

Minutes of the Town Board Meeting held by the LaFayette Town Board on May 8, 2006 at 6:30 p.m. in the Meeting Room of the LaFayette Commons Office Building at 2577 Route 11 in the Town of LaFayette

Present: Gregory Scammell, Supervisor  
David Knapp, Councilman  
Thomas Bailey, Councilman  
William McConnell, Councilman  
Adrian Shute, Councilman

Recording Secretary: Mary Jo Kelly, Town Clerk

Others Present: Leon Cook, Highway Superintendent  
Ralph Lamson, CEO  
Kevin Gilligan, Town Attorney  
Marshall Taylor, Assessor/Clerk  
Tom Chartrand, Bookkeeper  
Steve Chase  
Jim Moore, DCO  
Douglas Scholes, Dep. DCO  
Lorraine & Jerry Brown  
Knowlton Foote  
Don Miller

1. Supervisor Scammell called the meeting to order at 6:31 p.m.
2. The Town Clerk took the roll. All present.
3. Pledge to our U.S. Flag led by Town Councilor Bill McConnell.
4. **Councilmen Bailey moved and McConnell seconded the motion to accept prior meeting minutes of April 24th, 2006 as submitted by the Town Clerk. Motion passed unanimously.**
5. **Public Hearings. None.**
6. **COMMUNICATIONS.**
  - A. **Residents. (Please sign in and give your name before you speak).**
    - **Lorraine & Jerry Brown: doublewide vs modular definition.**  
Not present yet.

Knowlton Foote was present. He said there will be a meeting at the Community Center a week from Thursday which is the 8<sup>th</sup>. He passed out a flyer. It will be about Onondaga Creek. A month or two ago we had a lady named Amy Samuels come to a Board Meeting to talk about this. Knowlton is the representative for the Town of

LaFayette. They are trying to figure out what they can do to improve Onondaga Creek. This is an earnest attempt to do this. He would think there will be a fair number of people at the meeting. They hope to get between 50 and 60 people. Now is the time to let them know if you would like to see some projects for the Creek. There will be refreshments. This is the third of four meetings they will hold. He hopes everyone can make it.

John Dunkle said we need to fine tune one of the actions made. Right now Community Development is in the process of evaluating our application. They contacted Supervisor Scammell last week and said they reviewed the application for Smokey Hollow Service Improvement District and they couldn't approve it as it only benefited 10 property owners and those property owners weren't within the income levels required. It was decided the grant should be spread out to include the Northeast LaFayette Water District. He received word this morning that Community Development did approve the application with the Northeast LaFayette Water District included. Having done this, we realized the agreement made two weeks ago between the two water districts specifically said sharing the grant money between the two districts excluded the Community Development Grant. We need to take out the clause that excludes the \$100,000 from Community Development and put in a blanket statement that says "...any grant money and financing obtained by the Town for the Project shall be applied proportionately between the districts, in such manner that the resulting annual cost to the typical property owner will be the same for those residing in both districts..." He is here tonight to ask the Board to approve the amended agreement between the two districts. It just takes out the clause regarding Smokey Hollow and the \$100,000 Smokey Hollow grant.

Supervisor Scammell asked if there were any questions.

Councilman Shute said obviously we don't want to delay the application for fear of loosing the money but switching this now goes against the agreement of the two districts. If we live by this, any new money that comes in will be divided proportionately and you have two levels of payments.

John Dunkle said that is the beauty of taking this wording out, the money will be shared proportionately. The language still says "when approved by the granting agency...the financing obtained....shall be applied proportionately between the districts..." Community Development is saying their policies don't allow them to put all the money into Smokey Hollow.

Councilman McConnell asked if Community Development funds \$100,000, does that mean \$50,000 for each district or do we have the leeway to distribute it?

John Dunkle said we will have to find out what their rules are. We have to play by their rules but we do have flexibility.

Councilman McConnell asked if the chairmen of the two steering committees have anything to say about this.

Supervisor Scammell said he sent them an email but didn't hear back from them.

Councilman Shute said that might not be the best source of information. He is a little nervous about getting one source of information from one person who is stating the will of the entire group.

Councilman McConnell said he is satisfied as they have been kept in the loop.

Supervisor Scammell said if we don't amend it, we loose the \$100,000. If we amend it, we might get it and find out how we can distribute it. He asked if there was anyone from the area present. No one came forward.

**Councilman McConnell moved and Councilman Knapp seconded the motion to accept the amended agreement as follows:**

**AMENDED AGREEMENT BETWEEN THE NORTHEAST  
LAFAYETTE WATER DISTRICT AND THE  
COYE ROAD WATER DISTRICT AKA  
SMOKEY HOLLOW WATER DISTRICT RELATED  
TO WATER DISTRIBUTION COSTS AND FINANCES**

**May 8, 2006**

**WHEREAS, residents living in the territory of the Northeast LaFayette Water District (hereinafter **ANELWD@**), Town of LaFayette, have been served by the East Syracuse Water District as direct customers and the Village of East Syracuse has also serviced the existing Coye Road Water District aka Smokey Hollow Water District (hereinafter **ASmokey Hollow Water District@**) and provided water to each; and**

**WHEREAS, the customers of NELWD, the Smokey Hollow Water District and the Town of LaFayette have been advised by the Village of East Syracuse that it will terminate maintenance of service lines and provision of water service to this area of the Town of LaFayette; and**

**WHEREAS, the Town of LaFayette has taken steps to form the NELWD and is in the process of obtaining State Comptroller approval for formation of this district; and**

**WHEREAS, the infrastructure of the former service lines for the area to be served by the NELWD are in disrepair and are in need of replacement; and**

**WHEREAS, the Smokey Hollow Water District is an existing district also located in the Town of LaFayette, with no current debt; and**

**WHEREAS, the infrastructure of the Smokey Hollow water District is also in disrepair and in need of replacement; and**

**WHEREAS, the Onondaga County Water Authority (OCWA) has represented that it possesses the capacity and ability to adequately supply the parties to this agreement with potable water at pressure and in volume necessary to accommodate the needs of these parties well into the future; and**

**WHEREAS, OCWA has proposed to furnish the parties to this agreement with an adequate supply of potable water for further distribution to the NELWD and the Smokey Hollow Water District and to their respective customers; and**

**WHEREAS, it is estimated that the total cost of replacement of the water systems and hookup to OCWA for the two districts is \$1.4 million, with the respective costs being \$1,231,000 for the NELWD and \$170,000 for the Smokey Hollow Water District; and**

**WHEREAS, the NELWD and the Smokey Hollow Water District wish to enter into this agreement for the purpose of coordinating financial matters concerning the two projects with respect to grants and borrows,**

**NOW THEREFORE, it is agreed by and between the parties herein, in consideration of their mutual promises, covenants, benefits and other valuable consideration, as follows:**

- 1. The two water districts, through the Town of LaFayette, shall combine their efforts to seek grants, financial assistance and other financial assets needed to complete construction of the two water district replacement and connection projects (hereinafter the AProject@)..**
- 2. To the extent granting sources allow, any grant money and financing obtained by the Town for the Project shall be applied proportionately between the districts, in such manner that the resulting annual cost to the typical property owner will be the same for those residing in both districts.**
- 3. It is understood and agreed that this agreement is expressly conditioned upon any needed approval for the creation of the NELWD by the New York State Comptroller=s Office.**
- 4. The term of this agreement shall extend for so long as there is any debt outstanding for the Project.**

**Voting on the above motion was as follows:**

|                             |              |            |
|-----------------------------|--------------|------------|
| <b>Supervisor Scammell</b>  | <b>Voted</b> | <b>Yes</b> |
| <b>Councilman Knapp</b>     | <b>Voted</b> | <b>Yes</b> |
| <b>Councilman Bailey</b>    | <b>Voted</b> | <b>Yes</b> |
| <b>Councilman McConnell</b> | <b>Voted</b> | <b>Yes</b> |
| <b>Councilman Shute</b>     | <b>Voted</b> | <b>Yes</b> |

**Motion passed unanimously.**

Councilman McConnell asked John Dunkle what the approximate time-frame is for the next two steps.

John Dunkle thinks in June the legislature will be finalizing all their projects. The hookup application has also been forwarded. He doesn't know about HUD. He was advised it would be a couple of months before we heard anything. We have also submitted our application for approval from the NYS Comptroller's Office. Applications have also been sent to Rural Development and the Drinking Water Fund.

Kevin Gilligan said this agreement will be forwarded on to them too.

Councilman Bailey asked if he saw any problems arising at the Comptrollers Office.

John Dunkle doesn't think so but isn't sure.

Councilman Bailey asked if he should get on the phone with his county legislator tonight after the meeting.

John Dunkle said it wouldn't hurt.

Lorraine and Jerry Brown arrived so the Board returned to their request on the agenda.

Lorraine Brown said they have been to two Zoning Board of Appeals Meetings and at the last one they were advised they should come to the Town Board to see about changing the Zoning Ordinance to include double-wides. She would like to know what they have to do to get the zoning changed. They are trying to replace their trailer that has

been there since 1975. They didn't realize there wasn't a variance for it. They have been through various organizations looking for grants to help them. Southern Hills is willing to work with them to replace their home with a double-wide. They need to know if they can get a variance for this or how to get the zoning changed. She has lived here her whole life and is willing to do anything to be able to stay here. She doesn't think her neighbors would object to her trying to make her home look better.

Supervisor Scammell asked Kevin Gilligan about changing the ordinance vs. a variance.

Kevin Gilligan said a variance application is made to the Zoning Board of Appeals. They have the power to grant a variance. This would be a use variance. It would apply only to that particular property. A zone change would be the Town Board looking at the existing zoning ordinance to see about the change and it would be for the whole town.

Lorraine Brown said the Zoning Board of Appeals advised a use variance is very hard to get. She would have to show a house couldn't be built there. She knows there are trailers on farms in LaFayette. She knows one trailer was replaced this year with a newer one. She knows they are allowed in trailer parks.

Councilman Knapp asked when the last amendment was made to the Zoning Ordinance on this.

Jerry Brown said in 1970. They are not saying a single-wide. They are saying a double-wide on a foundation.

Lorraine Brown said Bob Drumm did state there was a variance granted once before to replace a mobile home with another one until the owner died. She doesn't have any idea what happened with the trailer they are living in.

Supervisor Scammell confirmed they are interested in taking away the current structure that is there and replacing it with a double-wide.

Lorraine & Jerry said to be put on a foundation.

Councilman McConnell asked if the home would be a modular or a manufactured home.

Lorraine said a manufactured home.

Councilman McConnell confirmed the manufactured home would be permanent.

Jerry Brown said yes.

Councilman McConnell asked why a modular home is more expensive than a manufactured home.

Jerry Brown said most of the modular homes need to have the electrical, dry walling, plumbing, etc. still done when they are delivered.

Don Miller introduced himself. He lives in Jamesville and last year he put a manufactured home on a lot in Jamesville. The main difference between a modular and a manufactured home is the frame. On a manufactured home it's on a metal frame. A modular home will loose the frame. In 1976 they stopped making double-wides.

Councilman Knapp asked about loosing the frame.

Don Miller said you have two beams on a manufactured home. It comes down the road on these beams. When it gets to the site, it's placed on the foundation with metal jacks or it's on concrete cinder blocks. This is done with one side and then the other side is moved into position. You drop the axles. Then the manufactured home is affixed to the foundation. In the manufactured home, it comes with all the plumbing. The manufactured home is the only one that meets the true government regulations for

heating, electrical, plumbing, etc. Everything inside the home is preapproved by the federal government.

Councilman Knapp asked if that supersedes New York State Code.

Don Miller said it supersedes New York State Code and the codes the town uses. The towns' codes come into play from the ground up.

Councilman Knapp asked about modular homes.

Don Miller said they have a different floor framing system. It's not built on the beams. The floor is usually placed on 2 x 6's. There's no plumbing underneath. The wiring is in tact but you still have to have an electrician come in and do the final box. On the manufactured homes, this is already there.

Marshall Taylor said you have to have someone come in and put your furnace in for you on the modular homes.

Don Miller said that is right and your water heater too. The manufactured homes come with all your appliances. His suggestion is that the Board look at Sunday's paper at the American Homes or visit a dealer. He invited them to see his house. You have to have an approved NYS skirting.

Jerry Brown said they want to go with brick.

Don Miller said his is all hand cut stone. Anyone is welcome to come see his home at 6050 E. Seneca Turnpike in Jamesville.

Councilman McConnell asked if a manufactured home fits the bill of a mobile home.

Don Miller said not any more.

Councilman Knapp asked if we even need to amend the regulations for this.

Jerry Brown said the Zoning Board of Appeals said they had to come to the Town Board.

Councilman McConnell said there might not be any amendment required if a covenant can be put on the property involved.

Kevin Gilligan said it's primarily a Code Enforcement Officer's call.

Supervisor Scammell said we need feedback from the Code Enforcement Officer and the attorney as to what our options are.

Councilman McConnell asked when they are trying to make this change.

Lorraine & Jerry Brown said as soon as possible.

Councilman McConnell asked if it would be on the same site as the trailer is now.

Lorraine Brown said yes.

Supervisor Scammell said to leave him their phone number so he can keep them advised as to what's going on with this.

Tom Chartrand said a couple of years ago Fabius amended their regulations on this. They require a 4' full foundation.

Councilman McConnell asked if Southern Hills is ready to work with them.

Lorraine said yes.

Jerry said as soon as they get the approval, Southern Hills is ready to go forward with this.

Councilman Bailey said they made reference earlier that there was a site in LaFayette that has replaced a trailer with a trailer this year.

Mary Jo said it was a site that received a variance years ago.

Lorraine Brown said it was Warners on Webb Rd.

Councilman McConnell said this Board doesn't meet for another two weeks. They have a time-line and need to get on with this.

Jerry Brown said they are O.K. with the two weeks.

- **Jim & Melodye Reed: taxes and assessments (& response).**

Supervisor Scammell said he received the following letter from Melodye and Jim Reed:

“Good Job! Having lived in LaFayette for over 25 years, I can honestly say I have never seen property taxes and assessments so completely out of control. Our assessment went up 20,000.00 two years ago, and up 50,000.00 this year. For a house with a little over 1400 square feet including the basement, one bedroom loft, with no improvements in 13 years.

We cannot afford the constant loss of income every two years. We are now looking for a home elsewhere that is affordable for us. Keep up the good work!”

Supervisor Scammell said they also included an article on “Anger Over Taxes in Skaneateles”. He said he responded to their letter as follows:

“Thank you for your recent April 21<sup>st</sup> letter to me regarding your property taxes and assessments.

I checked with our Assessor’s office regarding your property at 4218 West Shore Manor. They have a Resident Property Record Card on each parcel in LaFayette. I’ve attached a copy of yours for your review. This data provides the basis for your assessment. Please check and verify the information they have. If you find information on it that is incorrect, the next step is to contact the Assessors Office at 677.3420 and let them know if you have information about your residence that is different than what they have on the Resident Property Record Card.

According to their records, your recent assessment history is:

|      | <u>Land Value</u> | <u>Total Value (including residence)</u> |
|------|-------------------|--|
| 2002 | \$35,000          | \$ 89,000                                |
| 2003 | \$45,800          | \$109,000                                |
| 2004 | \$45,800          | \$109,000                                |
| 2005 | \$45,800          | \$109,000                                |
| 2006 | \$74,000          | \$159,000                                |

I checked with our records to determine if you’d met with Mr. Fitts, the assessment revaluation contractor or our Assessors office (Mr. Taylor) and they indicated that they’d not been contacted by you regarding your concern over your assessment. Mr. Fitts sent a recent mailer to everyone regarding their new assessments and invited people to come and discuss their assessments with him if they had concerns. Unfortunately, the time period for him personally to review challenges to assessments is past. However, you can still make an appointment with Mr. Marshall Taylor or Mrs. Mary Doster at 677.3420 to review your assessment.

I’ve also included three brochures regarding some property tax exemptions, including A Taxpayer’s Guide “How to File for a Review of Your Assessment”.

Please let me know if there is anything I can do to help.”

Supervisor Scammell asked Marshall Taylor if he has heard from them.

Marshall Taylor said no.

Supervisor Scammell asked if there was anything else from residents this evening. Councilman Knapp said a couple of meetings ago we did a certificate for the Haynes Farm on Route 11A that was named as a Century Farm officially. He thinks they have been there for 150 years now. He, his son and his wife presented the certificate to them at a 4H Meeting. They sent the following card:

“The Knapp family delivered to us a proclamation recognizing our farm’s designation as a Century Farm and our 155 years in the Tully Valley. What a great surprise to be honored by our neighboring community – Thank You!

Fewer of today’s youth ever have the chance to live, work or grow up neighboring farms.. We hope each of you and the youth-oriented groups in LaFayette know you are always welcome to visit our farm. Pet the animals, milk a cow, learn a little bit more about where food comes from – we’d love to have you visit – or anyone from your Town!

Scott’s father and uncles, the 5<sup>th</sup> generation to operate the farm, were pleased to see the farm recognized by NY State. We know they’ll be as touched as we are to be recognized by their neighbors. Thank you. Scott & Kelly – Haynes Farm.

**B. Syracuse Post-Standard: March employment picture, 4.21.06.**

“The Syracuse area’s job market buzzed right along in March, tying New York City for the second consecutive month for the highest growth rate among the state’s 14 metropolitan areas. Madison, Onondaga and Oswego counties had about 5,100 more jobs in March than they did in the same month last year, producing a 1.6 percent growth rate...Of the 5,100 new jobs, 4,400 were in the private sector...Every major industry sector reported job increases except for the information section, which was down 300 jobs...Even manufacturing created jobs. It had 400 more jobs last month than in March 2005...In fact, the manufacturing sector’s performance had been key to the Syracuse area’s strong performance in comparison to the rest of the state...A diverse economy that does not rely too heavily on any one industry...The nation’s unemployment rated was 4.8 percent...”

**C. Syracuse Mayor Matt Driscoll: City Hall “Turns Green”.**

“...Mayor Matthew J. Driscoll joined Dr. Neil Murphy, President of SUNY ESF; 5<sup>th</sup> District Councilor William B. Simmons, Chuckie Holstein, Executive Director of FOCUS Greater Syracuse; Stacey Smith of Turn the Grid Green and community members announced the City of Syracuse is converting all of City Hall’s electricity and gas needs to clean, green, renewable power effective August 23, 2005. City Hall will no longer burn conventional fossil fuels. It will be powered by 40% small hydro, 20% wind and 40% biomass. ‘Every kilowatt hour of electricity that does not pollute, is a savings to the tax payer...’”

**D. NYS Public Entities Safety Group 497: Worker’s Compensation coverage.**

“I am pleased to be asked to inform you that the New York State Public Entities Safety Group 497 offers the very best option available for your Workers’ Compensation coverage...”



Supervisor Scammell asked if there was any interest in having Tom Chartrand address this.

Kevin Gilligan noted our current coverage is through PERMA.

Councilman Knapp would have Tom see if he knows anything about these guys. Maybe some other town uses them.

**E. Onondaga County Legislature: 5.2.06 agenda.**

Supervisor Scammell noted the following items that might be of interest to us:

“District 9...Calling for a public hearing with respect to a proposed local law relating to special requirements for commercial and residential lawn application of pesticides...District 11...Authorizing intermunicipal agreements with other units of government in New York State to provide and receive disaster assistance pursuant to the National Incident Management System...”

**F. Onondaga County Executive Nick Pirro: SPDES/MS4s, NYS DEC regulations.**

“It has recently come to my attention that the State Department of Environmental Conservation will be developing and imposing stormwater management requirements above and beyond those already required of MS4s in the Syracuse Urban Area because our municipalities are tied to what is referred to as a TMDL waterbody (TMDL = Total Maximum Daily Load). In our area both Onondaga Lake and Seneca River are TDML waterbodies. Presently such additional requirements or plans have been drafted for what the State calls the East of Hudson watershed. I have been advised that whatever requirements (referred to as “Heightened Permit Requirements”) are ultimately adopted for the East of Hudson Plan will likely also be imposed on MS4s in the Syracuse Urban Area. The Central New York Regional Planning and Development Board has organized a meeting to be held on May 5, 2006 at 10:00 with DEC representatives who will provide information on the proposed East of Hudson requirements and answer any questions MS4s in the Syracuse Urban Area might have regarding these additional requirements. They County’s initial review of the “Proposed Heightened Requirements for MS4s in the East of Hudson Watershed” revealed some potentially onerous requirements. For example: Develop and maintain a map showing the entire stormwater conveyance system...Develop, implement and enforce a program to reduce pollutants in any stormwater runoff to the MS4 from construction activities...Complete the design and construction of post-construction stormwater management controls for 5% of the total impervious area that was in existence in 2003...Routine maintenance and clean-out of catch basins of other inflows to the stormwater conveyance system should occur not less than twice per year...Develop a comprehensive street sweeping program that features maintenance of computerized route logs with calculation of curb miles swept and amount of debris removed...Develop a Snow and Ice Operational Plan that includes making all material storage facilities fully enclosed, the mixing, handling and loading of all materials within enclosed areas, the installation of drainage and stormwater collection systems around the perimeter of storage areas, and the washing of salt trucks in areas designed to collect all wash water...Develop a turf management policy for municipally owned lands that include proper disposal and removal of grass clippings after mowing and specified

cutting depths tied to design flow....These are just some of the heightened requirements...”

Supervisor Scammell said he hasn't gotten any feedback yet on the results of the meeting.

Councilman Knapp asked if John Dunkle went to the meeting.

Supervisor Scammell doesn't know. He will follow-up with John on this.

**G. Association of Towns of State of New York: Property Tax Reform Task Force.**

**H. Other.**

**7. SPECIAL REPORT.**

**8. REPORTS.**

**A. Departmental (4<sup>th</sup> Monday).**

**1) Assessors: Mary Doster, Marshall Taylor & Jim Munnell.**

- **Town wide property revaluation.**

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

- a) **2300 – 2330 Route 11 South, across from LaFayette Rural Cemetery, numerous violations.**
- b) **Route 11N (just north of town offices) – 2 autos, visible from LPL parking lot, spring removal.**
- c) **2805 Route 11A. Business in A-R.**

**3) Dog Control: Jim Moore & D. Scholes.**

- **Insurance.**
- **Onondaga County employment contract.**

Supervisor Scammell asked if they had submitted the contract to Onondaga County yet.

Doug Scholes said yes. They were happy with it. He gave Supervisor Scammell a copy for the file.

Kevin Gilligan said the Board should ratify this.

**Councilmen Knapp moved and Shute seconded the motion to ratify the Deputy Dog Control Officer's Onondaga County contract. Motion passed unanimously.**

Councilman McConnell said there will be a FOCUS meeting at the Community Center on May 25<sup>th</sup> from 7:00 p.m. - 8:30 p.m. if anyone would like to attend.

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

- **LaFayette Landfill – LFD Total Training Facility proposal (parking, engineer opinion, water retention). Follow up along w.service awards (BM)**

- **Clark Hollow & Cascade Road.**
- **Persse Road: barricade relocation (TB site visit).**
- **Town signs.**

**5) Justice Court: Malcolm Knapp & Maureen Perrin.**

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

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

**8) Tax Collector: Teresa Mech.**

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

**10) Town Supervisor: Greg Scammell.**

- a) **Intermunicipal Shared Services/Cooperation & Consolidation, 2005 Onondaga Citizens League study (revised due date mid-2006), Southern Onondaga County towns.**
- b) **Shared Municipal Services Incentive Grant Program, 10% matching.**
- c) **'07 budget – deferred items (none).**

**B. Committee (2<sup>nd</sup> Monday).**

**1) Agriculture (DK/MK).**

**2) Communications & Technology (MF/PK/MK/MT/GS).**

- a) **Town Website.**
- b) **Transition to Digital Towpath.**
  - **Parallel operations.**
  - **Website – townoflafayette.org (now is townoflafayette.com). Secure additional .gov?**
  - **Town email addresses (tolxxxxx@aol.com to tolxxxx@??) – conversion & new.**
  - **File transfers.**

**3) Economic Development (BM/GS).**

- **LaFayette Hotel.**

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

- a) **LFD exhaust vents – '06 AFG grants (TB).**

Councilman Bailey said last month the AFG grant was submitted with respect to the application for exhaust vents for both fire stations. That was the only item on the list they were going for this year so we will wait to see.

- b) **Onondaga County Department of Communications - OCICS.**
- c) **NYS PSC – TSP (Telecommunications Service Priority) (BM).**
- d) **Bird Flu.**

- 5) **Employee Policies & Benefits (MK/AS/MD).**
- **Implement employee-share healthcare premium increase.**
- 6) **Environmental & Conservation Advisory Board (RB, BF, KF, WG, EG, NM).**
- **2006 Tent Caterpillar assessment.**
  - **SPDES subcommittee – tba.**
- 7) **Highway (PP/LC/DK/SP/JG).**
- a) **Long term capital equipment forecast.**
  - b) **Road maintenance schedule.**
  - c) **Spring Cleanup Program – no wood burned.**
  - e) **Computer terminal in highway garage.**

Supervisor Scammell asked about the computer terminal.

Leon Cook said they don't have room for one.

Supervisor Scammell asked if this meant they wouldn't get one.

Leon said he doesn't think so. It would be dusty too.

Supervisor Scammell said we do have equipment that is pretty durable.

Leon said Pete Paul was going to look into one where he works but Leon hasn't heard back from him yet.

Councilman Knapp said some of the SP4 mandates will require computer tracking.

Supervisor Scammell asked if he just doesn't have space for it.

Leon said right.

Councilman Bailey said the LFD is looking to get computers for the station. If there are any firms or businesses looking to dispose of their computers, they can contact the LFD.

Supervisor Scammell asked if they have a software person to keep them up-to-date.

Councilman Bailey believes out of the members they do.

- 8) **Physical Plant (HS/DK/BM).**
- a) **Heating/Cooling system alts & new temperature controls, bid, Clay Smith, P.E.**

Councilman Knapp said the door is done and we are waiting for Clay Smith to get back to us on the heating.

- b) **Energy usage reduction program, MEGA & town buildings (BM).**
  - c) **Motion sensors (BM).**
- 9) **Recreation & Youth (DK/AS/RR).**
- a) **Marion Bailey Park.**
    1. **Pavilion - local estimates, future park design.**
    2. **Install grills – Spring, '06.**

Councilman Knapp said the Annual Fishing Derby is this Saturday the 13<sup>th</sup>. Hopefully we will have a good crowd at the park that day.

Supervisor Scammell asked if the grills had been installed.

Councilman Knapp said he was going to talk to Councilor McConnell about this to see when they can get it done.

**b) LaFayette Beach.**

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

Councilman McConnell said it looks like some repairs have been done at the box.

Councilman Knapp said Mr. Dwyer did some work on it.

**c) Fred Stafford/Optimists Park.**

- 1. Lacrosse facility – estimates (\$5K – materials only), (re)location possibilities.**
  - **Tully-\$12k – materials only (all volunteer labor).**
- 2. Geese & feeding – signs (PP) (DK).**

Councilman Knapp said he sees the geese signs are up so this can be removed from the agenda

- 3. Bird problems – remove light (see PP) (DK).**

**d) Park designs.**

- **Parkitects.**

**10) Safety (TR/AS/LC/RR).**

Councilman Shute said they inspected Bailey and Stafford Parks. He believes all the items were cleaned up at the Optimist Park.

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

Councilman Knapp asked about the signs.

Councilman Shute said the speed signs are up.

Councilman McConnell said the day after the last meeting they were put up.

Leon Cook thought they were going to make it 20 mph past Route 81. You are all the way past the bridge before it says 20 mph.

Councilman Shute said just west of McDonalds is says 35 mph. He thinks it's better this way because in reality people travel 55 mph eastbound on the road which now takes them from 35 mph to 20 mph which is more reasonable. He's been watching the traffic and the signs aren't doing it.

Councilman McConnell asked Councilman Bailey if he'd looked into the sign which lets you know the speed you are traveling.

Councilman Bailey said due to the recent tragedy, he hasn't but he will look into it.

**12) Senior Transportation & Housing (BO/GS).**

**13) Service Awards (BM/DK/LP/NV).**

- **Firefighters Tax Exemption Law (Onondaga County Supervisors Association memo).**
- **Requirements for service awards & tax exemption reconciliation.**
- **Stipend payments.**

Councilman McConnell said he spoke to the Board of Directors at the LFD and listened to their concerns. He met with Penflex today in Albany. What came up is some things they are going to do for us to make things a little more organized. By July 1, they will be sending us a time-line for payments, etc. They are still working out many of the administrative things between Penflex and RBC Dain Rauscher. RBC will provide only one report in December to lessen the fees if the Town Board agrees to this. Right now Penflex will give us by 7/4 a couple of examples of what they will provide at the end of the year which would be about 40% less than what we pay now. They have been remiss in paying their bill to the 4 individuals and so they haven't received their payments yet. The town will owe \$6,000 less this amount this year. This bill will come to us at the time-line we set up and it will be paid to those members in the future by April 1<sup>st</sup>. There are some other administrative things they are working on. He has talked to Tom Chartrand about this. He has put Supervisor Scammell down as the authorized officer. The Board had no problem with this. He has invited them to come to the first Town Board Meeting in September. They are working on a larger plan to make it easier for the firefighters to do some things on their own. He will invite the Board of Directors of the LFD to this meeting too.

Supervisor Scammell said any members would be welcome.

#### **14) SOTS & OCRRA Liaison (DK/BM).**

#### **15) Water (GS/PP).**

- 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.**
  - **Grants and low/no interest loans.**
- c) **Hamlet drainage study – request submitted to NYS DOT.**
  - **NYS DOT notified of subsidence behind M. Amidon's property.**

#### **16) Zoning Review (GS/MK).**

- 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, riparian rights) .**

- c) **Corridor Plan.**
- d) **Digitized zoning map, correction & amendments.**
- e) **Density (rezoning from A-R to Rn).**

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.**

- **NYS Supreme Court petition.**

We are waiting for a decision.

**C. Robert Shute – Route 11 – Judge Gideon, Town of DeWitt Court rules in town's favor, 5.11 sentencing.**

Sentencing will take place May 11.

**D. Lyon v. Town of LaFayette.**

Kevin Gilligan said this is in the hands of the insurance company. We are no longer involved in this.

**E. AT&T class action.**

Kevin Gilligan said the Board should authorize the supervisor to sign the claim and send it in. It's only \$30. Basically AT&T billed something wrong.

**Councilmen Knapp moved and Bailey seconded the motion to authorize the supervisor to sign the AT&T Class Action. Motion passed unanimously.**

**F. Street names – SOCPA.**

This was discussed last meeting.

10. **UNFINISHED BUSINESS & ACTIVE PROJECTS.**

**A. FOCUS 2010 - Strategic Plan.**

**B. Crime coverage – awaiting document review list (TC), certification letter, review of town books.**

Supervisor Scammell said Tom Chartrand is making progress on this.

**C. School speed limit signs: awaiting NYS DOT installation.**

Supervisor Scammell asked if we are sure they have completed moving the signs.

Leon Cook said he isn't sure. He can check on this tomorrow.

Councilman Knapp asked about the DEC and the landfill.

Kevin Gilligan said he tried to contact Tom Annal at the DEC but Tom didn't call him back.

Supervisor Scammell said he tried to call Tom Annal a couple of times too.

Leon Cook said they haven't seen him at the landfill site yet.

Leon Cook said they are going to have a meeting down at the Civic Center on the bridge for Nichols Road on the 11<sup>th</sup> if anyone wants to go down and give any input.

Councilman Knapp asked why they are doing it down there instead of out here.

Leon said because they have to cover several roads. He has no concern to have to go down there.

Leon said he got a price of \$250/sign. This would be on the signs he presented to the Board before. It will be \$1,000 for 4 signs. This price would be just for the signs and the Highway Dept. would put them up. It would cost about \$1,000 for treated 4 x 4's to put them up. This is for both ends of Route 20 and both ends of Route 11 at the town line. There are over 20 roads that come into the Town of LaFayette.

Councilman Bailey asked how long it will take for the State DOT to sign-off on them.

Leon doesn't know.

Councilman Bailey asked if we can get that process started now.

Councilman Shute said when they had the Chamber of Commerce Meeting, the concern raised by quite a few of the people is that 30" signs are not big enough to read when you are driving by on Route 11 and Route 20. He went into the Valley to check their signs out. He talked to the company that put them in. Those signs are a wood base with a bonding over the top. The signs are 5 years old. He looked at them up close and they look as good as new. He got a quote for 7' x 4' signs with the 4 x 4 post which was \$3,600 for 4 of them. They are \$900/sign. They would install them for \$150/sign or we could install them ourselves. The other thing about this is they have the ability to put a business panel underneath. At the Chamber of Commerce they had discussed having business sponsors for each of the signs. First he asked about sponsoring a sign for \$500/sign which they felt was a little too much. He then dropped it down to \$250 as he thinks we will have more businesses involved at this amount. The businesses would like the signs to be placed at the entrances to the hamlet area rather than at the town lines. He does think the bigger signs would be better.

Councilman McConnell said there is merit for the bigger signs. He likes the one design Leon brought in and he also likes what the Chamber of Commerce has brought forward about sponsoring the signs. He thinks this shows businesses and the community at large together.

Councilman Knapp said another question is how do we pay for them.

Supervisor Scammell said one option is looking at the Chamber of Commerce's proposal for \$250/sign for a small sign vs. \$900/sign for wood. Leon's sign is metal. He thinks it's too early to zero in on this. He thinks there is a need for a sign entering the hamlet area as well as the 4 main entrances to the town.

Leon agreed with Councilman Bailey that maybe we should get with the state to see if they will have a problem with the signs being put up.

The Board thanked Leon for his suggestions on this.

Supervisor Scammell returned to Item 6G on the Agenda.

"The Association is assisting the Property Tax Reform Task Force (a coalition of



the towns of Marbletown, Rochester, Rosendale and Wawarsing) and the Joint Committee For School Property Tax Reform (a group of elected officials of the town of Cornwall) in distributing information about a rally for property tax reform they are asking each town to hold at 12:00 noon on Saturday, May 6, 2006. Information and a packet can be viewed on the Association of Towns' website...the Association supports the need for property tax reform in New York State. It is quite evident that our town residents cannot afford to see property taxes continue to increase yearly whatever the moral rationalization. Our young people cannot afford homes, and our seniors face great strains holding on to family residences, despite programs of assistance. It is reported that in most towns throughout the State, school taxes account for up to 70 per cent or more of the property tax burden. In response to that, the delegates of the 2006 Annual Meeting of the Association of Towns adopted the following resolution:

Resolution No. 8: School Funding Reform

WHEREAS, towns are concerned about the ever-increasing cost of primary and secondary public education borne by real property taxpayers; and

WHEREAS, the increasing fiscal burden of public education on real property taxpayers impacts the ability to provide adequate revenues to fund important town services and programs that ensures the well-being of our communities; NOW THEREFORE BE IT

RESOLVED that the Association of Towns calls upon the Governor, the New York State Legislature, and other State officials to develop a solution that will provide adequate State funding for public education thereby lessening or eliminating dependence on local real property taxes without reducing funding to other local governments and local government programs; and BE IT FURTHER

RESOLVED that the Association of Towns calls upon our State leaders to eliminate costly unfunded mandates, which increase the cost of providing a public education and further strain the real property tax base...."

Supervisor Scammell asked Marshall about the percentage of school to town and county tax here.

Marshall Taylor said the school is about 2/3 and the town and county is about 1/3.

Supervisor Scammell said there is also a letter with this which states:

"this letter is to inform you of a new policy regarding the participation of State Troopers in the plea bargain process of traffic tickets in town justice courts. Many of you may already be aware of this policy change...Effective September 1, 2006, the New York State Troopers will no longer be negotiating plea bargains in town justice courts. This new policy might impact the manner in which traffic tickets are adjudicated in your town's justice court. The plea bargain system is essential to keeping the cost of operating our justice courts feasible for the taxpayers. Towns rely upon fine money garnered from traffic tickets to fund all or a substantial portion of the operating expenses associated with town justice courts. Town justices are prohibited from negotiating to please themselves and must rely upon the district attorney or their designee to negotiate pleas in traffic cases...."

Councilman Knapp said he doesn't think this affects us as we have a DA Night every month.

Kevin Gilligan said that is correct. He has only seen this affect over near Amsterdam. There's no reason nor is it appropriate for the law enforcement agency to be negotiating the outcome of the ticket. He doesn't think this should be assigned to the troopers. He thinks they are just fixing something right now. This shouldn't affect anyone in Onondaga County.

**D. Community Development Grant app.**

- 1) **Water district.**
- 2) **Water district hookups.**
- 3) **Park designs (SU &/or playground equipment manufacturers- Parkitects)**
  - **Bailey Park.**
  - **LaFayette Beach.**
  - **Stafford Park.**
- 4) **Neighborhood/Transportation infrastructure.**

**E. Groth Road Communications Tower – neighboring towers & wireless carriers.**

**F. SPDES – MS 4 Phase II, in kind.**

**G. NYS Unified Court System – Justice Court Assistance grants (DK).**

Councilman Knapp said we don't qualify for this grant.

**H. Onondaga County: proposal for centralization of tax collection.**

**I. NYS Department of Labor: prevailing wage rates (KG).**

Kevin Gilligan said the bottom line on this is that it applies to every contract. It applies to all town contracts.

Councilman Knapp thinks for a sole business owner where he is the only laborer, owner, etc., it doesn't apply.

Kevin Gilligan said that is correct. It only applies if they have employees. Any time the town is contracting with anyone who has employees, it's subject to the prevailing wage law. We need to incorporate this into our contract form.

Supervisor Scammell asked how we know if the person we contract with is paying the prevailing wage.

Kevin Gilligan said because we make this part of our contract.

Councilman Knapp said when we did the tennis courts, we held the final payment until we received a copy of the certified payroll.

Supervisor Scammell asked what the penalty is for not doing this.

Kevin will give him information on this.

Marshall Taylor asked how we get the information as to what the prevailing wage is.

Supervisor Scammell said the letter did indicate there's a website that gives this information.

**J. CNY Community Foundation - Grants for Green Spaces.**

- **Stafford Park: Community Council – LaFayette Beach (AS).**
- **Bailey Park: Boy Scouts (BM).**

Councilman Shute said he and Regina Reinschmidt are working on a proposal for Stafford Park.

**K. Other.**

Leon Cook thinks around January the highway superintendents got together at one of their meetings and about 50% of the highway superintendents in Onondaga County and some from Oswego went to Albany to get more money for road repair. They got more money put into CHIPS. We are getting \$4,732 more.

Councilman Shute said at the Chamber of Commerce Meeting there was conversation regarding the traffic for the Apple Festival. One idea that came up was some kind of coordinated advertising signage which would hang from the streetlights.

Supervisor Scammell said Nationalgrid should be contacted to be sure they are still O.K. with this before they go to a lot of work on it.

Councilman McConnell said he travels a lot and a lot of towns have these signs and they are very attractive.

Ralph Lamson had arrived and the Board returned to the discussion of manufactured homes.

Marshall Taylor said one concern he has from an assessors' standpoint is he thinks there should be a requirements of at least a 4' deep trench, should be on a foundation, the foundation should have a full floor and something so the pipes don't freeze, etc. He would hope there would be some kind of plan for the basement to make it a sturdy structure.

Supervisor Scammell advised Ralph Lamson that the Brown's were in earlier this evening. They would like to replace their mobile home with a manufactured home and their choices are to get a use variance which seems very difficult for them to get or to request the Town Board to change the Zoning Ordinance.

Ralph Lamson said in their state classes, this has been brought up. Other towns have come to a certain square footage which eliminates the single-wide manufactured homes. Double-wides would be allowed and they say they would have to be put up on a foundation that would have to be built to code. That way they basically look like a modular home.

Marshall Taylor asked if it would be a solid structure.

Ralph said they would have to go 4' below ground to be below frost level and then so much above ground.

Marshall said they could have crawl space then. Would it be a small cellar or just a wall.

Ralph said with a manufactured home, there's really no reason to have a full basement. If you are worried about water, etc., this could be a requirement.

Councilman McConnell believes today you can build a house on a slab.

Ralph said yes you can.

Councilman McConnell said listening to their testimony tonight, the building would comply with footers and it would be elevated to a certain point giving the impression of having a basement.

Marshall said he is just trying to understand what the standards would be.

Ralph said if someone put a modular and a manufactured home on a foundation, it would be hard to tell the difference if you were driving by. You can put a requirement in that it has to be at least 16' wide to eliminate the single-wide.

Supervisor Scammell believes we should move forward with amending this. We have several of the older mobile homes in town.

Kevin Gilligan asked how the uniform code handles these. Do they have any requirements for foundations, etc?

Ralph said it must be put on a foundation or anchored properly to the manufacturer's requirements.

Kevin asked if we need to get state approvals to change state codes.

Ralph said we just tell them they have to be on a block foundation, we don't tell them how it needs to be built.

Supervisor Scammell asked Ralph to provide the Town Board with some suggestions of what would work.

Councilman Bailey said a manufactured home meets the state requirements and would only have to meet the local codes for what goes underneath.

Ralph said it needs to meet New York Code too.

Councilman McConnell said due to testimony tonight, the federal code supersedes the state code.

Ralph said they have different codes for different parts of the country.

Marshall Taylor said if you change this code, will they be allowed anywhere in the town?

Kevin Gilligan said a modular home is considered a single family dwelling and is allowed anywhere. The Town Board must decide if they wish to allow double-wides or single-wides outside trailer parks.

Councilman McConnell doesn't believe double-wide is recognized anymore. They are described as manufactured homes since 1976.

Ralph said there's never been a term that has been identified as double-wide. You can have double-wides in modular or manufactured homes.

Councilman McConnell said there might not be any amendment other than what is expected of a manufactured home.

Ralph said we do have one problem which is that the Zoning Ordinance states mobile homes are not considered a dwelling. Our Zoning Ordinance is from 1970.

Councilman Shute said we don't actually have to change anything but just set forth a new standard for manufactured homes.

Councilman McConnell believes the Brown's might be at the next meeting and maybe we could tie all this together by then.

Supervisor Scammell said he has their number to keep them updated.

Councilman Knapp asked how cleanup days are going so far.

Leon Cook said Saturday was about 1/2 of what they usually get. It picked up today. They have a lot of stuff that is going back out. People go out very unhappy. The information has been in all the newspapers and in the letter sent to everyone.

Marshall Taylor said regarding manufactured homes, some people have things in their deeds that state certain things.

Kevin Gilligan said these are covenants. The town wouldn't be involved with these.

**11. NEW BUSINESS.**

**12. Suggestions for improvement and positive contributions.**

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

**14. Councilmen McConnell moved and Knapp seconded the motion to audit & pay the following bills:**

|                         |                     |
|-------------------------|---------------------|
| <b>HIGHWAY FUND</b>     | <b>#5448 – 5458</b> |
| <b>GENERAL FUND</b>     | <b>#5459 – 5482</b> |
| <b>SPECIAL DISTRICT</b> | <b>#5505 – 5506</b> |

**Motion passed unanimously.**

**15. Councilmen Knapp moved and Shute seconded the motion to adjourn. Motion passed unanimously.**

The Regular Town Board Meeting adjourned at 9:11 p.m.

Respectfully submitted,

Mary Jo Kelly  
Town Clerk

Adopted 5/22/06