a serious thing. We could loose the bridge if we don't get it done. He needs a short Executive Session to include the Town Attorney tonight.

Councilor Knapp wanted to thank Leon for procuring a motorized tamper for the baseball field. He save them several hours by having this mechanized machine.

4) Justice: Malcolm Knapp & Maureen Perrin.

Councilor Knapp said they would like to hire a part-time person to catch them up on filing. He talked to Tom Chartrand earlier. He thinks they it

wouldn't be over 70 hours. It would be around \$420. He thinks what they were asking for would not exceed \$500.

Councilor McConnell said this issue was discussed at the last budget cycle.

Councilor Knapp said Tom Chartrand said the person could be paid by voucher for the first ½ year. They are \$2,000 under budget and several thousand dollars over their revenue target.

Councilor Bailey said it's temporary and \$500 seems reasonable to get them caught up.

Supervisor Scammell said they actually still have money in their budget.

Councilor's McConnell moved and Knapp seconded the motion to authorize the Justice Dept. to hire a part-time person for up to 70 hours to catch up on their filing not to exceed \$500.

5) Library Director: Scott Kushner.

6) Recreation Director: Regina Reinschmidt.

Regina said baseball and softball wrapped up at the end of June. They had 13 teams grades K-6. They hosted a 5th and 6th grade tournament. They sent 3-5 players to Nedrow for an all-star game. They have a new pitchers mound. Lacrosse is going well. They begin hosting home games tonight. The Beach is open. Many thanks to Leon for getting the water and everything else ready over there. They would like to thank the LFD for cleaning the bottom again this year. They have swimming lessons going on right now. The bathrooms are working fine at the lifeguards are diligently cleaning them every day. Herb Salladin has helped her a lot. They have 4 returning guards from last year and they hired two new ones who are siblings of the returning guards. They are still trying to get a tennis program going for the summer. She met with Tom Rezsnyak and they did a safety inspection at the Beach and Booher Fields. There are several electrical safety issues. They may have to hire an electrician. She is working with the Health Dept. on some other requirements for updating and safety at the Beach.

Councilor Bailey asked if there is an age group for the tennis.

Regina said 3rd grade through adults.

Councilor Knapp asked the status of the Apple Valley League and YEOP.

Regina said Apple Valley does not have another meeting until the fall which is when it will be on the agenda again.

7) Town Clerk: Mary Jo Kelly.

A written report for June was submitted.

8) Town Supervisor: Greg Scammell.

A written report for June was submitted.

- a) Intermunicipal Shared Services/Cooperation & Consolidation, 2005 Onondaga Citizens League study.**
- b) HAVA.**
- c) Apulia Road property – flooding & ice buildup: Awaiting SEMO grant application.**
- d) Route 20 Association – Scenic Byway Designation passed, awaiting Gov. Pataki’s signature.**

“...The Route 20 corridor that runs from LaFayette to Duanesburg moved a step closer to state Scenic Byway status this week, when it gained approval from the state Senate. The measure is expected to pass in the Assembly before legislators adjourn June 23. Progress on the state level is uplifting for local organizers, who have been working to unit the municipalities along the highway since 1999...The Scenic Byway program was started in 1992 as a way to highlight transportation corridors of scenic, recreational, cultural, natural, historic or archeological significance...’It’s Americana at its best’, agreed Route 20 Association President Bill Kwasniewski, who lives in West Winfield...”

B. COMMITTEE (2nd Monday).

1) Communications & Technology.

- a) Town Website & email (new email(s) – code enforcement) - Digital Towpath evaluation.**
- b) New server applications (MS Office, pictometry, town website).**

2) Emergency Response.

a) AEDs (Defibrillators).

Councilor Bailey said this can be taken off the agenda. The LaFayette Fire Dept. received a state grant. The FEMA grant is still pending.

- b) LFD exhaust vents – grants available?**
- c) Onondaga County Department of Communications - OCICS MOU.**
- d) Susquehanna RR brush fires created by grinding.**

Kevin Gilligan said Leon Cook, the L.F.D. and the Town were going to write letters to the D.O.T. and they were going to talk to the railroad about their grinding during dry weather. 3 separate letters might be helpful.

Supervisor Scammell asked if it should be both fire departments.

Kevin said it could be.

Councilor Bailey would recommend both fire departments write letters.

Supervisor Scammell asked Pete Paul to talk to the Jamesville Fire District on this.

Leon said the fires didn't affect the highway, they just affected the fire departments.

Supervisor Scammell said O.K. It would just be the fire departments then.

Pete Paul said he will talk to the Jamesville Fire District about this.

Supervisor Scammell asked him to contact the L.F.D. too.

Pete will and will let Supervisor Scammell know his findings after he talks to them.

3) Employee Policies & Benefits.

4) Environmental & Conservation Advisory Board.

a) 2006 budget estimates for contract forester (\$55/hour, \$2k) – Acer Forestry, David Skeval.

A letter dated June 28, 2005 to Dr. Brocke was submitted from David Skeval.

“I would like to propose a preliminary survey of the forest Tent Caterpillar infestation in the Town of LaFayette.

I would map the areas of defoliation and categorize the level of defoliation (light, moderate and heavy). The level of this survey shall be fairly detailed and I will try to account for isolated patches. I have included a sample from a test flight

I would then compare this map to previous aerial surveys conducted by the DEC.

A map and report would be prepared along with a presentation suitable for a public forum.

My fee for this service shall be \$55 per hour plus expenses. Expenses shall include chartering an aircraft, and mileage. The total cost for the preliminary survey shall not exceed \$2,000.00.

As a second phase to the project I would like to conduct an egg mass survey in the Fall after the leaves have fallen. This phase of the survey would concentrate on areas not defoliated but rather areas I suspect the moths have dispersed to. It would be advantageous to survey timber harvests in the town after the moths disperse, especially those areas not showing defoliation.

The Town of LaFayette is not obligated to the second phase...”

Rainer Brocke said Dave showed him extreme defoliations. It's pretty serious. Dave is working on a report now. It will be done before the end of this month. Unfortunately, he will not be able to be here August 8th. He will bring up whatever needs to be covered then. If the town Board would like, Dave can give some details at a public meeting. The question is what we can do about it. It looks to him like we may have to try to develop private initiatives to spray certain areas. The other approach of spraying the whole town with BT would be pretty expensive to conduct.

Supervisor Scammell said we have the other issue on that as to whether we can legally spray the whole town.

Kevin said that is correct. He asked if there is indication whether we are in year 1, 2, 3 or 4 of the cycle.

Rainer said we are definitely in 2.

Councilor Knapp asked where we are as far as the season goes.

Rainer said the trees are now greening up again. They will never come out as strong as they would have if they had started in early spring. Logging these trees and trying to sell that wood is problematic to because there is a dark area that is in the wood for the years they have been defoliated. We will have to see what happens. Maybe we can come up with some kind of plan. He would guess it would be almost impossible for the town to be sure someone won't come out of the woodwork and take legal action against the town regarding spraying on their property. There are a good number of people who have large acreage who might want their land sprayed or individuals with a few trees. The planes can do this now.

Supervisor Scammell asked Kevin if he knew how much it would cost to research something like this.

Kevin really didn't know how long it would take him to get in touch with someone who can provide the answers.

Supervisor Scammell said we should conduct a legal research to find out whether the town can legally spray or not. We need to know this by the time we are in the budget cycle. He would be in favor of asking the attorney to research this for us.

Rainer said it's possible in some selected areas the town might spray.

Councilor's Knapp moved and McConnell seconded the motion to pay David Skeval to do a preliminary survey of the Forest Tent Caterpillar infestation in the Town of LaFayette not to exceed \$2,000.00. Motion passed unanimously.

- b) 2006 assessment, strategy & alternatives (large landowners to small shrubs)**
- c) 2006 Contingency Fund for biological issues.**
- d) Assessment of community impact.**

- **1,098 acres (DEC map) of ~28,800 acres (~45 square miles). 3 – 4% of total land area.**
- **Mailer sent to 150 parcels. 32 interested citizens, 23 parcels who attended meeting.**

e) Does town have the authority to spray?

Marshall Taylor asked who is liable for the spraying. If he sprayed and it traveled onto his neighbors property, is he liable?

Kevin said yes.

Marshall would hope that this information goes out to the residents. He would hope they are made aware that they are liable **Councilor's Knapp moved and Bailey seconded the motion authorizing the Town Attorney to research whether the Town can legally spray or not for a time-frame not to exceed 5 hours. Motion passed unanimously.**

f) CCE follow-up.

g) 2005 damage visible.

h) DEC aerial survey.

5) Highway.

6) Physical Plant.

Councilor Knapp said we had a leak at the Community Center that Councilor Smith discovered while doing a safety inspection Saturday. It was coming at a pretty fair volume in the ladies bathroom. He got in touch with Jim Miller who got up there very quickly. Within 5 minutes he found the problem. He will have a couple of guys out at the beginning of the week to fix it. There was also a spot on the roof that he didn't think was leaking but was going to have his guys put some sealer on.

Councilor Bailey asked if there was any interior damage.

Councilor Knapp said not really. It looks like they got it before it got too far.

Supervisor Scammell asked if they had corrected the problem yet.

Councilor Knapp said no.

Supervisor Scammell wondered if they could give an estimate for the ice problem too.

Councilor Knapp will check with Jim on this.

a) LaFayette Community Center: Evaluate, propose & estimate solution to ice buildup over kitchen area. Deferred until later this year.

b) Town offices – temperature controls (Upstate Temperature Controls proposal).

c) Ice buildup on SW inside corner – heat tape installation.
This can be removed from the agenda.

d) Heating/Cooling system alternatives – Clay Smith, P.E.
Supervisor Scammell said he is still waiting to hear back.

e) Usage charges for town facilities to offset maintenance costs. 2)

- **Community Center – budget = ~\$9k, 173 total uses, including 3 nonresident uses.**

- **Stafford Park – budget = \$45/mo, electricity, 28 total uses, including 2 nonresident uses.**

Supervisor Scammell said Stafford Park is about \$45/month for electricity.

This will be carried over to the next meeting for discussion.

- **Town ball fields – league fees?**

f) LCC – Front porch light out (light ok, probably needs ballast – per Herb Salladin).

Fred Taylor fixed this.

Supervisor Scammell said the alarm occasionally goes off at the Town Offices. It's not hooked into anything and really doesn't have a use.

Councilor Knapp asked if this is something Herb Salladin can disconnect.

Supervisor Scammell isn't sure.

Mary Jo said she did mention this to Herb and he said he would take a look at it to see if he can disconnect the battery.

It was decided to see if Herb can disconnect the battery before contacting anyone else.

6) Recreation & Youth.

a) Marion Bailey Park.

- 1. Install charcoal grills.**
- 2. BSA Scout Stephen Kuhns – Eagle project.**
- 3. BSA Scout Peter Slowick – Eagle project.**
- 4. Pavilion YCIP/Local estimates.**

b) LaFayette Beach.

- 1. Survey/transfer LaFayette Beach from LCC to town.**
- 2. Options for limiting vandalism (lighting, etc.).**
- 3. Options for noise control from lacrosse box – reinforced panels.**
- 4. Roof over sandbox (Herb Salladin).**

Supervisor Scammell said Herb Salladin has built a sand box. There is no roof on it. Herb doesn't feel he would like to take this on by himself.

Councilor Knapp will get a couple of bids for this work.

c) Fred Stafford Park.

- 1. Lacrosse facility – estimates (\$5K – materials only), (re)location possibilities.**
 - Tully-\$12k – materials only (all volunteer labor).**

2. Charcoal grills.

Councilor Knapp said they met over the weekend and will be putting the 4 new grills in at Stafford this weekend. This will make a total of 7-8 grills besides the big one under the pavilion.

3. Blue bins, trash, & “carry in/carry out” procedures & policy

Supervisor Scammell said he was called over the weekend to be advised there was some trash around at the park.

Discussion took place regarding trash pickup and trash being put in the dumpsters.

Regina said she spoke with Brad Palmer to see if he could check the trash cans more often.

Leon said the trash cans by the pavilion should be removed.

Mary Jo recommended removing the trash cans by the pavilion and if Paul Puttkamer checks each morning when he opens the bathroom and if he finds trash not in the dumpster, the deposit can be kept from the previous user.

d) Park startup/shutdown procedures. Dumpsters, park patrol, bathrooms, etc.

7) Safety.

Leon Cook said they have a meeting scheduled for tomorrow night.

8) School District liaisons.

9) Senior Transportation & Housing.

a) Transportation options .

b) Onondaga County Department of Aging & Youth – mobile office.

10) Service Awards.

a) Amendment to Fire Service Award Program - July 28, 2005, referendum.

b) Property tax exemptions (J. Brown).

“I am writing to advise you that legislation authorizing property tax incentives to volunteer firefighters and ambulance workers was passed by the State Assembly this evening. The original version of this legislation was passed by the State Senate several weeks ago, and the amended version, sponsored by Senator DeFrancisco, is expected to pass shortly. The bill, A. 8137-A, authorizes the county, towns, villages and school districts in Onondaga Country to provide for local volunteer firefighter and ambulance workers with at least five years of service with a real property tax exemption of ten percent or up to \$3,000....”

Supervisor Scammell said there is a major problem with this pointed out to him by Pete Paul. Folks in the Jamesville Fire District may not live in the Town of LaFayette.

Councilor Knapp said he talked to Jack Sutton about this. Jack felt they were farther ahead in the Service Award Program than by doing this. The other thing is that several of the young people who are in the department rent. Depending on the size of your house is how much you benefit from this exemption.

- **Qualification dependent on service awards qualification (P. Paul).**
- **Request from Fire Departments (K. Gilligan).**
- **CCF: Special Election instructions.**

11) SOTS & OCRRA Liaison.

12) Water.

U.S. Army Corps of Engineers/Jamesville Reservoir – Preliminary Restoration Plan complete, seeking nonfederal (NYSDEC) cosponsor for 33% share of \$7.2M.

a) Northeast LaFayette Water district.

Supervisor Scammell said they continue to meet weekly.

Art Fritz said E. Syracuse proposes if they connect with city water to charge back to the 113 people to maintain the system. That will not be a small expense.

Steve Chase said Art has done a terrific job in heading up this topic. They appreciate it.

Councilor Knapp asked if it was the county or state that caused E. Syracuse to do what they are doing.

Art said he believes it was at the federal level on down.

Councilor Knapp asked who does the enforcement?

Art is getting the impression that the County Health Dept. has that responsibility.

b) Coye Road Water district, Smokey Hollow Improvement district.

c) Hamlet drainage study – request submitted to NYS DOT.

- **NYS DOT notified of subsidence behind M. Amidon's property.**

13) Zoning Review.

a) Jamesville Reservoir Preservation District/JRPA change request proposals (referred to PB & ECAB).

- 1. Boundary map.**
- 2. Lot size – 3 acres.**

- 3. Housing to include permanent basements.**
- 4. Height & lighting within current parameters.**
- 5. No cul-de-sacs.**
- 6. No public access to Jamesville Reservoir.**
- 7. Boat compliance – speed & noise parameters.**
- 8. Grant opportunities.**
- 9. ECAB response.**

Supervisor Scammell asked if they had a chance to review the letter and information he sent them.

Steve & Ann Chase said they just got it today. They asked for any suggestions.

Councilor McConnell reminded the residents if the zoning gets changed, there must be a public hearing.

b) Application Fee Waiver proposal - for town residents opening new, local businesses or expanding current local business. (\$200 – PB, \$50 – ZBA).

c) Inlaw/family accessory units proposal.

d) Minor/small Subdivision proposed Law No 2-2005.

e) Subdivision procedure – streamlining suggestions (intake procedure, sketch plan conference, applicants without counsel, surveyor or engineer, submission quality, meeting frequency).

f) Zoning map correction.

Supervisor Scammell said the 2000 zoning map did not reflect the island on the reservoir.

It was decided all the changes should be done at one time. It was decided approval of the revised map should maybe wait until after the Palmer zone change request has been determined.

g) Corridor Plan.

h) Digitized zoning map.

9. LITIGATION & OTHER LEGAL MATTERS:

A. Onondaga Nation land claim & land rights.

- **Cayuga Indian Nation Land Claim – 2nd U.S. Circuit Court of Appeals decision.**

Kevin Gilligan advised this is now going before the Supreme Court.

- **Oneida Indian Nation Land Claim – U.S. Supreme Court decision.**

B. William May mobile home on Jamesville Reservoir.

C. Robert Shute – Route 11.

D. Selective Insurance/Estate of Janay Le-Ann Davis.

This can be removed from the agenda.

E. Residential Multifamily (RM) zoning district parameters.

10. UNFINISHED BUSINESS & ACTIVE PROJECTS:

A. Cram Communications, WVOA-AM towers. Professional detuning consultant - Mullaney Engineering.

B. ZBA request for mobile home inventory, including status.

C. FOCUS 2010 - Strategic Plan survey.

Councilor McConnell had nothing new to report at this time.

D. Assessors: 2006 Town-wide property revaluation.

E. Pictometry (HD vs. LD) – deferred until 2006 budget.

F. SPDES, Phase II (BM, RL, JN, SB, JD).

G. Open Assessor position, effective 6.1.05 (remain at three assessors or go to sole assessor).

Councilor Knapp said there are two folks that are interested in the position. They are Larry Fitts and Jim Munnell. As of right now, after talking with the Board Members, Jim Munnell seems to be the majority of the Board's choice.

Supervisor Scammell asked if Marshall Taylor or Mary Doster would like to talk about this now or in Executive Session.

Marshall said we have two candidates for this position. One candidate has no experience and that is the one the Board seems to want. How does that improve the office?

Councilor Knapp said the main concern is that the Board talked about was the fact that you have the same person as an assessor that is doing the reval. He knows this isn't illegal and is done in other towns. Personally, if a reval is done and he talks to that person and they don't agree with him and then he goes to the assessors and sees the same person there, it won't make him feel real good about the process.

Councilor McConnell said that was his problem too. He felt it's a conflict of interest. We all have to start at some place without experience too. His main opposition to the one candidate was a conflict of interest.

Marshall said they will have to disagree on this. This is done in many towns. There are two other assessors people can talk to. Conflict of interest is not an issue in his opinion at all. People starting out with no experience is true, however, when you have two candidates and one is very experienced and the other has none, it makes a difference. One candidate has 30 years of experience. He thinks the Board is making a big mistake.

Councilor Knapp said Larry Fitts is a friend of his parents and there is no question about his qualifications. He believes it might be short-term for the process. Larry does have other towns. When it comes to the dollar amount we will be giving him, he doesn't think we will be high on the priority list. You will be able to reach him on the phone but how about availability to sit down and talk to him like people used to be able to do with Bernie over a cup of coffee.

Mary Doster said we have moved above the sitting down over coffee.

Councilor Knapp said or availability at the town offices.

Mary Doster said two assessors can always out vote a third one. She doesn't believe there is any conflict of interest. She thinks he would be an asset.

Councilor Bailey believes the town has experienced a very good relationship with Mr. Fitts when it's time for a reval. To have him on both sides of the table would give the appearance of impropriety. Even though it's perfectly legal, he would have a problem with him being an assessor and being a private contractor for the purpose of a reval.

Supervisor Scammell asked Kevin if there is any conflict of interest.

Kevin said not that he is aware of. In the area they call compatibility of office, he would guess if Larry Fitts has done it in other towns they have researched this and no it's not an incompatibility of office or conflict of interest.

Councilor Knapp said most other towns have paid contracted assessors which is different from us too. He would like to keep it the way it is in

LaFayette with 3 assessors. He believes Jim is someone who can get in there and learn it and do it for a long time. He knows there is a lot to learn. Jim works nights so he has time during the day to do this kind of stuff and is a very smart guy.

Supervisor Scammell asked what his work hours are.

Councilor McConnell said they rotate frequently.

Councilor Smith disagrees. She sees us fortunate enough to have Larry who has worked with us for a number of years. He is also a resident of the Town, familiar with the computer programs, has contacts with the county and has experience. Yes, we might want to bring in new people but why go to the expense and time of training someone new right now when there is an experienced candidate?

Mary said this is the only town Larry Fitts could be an elected assessor in as it's the only town he lives in.

Supervisor Scammell asked how much education is involved.

Marshall said 10 weeks will have to be set aside the first year for education. He has worked nights most of his life and doesn't think it's doable.

Supervisor Scammell asked where the training is done.

Marshall said most of the training is at Cornell. You have continued courses you must take that are several days long. There are tests at the end of the courses which you must pass. The courses are all over the state.

Mary said you must go wherever the courses are offered.

Councilor Bailey said the Association of Towns also has some.

Marshall said there are ample places to go to, you just have to have the time to go. You must become certified to remain an assessor.

Supervisor Scammell asked how much training would be required for a new person this year.

Marshall said for the first 4 years you must be certified in all 5 courses. You have your first term to accomplish this. If you don't, the Town will be notified by the state that you can't continue to be an assessor.

Mary said there's a lot more than just the education. The person must ride with Larry to get to know the parcels. The computer skills are a lot more now too.

Supervisor Scammell said he talked to Larry but has not had a chance to talk to Jim yet.

Councilor Knapp said we are going to have to do this now or in a couple of years. He thinks now, while we have 2 trained assessors, is the time to get a third person in here and get him trained.

Supervisor Scammell asked if there is any other questions or comments the Board has.

Councilor Knapp said they are all set at this point.

Mary said the Board knows how the assessors feel about this.

Supervisor Scammell would like to have a chance to chat with Jim a little about this. In terms of a person coming in to this position, what should their skill level be?

Marshall said you should have good math and computer skills. You do trending and analysis all the time.

Councilor Knapp said you must have good people skills too.

Marshall said and have the concepts of appraising. In the beginning you need to have a person who can come in a lot to get up to speed.

Supervisor Scammell asked what the heaviest times of the year are.

Marshall said from October 1st to June 1st. You have all the exemptions, people coming in and changes to be made to the assessments for building permits, etc.

Supervisor Scammell asked how long it took for the current assessors to have a good sense of the job.

Mary said in 1988 it wasn't as complicated as it is now. It was a year before she felt totally comfortable.

Marshall said luckily for him he was retired and with his computer skills he was able to come in and change some manual operations into computer operations. It took him a couple of years because things were changing so much. They went from Version 3 to Version 4, etc.

Mary said the work has doubled since she retired from Assessor Clerk. The state is putting a lot of things back on the assessors.

Councilor Smith asked Mary if she didn't have a background in real estate before she became an assessor.

Mary said yes. She also did bookkeeping for her husbands company.

H. Other.

10. NEW BUSINESS:

- **Other.**

12. Suggestions for improvement and positive contributions.

13. Executive session (if needed).

Councilor's McConnell moved and Knapp seconded the motion for the Town Board to go into Executive Session and to include the Highway Superintendent and Town Attorney to discuss a personnel matter. Motion passed unanimously.

The Town Board went into Executive Session at 10:19 p.m. and Supervisor Scammell called the Regular Town Board Meeting back to order at 10:47 p.m.

14. Councilor's Knapp moved and McConnell seconded the motion to audit & pay the following bills:

HIGHWAY FUND	#3618 - 3635
GENERAL FUND	#3636 - 3678
SPECIAL DISTRICT FUND	#3579 - 3680
TRUST & AGENCY FUND	#3681 - 3686

Motion passed unanimously.

15. Councilor's Knapp moved and McConnell seconded the motion to adjourn. Motion passed unanimously.

The Regular Town Board Meeting adjourned at 10:49 p.m.

Respectfully submitted,

Mary Jo Kelly
Town Clerk