

Meeting and Public Hearing Minutes of the November 28, 2005 LaFayette Town Board Meeting/Public Hearing held at 2577 Route 11 in the Meeting Room of the LaFayette Commons Office Building at 6:30 p.m.

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

Absent: Thomas Bailey, Councilman

Recording Secretary, Mary Jo Kelly, Town Clerk

Others Present: Jeff Brown, Assemblyman
Leon Cook, Highway Superintendent
Kevin Gilligan, Town Attorney
Mark Mondenaro, School Superintendent
Jim Wolf, School Board
Debbie Miller, School Board
Tom Chartrand, Bookkeeper
Jim Keefe, School Board
Mary Adam, School Board
Heidi Smith, Dodge Rd.
Ralph Lamson, CEO
Marshall Taylor, Assessor/Clerk
Larry Paige, LFD
Nick & Jackie Ruzekowicz, 3349 Apulia Rd.
Michael LaCava, School Board

Supervisor Scammell called the Meeting to order at 6:32 p.m.

The Town Clerk took the Roll. Councilman Bailey absent, all else present.

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

Councilman Knapp moved and Councilwoman Smith seconded the motion to accept the November 14, 2005 Town Board Meeting Minutes as submitted by the Town Clerk. Motion passed unanimously.

Supervisor Scammell opened the Joint Public Hearing of the LaFayette Town Board and the LaFayette School District Board of Education for the Volunteer Firefighter and Ambulance Workers Tax Exemption. He welcomed the Board of Education Members. He asked Kevin Gilligan for a summary of this exemption.

Kevin Gilligan said basically this allows a tax exemption for Volunteer Firefighters and Ambulance Workers who provide a service to the town and reside in the town. This is not a huge benefit but it does recognize the firefighters and ambulance

workers for what they do and it does give them something. It's a way to give those people something that protect us.

Supervisor Scammell asked for any comments or questions from the public. There were none.

Supervisor Scammell asked for any questions or comments from the School Board or Town Board.

Councilman Knapp asked Assemblyman Brown what his thoughts were on this as he helped get it going.

Assemblyman Brown said he would like to commend the School Board as he thinks they would be the first to adopt this in the county. The intent was basically that they felt they wanted to do something. He doesn't feel it should be on the back of the Town Board or School Board and it should be an exemption from the state. That is not feasible at this time. He is still going to fight to get some more benefits for volunteer firefighters and ambulance workers. This gives a 10% exemption of the assessed value of the home for those who have been active members for at least 5 years. This is a group that needs recognition even though they are not seeking it.

Councilman Knapp asked if there is any thought to changing the formula down the road to enhance it.

Assemblyman Brown said right now it's a very small amount of money. Some counties have removed the \$3,000 cap. They couldn't get that done this time. It's a nice bill but it doesn't do all he thought it should. Hopefully they can get it modified. He will fight for this.

Councilman Knapp asked Marshall Taylor if that would affect us.

Marshall Taylor said it's a 10% exemption up to \$3,000.

Councilman Knapp said if you remove the \$3,000 cap, how would it impact us?

Marshall Taylor said if you remove the cap, the average home is \$116,862. If you get a straight 10% with no cap, you would be giving someone over \$11,000 off of their assessment.

Kevin Gilligan asked if the county that lifted the cap went to the legislature to get it lifted.

Assemblyman Brown said the legislature actually didn't include the cap when they adopted it.

Kevin Gilligan said this is not something the Town can do.

Assemblyman Brown said correct.

Jim Wolf thanked the Town Board for inviting them and Mary Jo for coordinating this public hearing. They will be discussing this at a future meeting. They appreciate the time to work together.

There were no further comments or questions.

Councilmen McConnell moved and Knapp seconded the motion to close the public hearing. Motion passed unanimously.

Councilmen Knapp moved and McConnell seconded the following resolution:

**A Resolution Adding a Tax Exemption for Volunteer
Firefighters and Volunteer Ambulance Workers in the
Town of LaFayette**

BE IT RESOLVED by the Town Board of the Town of LaFayette as follows:

Section 1. Purpose

This resolution establishes a tax exemption for volunteer firefighters and volunteer ambulance workers residing in the Town of LaFayette and to implement the provisions of Section 466-g of the New York Real Property Tax Law. The provisions of this resolution will help local volunteer fire and ambulance organizations servicing the Town to retain and attract qualified personnel to act as volunteer firefighters and ambulance workers in the Town. These volunteers provide critical lifesaving services to our community. Our community has greatly benefited from the services they provide and from the cost savings achieved as a result of their volunteer service to the people of the Town of LaFayette. In providing these individuals with such an incentive, it is intended that the brave and selfless acts they perform on a daily basis are acknowledged and recognized.

Section 2. Volunteer Firefighters and Volunteer Ambulance Workers

Effective January 1, 2006, eligible persons may make application to the Town for a partial tax exemption for tax rolls established on and after that date, in accordance with the procedures set forth herein.

Section 3. Statutory Authority.

This resolution is adopted pursuant to authority of New York Real Property Tax Law Section 466-6. All definitions, terms and conditions of such statute shall apply to this resolution.

Section 4. Exemption Established.

- A. Real property located in the Town of LaFayette and owned by an enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service or such enrolled member and spouse residing in the Town of LaFayette shall be exempt from taxation to the extent of ten percent of the assessed value of such property for town, part-town special district or fire district purposes, exclusive of special assessments; provided, however, that such exemption shall in no event exceed Three Thousand Dollars (\$3,000.00), multiplied by the latest state equalization rate for the assessing unit in which such real property is located.**

- B. Such exemption shall not be granted to an enrolled member of an incorporated volunteer fire company, fire department or incorporated volunteer ambulance service unless:**
- 1. the applicant resides in the Town of LaFayette and the Town of LaFayette is served by such fire company, fire department or ambulance service which the applicant is an enrolled member;**
 - 2. the property is the primary residence of the applicant;**
 - 3. the property is used exclusively for residential purposes; provided however, that in the event any portion of such property is not used exclusively for the applicant's residence but is used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided by this section; and**
 - 4. the applicant has been certified by the authority having jurisdiction for the incorporated volunteer fire company or fire department as an enrolled member of such incorporated volunteer fire company or fire department for at least five years or the applicant has been certified by the authority having jurisdiction for the incorporated voluntary ambulance service as an enrolled member of such incorporated voluntary ambulance service for at least five years.**
- C. Any enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service who accrues more than twenty years of active service and is so certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service, shall be granted the ten percent exemption as authorized by this section for the remainder of his or her life as long as his or her primary residence is located within the Town of LaFayette.**
- D. Application for such exemption shall be filed with the Town Assessor on a form as prescribed by the State Board of Real Property Services.**
- E. No applicant who is a volunteer firefighter or volunteer ambulance worker who by reason of such status is receiving any benefit under the provisions of this article on the effective date of this section shall suffer any diminution of such benefit because of the provisions of this section.**

Voting on the above was as follows:

Supervisor Gregory Scammell	Voted	Yes
Councilwoman Sandra Smith	Voted	Yes
Councilman David Knapp	Voted	Yes
Councilman William McConnell	Voted	Yes

Motion passed unanimously.

Councilman Knapp asked logistically how this gets implemented.

Marshall Taylor said there's a form from the state that the firemen must come and fill out. It must be certified by the fire department. The Assessors will ask for a list from the fire department of qualified firefighters and ambulance workers each year.

Councilman Knapp asked if the county adopts this, does everyone use the same form?

Marshall Taylor said yes. There might be different codes but it's handled the same way. The form is RP466G for Onondaga County.

Assemblyman Brown said they do have to renew it each year for the first 20 years and then it's automatic.

Councilman Knapp asked if there's anything for retired or recently retired folks.

Assemblyman Brown said no. It's only for active members.

COMMUNICATIONS:**A. Onondaga County Agriculture & Farmland Protection Board: Ag District #4 enrollees.**

Supervisor Scammell noted the Hubler's on Eager Rd. have been enrolled in the Agricultural District #4.

B. Central New York Planning & Development Board: MS4 Phase II Stormwater Update.

"The EPF contract between the Town of Manlius and the NYS Department of Environmental Conservation (NYSDEC) has been fully executed and work on the remaining work scope tasks is underway. Subcontracts with Cornell Cooperative Extension of Onondaga County and the Onondaga County SWCD are pending. The single greatest obstacle that needs to be addressed relates to the MS4 required local match contributions.

As you recall, the EPF grant has a 50% local match requirement. In exchange for \$290,000 to offset MS4 Stormwater Permit compliance implementation costs, SUA MS4s agreed to provide documentation of their in-kind, local match contributions. Total match will originate from a large number of individuals within each MS4. Designated Technical Representatives are responsible for collecting and submitting necessary documentation from all municipal contributors to CNY RPDB.

...In addition to that specific piece, MS4s should be documenting time spent discussing EPF Phase II tasks at municipal board meetings, copying and distributing various EPF related, municipal staff time in support of EPF funded projects such as

the storm drain stenciling or Project WET for local school districts, time for reviewing and commenting on material associated with MS4 working groups, etc...

Each MS4 will receive one hard copy and one digital outfall map of their municipality. The CD-ROM will contain digital photos and associated data collected for each mapped outfall within the urban area boundary. MS4s will also receive a summary sheet identifying potential illicit discharges based on field observations and other questionable findings identified in the field....”

C. NYS PSC: Telecommunications Service Priority.

“The New York State Public Service Commission continues its efforts to ensure the telecommunications in New York are highly reliable and that consumers are aware of steps they may need to take to be prepared for emergencies that may affect their ability to communicate. To this end, public comment is being sought on consumer awareness of and concerns about the Telecommunications Service Priority (TSP) program and how telephone companies have implemented this federal emergency preparedness program in New York State...”

D. Time Warner Cable TWI & TWCI.

“...As you know, an affiliate of Time Warner Cable Inc. (TWCI) operates a cable Television system in your community (the System) and does business as Time Warner Cable. Time Warner Cable is a subsidiary of, and controlled by, Time Warner Inc. (TWI)....

As you may have read, TWI recently entered into an agreement with Comcast to redeem Comcast’s interests in TWCI and an affiliate, Time Western Entertainment Company, L.P., that are currently held in FCC mandated trusts pending divestiture (the Transaction)...”

E. Lake Country Veterinary Clinic: Contract expiration.

“This letter serves to notify you that Lake Country Veterinary Clinic will not be renewing our Stray Dog contract with the Town of LaFayette. The contract expires December 31, 2005...”

Councilman Knapp said Sue Snavlin and Madeline Despres should be advised of this so they can give their keys back.

Supervisor Scammell will notify them of this.

F. Onondaga County: Requirements for filing Subdivision Maps.

G. National Grid: Holiday decoration attachments to NG poles.

“It is the time of year again when municipalities begin planning for decorating their business districts for the holidays. This letter is to inform you of National Grid’s policy and procedure regarding decorative attachments to our facilities and the energy used by any of the decorations, whether they are attached to poles owned by National Grid or by the municipal corporation...”

Councilman Knapp said this concerns the holiday wreaths that the Optimist Club put up on the poles as well as the flags they put up on the poles in the center of town. Basically they want to know what we are putting up and they want to be covered

under our insurance. If we don't attach the flags or wreaths correctly and one falls off and hits someone or damages someone's car, National Grid does not want to be held liable for it. This was faxed to Kevin Gilligan to review.

Kevin Gilligan said if we were the owner of the poles, we would be doing the exact same thing.

Councilman Knapp asked if any other towns have gotten anything like this.

Kevin Gilligan said not that he has reviewed.

Councilman Knapp said he has the description of the wreaths and flags and he is going to put together a letter with the addendum of the descriptions and get it to the supervisor to attach to the agreement so he can sign this on behalf of the Board. He talked to one of the people at National Grid who said they just need something on file.

Councilmen Knapp moved and McConnell seconded the motion to authorize the supervisor to sign the agreement with National Grid and to attach our insurance showing them as an additional insured. Motion passed unanimously.

Councilwoman Smith asked Councilman Knapp if he would be putting the timeframes for the flags and wreaths on the poles.

Councilman Knapp said yes. That way if someone else puts something up, we won't be liable for it.

Supervisor Scammell asked Assemblyman Jeff Brown if he would like to speak at this time.

Assemblyman Brown said as of November 2006, there will be new voting machines. They most likely will be digital election machines. They will basically be touch screens. You will touch on the candidate you want. A list of your selections will come up through a glass window. If it's correct, you will end your voting. The county will have the option to charge for bringing the machines out. There will be a lot of training sessions.

Assemblyman Brown will be holding a seminar on Medicare Part D on December 13th at 1:30 p.m. at Drivers Village. He will have people from the county, state and federal government there to answer any questions. They will be sending out a mailing to the seniors so they are aware of this.

Assemblyman Brown has been asked about the impact of Proposition 1 not passing. He thinks some of the provisions of the bill that didn't pass will be put in separate legislation including the 2-year education funding. Right now there are so many unfunded mandates without having any idea what the cost to local governments will be. He thinks it's a positive that a group will review the impacts of the bills before they are passed on to the municipalities.

Assemblyman Brown said they are going back in Session. It looks like there will be a surplus this year. Some of this is due to the gas tax. He has been arguing that they should go in Session and give some of this money back to the taxpayers. The Senate went in and passed it and the Assembly just won't do it. They are going to have some extra money and the question is where they will put it. They believe they should do some property tax relief. From there, they have to decide what they are going to do with some of the other money. They are projecting some deficit in the future as the state has taken some of the Medicaid costs of the county over. The state

gas tax has been suspended for the rest of the year. He would like to see \$200-\$300 refunded to every senior to help with expenses.

Councilman McConnell asked if the trend of the Assembly is not to prepare for the next down cycle.

Assemblyman Brown doesn't know. He doesn't know what is in the Speakers mind when he does something like this.

Marshall Taylor said his concern is that the taxes in New York State are simply out of control. We had the fancy pension benefit deal a few years ago. He thinks the extra money should be given back to the taxpayers. We are the highest taxed state in the nation and have the highest paid legislation. He thinks it's time they gave some money back to the taxpayers.

Assemblyman Brown said they are the second highest paid legislature in the nation. He agrees and he voted against the tax increase in Albany. He totally agrees but his vote hasn't carried in the Assembly.

Marshall Taylor said it's not fair.

Assemblyman Brown said to look at the cost of living in New York State, we have great house prices and everything else but taxes and utilities have gone through the roof. If we could get a handle on those two things, people would love to come here. He agrees we have to get this done. At the state level we put all the burden on the towns to raise the money without funding them because they can't get the job done in Albany.

Councilman Knapp is happy with the paper trail of the voting process. It's good to have a way to do a recount if needed.

Councilwoman Smith asked who would actually own the machines.

Assemblyman Brown said the county.

Councilman Knapp said we still get to pick our own inspectors but they will be paid by the county. He knows they want to cut down on the number of polling places but not on the number of machines.

Councilman McConnell asked what the future of the 174th is right now.

Assemblyman Brown said he is a member out there. It's very strong. They did get a commitment to get the predators. They are supposed to get them in 2009 but this may be pushed out.

Councilman McConnell asked if it was still 3 squadrons.

Assemblyman Brown isn't sure about that. The F16's may be pushed out to 2008 or 2009. Congressman Walsh is pushing to get F35's. They are scheduled to go overseas to a classified location next fall. This is the biggest deployment since the Persian Gulf.

Councilman Knapp asked if that would affect him.

Assemblyman Brown said it could. He is deployable and hasn't heard yet.

H. Cornell Cooperative Extension - Friends of Extension: Research based education.

“Increased health care, environmental sustainability, a viable economy, and social equity are major issues facing Central New York. Research-based education from Cornell Cooperative Extension (CCE) puts knowledge to work on these issues in our community...In 2005, CCE helped people stay healthy at work and school...Involved

residents in improving their neighborhoods and communities...supported Onondaga County agriculture...In 1996, the appropriation accounted for 56% of our budget, today, we receive about 40%...”

Supervisor Scammell said in the past they have supplied us with tent catipillar information and septic system information. They have provided us with some services.

Councilman Knapp moved and Councilwoman Smith seconded the motion to give \$100 to the Friends of Extension. Motion passed unanimously.

I. Syracuse Post-Standard: October’s job picture.

“Helped by an improvement in the manufacturing sector, the Syracuse area’s unemployment rate fell to 4.2 percent in October – below the state’s and nations’s 4.6 percent rate.

The unemployment rate for Madison, Oswego and Onondaga counties fell from 4.9 percent in September and 4.7 percent in October 2004...

Strong gains in professional and business services (up 1,100 jobs), educational and health services (up 800) and the leisure and hospitality sector (up 700) boosted the local economy and helped to drive the unemployment rate down.

However, another significant factor was the manufacturing sector, which did not gain jobs – but did not lose them either.

For the past several years, most of the Syracuse area’s major employment sectors, except for government, have been growing jobs. But the region’s overall job count was being held down by persistent losses of factory jobs...”

J. National Kidney Foundation: Kidney cars vehicle donation program.

Supervisor Scammell noted the Kidney Foundation will tow the vehicles for free and donors may get a tax deduction.

Councilman Knapp suggested giving Ralph Lamson a copy of this. It might be a suggestion for some of the folks with junk vehicles.

K. Municipal Electric and Gas Alliance (MEGA): Energy savings.

“If energy costs are impacting your municipal budget for 2006, please consider the Municipal Electric and Gas Alliance as a way to help.

MEGA is a non-profit purchasing alliance, originally established by several county governments in New York to help municipalities save money on their purchases of electricity and natural gas. MEGA’s approach is simple and direct: we aggregate municipal purchasers (as well as business and residential purchasers) to get more clout in the marketplace. We take bids for large groupings of energy purchasers to command the best prices in the often-confusing energy marketplace...”

Supervisor Scammell said there was another organization that approached us about a year ago for something similar to this. These are people who aggregate the electric and gas together.

Councilman Knapp said as far as natural gas goes, it wouldn’t help us.

Tom Chartrand said the group a year or so ago was called ESP.

Supervisor Scammell said we would have to compare the findings of this company to the ESP findings a year or so ago.

Tom Chartrand said there are about 22 companies listed on the Niagara Mohawk site. None of them tend to give you a forecast in advance. That is what we saw with ESP. He thinks the price was about the same when ESP got on one of our accounts.

Supervisor Scammell said in the case of oil, electric and gas, Niagara Mohawk is still delivering them to us.

Tom Chartrand said the bulk of your bill is the delivery charge.

Supervisor Scammell said New York State is very interested in this type of thing.

Councilman McConnell said he will do some research on this.

Tom Chartrand said Pompey is using ESP and once you turn over all your accounts, you really don't know what the savings are. It's quite a chore if you really want to track it.

Councilman McConnell asked Tom Chartrand if he would email him the number for ESP if he finds it.

L. Other.

SPECIAL REPORT. None.

REPORTS.

A. DEPARTMENTAL (4th Monday).

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

Ralph Lamson said they issued 11 building permits in October. One permit was for a house, one for a garage, one for a sunroom, one for a roof, 4 were for heating appliances and 4 were for sheds. The total came to \$836.00.

a) **1970 Junk Yard Ordinance review.** Process comparison, towing, “firm up”. (RL, JS, PB, ZBA & TB members, PP feedback).

b) **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. **2805 Route 11A.** Business in A-R.

c) **Riparian Rights.** “Warning. Altering drainage flows on your property may give rise to legal action against you by impacted property owners” – building permit, subdivision process, newsletter article. *(2)

Supervisor Scammell said in the past the Board has talked about the Riparian Rights and whether or not to put them on the building permits. He asked if the space for the drawing on the Permit is totally used.

Ralph Lamson would just as soon leave it off the permit. People will call and say you put it on the permit, now come out and enforce it.

Marshall Taylor said there is room for it at the top or bottom of the permit.

Councilman Knapp asked if you could word it so that it could let the person know they could be facing legal charges from the neighbor.

Councilman McConnell asked who would enforce this.

Kevin Gilligan said it would be a court of law. This would be between neighbors. This was just to alert people that things people do on their property can have impacts on their neighbors. Mr. Smith suggested we alert people to the fact that when they start pushing dirt around on their property, it could cause problems for their neighbors. He believes the language has been adopted and it should be on the building permits.

Councilman McConnell asked if it could be put on the permit and the person to enforce this could be put on there too.

Supervisor Scammell asked Ralph Lamson if he could think of any way to word it so we could let the builders know without burdening Ralph with the calls.

Ralph Lamson said he doesn't know why we are getting involved in this. We were never involved with it to begin with.

Supervisor Scammell said to avoid situations like the Zangari's have faced.

Ralph Lamson said he isn't even sure Mr. Carter altered the drainage of the land.

Councilman Knapp asked if we will be the enforcement at some time when the MS4 goes into effect.

Kevin Gilligan said yes.

Marshall Taylor said it doesn't surprise him that someone could move around some dirt on their land and have problems in the area. Depending on the amount of rainfall in a short period of time, these problems could happen anyway. It might not necessarily be the property owner that caused it. He thinks this is a grey area.

Kevin Gilligan said it has already been adopted by the Board. We are now deciding if the Board is going to change their mind.

Marshall Taylor said maybe there will be a case where someone alters the drainage but sometimes it's just due to heavy rainfall in a short period of time.

Supervisor Scammell said this could be added to the building permit or delayed until the SPDES takes effect.

Councilman McConnell said the town responsibilities should be defined.

Kevin Gilligan said one of the first things the Board will have to decide is the scope of the SPDES requirements in the Town of LaFayette. Right now only a small portion of the town is in the MS4 area. The Board will have to decide if they want to make the requirements town-wide.

Ralph Lamson said right now it's only the north part of the town because that is closer to the city. The gentleman who came out and talked to them about this said this is due to the population.

Kevin Gilligan said if you choose to only apply the MS4 to the north part of the town, the area the Zangari's live in wouldn't be affected by it. If you decide to make this town-wide, you will be protecting more people but you will be taking on more responsibility then you are required to.

It was decided to review the Riparian Rights when we get further into the SPDES.

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

- Dog logs – 2005.

Supervisor Scammell said there was an emergency of two dogs over the weekend. They believe these are the dogs that have been at a property on Stillmeadow Rd. The bill for one dog was \$164 and it was \$296 for the second dog. One had a clearly severe injury to his head. The other dog has a broken leg. After they were treated at the emergency facility, they were transported to LaFayette Kennels. After that they were transported to Lake Country to continue their medical care. He believes Hearts of Stray will be picking up their future medical care. This is a problem we have. It's a holiday weekend and people are not open. You do have to stabilize the animal. There was no identification on the dogs and they look reasonably healthy.

3) **Highway Superintendent**: Leon Cook.

Leon Cook said since his last report, they have done a lot of work on all the snowplows. They have worked on the trucks and the plow equipment. They have replaced any hoses that looked like they could break. They had two pickup trucks that wouldn't pass inspection. They were the 88GMC and the 92. They did a lot of work on them and they have passed now.

Councilman McConnell asked what the problems were.

Leon Cook said they had to do all kinds of work because of the air pollution act. They had to replace rotors, brake pads, etc. There were a lot of little things they had to do. When they were working on the all-wheel-drive, they had trouble getting the little cylinders for the transfer case. They cost about \$60. They are hard to get. They had to wait about a month for two to come in. He did some research and was able to get one overnight from Mac. They billed him for the freight on the two that finally came in. They are only supposed to charge freight if you request it overnight. Bob Carson got it cancelled out for him as it took 30 days for them to come in.

Truck 2 had a problem with the transmission when plowing snow. It turned out to be a leak that they fixed for \$561. It's working fine now. So far this year they went around twice on two different days. Their diesel and heating oil are being brought by Mohawk Valley now. Suburban bought out Agway and when it came time to renew the state bid, Suburban wouldn't do it. We almost ran out of fuel at the Community Center. It's a 275 gallon tank and 201 gallons have been used so far. He got Mohawk Valley to come out Saturday and put 201 gallons in. They couldn't put any in at the Highway Dept. as their fixture didn't fit the tank. They still have enough for now so he told them to forget it.

Leon reported on Councilman McConnell's letter regarding conserving energy. When the fuel prices were up, he increased the amount of salt in the sand so the trucks could do their route with one load and not two. They have increased the thermostat no higher than 50 degrees. For awhile in the morning they turn one up to 58 degrees. All unnecessary lights are turned off. The Department has implemented the policy not to idle trucks longer than 5 minutes to warm them up or before shutting them down. Whenever they have to go out on a job, they try to use one vehicle to transport the help. They haven't been using the electric heater. The Highway Dept. has continuously strived to conserve energy in the past and will continue to try to do it in 2006 and well into the future.

Councilman McConnell thanked him for his response. He asked if Leon tracks the fuel usage every year.

Leon Cook said yes.

Supervisor Scammell said the 201 gallons delivered to the Community Center is pretty much for usage in the months of October and November.

Leon Cook said in April or May they put 201 gallons in it and it filled it up.

Leon wanted the Board to know his recently employed man, John Greeley, is working out real well.

Supervisor Scammell assumes this is about 1 ½ months of usage at the Community Center. We have put up the signs and he hasn't seen the door open since then. Maybe next year we can get a quote for new windows.

Mary Jo said Herb Salladin advised the back door was unlocked again.

Councilman Knapp will be talking to Fred Groth about the ice buildup and will discuss this with him too.

Mary Jo said the light out front at the top of the building needs to be replaced too.

4) **Justice**: Malcolm Knapp & Maureen Perrin.

- **Justice Clerk replacement.**

Written reports were submitted for July, August, September and October.

5) **Library Director**: Scott Kushner.

A written report was submitted for October as well as Library Board Minutes.

Councilman Knapp asked about in the Minutes where it states "...We have been informed as of January 1, 2006 that the number of free transactions that the Central Library will give us drops from 50,000 to 30,000. This means that we will have to pay more money to have articles taken out of our library. Because we were just informed, this was not included in our budget requests for the year 2006. Scott is going to discuss with Greg Scammell about the possibility that the \$4,000 in late due fees we return to the Town of LaFayette each year, may be a source we can use to make up this short fall..."

Tom Chartrand said they give the Town \$4,000 a year from what they receive from late fees. They could collect \$10,000. We don't audit them on this. It's an offset to the expenditures already.

Supervisor Scammell said it's not money just sitting somewhere else.

Tom Chartrand said we use this money to reduce taxes to fund the library. If they were going to give us \$5,000 this year, they could have another \$1,000 to spend.

Councilman Knapp said he just isn't sure what kind of fee this is.

Tom Chartrand said he knows each quarter they write a check to the Onondaga Public Library. Some of it's for these type of things. Some of it's for mailings they do, etc.

Supervisor Scammell believes the part of their Minutes referring to Bruce Donohue preparing the 990's is relating to the payment.

Tom Chartrand said the 990's are getting done more on time than they were in the past. This might be the explanation of how it shifted. He thinks they are asking for

the town to pick up the 990 fee for the second bill this year. He thinks it's about \$3,500.

Supervisor Scammell asked if this is for this year's 990's.

Tom Chartrand thinks they would like the Board to pay it this year. He said the General Fund has taken quite a few hits this year due to all the fees we are taking on for the water districts. We are going to be tight.

Councilman McConnell said the real issue is the preparer wants to be paid in the current year and the library hasn't budgeted for it.

Tom Chartrand said this year he is done in October where normally he is done in November or December and bills in January.

Councilman McConnell said the budget we just passed supports that bill coming in January.

Tom Chartrand said correct.

Councilman McConnell asked if we could ask the preparer to hold off his bill until January.

Supervisor Scammell said they don't say if they actually have a bill.

Tom Chartrand said if the 990's have been produced, he would suspect they have a bill. Normally we don't get the 990's until December or January. He thinks they are asking for the town to take on one of the bills to get them back on track.

Supervisor Scammell said we can't this year but maybe will be able to next year.

Tom Chartrand said as soon as we get the water districts under control and the bonding for them, we will not be in trouble. Until that time, we are tight and he is sure there are some bills before the Board tonight for this.

Supervisor Scammell will email Scott about this.

Councilman Knapp noted Rita Golden is the newest member of the Library Board. He asked about accepting her appointment.

Supervisor Scammell asked Mary Jo to research this. He recalls this was looked into when Clay Smith was Supervisor.

Councilman Knapp said the concert on the 22nd was excellent. It was a lot of fun.

6) **Recreation Director**: Regina Reinschmidt.

A written report was submitted.

7) **Town Clerk**: Mary Jo Kelly.

A written report was submitted for October.

• **Cleaning appointment.**

Mary Jo said she is taking a Leave of Absence from the cleaning position of the Town Offices. Supervisor Scammell has been kind enough to offer to take this position over in her absence. She would request the Board appoint him to fill this position in her absence.

Councilman Knapp moved and Councilwoman Smith seconded the motion to appoint Supervisor Scammell to fill the position for cleaning the Town Offices effective December 1, 2005. Voting was as follows:

Supervisor Scammell	Abstain
Councilwoman Smith	Yes

Councilman Knapp Yes
Councilman McConnell yes

Motion passed.

- 8) **Town Supervisor**: Greg Scammell.
 A written report for October was submitted.

- a) **Intermunicipal Shared Services/Cooperation & Consolidation, 2005**
 Onondaga Citizens League study.

Supervisor Scammell said one item that consistently comes up is that if you are looking for consolidation to save money, you will probably be unhappy.

- b) **Apulia Road property** – flooding & ice buildup: Awaiting SEMO grant application.

Councilwoman Smith moved and Councilman Knapp seconded the motion to make the following transfers:

GENERAL FUND:

To: A1620.2 Buildings	Equipment	\$6,000.00
A3310.4 Traffic Control	Contractual	300.00
A8989.4 Water Systems (North Laf)	Contractual	14,000.00
A8989.4 Water Systems (Coye Rd.Ext)	Contractual	600.00
A9040.8 Workers Compensation	Employee Benefits	50.00
A9050.8 Unemployment Insurance	Employee Benefits	<u>350.00</u>
		\$21,300.00

From: A1620.2 Buildings	Contractual	\$6,000.00
A3310.2 Traffic Control	Equipment	300.00
A599 Surplus	2004	14,600.00
A9060.8 Employee Benefits	Health Insurance	<u>400.00</u>
	TOTAL	\$21,300.00

SPECIAL FIRE DISTRICT FUND

To: SF9025.8 LaFayette Fire	Local Pension Fund	<u>\$800.00</u>
		\$800.00

From: SF9040.8 LaFayette Fire	Workers Compensation	<u>\$800.00</u>
	TOTAL	\$800.00

Motion passed unanimously.

Tom Chartrand said he submitted the PERMA information. It looks like we should be well within our budget.

B. **COMMITTEE** (2nd Monday).

1) **Communications & Technology.**

a) **Town Website: November, 2005 Web Status.**
A written status report was received from Mike Forte.

b) **Transition to Digital Towpath.**

- **Parallel operations.**
- **Website** – lafayette.ny.us.gov?
- **Town email addresses** (tolxxxxx@aol.com to tolxxxx@??) – conversion & new.
- **File transfers.**

2) **Emergency Response** (TB/BM).

- a) **LFD exhaust vents** – AFG grants.
- 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.**

- 2006 assessment.

5) **Highway** (PP/LC/DK/SP/CP).

- a) **Long term capital equipment forecast.**
- b) **Road maintenance schedule.**
- c) **Spring Cleanup Program** – Wood disposal options/DEC burning permits, Clifton Recycling.

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

- a) **LaFayette Community Center:** Ice buildup solution over kitchen area (Deferred until later this year). DK.

Councilman Knapp asked the Board to pass a motion not to exceed a certain amount for this.

Councilmen Knapp moved and McConnell seconded the motion to have Fred Groth do work on the Community Center for ice buildup, change the light bulb

and check the back door lock for an amount not to exceed \$900.00. Motion passed unanimously.

b) **Heating/Cooling system alts & new temperature controls**, Ph. 1 report, Clay Smith, P.E.

c) **Energy usage reduction program (BM).**

Supervisor Scammell thanked Councilman McConnell for writing the letter regarding energy conservation.

d) **A/C repair.**

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

a) **Marion Bailey Park.**

1. **BSA Scout Stephen Kuhns** – Eagle project, install grills.
2. **BSA Scout Peter Slowick** – Eagle project.
3. **Pavilion YCIP(?)**/Local estimates.

b) **LaFayette Beach.**

1. **Survey/transfer LaFayette Beach from LCC to town.**
2. **Roof over sandbox** (Herb Salladin). Bids. DK.
3. **Repair lacrosse box.**

c) **Fred Stafford Park.**

1. **Lacrosse facility** – estimates (\$5K – materials only), (re)location possibilities.
 - **Tully-\$12k** – materials only (all volunteer labor).
2. **Geese & feeding** – signs.
3. **Clapboards on backside of bathrooms need repair.**
4. **Polypropylene netting** – Gary DePalma. Estimates for additional (Jack's Shack, Beach) netting projects. \$2100 for Stafford Park Pavilion. DK. Remove light?(PP suggestion).

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

a) **LPL 7.26.05 inspection follow-up.**

b) **Box Lacrosse 8.29.05 inspection follow-up.**

c) **Stafford Park concession building 6.24.05 inspection follow-up.**

d) **LaFayette Beach 6.24.05 inspection follow-up.**

9) **School District liaisons** (BM/PP).

10) **Senior Transportation & Housing** (GS/BO).11) **Service Awards** (DK/BM/JS/GH).

- **Tax exemptions.**

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) **Northeast LaFayette Water and Smokey Hollow Service Improvement districts.** Financial assistance letter to Congressman Jim Walsh complete.

Supervisor Scammell said December 2nd is the last day for signing the current petition that is out there. They are still working on getting enough signatures.

Councilman Knapp asked how the November 17th meeting went.

Supervisor Scammell said it went well but he doesn't think they have enough signatures at this time. The Steering Committee has met and sent out a letter indicating that if the residents think this particular petition does not pass there will be one of a smaller area in the future that is not necessarily true. On December 2nd we will know if they have the amount of signatures needed or not. It was indicated to the residents that the Town Board has no feelings on this and that it's up to the residents.

Councilman Knapp asked if anything had come back from Congressman Walsh's Office yet.

Supervisor Scammell said not yet.

Councilman Knapp said he is going to see Congressman Walsh on the 10th of December and if he can bend his ear about it for a couple of minutes, he will do whatever he can.

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

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

Councilman Knapp said he got a call today from the DOT folks that the manger scene needed to be moved back a few feet. Basically they are doing a survey right now looking at two things. One is the possibility of putting in a turn lane. Whatever they do in conjunction with this, they are looking at totally redoing the drainage in the junction of Route 11 and Route 20. The guy told him they are usually 2-3 years ahead of the project.

14) **Zoning Review** (GS).

- a) **Jamesville Reservoir Preservation District/JRPA** change.

- b) **New instruction sheet for subdivision, variances & controlled site approval** (note riparian rights/drainage, SOCPA meets every 3 weeks, public notification of neighbors, applicants without counsel/surveyor/engineer, meeting frequency, include Onondaga County subdivision filing requirements*) .

Supervisor Scammell advised Mary Jo has been working on this.

- c) **Corridor Plan.**

- d) **Digitized zoning map, correction & amendments.**

- e) **Density** (rezoning from A-R to Rn), noise (from neighboring businesses).

9. **LITIGATION & OTHER LEGAL MATTERS.**

A. **Onondaga Nation land claim & land rights.**

B. **William May mobile home on Jamesville Reservoir.** County court rules in town's favor.

Councilman Knapp noted the survey was received. He is due back in court around the same time as he is scheduled to go to the Zoning Board of Appeals Meeting.

C. **Robert Shute** – Route 11.

Councilman Knapp asked if there is any schedule for when we should hear something from the DeWitt Court.

Kevin Gilligan said they had the trial. Once the Judge reads the two briefs, he should come up with his decision.

D. **Lynn Hutton** – Summer Ridge Road work.

Kevin Gilligan advised they got him the documents he wanted but never got the release from the folks who hold the mortgages. That is being held up pending the releases. Right now we can't get the insurance to cover the gap and the real estate has not been completed. It's very important that no building permits are issued until we get this thing wrapped up.

Supervisor Scammell asked Ralph Lamson if he had the authority to withhold a permit.

Kevin Gilligan said the conditions of the Planning Board haven't been satisfied yet.

Ralph Lamson said technically this hasn't been approved by the Planning Board yet as he hasn't met the conditions so he can't issue a building permit at this time.

Councilman Knapp said as far as the insurance, is that something we need to address tonight?

Kevin Gilligan thinks we should tell Lynn what the Board's decision is. He doesn't think there's a thing we can do about it.

Councilman Knapp asked how long the period of time was.

Kevin Gilligan isn't sure when the work was done. It would be from the time the work commenced until the policy started.

Councilman McConnell thinks the work was done in September.

Kevin Gilligan would think you are talking about a month or two. At this point, he would just keep everything on hold until the real estate is wrapped up.

E. LaFayette Housing Associates/Festival Gardens: Real Property Tax Law Section 581-a.

Marshall Taylor said Festival Gardens has requested to change their assessment due to this new law. He has referred this to John Langey. They already have a special PILOT Agreement with the town. What they are trying to accomplish, he doesn't know. If they want to rescind their PILOT and go with this change, they need to decide this.

Kevin Gilligan said the town extended the PILOT for 5 years and we will be entering year one in 2006. He thinks they are just looking at their options.

Councilman Knapp believes there is a cancellation clause in the PILOT.

Kevin Gilligan thinks they have gotten to a point where they don't want the assessment to just go wherever it goes at the end of the PILOT.

Marshall Taylor said the things left unassessed at the last meeting were the apartments. Willowood just sold for 4 million dollars. That is double what the assumed value is. This means Festival Gardens is really underassessed.

Councilman McConnell said he has received a couple of calls regarding complaints at Festival Gardens.

Supervisor Scammell said he had one complaint and advised the person to call Jim Zalesky. He hasn't heard anything since.

10. UNFINISHED BUSINESS & ACTIVE PROJECTS.

A. FOCUS 2010 - Strategic Plan survey.

Councilman McConnell said a presentation will be made at the next Town Board Meeting. He requested this be put in the communication section of the agenda. There will be plenty of copies to give to the Town Clerk for anyone who wishes to have one.

B. 2006 Town-wide property revaluation.

C. SPDES.

D. Current IRS 990's: LFD(current), LPL(current) & LCC.

Supervisor Scammell said he still hasn't received any 990's from Community Council.

E. Other.

Leon Cook said they got delivery on the new truck from Stadium today. There is some paperwork that needs to be taken care of. He asked Councilwoman Smith to give a report on the last Safety Meeting.

Councilwoman Smith said we got such a good rating that the inspector is making a recommendation for the town. She has emailed the Board about this.

Leon Cook said we reached 100.

11. **NEW BUSINESS**

A. **National Grid insurance certificate.**

B. **Other.**

Councilman McConnell requested the Fire Department and School Board be notified of the Town Board’s approval of the volunteer firefighter and ambulance worker exemption.

Kevin Gilligan would recommend giving them a copy of the resolution passed and a copy of the application form.

Marshall Taylor said for the Town of LaFayette it would be \$29.63/1,000. This would be town, county and school. The maximum that could be received per exemption would be \$88.89.

Councilmen Knapp moved and McConnell seconded the motion to authorize the Supervisor to sign the lease for the new truck. Motion passed unanimously.

Councilmen Knapp moved and McConnell seconded the motion to declare the old Town Clerk 362 computer surplus. Motion passed unanimously.

Suggestions for improvement and positive contributions.

Supervisor Scammell thanked everyone who worked on the budget this year.

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

HIGHWAY FUND	#4504-4511
GENERAL FUND	#4512 – 4537
SPECIAL DISTRICT FUND	#4489
TRUST & AGENCY FUND	#4490-4503

Motion passed unanimously.

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

The Town Board/Public Hearing Meeting adjourned at 8:25 p.m.

Respectfully submitted,

Mary Jo Kelly
Town Clerk

Adopted 12/13/05