

Minutes of the Regular Town Board Meeting and Public Hearings held by the LaFayette Town Board on August 8, 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
Thomas Bailey, Councilor
William McConnell, Councilor

RECORDING SECRETARY: Mary Jo Kelly, Town Clerk

OTHERS PRESENT: Leon Cook, Highway Superintendent
Thomas Chartrand, Bookkeeper
Marshall Taylor, Assessor/Clerk
Sam Young, Town Attorney
Sumner Palmer, Applicant
Sheldon Palmer, Applicant
Roy Dodge, Syracuse
Bill & Laurie Poirier, 4000 Cook Farm Rd.
Tom Collins, 4049 Cook Farm Rd.
Nick & Jackie Ruzekowicz, 3349 Apulia Rd.
Dawn Randall, 3276 Watervale Rd.
Greg Devine, Applicant
Shirley Keech, 4240 W. Shore Manor
James Keech, 4240 W. Shore Manor
Debra & John Schrader, 2045 Apulia Rd.
Arthur Fritz, 6335 Smokey Hollow Rd.
Tom & Carol Kellish, Berry Rd.
Pat Zangari, 1950 Berry Rd.
Jim & Pat Keefe, 6435 Newell Hill Rd.
Eva Palmer, 6331 Rte. 20
Arlington Palmer, 6331 Rte. 20
Dannetti Thousand, W. Shore Manor
Deedee Thousand, 4175 W. Shore Manor
Chuck Thousand, 4175 W. Shore Manor
Rick Stach, 4173 W. Shore Manor
John Lytle, 4193 Apulia Rd.
Ted Bauer, 3777 Apulia Rd.
John Stach, 4181 Apulia Rd.
Ann & Steve Chase, JRPA
Cynthia Williams, 3879 Apulia Rd.
Edward Williams, 3879 Apulia Rd.
John Sidd, Att. For Palmer application
Craig Fox, Cram – Applicant
Mike McFadden, W. Shore Manor

Rick Burlingame, 4182 W. Shore Manor
Clay Smith, Eager Rd.
Sam Fieco, Cram – Applicant
Mary Rose Schnur, 6423 Rte. 20
John Dunkle, Town Engineer
Sheila Harrington, Jamesville Ter. – JRPA
Jim & Karen Brower, W.Shore Manor -JRPA
Mary Steiner, 3886 Apulia Rd.
Pete Paul, Dep. Supervisor
Jane Praetorius, JRPA
Paula Naselli, 4184 W. Shore Manor - JRPA
Rick Haskins, 4184 W. Shore Manor - JRPA
Bonnie Seemann, JRPA
Kyle LaTray, JRPA
Deb Miller, 6559 Newell Hill Rd.

1. Supervisor Scammell called the Meeting to order at 6:30 p.m.
2. The Town Clerk took the Roll. All present.
3. Pledge to our U. S. Flag led by Town Councilor Sandy Smith.
4. **Councilor's Smith moved and McConnell seconded the motion to accept the July 11, 2005 Regular Town Board Meeting and Public Hearing Minutes as submitted by the Town Clerk. Motion passed unanimously.**
5. **PUBLIC HEARINGS:**

A. Palmer Road area rezoning from Agricultural-Residential to Business?

- SOCPA responses, Route 20 access.

Supervisor Scammell said the first public hearing is for the rezoning of a couple of properties on Route 20. The parcels are just past Big Bend. He asked the public if they had any comments or questions.

Roy Dodge said he was honored to read a letter from Greg Palmer. He reminded the Board that this is the oldest business in the town.

Supervisor Scammell asked for other comments pro or con.

Tom Kellish asked why the property was changed from Business to Agricultural/Residential 4 years ago.

Supervisor Scammell said actually this property wasn't involved in the rezoning 4 years ago. It was the property on the other side of Palmer Rd.

A resident asked what it means to have an Environmental Impact Statement. If the business is changing, do you have to change the Environmental Impact Statement?

Sam Young said in some cases an environmental study is needed for changes that are being made to determine if there is any impact on the environment. He isn't certain if this applies here.

A resident asked for an example.

Sam said if you were going to create a subdivision where there was going to be increased usage of utilities and increased demands on the land, one might apply.

Tom Kellish asked if this will be referred out for an environmental impact study.

Supervisor Scammell believes the Town Board will do one tonight as the Lead Agency.

John Sidd said he is the attorney for the applicants. He doesn't know if a SEQR form was submitted by the applicants or not.

It was noted one had been submitted.

Supervisor Scammell asked for any other comments or questions from the Board or the public.

Councilor Bailey said from seeing the site, it seems the intent the applicant proposes to the Town is for potential expansion purposes in the retail area and seeing that Route 20 is a corridor he would like to be sure if the Town Board decides to vote on this tonight they feel confident in answering the questions or concerns of the Board and the community.

A resident asked if the Board is going to vote without doing the impact study.

Supervisor Scammell said the Board will be doing the SEQR this evening.

Eva Palmer asked what properties are commercial and what ones are Agricultural/Residential.

Supervisor Scammell said right now the applicants are asking for two parcels to be rezoned from Agricultural/Residential to Business. One parcel is a 3-acre parcel and the other one is a 1/2 to 3/4 acre parcel.

Eva asked what the old mill is zoned.

Supervisor Scammell said Agricultural/Residential.

Eva said the property will be zoned in two different ways then.

Supervisor Scammell said yes.

April Palmer asked when the Town Board will know about the DOT allowing access onto Route 20.

Supervisor Scammell said he doesn't think we will know until it is submitted to the Planning Board and they refer it to Onondaga County Planning.

April Palmer said the DOT decides about the driveway then.

Supervisor Scammell said originally when SOCPA replied back to the Town Board, they were of the opinion that all entrances should be from Palmer Rd. This doesn't mean that this will be agreed to by the Board.

April Palmer said personally the changing of the zoning from Agricultural/Residential to Business doesn't concern her. She is just concerned with the roadway coming onto Route 20 as her property borders the applicants property. This potentially might not be in the Town Board's hands anyway.

Supervisor Scammell said that is correct.

Brad Palmer asked if the Board changes the zoning, would that determine how the DOT would rule on the driveway?

Councilor Knapp thinks they look more at the use than the zoning.

Clay Smith said he would like to speak in a general way to the proposal. It's been there in some form as an industrial activity since 1860. It's changed over the years and has been a commercial activity well serving the community with needed services. It seems reasonable to him that this kind of zone change is appropriate for it's continued use and perhaps some growth in the future. He thinks it is a good move to bring the property into a business use.

Tom Kellish would second that.

Councilor McConnell asked Greg Devine what he plans on doing down the road.

Greg said a lot of this is long-term planning. It's a 5-10 year commitment to develop the property on Route 20. They are not there today. They just want to assure the property is zoned for the business to continue operating as it has and have possible future growth.

Councilor McConnell said the Palmer Feed Mill is not part of the rezoning. He confirmed Greg is not seeking ownership of that.

Greg said the only property he will own is the 3 acre and 1/2 acre parcels.

April Palmer said it's O.K. to have the business rezoned. If it comes to the point of expanding the business, the applicants know how they feel and they can address it when the time comes. She just wants to be sure that the decision of the roadway doesn't lie with this Board now.

John Sidd said when the zoning is changed, it doesn't mean the applicant can go forward with whatever he chooses to do without going for a site plan approval, etc. There will be other opportunities for the public to comment.

Supervisor Scammell asked for any further questions or comments. There were none.

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

Councilor's Knapp moved and Smith seconded the motion to approve the zone change and overrule SOCPA regarding access to the parcels from Route 20.

Voting was as follows:

Supervisor Scammell	Voted	Yes
Councilor Smith	Voted	Yes
Councilor Knapp	Voted	Yes
Councilor Bailey	Voted	No
Councilor McConnell	Voted	No

Motion did not pass as need a majority plus one to overrule County Planning.

Supervisor Scammell said the Board has had several discussions about SOCPA's response that all entrances to the property would have to be from Palmer Rd. The Board has viewed the site and reviewed SOCPA's response. He believes diversion of all the traffic from these properties to Palmer Road would make it more dangerous to those living on that road.

TOWN OF LAFAYETTE

RESOLUTION TOWN BOARD MEETING

August 8, 2005

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

WHEREAS, pursuant to the provisions of the Town Law, a proposed ordinance was presented and introduced at a regular meeting of the Town Board of the Town of LaFayette held on July 11, 2005 which would amend Article I, Section C of the 1970 Zoning Ordinance of the Town of LaFayette to change the zoning classifications of certain specified properties as designated in Schedule AA@ attached hereto from Agricultural-Residential (A-R) to Business(B); and

WHEREAS, a public hearing was held on August 8, 2005, and after a 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 August 8, 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:

- 1. The involved properties have been used in connection with an agricultural feed business for years and no changes in actual use are contemplated.**
- 2. There are no changes anticipated to use - so should not impact traffic, noise, air quality, drainage, groundwater quality or quantity or aesthetics.**
- 3. The use is agriculturally related and is a logical use in the area, consistent with the Comprehensive Plan; and it is further**

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:

ORDINANCE

Amending Article I, Section AC@ 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 AC@ 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 AA@ 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.

RESOLVED AND DETERMINED, that this approval is expressly conditioned upon the following:

In accordance with the modifications recommended by the Onondaga County Planning Board, all current and future access to both lots shall be from Palmer Road; no access shall be permitted to Route 20.

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

Supervisor Scammell	Voted	Yes
Councilor Smith	Voted	Yes
Councilor Knapp	Voted	Yes
Councilor Bailey	Voted	Yes
Councilor McConnell	Voted	Yes

The foregoing Resolution was thereupon declared duly adopted.

SCHEDULE AA@

Parcel # 1

THAT TRACT OR PARCEL OF LAND, situate in the Town of LaFayette, County of Onondaga and State of New York, being a part of Lot 76 of said town, bounded and described as follows: Beginning in the center of Palmer

Road at the southwest corner of Sheldon Palmer=s lot, said point of beginning also being located 364.50 feet easterly measured along the center of Palmer Road from the intersection of the center line of Palmer Road with the southerly line of Highway Route #20; running thence North 5 degrees 26 min. West along the westerly line of Sheldon Palmer=s lot and the northerly prolongation of said westerly line a distance of 165.0 feet to an iron pipe in the southerly line of Highway Route #20; running thence westerly along the southerly line of said Highway Route #20 about 390 feet, more or less, to the center of Palmer Road; running thence easterly along the center of Palmer Road 364.50 feet to the place of beginning. Containing 3/4 of an acre of land, more or less, and being a triangular shaped parcel of land.

Also ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of LaFayette, County of Onondaga and State of New York, being a part of Lot 76 of said town, bounded and described as follows: Beginning in the center of Palmer Road at the southeast corner of land owned by Jane Palmer; running thence North 6 degrees 53 min. West along the east line of said Jane Palmer=s land a distance of 95.0 ft. to an iron pipe at the northeast corner of Jane Palmer=s land; running thence North 84 degrees 4 min. East a distance of 266.0 feet to an iron pipe; running thence South 6 degrees 53 min. East a distance of 95.0 feet to the corner of Palmer Road; running thence westerly along the center of Palmer Road 266.0 ft. to the place of beginning. Containing 0.50 acres of land, more or less.

Subject to any easements and restrictions of record.

Parcel # 2

THAT TRACT OR PARCEL OF LAND situated on the Southeasterly side of Route #20 in Lot #76 of the Town of LaFayette, County of Onondaga and State of New York, being bounded and described as follows: BEGINNING at a point, said point being the Northeast corner of a parcel of land deeded to Jane Palmer as recorded in the Onondaga County Clerk=s Office in Liber 1907 of Deeds at page 260, thence running N 06E-53'-00" W a distance of 387 feet, more or less; to a point on the Southeasterly right-of-way line of Route #20; thence running Northeasterly along said right-of-way a distance of 173 feet, more or less, to a point being the Southwest corner of Allen (R.O.); thence running S 87E-36'-40" E along the South line of said Allen (R.O.) a distance of 142.72 feet to said Allen=s Southeast corner, thence running S 10E-42'-00" E a distance of 515.55 feet to a point being the Northeast corner of lands of Palmer Feed Mill, Inc., thence running S 84E-04'-00" W along said lands a distance of 266.0 feet to the place of beginning and containing 2.87 acres of land, more or less.

Subject to any easements and restrictions of record.

B. Subdivision Filing Procedures?

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

Tom Kellish believes the neighbors have a right to be notified of a subdivision. He believes more than one person should make the decision on these.

Supervisor Scammell confirmed Tom Kellish feels regardless of the size or number of the subdivision, notification to all neighbors within 300' should be kept in the regulations.

Tom said in his opinion yes.

Supervisor Scammell asked for any other comments or questions on this.

Ann Chase asked when the Town Board would vote on this.

Supervisor Scammell said whenever the Board is ready.

Pat Zangari said when someone does put up a house and it affects your water supply, you are responsible to work it out with them. She thinks it benefits the community to be notified of subdivisions, new homes, etc.

Supervisor Scammell asked if it would make sense to put something on the building permit stating it's the applicants responsibility to be aware of their neighbors and that any change in water flow, etc., is up to the applicant to discuss with the property owners.

Pat Zangari said the applicant who purchased the property behind them was to purchase it for a single family residence and now that person is running an excavating business from the property which he advised wouldn't happen when he applied for the subdivision.

Supervisor Scammell asked Sam Young if there is anything we can put on the building permit to advise the applicant of what their responsibilities are.

Sam said we would have to know there was some kind of impact likely to occur when the application was made.

Pat Zangari said we are in a community unlike N. Syracuse with sewers. We are on well water, etc.

Tom Kellish asked the Board what if the applicant misrepresents his case? In this instance the applicant said he might have his equipment there to wash it or change the oil. The man is operating his business right now out of his house. It's a very noisy business. There has to be some mechanism if an applicant misrepresents himself, gets approval from the town and then disrupts the neighbors life.

Sam said he would have to defer this question to Kevin Gilligan who can respond to the Board.

Supervisor Scammell said if the resident is operating a business from his home, Code Enforcement should be involved to check into the matter.

Pat Zangari said the road has washed out because of this residence.

Leon Cook said it didn't wash out. Next to Berry Road they thought there was a good base but it was clay. When it started to thaw this year, the water was really running. The Highway Dept. did do some ditching which they planned on

doing this year anyway and they did dig out a little near Berry Rd. where there was clay underneath.

Supervisor Scammell asked John Dunkle if he recalled anything on this.

John said this wasn't one that was referred to him.

Supervisor Scammell said maybe this is one area we need to improve.

Tom Kellish said Morezak Rd. has he and Leon Cook at odds. This is the same road that 1 year ago the entire Town of LaFayette with help from the Town of Tully paved and now a year later they are repairing a bad spot on it. When a person gets a subdivision, is it part of the procedure for them to supply a road built to the towns specifications? He is opposed to the town building a road for a resident to build a house.

Clay Smith said he would urge the Board to adopt remarks being put on the application for simple subdivisions that the person doing the regrading, etc., is responsible for where the water goes. This really isn't a town problem. It's the responsibility of the person that is doing the regrading work. Another comment is the problems with well water. Heat pumps cause problems on neighboring properties. He was surprised how much drainage is done. Other states have laws that if your well goes dry because a company punches into your water supply, they are responsible to fix the problem. Other states have laws about this where active underground mining goes on.

6. COMMUNICATIONS:

A. Residents. (Please sign in and give your name before you speak).

- Tom Kellish: Morezak Road.

Tom Kellish said he has the deed from Paul Morezak to Barry Morezak. It references the section of Berry Road and the abandoned road. He has another deed from Harry Morezak and his wife referring to the center of Berry Rd. and the abandoned road. If a highway has been unused for 6 years from the time of dedication, it ceases to be a highway and shall be determined abandoned. Leon had indicated this road had never been formally abandoned. Under NYS Law, a road is deemed abandoned by operation of law regardless of defects in certification of abandonment. He could go on and on. That road has been used occasionally as a logging road. Logs have been put across the road to keep folks out. The Town of LaFayette has paved about 427' of a public highway. He believes they are supposed to build the highway first and dedicate it to the town. It never was a highway. He has lived there 62 years. It's never been a road. Now Leon has put a stop sign on it. In the Planning Board Minutes, they indicated there was a negative SEQR determination. The county and state said their wasn't adequate sight distance. There's going to be an accident there. The road shouldn't have been built. O.K. we made a mistake. We can't take the road back but lets not extend the road. Leon is a good man and a good Highway Superintendent. He's never had a problem with him until this road went in. We apparently get CHIPS money from the state for maintaining highways. It appears to him that Leon has made a perfunctory attempt

over the past couple of years of mowing the road and he's probably put the maintaining of this road in for funding the past couple of years and gotten money for it. We have made a mistake but lets not extend this more and make it worse. He doesn't believe the road should be extended another 1,000'. We have enough dead-end roads in this town that we service for single family owners.

Councilor McConnell believes Leon is an outstanding Highway Superintendent and does an outstanding job. He did go up to the site after the last meeting. One of the questions he has is that he didn't think there was any comments to extend the road an additional 1,000'. He confirmed that Tom thinks the town was wrong for the expenditure of tax money and that he might not like the residence being built up there as he likes the open space.

Tom said it's not in his line of sight. It doesn't impact his life at all. The noise does and that is all.

Councilor McConnell said if there's been an error, we need to investigate it.

Pat Zangari said Onondaga County did not recommend the road be instituted. The line of sight was one of the reasons. Apparently it was implemented by the recommendation of the Planning Board. The resident has a hard time pulling out of there with his excavation equipment. She is concerned about safety.

Councilor McConnell said as Supervisor Scammell mentioned earlier, if there is a business being run out of his home, it is up to the Code Enforcement Officer to investigate it.

Pat said they were reassured at the Planning Board Meeting it wouldn't be a business. This is a dangerous area to pull out from even if you are driving a car.

Tom said there has been a Stop sign put in.

Leon Cook said the County DOT put the stop sign up there.

Tom Kellish asked if there will be a sign put in before Morezak Road indicating there is an intersection.

Leon said it's a county road and they put the signs up, not the town.

Tom said Planning Board Minutes indicate that the surveyor noted on the map that Morezak Rd. is a town road and it meets town specifications. He believes we built the road for the property owner.

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

- **Steve Beggs: ZBA fee waiver request.**

Supervisor Scammell said Mr. Beggs has asked for the Town Board to waive his Zoning Board of Appeals fees. He asked if there was anything submitted in writing about this request.

Mary Jo said no.

Councilor McConnell asked if there has been precedent set for this.

Supervisor Scammell said in the past they have been turned down. He asked if there was any interest in granting this request. There was none.

- **Other.**

Marshall Taylor said he would like to discuss the towns Employee Policy in terms of filling the vacant assessor position in the Town of LaFayette. At the last

meeting it was determined that there were two candidates. One has a lot of experience and the other does not. The Town Board seemed to be in favor of the one with no experience. He had some questions for the Supervisor. There was much debate about conflict of interest. Did the town research the conflict of interest with all the candidates?

Supervisor Scammell said he called the NYS Comptroller's Office.

Councilor Bailey said he relied on the answer from the town attorney.

Marshall said prior to the meeting when the attorney was asked about this, was there any research on the conflict of interest?

Councilor McConnell said he did not research anything. He gave his opinion. He felt as a resident along with being a Councilor, that he should not hire someone who is doing the reval and have the same individual as an assessor. He did speak to residents. He didn't feel hiring someone who has a vested interest in doing the reval for the assessor position was a good decision. He based his decision on the residents he spoke to.

Marshall asked if both applicants were reviewed for conflicts of interest.

Supervisor Scammell said he spoke with Larry Fitts and saw none.

Councilor Knapp said he spoke with Jim Munnell and saw none.

Marshall asked is the Town of LaFayette allowed to make determinations based on opinions rather than facts? If the issues are proven, fine. If not, they shouldn't be brought up.

Sam Young knows Kevin Gilligan has looked into this and will be in touch with the Board to answer any questions they have.

Marshall said there were 3 comments made by the Board about one of the applicants being around for a long time. He would like to know, as this is an elected position, how the Board can determine who will be around for a long time.

Councilor McConnell doesn't recall what was said in regard to that. He asked Marshall to read the comments about this.

Marshall said he does notes himself and will stand on his notes that the comment was made at least 3 times. One candidate's salary was brought up. It was said he makes so much money somewhere else so he might not be around a long time. The other candidates salary wasn't brought up at all.

Councilor McConnell said he didn't make the comment about the salary comparison. His comments were on conflict of interest.

Councilor Knapp believes he made the comment. One of the candidates works for several different towns and the salaries are much higher so his time might be required more at those towns.

Marshall asked about the other candidate.

Councilor Knapp said he works nights. He believes Marshall mistook his comment.

Marshall believes there are rules and regulations regarding employment opportunities. The other issue he has is someone stating about one candidate being around a long time. Is there age concerns? He thinks there are laws about this. He wants to be sure his town isn't hiring people on the age of the candidate.

Councilor Knapp said if you look at the Highway Department, Library, etc. you will see there are employees of various ages.

Marshall Taylor said his last question is that one candidate was mentioned as a friend of one of the Board Members parents. Was this a positive or negative statement?

Councilor Knapp said the comment was not made regarding one candidate over the other in any way. It was just to say that they had known this person. His brother has known the other candidate for a long time too. He believes Marshall has taken things out of context.

Marshall asked what other things he has taken out of context.

Councilor Knapp said the whole age thing.

Marshall said in the real world, these issues do not come up because you must be fair to everyone.

Councilor McConnell said when this first came up he asked what the credentials or qualifications were. He thinks he was told there were no written qualifications. One candidate has a lot of experience in assessing. The other candidate is eager to learn and has gone through a reval of his own property and wanted to get involved and felt he could do a good job. He cannot support the individual we just hired to do the reval for being a town assessor too. This individual is being paid under a contract. The residents he poled were not comfortable with this type of relationship.

- **Other**

Supervisor Scammell asked if there were any other matters the public would like to bring before the Board at this time. No one came forward.

Supervisor Scammell said we will move ahead on the agenda to the Special Report.

John Dunkle said the next step in the process is to come up with accurate budget figures for the cost of the project. For the Northeast District there hasn't been a decision made as to how big to make the project. He submitted 3 different budgets for the various options they are looking at. He needed to determine how much bedrock was along the road to determine the budget. They did 22 test holes along Apulia Rd., Cook Farm Rd. and Smokey Hollow Rd. Smokey Hollow Rd. will need about 1500' of line for the properties. It's a small district. The total budget cost would be \$170,000. If this goes on for over one year, the budget may have to be changed as costs change. The purpose of this budget at this point is to give the folks an idea of the costs. Under Option A for the Northeast Water District which is from W. Shore Manor, some of Apulia Rd. and Cook Farm Rd., the total approximate cost would be \$560,000. Option C would be approximately \$855,000 and Option D would be approximately \$1,250,000.

Art Fritz said they have made a request and asked to move forward. They ask for every effort to be made to secure whatever financial assistance is available.

John Dunkle said the Smokey Hollow residents are all within the Coye Rd. Water District. This is a little different from the new district being formed.

John Lytle was present to represent the Northeast Water District. This is being formed because of residents being advised they were going to loose their water as of June 18th. There are about 80 homes that have tapped into a 100 year old

water supply. They don't know exactly when they will lose their water but they know it will happen. This is a crisis for the people who live in this area. After they received this letter, a town meeting was held and they were advised this was something they must resolve themselves. It was not a town matter. John Dunkle attended this meeting with a bunch of solutions. There have been 3 town meetings, 3 newsletters and many meetings of the steering committee who has researched everything very thoroughly. Everyone on this committee was dedicated to making this as fair as possible. They are at a point now that they want to get onto the agenda tonight just so the Board knows what the committee has done and where they are at this point. They did submit a request with boundaries. They were submitted by email and what their unit preferences were and requesting to begin the process. None of them expected this or wanted this. It was thrust upon them and they are trying to make the best of it. The boundaries include Apulia Rd. about 100 yards south of Coye Rd. to Palladino Rd., a good portion of Cook Farm Rd. and W. Shore Manor. They will be circulating a petition for the residents in the area to sign. Once the petition has been completed, they will hold a town meeting to present the petition and be sure everyone understands it. Once they have a petition ready to submit to the Town Board is when the Town will take over the process and the water district will be formed. One thing he would like to emphasize on behalf of the committee is that they would like to obtain every possible financial assistance they can. This will hit all the residents hard and some harder than others. Low or 0% cost loans or grants will be sought out. They just want the town to know their intentions and they are ready to move forward aggressively. They don't know when their water will be shut off.

Supervisor Scammell confirmed Option D is their focus.

Councilor Knapp said a couple of weeks ago there was a grant for some kind of water district granted for Spafford, Marcellus, etc.

John Lytle said they saw this as well and they are following up on it.

Supervisor Scammell said he talked to the Supervisor of Marcellus who advised this grant did nothing for the Town of Marcellus. He is waiting to hear back from the Supervisors of Spafford and Otisco.

Pete Paul said he was at the public hearing at DeWitt last Thursday evening and they have secured over 1 million dollars for a sewer district.

Councilor Bailey said he attended a conference in New York hosted by the Association of Towns. He reminded the residents that it takes several years for a lot of federal funding grants to occur. The application is very tedious and time consuming. In the mean time we need to find ways to fund the project. The town might have to bond for this. Once the federal funding comes in through the Rural Development Program, the bond could go away.

John Lytle said they are aware of this. It would be a 20-30 year payment period for residents in that area.

Chuck Thousand said they have been asking for grants from different agencies. They have learned the applications must come from the town. They are under a crisis situation. They don't have 2 years to wait. The deadlines they are talking about are August 12th. They have 4 days. They are meeting with someone

tomorrow night about grant writing. They are asking the Board for help tonight. They only have days.

Tom Collins owns property south of Palladino Rd. Are they going to get water down there? He owns the property on Palladino Rd. and his friend owns the first property on Walburger Rd.

Supervisor Scammell said option D doesn't include them.

Tom said he owns another house in the Coye Rd. Water District and he paid for that bond for about 20 years.

Supervisor Scammell believes they found there was not enough support to take the boundary that far.

John Lytle said they did a survey to get the feelings about forming and paying for the district and who would participate in it. Unfortunately, the section from Palladino Rd. to Walburger Rd. was outvoted by folks who didn't want to be included. They are trying to go by what the majority wants. It's not something where everyone will be happy about the solution.

Tom believes every resident should be asked if they want their own wells or to be in the water district.

Mrs. Ruzekowicz said they have all been on this waterline too. She doesn't feel it's right for the other folks to decide what happens to them.

Tom Collins asked if they could get a small pump that could supply them with water.

A resident said it wouldn't meet NYS standards.

John Lytle said he was trying to keep that area as part of the petitioned area. There were more folks between Palladino Rd. and Walburger Rd. who didn't want to be included than there were those who did. The whole reason they are having to do this is because the NYS Health Dept has come down on the county stating they must put in filtration systems because of the springs. E. Syracuse is unwilling to go forward with these costs.

Councilor Knapp asked if there was a size definition on this regulation.

John Dunkle said any water supply for more than 1 property is determined to be a public water system. There is a possibility that a separate district could be created for the properties between Palladino and Walburger roads if there is enough interest. There are a lot of issues. He isn't saying it's not possible. There are a lot of things he needs to look into.

Tom believes they have the water now and they should have the right to have it again.

John Dunkle said these issues should be made to the Town Board when a public hearing is held. In the mean time, he will do some research to see what options are available for these residents. He must get all his neighbors to agree to it. It would need to be everyone along the way.

Art Fritz said if Mr. Collins also has property in the Coye Rd. Water District, he might want to consider making the Northeast Water District go all the way down to the Walburger Rd. line but only install the lines to the boundary that is agreed upon. In the future, if folks want to be part of the district, they will be able to do so without having to go through the whole process again. This would just simplify it for expansion in the future.

Councilor Knapp asked how many homes we would be talking about.

The residents said 2.

John Dunkle said there are 9 properties not including the 2 houses. 2 out of the 9 are interested in having water. The problem is all the properties in that area are huge.

Supervisor Scammell asked Julee Johnson to discuss low-interest loans for private wells.

A resident said they are on public water now. Why would they want to go back to a well?

Tom Collins said there is a lot of sulfur around.

A resident said they are near where the leftover concrete is being dumped. Eventually this will end up in their well if they dig one. Sooner or later their wells will be tainted and this Board wants them to go to wells.

Councilor McConnell doesn't believe this Board wants them to go to wells.

A resident said they are on public water now but will have no choice.

Supervisor Scammell said at some point we have to get the boundaries fixed.

A resident had a question for the Steering Committee. People up to Palladino Rd. voted substantially in favor of being included in OCWA water. He would guess that the bids for option D will not be approved by over 1/2 of the assessed valuation. What happens if this occurs?

John Lytle said they are trying to go for the biggest area to begin with. At the first meeting there was a unanimous decision that everyone wanted to support their neighbors no matter what the cost. As the surveys were completed, this changed.

A resident asked if the district gets pared down, people cut out of the district can always form their own water district, correct?

Councilor Bailey said to remember the greater the distance, the greater the cost.

John Lytle said and the number of participants involved.

John Dunkle said the petition must be submitted to the Town Board and the Town Board must agree it is in the best interest of the overall community. If they don't agree with it, they don't have to accept it. The Town Board's role is to look at the big picture.

Ann Chase confirmed if you don't sign the petition it means you are against it.

John Lytle said that is correct.

John Dunkle said the petition must contain 1/2 the property owners and over 1/2 the assessed value.

Supervisor Scammell believes John Langey had advised it is just at least 1/2 the assessed value. This will have to be checked into.

Steve Middleton confirmed that Pete Paul said the Town of DeWitt has received 1.1 million dollars for the sewer in DeWitt. He asked Mr. Thousand if we haven't learned it's the towns responsibility to seek the grant money. Did the town secure the money for this?

Pete Paul couldn't answer that.

Steve Middleton asked if they need the towns help in seeking the grant funding, wouldn't it make things a lot easier if they got 1.1 million dollars for this?

Supervisor Scammell said we need to know what the district is before we can approach anyone to request money. Julee Johnson will attend their water meeting tomorrow night to help with the grant writing.

John Lytle said they invite as much help from the town as possible.

Pete Paul asked if there is anything for this as it is a crisis situation.

John Lytle said they are planning to use the situation the way it is to expedite and justify grant help and low interest loans.

Supervisor Scammell said on some of the grants you do get extra points if you are forced into this. Sewer districts and water districts are not directly comparable.

John Dunkle said he has been asked to put forth the application to be put in on a revolving fund.

Councilor's Bailey moved and Knapp seconded the motion to submit an application for Option D. Motion passed unanimously.

Councilor McConnell asked how we can move forward on this option with everything we have discussed tonight.

John Dunkle said he needs something solid to get on the list. If there are amendments, we will have to submit amended budgets. We need to have some basis to move forward to get on the list.

Councilor Bailey asked if this is unique to have one town with 2 water districts looking for grants. Would this be a hindrance?

John Dunkle said no. They are both fed by the same water system.

Supervisor Scammell asked for any other questions or comments.

A resident asked if there is anything they can do as a community at the Apple Festival to raise money.

Councilor Knapp said the Apple Festival donates a lot of money to the community. There's a Board of Directors that they can approach and ask about this.

Supervisor Scammell asked who they should approach.

Councilor Knapp said Malcolm Knapp is the Chairman.

Alice Streiff asked if there is a proposed cost that they can compare if the district went to Palladino Rd. as compared to going on to Walburger Rd.

Supervisor Scammell believes this cost was prepared. John Lytle would have a copy of this.

John Lytle said it jumps from about \$530 to about \$590/household per year. This is without any grant money. This is the cost with no help at all. If grant money comes in, it helps reduce the overall cost. If the town can help cover some of the administrative part, it would be appreciated.

Supervisor Scammell said the town has.

John Lytle asked what.

Supervisor Scammell said the mailings, etc.

Pete Paul asked if it would pay to have a professional grantsman for federal, state and county funding.

John Lytle said there is a person who will be attending the meeting tomorrow night.

John Dunkle said in the budget there is a line item for this.

Councilor Bailey asked if John Dunkle has anyone internally who does grant writing.

John said they do some grant writing but do not have the political contacts someone else might have. Usually a condition of any grant is that the applicant, which is the town, must supply some percentage of local funding.

John Lytle believes this would be reasonable as they are taxpayers as well.

Craig Fox of Cram Communication was present to discuss his tower application. He said they came before the Town Board to get site approval for their AM towers. They have gone before the Planning Board and they made a negative declaration in SEQ. They had a snag after this declaration was made. SHPO rescinded their letter stating there was no effect as the Onondaga Nation contacted them stating they should have been contacted for their input. He spoke to Nancy Herter at SHPO who said the Native Americans are looking for a Part I Archeological Study. He has spoken to Tony Gonyea who said the Onondaga Nation would like to have a consultation and would get back to him. He then heard from Joe Heath's Office. All involved parties are supposed to have a meeting next week. In the mean time, from a procedural standpoint, they would like to request that the Planning Board's determination be held until there is a replacement letter from SHPO reissuing their determination of no effect. Unless there is some other issue listed they don't wish to have to go back to the Planning Board again. The other matter is the demolition bond. The Planning Board voted in favor of this. One member voted against it as he felt as long as it was their land and their towers, why should they have a special requirement regarding demolition? The difference between his towers and cell towers is that cell towers are usually on someone else's property. They would like not to have this extra burden. Kevin Gilligan has given them several names to contact regarding bonding. They have heard back from two of them stating if he wishes to change his master insurance policy to them, they will handle the bonding. They have not heard back from the third company yet. He doesn't feel the Town Board is held to the recommendation of the Planning Board.

Sam Young said because SHPO has rescinded its letter of no effect, the Town Board really needs to refer this back to the Planning Board for reconsideration of that issue.

Councilor Knapp asked what he anticipates the time-frame for SHPO to respond is.

Craig Fox said it could be October or November. The people he has contacted to do the archeological study are not even available until the end of September. He would like things held here without action until SHPO reissues their letter. Unless a new issue is listed, he doesn't see why this has to go back to the Planning Board.

Sam Young believes the reason it must go back to the Planning Board is that the Planning Board is the Lead Agency for this matter. When they considered the application, SHPO's letter of no effect was in place. This has now changed

Councilor McConnell asked if SHPO's rescinding of the letter is the outcome of the Nation's concerns.

Sam Young said it appears to be.

Craig Fox doesn't understand why it just can't be held with no action. He believes the Chairman of the Planning Board would get the second letter from SHPO which he can pass on to the Town Board.

Sam Young doesn't believe this Board can act on this tonight given the reversal letter from SHPO.

Councilor Knapp said basically Craig is asking in several months when the response comes back and if it's no effect that we just take it from here as opposed to it going back to the Planning Board where they will review the report. This might save him a month or two.

Sam said he is only passing on a message from Kevin Gilligan that this should go back to the Planning Board.

Councilor Knapp asked if this must be decided tonight.

Councilor Bailey said if the Planning Board is Lead Agency and the Town Board gave them permission to go ahead and now this issue has been reversed he believes the Planning Board needs to be aware of this.

Craig asked if the Planning Board must file a report with someone.

John Dunkle said under SEQR a determination was made based on the fact there were no archeological findings. They must now go back through the SEQR to see if there is an impact based on whatever comes back from SHPO. The project may not have to be reviewed but the SEQR would have to be. That is his impression.

Craig asked if they will also have to take back their negative declaration.

John Dunkle said yes or make a negative declaration once a new letter from SHPO has been received. Right now their negative declaration is in jeopardy.

Supervisor Scammell doesn't see any way around this.

Craig said SHPO isn't even sure how you proceed. They haven't had this happen before.

Supervisor Scammell thinks this is complicated even for SHPO.

Craig said Nancy Herter reminded him that SHPO is not a regulatory agency but an advisory one.

The Board was in agreement that this must be referred back to the Planning Board.

Councilor's Smith moved and Knapp seconded the motion to refer this back to the Planning Board regarding the SEQR. Motion passed unanimously.

The removal bond was discussed.

Councilor McConnell asked how many other antennas Craig currently has that are on his own property and not bonded.

Craig said he has about 6.

Councilor McConnell asked if they are in Onondaga County.

Craig said they are in Oswego & Cayuga.

Councilor McConnell asked if he owned the land there too.

Craig said yes.

Councilor McConnell asked if the other towers are of similar height.

Craig gave the other heights. They range from 415' to 165'. They have never encountered this before. In 45 years he has not been aware of any radio or TV towers being abandoned.

A resident asked if there are any other towers in the Town of LaFayette and are there demolition bonds on them?

Supervisor Scammell said the town owns a tower on Groth Rd. and the town has no interest in protecting itself from itself.

The Board wished to think about the bond some more.

Councilor Bailey said the idea of a demolition bond doesn't really appeal to him.

Councilor McConnell would agree.

Supervisor Scammell said the two questions the Board has for John Langey are how are these towers different from other structures and are these required to do SEQR?

Councilor Bailey said however, the Town Board has concerns i.e. abandonment.

Craig asked how this would be different from any other business.

Supervisor Scammell said another business might be able to be used for something different. He will ask John Langey about this.

Ann Chase asked why they would request a bond for the towers but they don't request a bond to assure the Reservoir isn't polluted.

Councilor Knapp asked if SHPO kept in contact with Craig about this matter.

Craig said after they meet with the Onondaga Nation next week he will have a better idea of what they want. He will keep the Town Board up-to-date on this.

Councilor McConnell asked him to contact the Supervisor on how the meeting goes.

The drainage district for the Cohen Subdivision was discussed.

James Brower said as a taxpayer he will greatly resent having to pay for their drainage district if it goes bad. He lives on the other side of the Reservoir.

Kyle LaTray would like to know what the advantage to the town would be to dump this responsibly onto the residents of the town.

Supervisor Scammell said he doesn't know.

Ann Chase said that is why she asked the other question. Why would the Board ask someone to be responsible to take a tower down and not ask someone to take care of their drainage?

Paula Naselli said if the drainage isn't taken care of, the Reservoir could die.

Councilor Knapp asked with the new SPDES regulations, is this something we will be doing from here on out?

John Dunkle said on any construction project that disturbs more than 1 acre, there will need to be stormwater management plans.

Councilor McConnell asked what the funding impact will be down the road when we get to Phase III.

John Dunkle said we only have Phase II. Phases III & IV may be regarding forestry, etc. Phase II is what regulates stormwater runoff from small projects. In many towns now, they have many drainage districts. By having the drainage districts, you take the costs from the entire tax base to those who benefit from the drainage. There will be maintenance fees involved and the question is who should pay for them? Should it be the whole town or those who benefit from the drainage

system? The other thing a drainage district does is if some physical improvements are needed in the future, those costs can again be put on the district instead of the whole town. This is the decision before the Board. The costs will be there whether you form the district or not. Do you spread the costs among all the taxpayers or put it on those who benefit from the drainage?

A resident said at the last Planning Board Meeting, John Langey said that the surrounding towns are requiring drainage districts.

Councilor McConnell said he did a lot of research on this. Tully does not have them. Some towns do and some don't.

Paula said as a lay person looking at the maps that were submitted, the water will run off along with the silt from the development and the hills.

Councilor McConnell asked why this wasn't done on Summerridge.

John Dunkle said as he mentioned before, Summerridge could have been a good subdivision to create a drainage district on. This subdivision started out very simple and over the years changed into what it is now. In retrospect that is another good example of where a drainage district would be applicable. If the Board should choose to do a drainage district here, he would suggest this be a precedent for future subdivisions.

Kyle LaTray said in the past, E. Syracuse had a water district that he had to pay for. He would love it if the Town of LaFayette would step in and pay for his water and do away with the district.

Mr. Brower said they will benefit from the water district they are forming and they will pay for it. If the Jamesville development goes through, it's only fair they pay for their own drainage district.

A resident said as John Dunkle pointed out, as the Summerridge development changed it became more challenging. As the Jamesville development shows, this is Phase I. If it gets bigger, it will become more difficult to control the water.

John Dunkle said if a district gets formed, it requires some bookkeeping by the Highway Superintendent of when work is done to the system.

Councilor McConnell said he and Leon Cook sat down a couple of weeks ago and looked into the cost. There is a cost that may in time grow to be minimal rather than exorbitant. He doesn't think the cost is extremely high.

John Dunkle said sometimes a district is in place just in case something should happen.

Councilor McConnell asked John Dunkle if when he reviews the application on the towns behalf, is what they are proposing to his satisfaction?

John said conceptually what they are proposing, if it's designed correctly, will meet the standards.

Councilor Bailey asked if the plans they submitted exceed the standards and if the town forms a district, can they go back to just meeting the standards?

John said he would withhold judgment on this. It's their opinion that it exceeds the standards. He doesn't believe if they decided to go to open ditches, etc., there would be approval by himself or the Planning Board.

Councilor McConnell said in the FEIS they agreed to do a drainage district and then they changed their minds.

Pete Paul asked if it has been established that they will not do the district and pay for it.

John Dunkle said they will have to do the same amount of work whether it's in a drainage district or not.

Pete asked if that is strictly water drainage or can sediment go into the holding pond too?

John said it's designed to control the water quality and quantity. That includes collecting sediment.

Pete said one of the problems he thinks will be how to get rid of this stuff. He knows first-hand that you better look at where you can dump this. You will find some things in it that you are not going to be able to get rid of. He personally doesn't want to pay for that.

Steve Chase asked does logic say if you require them to form a drainage district they are going to go the extra mile to be sure it's good so the homeowners in the district won't have to pay a lot for it?

Councilor McConnell asked if John Dunkle has reviewed the critiques of the JRPA engineers report.

John Dunkle said he agrees with the work the applicant must do yet to address the water quality issue and that future information is needed. He is not in agreement that all the information must be completed in the SEQR process. In the end result, he will be looking for the exact same things they are.

Councilor McConnell moved and Councilor Knapp seconded a motion to require that the developer of the Jamesville Grove Estates Subdivision be instructed to petition the Town Board to form a drainage district to include the eight lots being developed at this time. Voting was as follows:

Supervisor Scammell	Yes
Councilor Smith	Yes
Councilor Knapp	Yes
Councilor Bailey	Nay
Councilor McConnell	Yes.

Motion carried.

John Dunkle said if the other two lots are approved, the district will be expanded to include them. The drainage district is on the 8 lots that will be potentially built upon if it's approved.

Mr. Brower asked if the stream they are using as their main drainage artery isn't outside the 8 lots.

John said yes. The question becomes should we make the district the whole waterway of the stream? There's no benefit to boundaries being outside these 8 lots. It's the safest way to establish the district.

B. Sierra Club: Help Protect Wetlands/The Clean Water Protection Flood Prevention Act (A.20468/S.2081 – carried forward from 7.11.05).

There was no interest in this.

C. NYS PSC: Time Warner Cable Television Franchise for LaFayette.

“The above-captioned application was submitted by Time Warner Entertainment-Advance/Newhouse Partnership d/b/a time Warner Cable (Syracuse Division) on May 3, 2005. A copy of the same was served on the Town of LaFayette and all local notice requirements were met...”

Councilor Knapp thought this was done.

Supervisor Scammell said it is.

D. NYS PSC: Proposal for Verizon & MCI and SBC & AT&T to merge.

“The New York Public Service Commission will hold three educational forums and public statement hearings concerning the joint petition of Verizon Communications, Inc. and MCI, Inc. to merge and the joint petition of SBC Communications, Inc., and AT&T Corporation to merge...The education forums and public statement hearings will be held as follows: Buffalo Area...New York City Area...”

E. Onondaga County Health Department: Satisfactory water sample at LaFayette Beach.

“...The results of these tests indicate that at the time of sampling the water at the swim site met the minimum bacteriological quality requirements set forth...”

F. NYS PSC: Brochures (Chatlines, Summer Energy, Electricity Outlook).

“...A major part of this effort is our ‘Have an Energy Smart Summer’ campaign. The program informs New Yorkers that being ‘energy smart’ means using energy wisely to help reduce peak demand and protect the environment...”

G. Onondaga County Legislature: 8.02.05 agenda.

H. Syracuse Metropolitan Transportation Council: Resources for rural road safety.

“The Syracuse Metropolitan Transportation Council (SMTRC) is writing to notify each town and village in the metropolitan Planning Area (MPA) about a federally sponsored program that provides resources for rural road safety...”

I. Onondaga County Department of Transportation: Driveway locations.

“...In cooperation with the County Clerk’s Office and the Syracuse Onondaga County Planning Agency, all locations of driveways and proposed subdivision roads intersecting with county roads must be approved by the Onondaga County Department of Transportation. After review of the final plan by the county, the town will have final review, followed by filing with the County Clerk....”

J. NYS ORPS: Final State Equalization Rate – 93.5%.

K. NYS DEC: Onondaga Lake Bottom Site decision.

L. NYS Governor George Pataki: Revisions to Great Lakes Water Management Agreements.

“...Public Encouraged to Provide Comments on Revised Draft Agreements hearings to be Held in Buffalo, Seneca Falls, Watertown and Plattsburgh...Some of the key improvements contained in the revised agreements include: A ban on diversions of water from the Great Lakes with limited exceptions; Implementation of common decision-making standards...Determination that the decision-making process for in-basin water uses will take place...A procedure for regional review of the implementation...Strengthened commitments to reduce demand for water and improve efficient use of water resources...The Great Lakes Charter of 1985 is a voluntary agreement through which the Great Lakes States and Provinces have cooperatively managed the waters of the Great Lakes. The Annex 2001 amended the Charter to call for the Great Lakes Governors and the Premiers of Ontario and Quebec to: establish a legally-binding process to manage the Great Lakes waters; adopt a new, common resource-based standard for evaluating new or increased water withdrawal proposals; and make further commitments to continue to improve the Great Lakes water management system...The Great Lakes are a bi-national public treasure and are held in trust by the Great Lakes States and Provinces. For the last twenty years, the Great Lakes Governors and Premiers have followed a set of principles included in the Great Lakes Charter to guide them in developing, maintaining and strengthening the regional management regime for the Waters of the Great Lakes Basin...”

M. Syracuse Post-Standard, 7.22.05: CNY Unemployment Picture – “CNY Enjoys ‘Healthy Growth’”.

“The Syracuse area gained 4,000 jobs in June, compares with the same month last year...The area’s unemployment rate in June was 4.8 percent, slightly higher than May’s 4.7 percent but well below the 5.6 percent of June last year. The state’s unemployment rate in June was 4.7 percent, and the nation’s was 5.2 percent. The 4,000 jobs gained in Madison, Onondaga and Oswego counties represented a 1.2 percent increase, which is considered a strong gain...Nearly every major industry sector gained jobs, and three of them set records. The professional and business services sector (up 1,400 jobs) and the leisure and hospitality sector (up 700) set employment records. And the private education and health sector (up 1,100) hit its highest employment level for the month of June...”

N. CNYRPDB: MS4 Phase 2, Stormwater Update.

O. Other.

7. SPECIAL REPORT. Northeast LaFayette Water District – Steering Committee Chair John Lytle.

This was discussed earlier in the Meeting.

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.**
 - **Scheduled spring cleanup.**
6. **Oschner & Apulia Road.**

Supervisor Scammell said he has had several complaints about the continuous yard sale at this residence. Ralph Lamson has visited the site and he will be issuing them a letter.

b) Vehicle dismantling? – Route 11 South.

c) Riparian rights – building permit, subdivision process, newsletter article.

Supervisor Scammell asked about putting a notation on the Building Permit regarding responsibilities of the applicant regarding drainage.

Councilor Knapp believes there were drainage issues up on North Rd.

Councilor Bailey doesn't think it's a bad idea.

It was decided Supervisor Scammell would ask Ralph Lamson for his suggestions on this.

A written report for July was submitted.

2) Dog Control: Sue Snavlin & Madeline Despres.

- **Shelter space shortage.**

Supervisor Scammell said he has gotten a couple of calls recently that the dog kennel is full. According to Ag. & Markets, we must pick up a dog even if the kennel is full. This will be tabled until the next meeting.

3) Highway Superintendent: Leon Cook.

Leon said they cut all the brush alongside of Webster Rd. where they have to work under the bridge. They got a release from the homeowner who owns the property so they could cut the brush and get in there to work. They have been cutting brush on 3-4 other roads. They cut brush at the end of another road and got the fire truck there to flush out the catch basin all the way to the end. They are all good now. They have the roadside mower cutting roadsides. They paved Drumm Rd. They have been hauling #1 stone in. They were down to the #2 creek on Butternut and cleaned all the gravel out. They put some rip-rap in the stream along

Colton Rd. to Apulia Rd. It was washing the bank out. Tomorrow between 2:00 p.m. & 3:00 p.m. he has an appointment to meet with the DEC about the bridge down on Webster. Hopefully we will get a permit.

4) Justice: Malcolm Knapp & Maureen Perrin.

A written report for July was submitted.

5) Library Director: Scott Kushner.

6) Recreation Director: Regina Reinschmidt.

A written report was submitted to the Supervisor for July.

7) Town Clerk: Mary Jo Kelly.

Written report for July was submitted.

8) Town Supervisor: Greg Scammell.

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.

A written report for July was submitted.

B. COMMITTEE (2nd Monday).

1) Communications & Technology (MF/PK/MJ/MT/GS).

a) Town Website & email (new email(s) – code enforcement) - Digital Towpath evaluation.

b) New server applications (MS Office, pictometry, town website).

2) Emergency Response (TB/BM).

a) LFD exhaust vents – grants available?

b) Onondaga County Department of Communications - OCICS MOU.

c) Susquehanna RR brush fires created by grinding (LFD, JFD, ToL).

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

4) Environmental & Conservation Advisory Board.

a) Legal authority to spray, use public funds to protect private investments, health issues, permissions needed, windage on neighboring properties?(KG)

Supervisor Scammell said Kevin Gilligan spoke with the DEC. The DEC tentatively thinks it might be up to the individual property owner and there are liability issues if the town becomes involved.

A letter from Rainer Brocke dated July 26, 2005 was received.

“Enclosed is a copy of David Skeval’s report on forest tent caterpillar defoliation in the township of LaFayette. I am pleased with his results and with his invoice of \$1252.50, well under our estimated cap. Clearly the defoliation is much more serious than last year, as he estimates that 76% of the 8500 acres of LaFayette forest land have experienced moderate to severe defoliation this year. This area is vastly greater than last year, and he estimates that defoliation next year will be worse...”

Supervisor Scammell said if there were about 6,500 acres to be sprayed at approximately \$40/acre, the cost would be \$260,000. At approximately \$20/acre it would be about \$120,000. We can provide listings of the parcel owners.

Councilor McConnell suggested for Rainer to hold an open meeting about this again. He doesn’t think we can afford as a town to supply this funding. He thinks Rainer is aware of this and realizes it may be up to the individual property owners.

Councilor Bailey asked what assurance of success we have. Would we maybe have to do it another time?

Supervisor Scammell said it was indicated you spray as soon as the caterpillars begin to eat the leaves. They consume the chemicals and they die. From an earlier meeting he thinks it was said a second spraying could be needed.

Leon Cook said Bob Drumm paid about \$22/acre for spraying his property.

- b) Acer Forestry, David Skeval – Preliminary survey.**
 - c) DEC aerial survey.**
 - d) 2006 assessment, strategy & alternatives (large landowners to small shrubs)**
 - e) 2006 Contingency Fund for biological issues.**
 - f) 2005 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.**
 - g) CCE follow-up.**
- 5) Highway (PP/LC/DK/SP/CP).**
- 6) Physical Plant (HS/DK/BM).**
- a) LaFayette Community Center: Ice buildup solution over kitchen area (Deferred until later this year). Roof leak over bathroom.**
 - b) Town offices – temperature controls (Upstate Temperature Controls proposal).**
 - c) Alarm system.**
- This has been resolved.
- d) Heating/Cooling system alternatives – Clay Smith, P.E.**
 - e) Usage charges for town facilities to offset maintenance costs.**

- **Community Center – budget = ~\$9k, 173 total uses, including 3 nonresident uses.**
 - **Stafford Park – budget = \$45/mo, electricity, 28 total uses, including 2 nonresident uses.**
 - **Town ball fields – league fees?**
- f) Polypropylene netting – Gary DePalma. Estimates for additional (Jack’s Shack, Beach) netting projects. \$2100 for Stafford Park Pavilion (DK).**

7) Recreation & Youth (DK/SS/RR).

a) Trash policy (remove containers) and Sunup/sunset signs (PP).

Supervisor Scammell said the bins and trashcans have not been removed from Stafford Park. We have a carry-in/carry-out policy.

Leon Cook said they got rid of all the trash cans a couple of years ago and it worked good. He will pick up the two blue bins at Stafford.

Councilor Knapp said there’s one by the pavilion and one by the bathrooms. There may be one by the ballfields near the parking lot too. He asked Leon to remove the trash cans too.

Councilor Knapp said the 4 new grills and 1 old one were put in at Stafford. There are still two new grills in the storage unit.

b) Marion Bailey Park.

1. Install charcoal grills.

Councilor McConnell will talk to Steve Kuhns about installing the remaining 2 grills at Bailey Park.

2. BSA Scout Stephen Kuhns – Eagle project.

3. BSA Scout Peter Slowick – Eagle project.

4. Pavilion YCIP(?)/Local estimates.

5. Vandalism incident.

c) 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). Bids.

Supervisor Scammell said we received a bid from BTW Phoenix Devel. Corp for the roof over the sandbox of \$1,550. Under the Procurement Policy something around \$1,500 would require 2 quotes so we need one more quote.

Councilor Knapp said he talked to Fred Groth about this and he thought at one of the pool places they have big umbrellas that go into the ground. It could be taken down during the winter. He thought they were \$500-\$600. Fred is going to get back to him with the name of the place that sells them.

d) Fred Stafford Park.

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

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

9) School District liaisons (BM/PP).

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

a) Transportation options (PP/GS).

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

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

- **Amendment to Fire Service Award Program - July 28, 2005, referendum, passed.**

Councilor's Knapp moved and McConnell seconded the motion to authorize Supervisor Scammell to sign a release for funds for Mr. Kurylea. Motion passed unanimously.

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

13) Water (GS/SS).

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

b) North East LaFayette Water district.

Supervisor Scammell asked the Town Board what their feelings are regarding the water district. At some point the Board will be asked to decide whether they accept the proposal or not.

Councilor Knapp asked Tom Chartrand what he knew about the grant Spafford got.

Tom Chartrand said it was a matter of the supervisor and council members writing a letter.

Supervisor Scammell said the Supervisor from Marcellus said they got nothing from it.

Tom Chartrand said it took help for them to get this.

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

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

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

14) Zoning Review (GS).

a) Jamesville Reservoir Preservation District/JRPA change.

- b) Minor/small Subdivision procedure - streamlining suggestions (intake procedure, sketch plan conference, applicants without counsel, surveyor or engineer, submission quality, meeting frequency).**
- c) Corridor Plan.**
- d) Digitized zoning map, correction & amendments.**

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.**
 - Oneida Indian Nation Land Claim – U.S. Supreme Court decision.**
- B. William May mobile home on Jamesville Reservoir.**
- C. Robert Shute – Route 11.**
- D. 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.**
- D. 2006 Town-wide property revaluation.**
- E. SPDES, Phase II (BM, RL, JN, SB, JD).**
- F. Open Assessor position, effective 6.1.05 (remain at three assessors or go to sole assessor).**

Councilor’s Knapp moved and McConnell seconded the motion to appoint James Munnell to fulfill the Assessor term for Bernard Aungier who resigned.

Voting was as follows:

Supervisor Scammell	Abstain
Councilor Smith	Nay
Councilor Knapp	Yes
Councilor Bailey	Yes
Councilor McConnell	Yes

Motion carried.

G. Cohen/Jamesville Grove Subdivision, drainage district.

Tom Chartrand said he will need legal descriptions of the boundaries.

Councilor McConnell asked how rates are set for districts.

Tom said normally you set an amount to maintain it over the course of a year and this information would go into the tax amount.

H. Other.

11. NEW BUSINESS.

- **Other.**

Councilor Smith got a quote for the Ropes Course Insurance. It's the same as last year for the same coverage.

Councilor's Knapp moved and McConnell seconded the motion to authorize the Supervisor to sign the necessary paperwork for the Ropes Course insurance. Motion passed unanimously.

Councilor's Knapp moved and Smith seconded the motion to make the following transfers:

GENERAL FUND

To:	A8989.4 A9040.8	Water Systems Other Employee Benefits	Contractual Workers Compensation	\$17,000.00 <u>\$ 500.00</u> \$17,500.00
From:	A1990.4 A9010.8	Contingent Employee Benefits	Contractual State Retirement	\$17,000.00 <u>\$ 500.00</u> \$17,500.00

HIGHWAY FUND

To:	DA5112.2	Improvements (CHIPS)	Capital Outlay	<u>\$1,140.00</u> \$1,140.00
From:	DA599	Surplus	CHIPS Reimburse- ment	<u>\$1,140.00</u> \$1,140.00

LIBRARY FUND

To:	L1320.4	Library Form 990	Contractual	<u>\$360.00</u> \$360.00
From	L1620.4	Library Cleaning	Contractual	<u>\$360.00</u> \$360.00

Motion passed unanimously.

Tom Chartrand asked about budget meeting dates.
Supervisor Scammell said they are not completely firmed up yet.

12. Suggestions for improvement and positive contributions.

13. Executive session (if needed).

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

The Town Board went into Executive Session at 11:15 p.m. and Supervisor Scammell called the Regular Town Board Meeting back to order at 12:04 a.m.

14. Motion to audit & pay bills.

Councilor’s Knapp moved and McConnell seconded the motion to audit and pay the following bills:

HIGHWAY FUND	#3787-3806
GENERAL FUND	#3807-3854
SPECIAL DISTRICT FUND	#3856-3857
TRUST & AGENCY FUND	#3858-3864

Motion passed unanimously.

15. Supervisor Scammell moved and Councilor Knapp seconded the motion to adjourn. Motion passed unanimously.

The Town Board Meeting closed at 12:15 a.m.

Respectfully submitted,

Mary Jo Kelly
Town Clerk

Councilor’s McConnell moved and Knapp seconded the motion to accept the August 8, 2005 Regular Town Board Meeting Minutes as submitted by the Town Clerk. Motion passes unanimously.