

Minutes of the Town Board Meeting held by the LaFayette Town Board on May 22, 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 (Arrived 6:37 p.m.)  
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  
Sam Young, Town Attorney  
Marshall Taylor, Assessor/Clerk  
Tom Chartrand, Bookkeeper  
Douglas Scholes, Dep. DCO  
Sandy & Heidi Smith  
Bill Poirier  
Pete Paul, Dep. Supervisor  
John Dunkle, Town Engineer

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 Adrian Shute.
4. **Councilmen Shute moved and McConnell seconded the motion to accept the prior Town Board Meeting Minutes of May 8, 2006 as submitted by the Town Clerk. Motion passed unanimously.**
5. **PUBLIC HEARINGS. None.**
6. **COMMUNICATIONS.**

**A. Residents.**

Bill Poirier was present to ask for an update on the LaFayette Northeast Water District.

Supervisor Scammell said we are mostly looking at funding now. USDA is one of the main sources of funding we are looking at.

Councilman Bailey said the Community Development Grant application was applied for this past month.

Bill Poirier asked if there was anything new from the Comptroller's Office.

Supervisor Scammell said he understands the application is in the Comptroller's Office but we haven't heard anything else.

**B. Onondaga County Department of Transportation: Preclosing of bridges.**

“On December 1, 1986 the Onondaga County Legislature adopted Resolution No. 436 establishing a Task Force for the Pre-closing of bridges within Onondaga County. The Task Force was established to develop alternative routes and plans for bridge closings.

As Chairman of this Committee, I have scheduled a meeting for Tuesday, May 16, 2006 at 10:00 a.m. in the Conference Room....to discuss your comments and concerns regarding the scheduled closings of these bridges...

Bridge C-215 – is located in the Town of LaFayette on Nichols Road, a town road, over Onondaga Creek. This bridge was constructed in 1953 as a multi-girder style bridge with a concrete deck. The existing beams and concrete deck are deteriorated beyond the point of rehabilitation and will be replaced. This project, to be accomplished by county forces, will replace the structure with pre-stressed concrete beams and with an asphalt overlay. Construction to begin June 15, 2006 and be completed by September 1, 2006. An offsite detour shall be utilized.

Bridge C-102 – located in the Town of LaFayette on Coye Road over Rush Creek. This concrete box culvert structure was built in 1933 and requires replacement due to its poor condition. The structure shall be replaced with an aluminized steel pipe. This project will be accomplished with county forces. Construction to begin September 1, 2006 and be completed by October 1, 2006. An offsite detour shall be utilized...”

Councilman Bailey asked Leon if in his experience, when they say it’s going to be accomplished by county sources, do they bring in someone from outside?

Leon Cook said the county will be doing both of these bridges. He heard the bridge that goes out of Jamesville will have to be replaced too. He heard they will let this one out to a contractor.

**C. Dominion: Pipeline Safety Improvement Act of 2002.**

“At Dominion, safety is a way of doing business. As a leading provider of electricity, natural gas and related services to customers in the energy-intensive Midwest, Mid-Atlantic and Northeast regions of the United States, Dominion, based in Richmond, Va., is committed to safe operations, safe facilities and safety-minded employees.

In December 2002, Congress enacted the Pipeline Safety Improvement Act of 2002. As a provision of the Act, new U.S. Department of Transportation (DOT) regulations for natural gas transmission pipelines were published in 2003. The rule requires gas transmission pipeline operators to:

- Identify high-consequence areas (HCAs), which contain segments of pipe that, in the event of a failure, could cause significant harm to life and/or property.
- Perform ongoing assessments of pipeline integrity for the pipe within these HCAs. The company identifies potential threats to the HCA pipe segments and, using a comprehensive risk-analysis process, evaluates the threat.
- Improve data collection, data integration and analysis.
- Repair and remediate the pipeline as necessary.
- Implement mitigative actions.....

As you become aware of new developments having the potential to become high-consequence areas, please work with Dominion so we can prepare for and integrate these changes within our Integrity Management Program. High-consequence areas include: outdoor congregating areas...indoor congregating areas...and difficult-to-evaluate facilities. You also can help by providing the information in this letter to others in your organization...

**D. NYS DEC: Dam Safety Project assistance.**

“On behalf of governor Pataki, I am pleased to announce the availability of funds to be used for state assistance payments to municipalities for the cost of Dam Safety Projects which have been approved by the Commissioner of the New York State Department of Environmental Conservation...”

**E. Other.**

**7. SPECIAL REPORTS.**

**A. Tom Turner**

Tom Turner introduced himself. He is a teacher in the high school. In 1993 Clay Smith initiated conversation with the school to see if they would use the property as an Outdoor Classroom. Tom would like to update the Board on the use of the land from the school districts end. A partnership was formed between the school district and the town to use the land for educational purposes. At first, it was just his group using it. Over the course of time, they have been able to create a couple of structures and create some trails. One of the buildings houses the ropes course material. He submitted a packet to the Board with the history of the property.

In 1994 the school entered into an agreement with the town that the school would do some maintenance down there and have use of the property for science, math and other recognized activities. It has been a great resource to the kids in the district.

In 1995 it was given the name of Outdoor Classroom. It started out very small. It started out with maybe 5 trips a year.

In 1998 they entered into a forestry stewardship plan with the Conservation Dept. They have planted over 500 trees there now.

In 1999 the LaFayette Challenge Ropes Course was erected and completed.

Sandy Smith said it started in 1999 and was finished in 2000.

Tom Turner said a shed was completed with town funds. The town has sponsored the construction of two small buildings now. They sponsored paying for the materials for the pavilion and the sheds. They have some picnic tables under the pavilion. They also have a composting toilet facility there. With its construction, they have become more of a district-wide use.

In 2000 they had a student from ESF create a landscape design and a trail booklet.

In 2001 the composting unit was built.

Since 2001, the Youth Construction Group continues to work on the site. They are fortunate that the grant has been renewed. The town has periodically dropped off crushed stone to maintain the trails. They are much better now and there's a lot less maintenance required. They allow access from the parking area to the ropes course. The

kinds of activities that go on are pretty broad. His title is the Outdoor Classroom Coordinator. He facilitates the fieldtrips down there. Over the course of the year, they are probably at about 30 trips a year. It's really been a great resource for the school district to use and he wanted to give the town an update of where they are at.

Councilman McConnell asked Supervisor Scammell how the town came upon the acreage to begin with.

Tom Turner said it was presented to him as a parcel that was up for back taxes.

Councilman McConnell said primarily the stewardship of the land is Tom Turner.

Tom said for the school district. Sandy Smith oversees the ropes course. He has a couple of teachers that are comfortable enough to go down there on their own.

Councilman McConnell asked if maintaining the property is a joint effort. Who primarily takes care of the trails and structures YCIP has built?

Tom said he does. He oversees what goes on with the trails. He opens the trails in the spring. He keeps an eye on the trails or if things need to be replaced or repaired.

Councilman McConnell asked where the interaction with the ropes course is.

Sandy Smith said she takes care of the inspections. She takes care of all the elements which are taken down after each usage. Mostly it's volunteers that help maintain the ropes course. She oversees it all. In the winter, the ropes and all the equipment are stored at her house. She washes them all up and takes them back in the spring. She does the bookings, makes sure the insurance certificates are in, etc.

Councilman Knapp asked if the gypsy caterpillars have hit that area.

Tom said they haven't been too bad.

Councilman Bailey asked if there had been any interest or talk of using the Outdoor Classroom with districts outside of LaFayette.

Tom said they discussed this a couple of years ago. At that time, they put it on hold. They knew the ropes course was coming. They have tried to keep this somewhat quiet. It's there for our community and our school. They didn't want it to become overused or vandalized.

Councilman Bailey asked if it became overused, would it impact the insurance?

Tom said right now it's for groups from the school. Right now it's getting a modest amount of use from the school and community. He doesn't see a lot of people from the community using it.

Councilman McConnell asked how the community would arrange to visit and walk the trails?

Tom said some people go down there and walk the trails in the winter and they have had trips from the school.

Councilman McConnell asked if he could go down anytime.

Tom said the trips from the school are usually ½ day trips. He doesn't think it would be any conflict. He would say it's open for use anytime.

Councilman Knapp said the biggest concern would be people going on the ropes course with no one around.

Sandy Smith said when they had the elements designed, it was designed so they take them down when they are done and set them up when they are going to use the ropes course.

Councilman Knapp said so they aren't readily accessible.

Sandy Smith said people can walk through the course but there's really nothing they can get into. Someone tried to break into the storage shed after it was constructed but they couldn't get in. The ropes and everything are removed when they are done using the course.

Councilman McConnell asked if the area should be timbered.

Tom Turner said he had someone look at the site. The gentleman he had look at it cautioned him that any logging is a destructive act and there's a different looking woods when all is said and done. If you are using this as an outdoor classroom and ropes course, you need to be careful. Eventually this will have to be done as some trees are coming down on their own. This is something he would discuss in the future. There is timber value there. It's a unique piece of property. There's a little wetland there too. You would have to think about it. He would have a consultant forester provide a formal option.

Sandy Smith said as far as the ropes course, all the overhang and dead trees have to be removed before it will pass inspection.

There were no further questions or comments for Tom or Sandy. The Board thanked them for coming.

#### **B. SPDES, DEC MS4 regulations - John Dunkle.**

John Dunkle reported on stormwater. He is here to report to the Board and to the public the progress on administering the local stormwater program that has been mandated by the State of New York. About ¼ of LaFayette is within the area that this is required for. There are 6 things which must be accomplished within 5 years.

The first two items require that the municipality educate the public and advise the public on regulating stormwater. We have pretty much met these two requirements. We have formed a partnership with 14 other municipalities and worked with the CNYRPDB to distribute information to the public on this. The third requirement is for the municipality to map the stormwater system and be able to monitor that system. As of year 3, we have completed the mapping process for the area of the town that is regulated. We accomplished this by receiving some help from the Central New York Planning Board. This was of no cost to the town.

The 4<sup>th</sup> and 5<sup>th</sup> requirements are the ones we still must work on. These are the goals that pertain to the town enacting some ordinance to control the stormwater runoff. We still have two years to go on this requirement and it's anticipated we will be enacting these ordinances before December of 2007.

Councilman Knapp asked if these laws should just apply to the regulated area or should they apply to the whole town?

John Dunkle said that is a good question that has been asked by many municipalities involved. It would be easier if it applied town-wide but there may be separate legislation for the regulated area. He thinks this would lessen the burden on the town if it applied to the regulated area only. This would be up to the town. We will definitely be looking at this in the next two years.

The final goal is about doing the best we can in the township to reduce our stormwater. Leon Cook runs a pretty tight ship with the garage and snow and ice applications. In the last year, he and one of Leon's men attended a seminar about good housekeeping at the garage.

Councilman Knapp said we also formed a drainage district for the Grove Subdivision at the Jamesville Reservoir area.

John Dunkle said any new development now must have stormwater mitigation. We will be forming drainage districts for them so the whole town doesn't have to pay the cost for maintaining the drainage. We have two more years of reports to go. There is talk about another line that might be added on to this because we are in the Onondaga Lake Watershed. We are lobbying against this.

Councilman Knapp asked if he attended the county meeting.

John said he attended it and spoke very strongly to the representative from the DEC. Supervisor Scammell is preparing a letter. He thinks everyone in the room expressed their unhappiness with this decision. He thinks everyone wrote a letter about this. He said this is the point of his report where the public can ask any questions or make any comments on the SPDES.

Councilman Bailey said if this is going to be a wave of the future, it seems it would be in the best interest to enact ordinances town-wide rather than just for the regulated area.

John Dunkle said the town is required to take over the management within the regulated area. The DEC will still regulate the remaining areas. It's whether the town will take on the burden of administering the laws in place at the local level or defer those projects outside the regulated area to the DEC. We don't have to take it all on if we don't want to.

**Councilman Knapp moved and Councilman Bailey seconded the motion authorizing the Supervisor to sign the SPDES report. Motion passed unanimously.**

John Dunkle said this will go to Albany before the end of the month with the minutes from this meeting.

Supervisor Scammell said Bill Poirier is present to see if there is anything new on the Northeast Water District.

John said we have applications out for funding to the Rural Development for the 38 year 4 ½ % loan and to the Drinking Water and Revolving Fund for a low-interest short term loan for engineering and legal fees. There is a \$100,000 request into Community Development for funding of the water district and another grant request to Community Development to assist the property owners for hookups if they are not in the district. People will call on a daily basis with new things they need and we are complying. Nothing is dead yet. Until we get something back from the Comptroller's Office, we won't proceed.

Bill Poirier asked when information comes back, will it be put in the LaFayette Newsletter?

Councilman McConnell thinks the quickest method is the information will be recorded in the Town Board Minutes. He would think the chairmen of the steering groups would be contacted.

John Dunkle said we are not anticipating construction until next spring. Basically the town doesn't have the resources to go out on a limb and do all the preconstruction work without some financing in place. As soon as some funding is received, they will start the engineering work and put bids out. The Health Dept. and E. Syracuse know we will probably not be starting construction until spring.

Bill Poirier said E. Syracuse has raised the LaFayette resident's rates to help pay for OCWA hookup. He thinks they will continue to raise the rates to help supplement their costs. They sent out a letter stating it would double the amounts for the Village of E. Syracuse people. They didn't advise was percentage it would go up.

Councilman Knapp asked if the OCWA rates are double the E. Syracuse rates.

Bill Poirier said the Village of E. Syracuse's rates have increased and they are increasing the LaFayette resident's rates too.

## 8. Reports.

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

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

##### • Town wide property revaluation.

Marshall Taylor said the reval is almost done. There are 10 residents that have decided to come before the Grievance Board. They had between 30 and 60 stipulations.

Supervisor Scammell asked what a stipulation is.

Marshall said the Assessors can change an assessment. They can do a stipulation based on the condition of the house, etc. They lower people if they feel the information provided merits it. The hearing tomorrow is from 5:00 p.m. – 9:00 p.m.

Councilman McConnell asked how the hearing works.

Marshall said it's an actual hearing. The person comes in and they have 15 minutes set aside for the Board to hear their case.

Councilman McConnell asked if it's a closed door hearing.

Marshall said no. Anyone from the public can come watch. The resident gets 10 minutes and the Assessors get 5 minutes to present their cases. Sometime before July 1<sup>st</sup>, the Grievance Board advises the Assessors of what their decisions are. There is no debate at the hearing. The resident makes his statement and the Assessors make their statement and that is it. There may be walk-ins tomorrow night too. We will have to wait and see.

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

A written report for April was submitted.

##### a) 2300 – 2330 Route 11 South, across from LaFayette Rural Cemetery, numerous violations.

Ralph said this is the old Baker farm. Dick Baker is back in town. Ralph is working with him to get the machinery cleaned up. One car is still at 2330 and one is at 2300.

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

Ralph said this is at the Thor. The cars have been parked inside the garage.

##### c) 2805 Route 11A. Business in A-R.

Ralph said there were no signs of a business being run from this address when he went down there.

**d) Smoldering fire from razing of structure south of 3739 Eager Road.**

Ralph said he heard about this a couple of weeks ago and went up there and he called the fire department. He doesn't know why the neighbors didn't call the fire dept. This is up to the fire dept. to handle. Greg Hoxie said he would take care of this. He didn't know it was still going on.

**e) Junk complaint at 3903 Eager Road.**

Ralph said he hasn't had a chance to get down to this site yet.

Ralph said he was in court last week with Sam Young regarding Mr. Shute. He has until June 27<sup>th</sup> to have his whole property cleaned up. Ralph was there the other day and showed Mr. Shute everything that has to go. He will go back to inspect the property before they are due back in court. If Mr. Shute doesn't meet the requirements, he is up for serious fines and will still be in violation.

Supervisor Scammell asked what Mr. Shute's attitude was like.

Ralph said he wasn't very happy which is why they were there for 3 hours.

Supervisor Scammell asked about when Ralph went to inspect the property.

Ralph said he was very pleasant then.

Sam Young said Mr. Shute will have cleaned the property up and the conditions will be satisfied or he is looking at a large fine and sanctions by the court.

Marshall Taylor said he has probably had 100 requests by residents to lower their assessments due to junk, junk vehicles, etc. on neighboring properties. He submitted some pictures to the Board. One is on Route 11 south and he was advised by a resident that they are running a business from this property. He advised the resident that until the town declares them a business, there is nothing he can do about it. He is hoping a letter goes out regarding junk and peoples responsibilities.

Supervisor Scammell asked if it's the dismantling business.

Marshall said yes.

Supervisor Scammell asked for the status on the Thorpe property.

Ralph said he advised Tim Thorpe that as long as he doesn't unload any vehicles on the property and just parks the truck with the vehicles on it for a day until he transports them, he doesn't have a problem with it.

Supervisor Scammell asked if he just collects junk vehicles and then transports them somewhere else where they are dismantled.

Ralph said yes.

Supervisor Scammell asked about the complaint from the resident on the Lane that indicates that they felt the car repairs shop is a licensed junkyard.

Ralph Lamson said he is not aware of this. He thinks it's the same business they have been running ever since he has been around town.

Supervisor Scammell asked if Melody Reed had been in.

Marshall said no. He asked if the Board plans on sending a letter out regarding responsibilities for junk. He doesn't believe the Board and Assessors should take the blame for these things as they are not our fault.

Councilman Knapp said the Board had discussed putting something in the spring Newsletter. We could put something in the July issue. The procedure could be laid out telling you what to do if you have a concern.

Marshall said if someone is concerned about ground water pollution, they should be advised to call the DEC. Residents believe someone from the town will come to their residence to fix the problem. He believes a procedure should be put out for the residents to follow.

Supervisor Scammell asked if the DEC has jurisdiction if something is spilled.

Ralph Lamson said yes.

Councilman McConnell asked if regarding a procedure to search out and find those not in compliance, is it his expectation that the CEO is out and searching for violations?

Marshall asked as a taxpayer if there is something he feels is disturbing his well, who does he contact to get relief from this thing that is bothering him?

Ralph Lamson said he doesn't think you can give them a blanket answer.

Councilman McConnell asked Ralph if he primarily works off complaints rather than searching out violations.

Ralph said he doesn't have time to do the searching out.

Councilman McConnell said he volunteered to do an article on the junk and then he advised he wouldn't. One reason was that he didn't get a response back as to what to put in it. He will take on the challenge to write an article on this. He agrees with Marshall that the town pays taxes and they should expect some type of services. If the Board will email him the issues, he will sort out the procedures.

Marshall said he is just saying you have to get this information out somehow.

Councilman McConnell said he would like to know the issues brought forward to Marshall. There is a gentleman in Marcellus who will pick up junk vehicles. He backed off this issue for awhile due to citations for junk vehicles being issued.

Ralph said regarding Thorpes, as long as he isn't loading the vehicles off the truck or dismantling vehicles on the property, he doesn't have a problem with it.

Councilman Bailey said the City of Syracuse has a local ordinance that has been around for years. If they locate a vehicle that is unregistered, they will put a blazing orange fluorescent sticker on the vehicle. This starts the clock ticking for 30 days. They will attempt to locate the owner. If the vehicle isn't claimed within 30 days, the vehicle will be seized and a ticket is issued and the fees are attached to the resident's property tax bill.

Marshall Taylor said they have a local police force which we don't have.

Ralph Lamson said we could use the contract we have with the Sheriff's Dept.

Councilman Bailey said this could encourage voluntary compliance and if that doesn't work, you could speed up enforcement.

Councilman Shute said it seems like a no win situation. It won't stop people from going to Marshall Taylor to say their property should be lowered for some reason or other. Where do you draw the line with this stuff? Is it a car that is not registered? Can someone have a car they are working on? The definition seems like it would be a nightmare to get into.

Ralph Lamson said it's already defined in our Junkyard Ordinance. He thinks the vehicle has to be licensed or registered within the last 6 months.

Councilman Knapp said they have allowed people to have a winter rat, etc.

Councilman Shute asked if it's more a question of enforcement. If we have already defined the problem, is it just that people don't understand the law?

Supervisor Scammell thinks in general over time the problem is not lessening.

Ralph Lamson believes it pretty much stays the same. You get one person to clean it up and another person on a different road is in violation. You might get someone to clean it up and then a year later, it's back.

Pete Paul said in the Town of DeWitt you get 5 days to get it out of there. If there is a vehicle that is in violation and has been so for a year, is it his obligation to turn the person in? He pays taxes. Is this his obligation?

Councilman Bailey said the Town Board could compile a list of those in violation and submit this list to Ralph Lamson and somehow get the letter out encouraging compliance. If the letter doesn't work, we need to step up enforcement.

Councilman McConnell thinks there is a list already.

Ralph Lamson said there is a partial list from a couple of years ago.

Councilman Bailey said if the town was totally canvassed.

Ralph said the last time this was done, there was probably over 200 vehicles which is way too many properties for he and Jack to keep track of. He tries to keep it between 10 and 15 so they can keep track of them.

Marshall Taylor said he doesn't know how to make it better for everyone.

Pete Paul asked if Ralph sees a violation and writes a letter to the resident, does the resident respond?

Ralph said about 25% of the time he hears back. If not, he sends a Notice of Non-conformity which might bring the total who respond up to  $\frac{3}{4}$  of the people. The last quarter don't respond until he gets them in court and in front of the judge. After you get the folks in court and the vehicle is gone, 6 months later they have another vehicle back.

Pete Paul asked Ralph if he sends a notice if a vehicle is being sold from a business in the Town of LaFayette.

Ralph Lamson said no.

Supervisor Scammell said the Board should review the Junkyard Ordinance.

Councilman McConnell would recommend that the Board advise the procedures for a resident to follow if there is an issue. He would suggest there is a time-frame and a fine if the junk isn't cleaned up. This has been an ongoing issue for some time.

Ralph Lamson said it's been a problem for as long as he has been here.

Marshall Taylor said he understands what his options are as a resident. If the town thinks it's a slippery slope, he knows he has to contact his lawyer, etc.

Councilman McConnell thinks the residents think it's the Code Enforcement Officer's responsibility to be out there looking for the violations.

Ralph said in places where you see people out looking for new violations, there are full-time Code Enforcement Officer's. If the Board knew of someone that would be a Deputy CEO to do this type of work, he wouldn't have a problem with it.

Supervisor Scammell asked if he had a junk vehicle on his property, what would be the earliest he would be in court?

Ralph said he gives 2 weeks for a response to the letter and a couple of weeks to respond to the Notice of Nonconformity and then a ticket would be issued. It could be 5-6 weeks.

Supervisor Scammell asked how long the process could take.

Ralph said Mr. Shute has been going on for over 2 years. Usually the judge gives them two weeks to clean up the junk.

Sam Young thinks most of the people who are cited and end up in court comply almost immediately. It's the rare case that you have that will adjourn several times and then go to civil court.

Councilman McConnell asked how Ralph went through the process of elimination to say we are allowing a manufactured home from a CEO's aspect.

Ralph said in an A/R District single-family dwellings are allowed. He looked at our definition for a single-family dwelling. He also looked at the definition of a dwelling in the NYS Building Code. The definition of a dwelling from those two sources is basically something you live in. We don't have a definition for manufactured homes in our zoning so he went to the NYS Building Code. It defines a manufactured home as a dwelling. The final thing that guided him to allow it was the definition of a mobile home. Since it was changed in 1976, the definition was amended twice. Once in 1987 and once in 1983. A manufactured home is defined as a dwelling and a dwelling is allowed in an A/R District.

Councilman McConnell asked if there would be stipulations when the building permit is issued regarding foundation, etc.

Ralph said they will have to meet the NYS Building Code regarding foundations.

Marshall Taylor asked if this would be a 4' wall.

Ralph said this could have a slab foundation. It would have to be a full pad.

Councilman Knapp asked since the Brown's had already put in an application, would anything we decide on have an affect on them?

Ralph said he doesn't believe they have filed an application yet.

Councilman McConnell asked if the mobile homes in Parc du Bois are considered permanent homes.

Marshall Taylor said no.

Councilman McConnell said he can't tell the difference between a manufactured home and a modular home which is allowed. He thinks we should determine what is allowed for manufactured and modular homes.

Marshall Taylor asked if Councilman McConnell thinks 10 x 70's and 12 x 70's would be O.K.

Councilman McConnell said he doesn't think we can define it by the square footage.

Councilman Knapp thinks we would get a square foot requirement to be sure it can't be constructed as a single-wide or trailer.

Councilman McConnell thinks we have to be very careful in defining square footage when many people grow up in homes in the town which could be smaller than a manufactured home.

Ralph thinks it definitely needs to be looked at to get it straightened out. There is a million ways you can go with it.

Councilman Knapp asked if we should issue them a building permit if we are still in the middle of looking this over. He asked if the Board should place a moratorium on this.

Ralph said he has advised the Brown's they can get a building permit.

Councilman Bailey asked if it's a nonconforming use.

Ralph said it's not a nonconforming use. After researching this, we found it was in violation.

Sam Young said if the application is for a legal use and then ceasing their illegal use, under our law, Ralph would have to entertain it.

Councilman Knapp knows they are anxious but they stated they were O.K. if this took a little time.

Councilman McConnell doesn't see this to be an issue for the Brown's to move forward but he thinks we need to define this for our Zoning Ordinance so it's not left as not in compliance.

Councilman McConnell said in the village on the southwest corner there seems to be a growing number of signs for personal businesses. Is that allowed?

Ralph thinks part of our sign ordinance states you can't advertise a business on a separate property. He will look into this.

Councilman McConnell said they are local businesses so he would just like the residents advised it's illegal and not to cite them.

Councilman McConnell said Economic Development and the Chamber of Commerce have meetings this week and we should find a way for businesses in the town to put up signs for their businesses in a way that is attractive and they can be consolidated.

Councilman Knapp asked where we are at now on the manufactured home issue. He thinks the Board talked to Kevin about putting something together for us.

Supervisor Scammell thinks the Board has to have an idea of where they want to go with this first.

Councilman McConnell asked Ralph Lamson if he can have the Brown's bring in their proposal to use as a starting point. This would include the foundation, etc.

Councilman Knapp said he did drive past the gentleman in Jamesville's house that was at our last meeting and it's a pretty good looking place.

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

Douglas Scholes said he has just been going around with Jim Moore and learning the job a little. They had a couple of complaints. They picked up a deceased dog on Sentinel Hgts. Road and took it down to the crematorium.

Councilman Bailey said the State DOT or County DOT would have taken care of this. It is really not the Town of LaFayette DCO's responsibility to take care of a deceased dog on a county road.

Supervisor Scammell said they are our responsibility on a town road.

Leon Cook said they have picked up dead dogs before on town roads.

Councilman McConnell said last Wednesday he went to the Town Clerk and advised there was a dog unlicensed and unidentified at McDonalds. He followed it as it traveled around to Naughton Rd. It's a brown chow mix.

Douglas said the troopers called Jim Moore about one they picked up on Route 20. He thought it was an Akita type dog.

Douglas said Jim Moore gave him magnetic signs for his car. One fell off the other day and he doesn't know where it went to. He doesn't think they are sticking real well.

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

- **Persse Road: barricade relocation (TB site visit).**
- **Town signs.**

It was noted these are on hold.

Leon Cook said the Highway Dept. won't pick up a dead dog unless there is a police report. A couple of years ago they were going to pick up a couple of dogs and found out they had been shot. He called the police right away.

Councilman Bailey said obviously if a dog has been shot, it warrants a police report.

Leon said if a dog has been hit, the police would try to find the owner.

Councilman Knapp thinks if a dog is on a state or county road the town shouldn't have to incur the cost for it.

Leon asked about the Myers property.

Supervisor Scammell said the Town Board is still researching this.

Leon said they have been working on the cleanup most of the month. They started the 5<sup>th</sup>. They just got everything hauled away. They have some more metal that has to be taken care of. He can't get the freon out of the refrigerators until June, then we can get rid of them.

Councilman Knapp said it was a good job finding someone who would come pick the steel up so we didn't have to haul it.

Leon said we had to haul two loads. He thinks we are going to end up with less cost than we had last year. Last year it was around \$2,430. This year with the metal we will be getting more money per ton. Our cost will be less than it was last year. They have picked up 130 loads of brush. They are hoping to finish this at noon tomorrow.

Councilman Knapp asked if there were many problems with the whole wood issue.

Leon said yes. A lot of people brought it in and they were a little upset when he told them they could dump the other stuff off but would have to take the wood back home. There's a lot of people burning their own stuff now to get rid of it.

Councilman Knapp said that is just what we told the DEC would happen.

Councilman McConnell asked about how many independent fires there have been because of being turned away.

Leon said he doesn't know. They have all been controlled. He thinks there were quite a few.

Leon said there's a tree up on Sugar Bush that they have to take down. Once he gets this done, he will be repairing roads and doing maintenance on them. Last winter was really hard on the roads.

Supervisor Scammell asked why.

Leon said because of the weather. The freezing and then thawing up hurts the roads.

Councilman Knapp thanked Leon for getting the flower boxes out this morning. He knows the Garden Club worked on them Saturday morning.

There will be a meeting on June 6<sup>th</sup> at 7:00 p.m. at Grimshaw regarding what the DOT is doing.

Councilman Knapp asked if they are going to accept input at the meeting.

Leon said they will probably show a blueprint of exactly what they are proposing to do. He is hoping they will be doing a lot of work on the drainage.

Councilman Knapp asked if the residents turned out and don't want the turn lanes put in, will they listen to the residents?

Leon said he doesn't know. Usually when the state has spent a year in doing a survey work and planning it's hard to reverse their decision.

Councilman Knapp asked if we didn't write a letter about this.

Supervisor Scammell said we wrote two letters opposing the turn lanes.

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

A written report for April was submitted. There were 348 cases and \$23,185 was turned over to the town.

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

Supervisor Scammell noted they will be hold their annual book and bake sale at the Community Center on June 2<sup>nd</sup> and 3<sup>rd</sup>.

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

Regina Reinschmidt said baseball and softball seasons are going well. She and Leon Cook did the water test for the year for the 5 buildings and the Beach. The first five came back fine with no negative results. They will hear about the Beach in a couple of days. The box was fixed up by Paul Dwyer. She and Tom Rezsnyak made their safety inspections at the Beach and the concession stand. Things seem to be working out with Jamie Manley. They still have Brad Palmer on the payroll. The one dumpster behind True Value could be moved back to where it was last year. She will call Syracuse Haulers to see about getting it moved.

Councilman Knapp knows one issue they had last year was getting the line painting machine from the storage shed where the concession stand is down to the fields behind True Value.

Regina said they have talked about this.

Councilman Knapp said the grooming machine was taken out on the road too.

Regina said Tom Rezsnyak said it was O.K. as long as a vehicle followed it with its flashers on. The school has been stopping by and grooming for them now. This will end when they are done grooming their fields. If we don't get the big paint machine down there, they will use the little one.

Leon Cook asked if it just has to be put on a trailer. If it's a safety issue, he could use the trailer to move them.

Regina will let him know. There's one spot at the Beach which is the old pump pit. It hasn't been used in several years. They would like to see it filled in if it's not going to be used in the future as it's a potential hazard. She is going to talk to some people to see if we shouldn't keep it in case we are going to use it again.

Leon said probably the best thing to do is to fix it so it can be locked up. He would like to see it left there. It was a lot of work putting that in. If you get a real dry summer, they will have to water inside the box to keep the grass growing.

Councilman Bailey said as long as there is a way to render it safe.

Leon said there is.

Regina asked if they should have Herb Salladin work on this. He replaced the plywood cover already.

Supervisor Scammell said when he talked to Herb about this earlier, he didn't get the impression it was a very expensive item.

Councilman Bailey asked if there was a problem with the door at the concession stand.

Regina said they are still working on getting the building up and running. It was from the vandalism last season. They didn't realize the extent of it until cleanup days this year. They are changing the door so it opens out. Fred Groth is doing all this for them. He is just waiting for the parts.

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

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

- A written report for April was submitted.

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

**a) Intermunicipal Shared Services/Cooperation & Consolidation, 2005 Onondaga Citizens League study (published May, 2006), Southern Onondaga County towns.**

Supervisor Scammell said the study goes on about the advantages and disadvantages of consolidation. There might be a review process for projects that would be reviewed outside the town or village at a regional level. The report is quite large and goes on and on about several aspects. It has been successful some places. He will be going to the meeting tomorrow with all the town supervisors and this will be one of the topics on the agenda with Nick Pirro.

Councilman Knapp said he spoke to someone who went to the meeting last Wednesday. Their big push was basically for the town to do away with their planning and zoning functions and have them all fall under regional boards. The general consensus from places like Fayetteville and Manlius was it's never going to happen. He has concerns about us giving up our local boards and involvement.

Supervisor Scammell said the survey indicated that the local towns and villages do not want to give this up. They talked about the sharing of office functions.

**b) Shared Municipal Services Incentive Grant Program, 10% matching.**

**c) '07 budget – deferred items (none).**

A written report for April was submitted. He noted we are still over budget by about 4%.

**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).**
  - a) **LaFayette Hotel.**
  - b) **Focus 2010.**
- 4) **Emergency Response (TB/BM).**
  - a) **LFD exhaust vents – '06 AFG grant submitted (TB).**
  - 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.**
  - e) **Computer terminal in highway garage – space needed?**
- 8) **Physical Plant (HS/DK/BM).**
  - a) **Heating/Cooling system alts & new temperature controls, bid, Clay Smith, P.E.**
  - 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.**
- 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.**
- c) **Fred Stafford/Optimists Park.**
1. **Lacrosse facility – estimates (\$5K – materials only), (re)location possibilities.**
    - **Tully-\$12k – materials only (all volunteer labor).**
  2. **Bird problems – remove light (see PP) (DK).**
- d) **Park designs.**
- **Parkitects.**
- 10) **Safety (TR/AS/LC/RR).**
- 11) **School District liaisons (BM/PP).**
- 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.**
- 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.**
    - **Letter to Dale Sweetland, Onondaga County Legislature Chairman – complete.**

Supervisor Scammell said the new water system will allow some new hydrants to be put in around Jeremy Lane. They do cost some money and he will have to talk to the water district to see if they wish to fund them.

- c) **Coye Road Water district – new hydrants at Jeremy & Roberts.**
- d) **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.**

Sam Young said we are still waiting for a decision from Judge Murphy. He expects a decision any day.

**C. Robert Shute – Route 11 – Judge Gideon, Town of DeWitt Court rules in town’s favor, 5.16 sentencing.**

Sam Young said we were at the DeWitt Town Court last week for sentencing. We will be back in June for a determination as to what extent Mr. Shute has cleaned up his property. If he fails to do so, he is looking at some fines.

Supervisor Scammell asked if this was June 27<sup>th</sup>.

Ralph Lamson said yes.

**D. AT&T class action (signed)**

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

**A. Crime coverage – review of town books (TC).**

Tom Chartrand has reviewed the books. The accounts seem to be in balance. He has requested some clarifications which he hasn’t heard back on yet.

**B. School speed limit signs: awaiting NYS DOT installation (west bound?).**

Councilman Shute said as far as he can tell, they are where we requested them to be.

**C. 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.**

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

- **NPV calcs.**
- **Town Investment Policy.**

Supervisor Scammell said everyone has a copy of this.

Councilman Shute asked if we wanted to entertain someone coming out here to present our options.

Supervisor Scammell doesn't until he knows if we have money to do anything with.

Councilman Knapp is open to hearing options but doesn't want to waste the guys time so maybe we should just wait and see.

Councilman McConnell said he and Tom Chartrand talked about the options we have. He asked Tom to send an email to the Board about what options we have.

Tom Chartrand said he discussed some of this already. We are tied into the Investment Policy. We can't deviate from this. There has to be a situation in place where we are sure of this money. The state passes this on to us.

Councilman Shute thinks we should check out the options.

Tom Chartrand said the Board can solicit for a schedule showing what they are charging for the checking accounts, etc.

Councilman Shute thinks we should just check and see if another bank would give us a better rate on our CDs, etc.

Tom Chartrand said rather than keeping all our money invested at M & T, we could check into other banks to see what they offer.

Councilman Knapp said if the money is in different banks, it is much more difficult to transfer funds. If we have money in separate banks, the supervisor has to make the transfers.

Councilman McConnell wouldn't think you would have that much activity in the other investments at another institution.

Tom Chartrand said if you were going to invest a small amount of the Capital Reserve in another bank, he doesn't think it would be a big problem.

Councilman McConnell said he would like to continue the day-to-day operations as simplified as possible but to possibly find a better rate in another institution with the funds you would only be using by referendum.

Councilman Bailey thinks if we get this new found revenue and we put it in a CD, it would be tied up for a year. He thinks it would be at the best interest of the town to check various institutions for the rates.

Councilman Shute said we take in a bunch of tax money. Some of that won't be used for 6-12 months. For the money we know will be there for 9 months, shouldn't we be using it to the best advantage possible?

Councilman McConnell asked about the money that comes in from the court.

Tom Chartrand said it's all budgeted revenues. He tries to keep a minimum balance in the checking account.

Councilman McConnell would recommend the Town Board research some institutions or come up with some ideas.

Tom Chartrand said the same proposal would have to go to all institutions.

Councilman Knapp asked what bank other towns use.

Tom Chartrand said Fabius uses M & T, SOTS uses Partners Trust. All the other towns he has use Alliance.

Councilman Knapp asked who his favorite is.

Tom Chartrand said Alliance has a lot of benefits because of its location.

Councilman Bailey asked if the state has a say that the institutions must be within New York State.

Tom Chartrand said as long as the institution meets all the NYS standards, it would be O.K. Again, it's a matter of the transfers having to be handled through Supervisor Scammell. We could still maintain our checking at M & T but he would think they might want to add some fees on if we weren't keeping all our money with them..

Councilman Shute doesn't see where we have to limit it to savings account and CD. The way he reads it is that it has to be a government banked security.

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

- 1) New NYS DEC TMDL requirements (JD).
- 2) NYS DEC letter (GS) – complete.

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

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

Tom Chartrand provided a list of all the service based vendors we use and gave a rough estimate of what we spent in 2005 for each of these vendors.

Councilman Knapp asked who he gave this information too.

Tom Chartrand said Kevin Gilligan.

Sam Young said their group is looking at this and will be reporting back soon.

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

- **Stafford Park: Community Council – LaFayette Beach (AS, RR).**

Councilman Shute said he and Regina Reinschmidt met on Thursday and he believes she is typing up what they finalized to send in.

- **Bailey Park: Boy Scouts (BM).**

Councilman McConnell said knowing how the priority works, this should be tabled. He will still get together with Steve Kuhns to see where he left off on this.

Supervisor Scammell said the benefit is to establish yourself as an organization. Once you establish yourself, it's easier to go back in the future to apply for funding. It's an opportunity to get known at the Central New York Community Foundation.

Councilman McConnell will get the Board some numbers by the next meeting for Bailey Park.

**I. Onondaga County Sheriff's contract.**

**Councilman Shute moved and Councilman Knapp seconded the motion authorizing the Supervisor to sign the contract. Motion passed unanimously.**

**J. Other.**

**Councilman McConnell moved and Councilman Knapp seconded the motion that the Town Board acting through the Town Supervisor be and they are hereby fully authorized and empowered to purchase, invest in, acquire, sell, assign, transfer, or otherwise dispose of any and all types and kinds of securities including but not limited to stocks, bonds, debentures, notes, rights, options, warrants, certificates of every kind and nature whatsoever; and to enter into agreements, contracts and arrangements with respect to such security transactions whether or with securities related individuals or agents; to execute, sign or endorse on behalf of and in the same agreements and to affix the corporate seal on same. Motion passed unanimously.**

Councilman Knapp confirmed Kevin Gilligan reviewed this and recommended the number of changes.

Councilman McConnell said yes.

Councilman McConnell said Fidelity determined it would be in the best interest of the town to have two copies of the quarterly reports. One is for the town and one the individual would get.

Councilman Knapp asked what the difference between Dain Rauscher and Fidelity is.

Councilman McConnell said Dain Rauscher is the conduit of information through Penflex.

Councilman Knapp said and Fidelity is the actual investment.

**Councilman McConnell moved and Knapp seconded the motion authorizing Supervisor Scammell to sign the letter regarding duplicate statements. Motion passed unanimously.**

**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:**

**GENERAL FUND**

**#5553 – 5559, 5561-5582**

**HIGHWAY FUND  
TRUST & AGENCY FUND**

**#5590  
#5583-5586  
#5587-5589**

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

The Regular Town Board Meeting adjourned at 9:14 pm.

Respectfully submitted,

Mary Jo Kelly  
Town Clerk

Adopted 6/12/06