

Minutes of the Town Board Meeting held by the LaFayette Town Board on September 25, 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
John Greeley, Dep. Highway Superintendent
Ralph Lamson, CEO
Regina Reinschmidt, Rec. Coord.
Wendy Reese, Town Attorney
Marshall Taylor, Assessor/Clerk
Tom Chartrand, Bookkeeper
Kurt Watson
Paul Zumpano
Jamie Kriz-Orso
John Dunkle, Town Engineer

1. Supervisor Scammell called the meeting to order at 6:34 p.m.
2. The Town Clerk took the Roll. All present.
3. Pledge to our U. S. Flag. Town Councilor Adrian Shute.
4. **Councilmen Knapp moved and McConnell seconded the motion to accept the September 11, 2006 Town Board Meeting Minutes as submitted by the Town Clerk. Voting was as follows:**

Supervisor Scammell	Aye
Councilman Knapp	Aye
Councilman Bailey	Abstain
Councilman McConnell	Aye
Councilman Shute	Aye

Motion passed.

5. **PUBLIC HEARINGS.**

A. Cohen Subdivision Drainage District (6:30).

John Dunkle said the purpose of this action is to create the boundary for the district. It's to see that all the lots within the Cohen Subdivision will be assessed a certain amount of money for maintenance of the drainage facility. The subdivision was

previously approved by the Planning board. The developer pays for all the infrastructure and it's reviewed to be sure it's O.K. and then it's turned over to the town. Once the town accepts it, it's assumed the town will have to incur some expenses to maintain it. We don't want the whole town paying for this as it only benefits a few folks. It's not fair to have the whole town pay for it so we create the drainage district so any expenses to maintain these facilities in the future will be paid for by the lots in the district. The purpose of this hearing is to create this district. He and John Langey have reviewed the documents and are comfortable with the district that is being proposed.

Supervisor Scammell asked for any questions or comments.

Marshall Taylor asked how the district rate will be applied. Will it be a per thousand or what?

John Dunkle said it's per lot.

Marshall Taylor asked if it will be per unit.

John Dunkle said it's a per lot charge.

Supervisor Scammell said each year we might incur different types of costs so the cost could change.

Marshall said but Tom Chartrand could notify the county of this and they would change the unit site cost.

Councilman McConnell said when this was discussed earlier, it was discussed to have an escrow account for this.

John Dunkle thinks this is a better approach. He recommends establishing a minimum fee every year when you work on the budget. It should be established so an escrow account is built up.

Councilman McConnell said there are 8 proposed lots. If there is only 1 home for 5 years, that might be a lofty amount to pay.

John Dunkle said there are 9 lots and the developer would be responsible for the remaining lots portions. This is different then the water district as you are not monitoring the amount of water going through. It's to manage drainage only.

Councilman McConnell noted no one is present regarding this public hearing from Mr. Cohen's group or the Jamesville Reservoir residents. He asked about determining there should be a district and having no price estimates.

John Dunkle said in the project description it states the cost for year 1 won't exceed \$100/lot.

Councilman McConnell asked what he bases this on.

John said this is just to begin the escrow account.

Councilman McConnell said isn't at this point in time, the developer will have to put in \$900. he asked if there is a set time table that the town would have to do the maintenance.

John said certainly not yet. The town will not accept the drainage district until it has been approved. Right now the developer pays for this.

Councilman McConnell asked if Leon Cook has taken a look at this.

John said the applicant has demolished the old facility which they had to do in order to get perc tests. They have to remove the debris and bring in fill and perk that soil.

Councilman McConnell said Mr. Keplinger came in and had a good concept of the drainage district, he asked if Leon had ever looked at this plan to see if he had any idea what it would cost to maintain it.

Leon Cook said he reviewed it at first but hasn't seen it since they started.

John Dunkle said Leon did review the plans when they were proposed to see how much maintenance would be involved. The structure hasn't been built yet for him to see it.

Tom Chartrand said if you are forming a drainage district, you will have to notify the county within the next couple of weeks to have any dollar amount put on the tax bill.

Marshall Taylor said he hasn't received any new tax map numbers for the subdivision yet.

John Dunkle said the filing of the subdivision hasn't occurred yet as this drainage district is a condition of the subdivision approval. He doubts the facilities will be ready for acceptance by the town until next year.

Supervisor Scammell said the developer will be eating the cost of the construction for the facilities.

Tom Chartrand said there will be no money to maintain this district in 2007 if the county isn't notified within the next couple of weeks. You can set any amount you want as the taxable amount. The Board will be looking at this again next year. If there is more than one lot at that time, the Board can determine if they want to charge \$900/lot or \$100/lot.

Councilman Bailey confirmed if with the \$100/lot escrow that takes place and if some severe weather occurs before the town accepts the facility, there is no potential for any maintenance to fall on the town.

John Dunkle said correct.

Councilman Bailey said the escrow wouldn't be touched until we take control of the facilities.

John Dunkle said the developer will have to have bonding until the town accepts the facilities.

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

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

Councilman Knapp confirmed the Board can set the dollar amount per lot at any time.

Tom Chartrand said it can be set at one of the budget work sessions.

**IN THE MATTER
OF
THE PETITION FOR THE CREATION OF THE
COHEN SUBDIVISION DRAINAGE DISTRICT IN THE
TOWN OF LAFAYETTE, COUNTY OF ONONDAGA, NEW YORK**

WHEREAS, a written Petition, dated June 28, 2006, in due form and containing the required signatures, has been presented to and filed with the Town Board of the Town of LaFayette, Onondaga County, New York, for the creation of the Cohen Subdivision Drainage District in said Town in an area known as AThe Grove@ and bounded and described as set forth on Schedule AA@ attached hereto; and

WHEREAS, the costs in connection with the creation of said District and of installing all drainage facilities therein shall be paid by petitioner(s), its grantees, successors or assigns, with no expense to the Town of LaFayette; and

WHEREAS, an order was duly adopted by the Town Board on August 21, 2006 for the hearing of all persons interested in the matter on the 25th day of September, 2006 at 6:30 p.m., or as soon thereafter as the matter could be heard, at the Town Hall in said Town and the hearing by the said Town Board having been duly held at such time and place, and proof of posting and publication of the notice of said hearing as required by law having been received by the Town Board, and the Town Board having heard all persons interested in such matter; and

WHEREAS, the Town Board has received a report from its consulting engineers, Dunn and Sgromo Engineers, certifying that the plans for constructing drainage facilities in said district are satisfactory and meet the requirements of the Town, subject to inspection by the Town engineers at petitioner=s cost and expense upon installation of the facilities therein; and

WHEREAS, the permission of the State Comptroller shall not be required for the extension of said District nor the construction of said improvements since the Town shall not be required to finance the cost of said improvements by the issuance of bonds, notes, certificates, or other evidences of indebtedness of the Town; and

WHEREAS, on August 21, 2006, the Town Board also determined that the creation of the said District and construction of improvements therein will have no significant effects on the environment and that such determination constituted a negative declaration for purposes of environmental review; and

WHEREAS, On September 19, 1988, the Town Board duly adopted a resolution, pursuant to Town Law Section 206-a of the Town Law, which determined that it is in the public interest to assess all expenses of the Cohen Subdivision Drainage District necessary to be expended for the supplying of surface water drainage services therein, including the expenses relative to all extensions of said District as may thereafter be established, as a charge against the entire area of said District; and

NOW, upon the evidence given upon such hearing and upon motion of Councilman McConnell, seconded by Councilman Bailey, it is

RESOLVED AND DETERMINED, that:

- A. The petition aforesaid is signed and acknowledged or proved as required by law, it duly complies with the requirements of Section 191 of the Town Law as to sufficiency of signers with respect to the boundaries of the proposed district extension as herein approved and it is otherwise sufficient;**
- B. All the property and property owners within the proposed district extension are benefitted thereby;**
- C. All the property and property owners benefitted are included within the limits of the proposed district extension;**
- D. It is in the public interest to grant in whole the relief sought; and it is further**

RESOLVED, that all future costs and expenses of operation, maintenance and improvements in said District, including those relative to the district extension

which is the subject of this resolution, shall be assessed, levied and collected from the several lots and parcels of land within the entire area of said Cohen Subdivision Drainage District (as created) deemed benefitted thereby in proportion to the amount of benefit conferred upon same; and it is further

RESOLVED, that the said District be extended in the said Town of LaFayette, Onondaga County, New York, to include the description and boundaries, as hereinbefore described; and it is further

RESOLVED, that the Town Clerk is hereby authorized and directed to cause a certified copy of this Order to be recorded and filed in accordance with the provisions of subdivision 1 of Section 195 of the Town Law.

Upon a canvass of the Town Board, the votes of its members upon the Resolution were as follows:

Supervisor Scammell	Voted	Yes
Councilman Knapp	Voted	Yes
Councilman Bailey	Voted	Yes
Councilman McConnell	Voted	Yes
Councilman Shute	Voted	Yes

The foregoing Resolution was thereupon declared duly adopted

E. Zumpano Subdivision Drainage District (6:45).

John Dunkle said this is the same exact thing as the Cohen Subdivision Drainage District.

Supervisor Scammell said one of the concerns he has is the property immediately to the north of this property has had drainage problems. Is there any assurance we can give that property owner that the drainage issue will not cause them more problems?

John Dunkle said the Planning Board was concerned about this too. He charged the developer to make an effort to not increase but also to decrease the drainage to auto auction parcel. They were able to do this by doing some grading and extending swale deeper into the property which takes some of the water towards the west of the property. He is satisfied and so is the auto auction. This project is reducing the runoff of the property.

Supervisor Scammell said this has gone on for decades and any amount that lessens the drainage would be greatly appreciated.

John Dunkle said since the water is taken towards Webb Rd., the developer has been asked to create a stormwater retention facility. That is what this application is for. All of these lots have frontage on roads so between the lots there is swale which directs the runoff to a retention facility which discharges drainage to Webb Rd. The County D.O.T. and he have reviewed these plans and approve of them.

Councilman McConnell said there are 5 lots in this subdivision, is there access from both Route 11 and Webb Road?

John Dunkle said yes. The developer will have to post a bond for this facility.

Councilman McConnell noted this is more work for the Town Highway Dept. again.

John Dunkle said correct and the Board is setting up a district so the cost is only absorbed by those who will benefit from the drainage district.

Councilman McConnell asked what type of maintenance he would expect to have to be done yearly.

John said it's twice a year and there are a couple of small areas that might have to be cleaned out as they will collect sediment.

Councilman Knapp said vegetation would be the biggest problem.

Councilman McConnell noted there will have to be access from the home owners property to this facility.

John said this was determined while the applicant was before the Planning Board and it will be reflected on the map.

Councilman Knapp asked which direction the water will flow when it hits Webb Rd.

John thinks it goes under Route 81.

Councilman Shute asked what if the additional discharge causes problems on Webb Rd.? Will that be the responsibility of the drainage district?

John said it depends when it occurs. It depends on whether the town has accepted it yet or not. Once the facility is in place and it's been endorsed, it becomes the responsibility of the district. The county has endorsed and accepted this.

Councilman Knapp asked if this washes out some culverts going down Webb Road, would the cost come out of the Highway Budget or would the town be responsible for this?

Leon said Webb Road is a county road.

Councilman Bailey asked if regarding the drainage pipes that need to be cleaned out once or twice a year, does Leon have the equipment to clean them out?

Leon said when he has to clean the catch basins out that we have now, he borrows the county equipment.

John Dunkle said any expenses the town incurs to clean this facility will be put back on the district.

Tom Chartrand asked if the mowing would be the responsibility of the district or the town.

John said the facility is located on one of the lots and he believes the owner would want to keep it mowed. The easements should be written in such a way that the buyer of the lot knows the town must maintain this and must have access to the facility.

Leon Cook asked who will be responsible for the mosquitoes and the flies due to the holding pond. He gets a lot of phone calls from residents in Cardiff where water flows onto private property. He knows this is a pond with standing water and there will be a mosquito problem. The whole pond will not be moving water. There will be complaints.

John Dunkle said he understands this. The DEC said towns have to put water facilities in place to handle runoff. They recognize these facilities cause standing water and they also say not to create standing water. This is designed to be a wet pond and is actually deep enough to promote water circulation. It will be 4- 6' deep. The way the sides slope, they're designed not to encourage mosquitoes.

Leon asked if this becomes the towns property, does the town have to put a fence up?

John said no. They are designed so a fence isn't required. Part of the design criteria is that these ponds are built with a ledge so if someone falls in, they have the ability to climb out.

Councilman Bailey said as far as mitigation of the standing water, how about installing a fountain to keep the water moving.

John said several towns have done that. If we find that is necessary, it would become the districts expense.

Councilman McConnell said by the looks of the plans and the Planning Board's issues, this application is ready to go forward soon.

John said there are some legal documents that have to be put in place, i.e. bonds, etc.

Councilman Knapp said the designs look like this application is pretty well set.

John said the designs for both the applications are done, they just have to proceed with their legal documents that are required.

Marshall Taylor asked if this drainage districts will become quite common through the town.

John would say any project that disturbs more than an acre is going to be required to have a stormwater mitigation facility. He thinks any major subdivision will require a facility like this.

Marshall Taylor said in the future we could end up with 200 drainage districts which we have to keep track of. It will become a nightmare.

John said if it gets to that point, some other municipalities that might have 15 drainage districts come to a point where they consolidate them.

Marshall Taylor asked if the board would want to do this now.

John Dunkle said not at this point as there aren't enough of them and these two are too different. If there's one property that disturbs more than one acre, the town doesn't have to be responsible for that facility. A facility will be required but the property owner can be responsible. The municipality gets involved when there is a subdivision which requires one facility to serve a number of properties.

Councilman McConnell said no matter how many districts we set up, the burden will fall on the Highway Dept. to maintain the facility once the town has accepted it.

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

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

**IN THE MATTER
OF
THE PETITION FOR THE CREATION OF THE
ZUMPANO SUBDIVISION DRAINAGE DISTRICT IN THE
TOWN OF LAFAYETTE, COUNTY OF ONONDAGA, NEW YORK**

WHEREAS, a written Petition, dated September 5, 2006, in due form and containing the required signatures, has been presented to and filed with the Town Board of the Town of LaFayette, Onondaga County, New York, for the creation of

the Zumpano Subdivision Drainage District in said Town and bounded and described as set forth on Schedule AA@ attached hereto; and

WHEREAS, the costs in connection with the creation of said District and of installing all drainage facilities therein shall be paid by petitioner(s), its grantees, successors or assigns, with no expense to the Town of LaFayette; and

WHEREAS, an order was duly adopted by the Town Board on September 11, 2006 for the hearing of all persons interested in the matter on the 25th day of September, 2006 at 6:45 p.m., or as soon thereafter as the matter could be heard, at the Town Hall in said Town and the hearing by the said Town Board having been duly held at such time and place, and proof of posting and publication of the notice of said hearing as required by law having been received by the Town Board, and the Town Board having heard all persons interested in such matter; and

WHEREAS, the Town Board has received a report from its consulting engineers, W-M Engineers, P.C., certifying that the plans for constructing drainage facilities in said district are satisfactory and meet the requirements of the Town, subject to inspection by the Town engineers at petitioner=s cost and expense upon installation of the facilities therein; and

WHEREAS, the permission of the State Comptroller shall not be required for the extension of said District nor the construction of said improvements since the Town shall not be required to finance the cost of said improvements by the issuance of bonds, notes, certificates, or other evidences of indebtedness of the Town; and

WHEREAS, on September 11, 2006, the Town Board also determined that the creation of the said District and construction of improvements therein will have no significant effects on the environment and that such determination constituted a negative declaration for purposes of environmental review; and

WHEREAS, on September 19, 1988, the Town Board duly adopted a resolution, pursuant to Town Law Section 206-a of the Town Law, which determined that it is in the public interest to assess all expenses of the Zumpano Subdivision Drainage District necessary to be expended for the supplying of surface water drainage services therein, including the expenses relative to all extensions of said District as may thereafter be established, as a charge against the entire area of said District; and

NOW, upon the evidence given upon such hearing and upon motion of Councilman Knapp, seconded by Councilman Bailey, it is

RESOLVED AND DETERMINED, that:

- A. The petition aforesaid is signed and acknowledged or proved as required by law, it duly complies with the requirements of Section 191 of the Town Law as to sufficiency of signers with respect to the boundaries of the proposed district extension as herein approved and it is otherwise sufficient;
- B. All the property and property owners within the proposed district extension are benefitted thereby;
- C. All the property and property owners benefitted are included within the limits of the proposed district extension;
- D. It is in the public interest to grant in whole the relief sought; and it is further

RESOLVED, that all future costs and expenses of operation, maintenance and improvements in said District, including those relative to the district extension which is the subject of this resolution, shall be assessed, levied and collected from the several lots and parcels of land within the entire area of said Zumpano Subdivision Drainage District (as created) deemed benefitted thereby in proportion to the amount of benefit conferred upon same; and it is further

RESOLVED, that the said District be extended in the said Town of LaFayette, Onondaga County, New York, to include the description and boundaries, as hereinbefore described; and it is further

RESOLVED, that the Town Clerk is hereby authorized and directed to cause a certified copy of this Order to be recorded and filed in accordance with the provisions of subdivision 1 of Section 195 of the Town Law.

Upon a canvass of the Town Board, the votes of its members upon the Resolution were as follows:

Supervisor Scammell	Voted	Yes
Councilman Knapp	Voted	Yes
Councilman Bailey	Voted	Yes
Councilman McConnell	Voted	Yes
Councilman Shute	Voted	Yes

The foregoing Resolution was thereupon declared duly adopted.

The OCWA Agreement was discussed.

John Dunkle said the town is working through various funding requests for the water district. \$482,000 from EPA is being approved and a loan from Rural Development. We have also received word that we will be receiving a no interest loan from the DEC. OCWA has prepared a standard operating lease agreement for the town. One of the requirements of Rural Development is that they want the town to own the waterline for the length of the loan. This necessitates the town to enter into an operating lease agreement with OCWA so the town will actually own the waterline but OCWA will lease it from the town and operate it and maintain it for the length of the loan which is for 38 years. This will be no cost to the town. Any costs incurred will roll-over to the district. OCWA will maintain and collect the water bills just as if it owned the system.

Councilman Knapp said the Metropolitan Water board charges will be district expenses.

Councilman Shute said if something happens to these lines and they need repair, would the town fix them and not be able to bill the district for them until the following year?

John Dunkle said no. OCWA would fix them and bill the town and this cost would be billed to the district the following year. He said if the Board approves the agreement, the entire Board will have to sign it.

Councilman Shute noted the lease is for 40 years but the loan is for 38 years.

John said that is correct.

Supervisor Scammell asked if there were any other questions or comments on this agreement.

Councilman Knapp moved and Councilman Bailey seconded the motion to accept the Lease Agreement for Operation of Water District with Onondaga County Water Authority for the Northeast LaFayette/Smokey Hollow Water District.

Councilman Shute understands we have to get this done to have the funding taken care of, but in the future the Board needs more than 15 minutes to read this information. In the future he would like to get this information in a more timely manner. He doesn't think the Board should be approving these things at a meeting when they are just received.

Councilman McConnell agrees in concept with Councilman Shute but he is comfortable with this because of the overview the Board received.

Voting on the above motion was as follows:

Supervisor Scammell	Voted	Yes
Councilman Knapp	Voted	Yes
Councilman Bailey	Voted	Yes
Councilman McConnell	Voted	Yes
Councilman Shute	Voted	Yes

The foregoing Motion was thereupon declared duly adopted.

John Dunkle said regarding the water district, now that we have money in place, one of the next steps is to do the engineering and to select the surveyor. He submitted 3 proposals from local surveyors he works with. He would recommend that the survey contract be awarded to Forrest Sequin for \$13,900.

Councilman Knapp confirmed John's recommendation is for the lowest bidder.

Councilman McConnell asked if they come in under budget, where does the balance of the funding go from this?

John said if we don't spend the entire budget for items, the district is only charged for what is actually spent. They have to keep track of the expenditures very carefully.

Councilman McConnell asked who keeps track of the accounting of the expenditures, etc.

John said the town keeps track of this. The town is only bonding for "x" amount of dollars and only borrowing "x" amount of dollars. There are a lot of people keeping an eye on this.

Councilman McConnell said the reason he asks this is because of the number of agencies that are involved.

John Dunkle said it's to our advantage to try to keep the costs down.

Councilman McConnell is comfortable with John Dunkle's recommendation for the low bidder as he advised he has worked with this surveyor in a couple of other towns.

John said when it came to the archeological study, he didn't recommend the low bidder.

Councilman McConnell said when the original BAN came through, how was John Dunkle authorized to move ahead with the archeological study, etc.

John said the Town Board previously authorized the supervisor to enter into the archeological study. After the motion was made, it was realized there wasn't funding for this. Now that the money is in place, the Board can go forward. That is why he is here tonight to request authorization for the surveyor. He and the town attorney both agreed they wouldn't expect any money from the town until the money was in place.

Councilman McConnell just wondered how this fell on the attorney to determine regarding the Board going forward with the archeological study.

John said that is because this was previously approved. From this point on, the Town Board will be asked to approve various actions. Every outside consultant that is brought into the picture from here on will require the Town Board's approval.

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

Councilman McConnell moved and Councilman Knapp seconded the motion to accept the bid not to exceed \$13,900 from Forrest Sequin to do the necessary survey work for the water district.

Voting on the above motion was as follows:

Supervisor Scammell	Voted	Yes
Councilman Knapp	Voted	Yes
Councilman Bailey	Voted	Yes
Councilman McConnell	Voted	Yes
Councilman Shute	Voted	Yes

The foregoing Motion was thereupon declared duly adopted.

6. COMUNICATIONS.

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

1) Grader family: Mill Street/Road.

2) Kurt Watson : zone change request.

Kurt Watson came forward and advised the Town Board that he is appearing before the Planning Board for a resubdivision.

Councilman McConnell asked if he had spoken to the neighbors.

Kurt said yes and they have no problem with his request.

Councilman Knapp asked if anything can be done before the subdivision goes through.

Mary Jo doesn't believe the Board can act until they have an approved description of the property which won't occur until the subdivision is approved.

Councilman McConnell asked if there will only be one building on the property.

Kurt said yes. It will be 150' off of the road.

Councilman McConnell confirmed there will be no sales from the property.

Kurt said no, it will just be a place to store the equipment. It's just a staging area. There will be one pole barn on the site.

Councilman Knapp asked if Kurt will be working out of this facility or will someone else?

Kurt said someone else.

Marshall Taylor asked if there will be anything grown on this property.

Kurt said there will just be trees grown there.

Marshall said if the trees are for sale, it will become commercial.

Councilman McConnell said the trees will be grown from ground level to be transported to someone else's property later.

Kurt said they are ground trees.

Ralph Lamson said this is considered a nursery. 10 years ago this could have just been done but nursery's got moved into a business district classification in our Zoning Ordinance.

3) Other.

B. Onondaga County–Department of Finance: Annual licensing fee for NYS Real Property System.

“...the following is the portion of the state’s annual licensing fee for users of the New York State Real Property System. This fee is allocated to your town based upon the number of parcels in the municipality. The fee will be used to defray the cost of ongoing software development, maintenance, documentation, and distribution. The parcel count for your municipality is 2,501 and the RPS annual licensing fee is \$800.00...”

C. NYS Department of State: Shared Municipal Services Incentive Awards Program.

“I am pleased to provide you with the information about the Shared Municipal Services Incentive (SMSI) Awards Program...For 2006-2007, the definition of a municipality has been expanded to include counties, cities, towns, villages, special improvement districts, fire districts, fire alarm districts, fire protection districts and school districts. The SMSI program will provide competitive grants that may be used by municipalities to cover costs associated with shared services, cooperative agreements, mergers, consolidations, and dissolutions. With this new round of funding, there are additional opportunities to participate in the SMSI program. Currently, applications are being solicited for the following categories:

- Shared Municipal Services Awards...
- Shared Highway Services Incentive Awards...
- Local Health Insurance Incentive Awards...
- Countywide Shared Services Incentive Awards...

The expanded program also provided a category for Local Consolidation Incentive Awards for up to \$1,000,000 per municipality for one-time incentives to match local savings for up to two years resulting from consolidations...”

Councilman Knapp said he is giving this to the SOTS Board to take a look at. He asked where the ORPS money comes out of budget.

Tom Chartrand said this is under the Assessor’s Budget.

D. NYS Department of Labor: Contracts for garbage, refuse, trash & recyclables – prevailing wage schedules.

The Department of Labor, Bureau of Public Work, has been notified that many contracts let by public agencies for the removal of garbage, refuse, trash and recyclables do not have a prevailing wage schedule attached to them. This is to notify you that all contracts let by a public entity are required to have a prevailing wage schedule included in the bid specifications. Enclosed is a ‘Request for Wage and Supplement Information’ form that is required to be completed for all contracts let. This would be for work covered under Article 8 and 9 of the labor law...”

E. Syracuse Post-Standard, 9.15.06: “CNY Employment – Impressive Growth”.

“The Syracuse metropolitan area’s jobless rate in August was 4.4 percent, unchanged from year ago and a sign that the area’s economy is improving, the state Department of Labor said. Madison, Onondaga and Oswego counties had 340,000 workers with 14,900 unemployed in August. The 4.4 percent unemployment rate for the month ties the record for the lowest level of unemployment in August for the past five years...Jobless rates this year have matched or been below rates fro the state and nation...The state reported a 4.5 percent unemployment rate in August; the U.S. rate was 4.6 percent for the month. The size of the labor force, 340,400, and the number of employed residents, 325,500, are at record highs...Construction added 700 jobs over the year...Public schools, which have been adding staff all year, gained 1,300 jobs compared to August 2005...The low spot remains manufacturing, which lost 700 jobs compared with August a year ago...”

F. Congressman Jim Walsh: Walsh announces homeland security fire grant monies awarded to LaFayette Fire Department.”

“Rep. James T. Walsh today announced that the LaFayette Fire Department will receive funding from the U.S. Department of Homeland Security through the agency’s U.S. Fire Administration Assistance to Firefighters Grant Program. LaFayette will receive \$126,141 to fund Operations and Firefighter Safety Programs as part of FY 2005 funding secured by Congressman Walsh for fire service providers nationwide. The money will be used to purchase diesel emission control for the fire station...”

Councilman Bailey said this was a continuing effort. He and Greg Hoxie have been pursuing this since 2004. This will go to both Fire Stations 1 & 2. The balance of \$25,000 will go towards funding electronic life packs.

The Board thanked Councilman Bailey for his work on this.

Councilman Knapp noted these life packs will be becoming mandatory. He asked if they have picked a time to present this.

Councilman Bailey said no. he will do some coordinating on this.

Councilman Knapp said Congressman Walsh was key in getting this secured.

Councilman Bailey said this is a 95% - 5% shared grant. The town or LFD will have to come up with a little over \$6,000.

G. NetManageIT: Small to mid size business IT support.

“For the past 11 years, NetManageIT has helped small to midsized businesses and municipalities in the area cope with the pressures and needs of technology. Acknowledging the financial burdens smaller companies face, NetManageIT has made IT support accessible and affordable....”

Councilman Knapp asked if we talk to some folks like this, will we have to do the prevailing wage? It looks like they just work with small businesses and municipalities.

Councilman Bailey asked Marshall Taylor if he is familiar with this company.

Marshall said no. We pretty much have state-of-the art with what we have now. Currently we use a company named M.A. Polsei.

H. NYS DOT: Route 11A at Mill Road.

“This is in response to your September 7 letter requesting that we remove the existing ‘STOP’ sign on the Mill Road approach to Route 11A. Please be aware that the NYSDOT has the authority to establish control on all approaches to state highways. This includes public roads as well as private driveways. In our review of this matter we found that four other parcels need to use Mill Road to gain access to Route 11A and the Town claims ownership under Section 189 of the State Highway Law (Highway By User). Based on these findings, we have determined that we do need to maintain the existing ‘STOP’ sign on Mill Road in order to properly control our intersection...”

Supervisor Scammell said this is in response to Mr. Grader’s letter requesting they remove the stop sign. National Grid has indicated that the poles will be straightened within the next 2 weeks.

I. Onondaga County Health Department: Lab analysis.

Supervisor Scammell said this is a report for the LaFayette Commons and has found the water to be satisfactory.

J. Other.

7. **SPECIAL REPORTS.** None.

8. **REPORTS.**

A. DEPARTMENTAL (4th Monday).

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

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

d) **3649 Coye Road.**

e) **Apulia Road – various violations south of Jville Rez.**

f) **July newsletter article (junk vehicles) response (BM).**

g) **3231 Webb Road. Four junk vehicles.**

h) **Signage for seasonal as well as year round businesses on town, county, state roads.**

Ralph Lamson said they issued 12 permits during the month of August totaling \$1,240.

Councilman Shute asked the status of the house on Webb Rd.

Ralph said they have been sent a Notice of Non-Conformity. He will be going to the site in the next couple of days to see if any progress has been made. If not, a ticket will be issued.

Councilman Knapp asked about the houses in Cardiff that are either vacant or abandoned.

Ralph said the two houses as you turn onto Route 11A have no one living in them at this time.

Councilman Knapp said a residence on the east side of LaFayette Rd., south of Coye Rd., has a race track.

Ralph said he has reviewed the Zoning Ordinance. There is a section under an Industrial Zone regarding noise, etc. The neighbors have called him but there is nothing he can do regarding this the way the Zoning Ordinance reads.

Councilman Bailey asked if there is anything that falls under miscellaneous as the oval track is close to the road.

Councilman Knapp said there are some jumps there.

Ralph thinks if the Board takes this section under Industrial Zoning in the Zoning Ordinance and adds it under Agricultural/Residential Zoning we would have some sort of control over the excess noise, dust, etc. for the entire town.

Councilman Knapp would like to take a look at this.

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

4) Highway Superintendent: Leon Cook.

a) Town signs at major entrance/exits to town.

Councilman Shute said he spoke to the Highway Dept. who advised it would be better if they stayed 33' from the center line of the road. He came up with some possible sites for the signs.

b) Town signs at minor entrance/exits to town.

c) Cabinet transfer to Community Council.

Leon asked when the metal cabinet has to be moved.

Regina Reinschmidt said she has a spot for it now. She will meet with Leon about this.

d) Access terminal at town offices.

e) OGS purchase from County – permissive referendum.

Leon said the OGS purchase is the state and not the county.

f) Salt and sand materials agreement with NYS DOT.

Councilmen Knapp moved and Shute seconded the motion to authorize the supervisor to sign the agreement with the NYS DOT for the shared use of the salt and sand shed. Motion passed unanimously.

Leon wants to give special thanks to Knowlton Foote for the flower boxes in the Hamlet. A little over a month ago we had ½ of them dieing. He has brought them all back by fertilizing them. He thinks what happened is that we had so much water it washed what they fed on out of the boxes.

The Highway Dept. has gone around for the fourth time mowing roadside. They are cutting the brush hanging in the roads.

Leon said on the right side of Ortloff Rd. as far back as he knows, we have never had to flush the pipe out. Our pipe is 15” and it goes into a catch basin and from the catch basin it goes into the creek which is the state. The state flushed their pipes out and the Highway Dept. worked with them. They had the LFD helping flush the pipe. 5 years ago the state rebuilt the little bridge and one post was drilled through the pipe which eventually became blocked after 5 years.

John Greeley said it’s the guard rail directly across from Ortloff Rd.

Leon Cook said they are hoping that was the problem.

Councilman Knapp thanks Leon and John for their help in getting the state salt agreement.

Councilman McConnell said Leon and he met with Mr. Caffrey of Grimm Services regarding the trees at Bailey Park. He gave an estimate to cut down two trees and hazard prune 13 large trees and to grind 5 stumps to be done at the end of October for a cost of \$1,400. This reflects a 15% decrease over their regular price with the Highway Dept. removing the wood.

Councilman Shute asked if \$750 would be deducted from this.

Councilman McConnell said no. That money will be spent tomorrow with the planting of some trees.

Leon Cook said the Highway Dept. removed two stumps from down there.

Councilman McConnell said the Highway Dept. took out the cement pad that was down there and reseeded and regarded it. He thanked them for this.

John Greeley said they took efforts to straighten the one basketball rim that was crooked. The one at the south end of the court is the one they tried to pack and regrade around.

Councilman McConnell asked Regina Reinschmidt if there are any nets that could be put up down there.

Regina said she has to order some for Stafford Park.

Councilman McConnell asked her to include Bailey Park in her order.

Regina said she will.

Councilman McConnell asked if there was money in the budget for Bailey Park.

Councilman Chartrand said there is about \$5,000 left in the Park account so he thinks we can afford it.

Supervisor Scammell asked about the prevailing wage issue.

Councilman McConnell said he will talk to Mike Grimm.

Councilmen Knapp moved and Shute seconded the motion to authorize the supervisor to sign the agreement with Grimm Services not to exceed \$1,400. Motion passed unanimously.

Supervisor Scammell returned on the agenda to the signs.

Councilman Knapp thinks we should do small signs on the minor roads.

Leon Cook said we have small signs on them now.

Councilman Knapp said we should do an inventory on these.

John Greeley said they did the inventory already this year.

Councilman McConnell said Tully has a ‘Welcome to Tully’ sign that is very attractive.

Discussion continued regarding the signs.

Councilman McConnell would like to see the Town Board go forward tonight with 4 major signs.

Councilman Knapp would like to have Sign Solutions submit some ideas together with prices. He will bring this information to the next Town Board Meeting.

Councilman McConnell asked Supervisor Scammell if he had the information regarding signs from 2 years ago.

Supervisor Scammell will look.

5) Justice Court: Malcolm Knapp & Maureen Perrin.

- **Written report dated 9/17/06.**

Councilman Knapp asked if we are ahead of budget for them.

Tom Chartrand said yes.

6) Library Director: Scott Kushner.

7) Recreation Director: Regina Reinschmidt.

- **Written report dated 9/24/06.**

Regina said she submitted a written report. She asked about lighting at the Community Center.

Councilman McConnell asked if the lights that are in the center of the room work and can be adjusted.

Mary Jo said they did work.

Regina said some of the bulbs could be out.

Supervisor Scammell said Herb Salladin can check the lights.

Councilman Shute said he will have someone giving a bid for additional lighting. He asked if she found anything out about the grant for Community Council.

Regina said she has to find out about this. From their end, they will have Jamie Manley do some of the work and they are gathering volunteers.

8) Tax Collector: Teresa Mech.

9) Town Clerk: Mary Jo Kelly.

- **Written report for August.**

10) Town Supervisor: Greg Scammell.

- '07 budget – deferred items (none).
- **Written report for August.**
- **Budget Worksheets/Information.**
- **Transfer of Appropriations.**

Councilmen Knapp moved and Shute seconded the motion to make the following transfers:

CAPITAL DEVELOPMENT FUND NE & SH WATER DISTRICTS

To:

H8340.2 Water Systems Distribution	Capital Outlay	<u>\$200,000.00</u>
TOTAL		<u>\$200,000.00</u>

From:			
	H599	Surplus	
			Proceeds of BAN
			<u>\$200,000.00</u>
			\$200,000.00

GENERAL FUND

To:			
	A8989.4	Water Systems (North East Laf) Contractual	\$19,622.35
	A8990.4	Water Systems (Smokey Hollow) Contractual	836.11
	A1440.4	Engineer Contractual	2,000.00
	A1450.4	Elections Contractual	20.00
	A9045.8	Employee Benefits Life Insurance	<u>300.00</u>
		TOTAL	\$22,778.46

From:			
	A599	Surplus Capital Fund Reimbursement	\$20,458.46
	A1620.2	Buildings Equipment	20.00
	A1990.4	Contingent Contractual	2,000.00
	A9040.8	Employee Benefits Workers Compensation	<u>300.00</u>
		TOTAL	\$22,778.46

Motion passed unanimously.

B. COMMITTEE (2nd 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.**

c) Access for highway department at town offices with temporary, nonstandard email account.

3) Economic Development (BM/GS).

a) LaFayette Hotel.

Councilman McConnell updated the Board on the status of the research and attempts to secure position of the LaFayette Hotel. On September 19th he spoke to Mr. Muraco to see if he was serious that he would be interested in donating the building to the town. He submitted a letter to the Board from Mr. Muraco. Since receiving this letter he has spoken to Karen Carney who holds the position to auction this property off. She agrees that if the town purchases the building, the taxes can be held until the reselling of it. He spoke to Mr. Naperelli about the septic system that was installed and what would be needed. He spoke with a representative from the DEC regarding the situation. He

also spoke to Mr. Douglas of the Onondaga County Health Dept. They discussed a possible alternative leach field for the existing system. They agreed there is no way to have a leach field on an adjacent property. There would be 3 wells that would be impacted by the leach field. New York State law now requires 200' from a leach field to a well. He recommended the septic system currently in place would have to have another filter added to it. The estimated cost would be \$20,000 to \$25,000 for the additional filter.

Councilman Knapp said that figure seems to agree with what was discussed when he and Supervisor Scammell met with the DEC and Assemblyman Brown. That is the number he remembers to make the current system viable.

Councilman McConnell said two things that are uncommon here are that there are no building plans or septic system plans. Mr. Douglas had a 1973 map of the building. Regarding the issue of two gas tanks, there is one note on the map stating a possible tank. There is no two tanks on the map. He would recommend the Code Enforcement Officer take a look at the building. There is water damage. He would recommend doing an environmental assessment. There was an assessment done in 1999 by John Dunkle. He basically said there were possible spills, etc. he would recommend the town put out the bid for someone qualified to do the assessment.

Councilman Knapp asked if since the report was partially done by John Dunkle, would it affect the bid.

Councilman McConnell would recommend the town purchase the properties for the assessed value and then lease the land to someone for parking to make some revenue or sell the property. The town can do nothing and then the property will go to auction on October 17th. He would like the above done without a cost to the taxpayer. He is asking the Board to consider making a motion to have the Town Engineer research the cost to fix the current septic system and to seek bids for an Environmental Audit of the building.

Councilman Knapp asked if he would recommend the town put the additional filter on the system prior to selling the property.

Councilman McConnell said our engineer could put a package together regarding the cost or we could put it out to bid. It's critical to find out if the building is worthwhile to reclaim.

Marshall Taylor asked if the current system that is there, was it built with the intent of having a parking lot over it?

Councilman McConnell said yes.

Marshall asked if the parking lot would have to be dug up to service the septic system.

Councilman McConnell said no. The actual covers can be lifted quite easily.

Marshall said there is nothing in the septic tank today and there is no building behind it so the water running into the old IGA is coming from a different site.

Councilman McConnell believes it's water runoff.

Marshall said you can fix the septic but if runoff doesn't come from the building, this won't stop the water damage.

Councilman Knapp thinks in 2009 this issue will be addressed.

Marshall said the point is unless you have the rights to someone else's property so you can dig and divert the water, you won't solve the drainage issue. Mr. Muraco is a

pretty sharp businessman. If this was a viable business opportunity, why did he stop going forward?

Councilman McConnell believes Mr. Muraco hit a roadblock and didn't want to spend any more money to correct the system. He has had 4 developers go through the building who all felt it could be a money making building.

Councilman Bailey said doing nothing is one of the options which puts the taxpayer at the least risk.

Marshall Taylor asked if this is something the Board would have to hold a public hearing for.

Councilman McConnell said he is trying to define what it will take for the town to take the property on. You must define the costs. His hope is to do it with no taxpayer money. He would like to know how much it will cost to fix this and how much will it cost to pursue this. That building sits as an anchor to the community and has potential.

Marshall thinks it could be a community park if the building were taken down.

Councilman McConnell said if the town took it over, that would become one of the options.

Councilman Knapp said the biggest concern about taking ownership and then tearing it down is that it might not be cheap to take it down. We have to pay prevailing wages.

Councilman McConnell said if you take the property and make a community project out of it, there will be tax moneys to take it down. There is a 10' slope so how much fill will you have to bring in?

Supervisor Scammell thinks there was active discussion regarding the cost to take the building down and he believes it could be quite expensive.

Councilman Shute thinks no matter what, we are not talking about approving anything here tonight but to just gather some information. The clock is ticking. It will be sold on October 17th.

Councilman McConnell agrees with Councilman Shute. WE have worked hard on this for 10 months now.

Councilman Bailey believes the least risk to the taxpayer is to do nothing.

Councilman Shute said it depends on what you are talking about. There is a risk we could get stuck with some cost, yes. Is there a risk of leaving the building empty, yes.

John Greeley asked what could happen if the town takes it over and the Health Dept. goes in and says there is a ton of asbestos that must be removed. That could cost tons of money.

Councilman McConnell said that is why he would like to have the assessment done. He would like a motion tonight to have the engineer give us a cost estimate or bid it out at a lower cost, to have the system reviewed and the cost to add an extra filter, and to determine how it would be bid on.

John Greeley asked if this would be a taxpayer burden.

Councilman McConnell said there is only one taxpayer burden he is asking for which is for the town engineer to put out a bid for the environmental assessment.

Marshall Taylor confirmed he is not proposing the Board move to take over ownership now.

Councilman McConnell said no. He is asking the Board to approve gathering the informant and then holding a special meeting prior to October 17th to determine what should be done.

Councilman Shute said he is fine with finding out what it will cost.

Councilman Knapp agreed.

Councilman Bailey said it's a step of due diligence.

Councilmen Shute moved and Bailey seconded the motion to proceed with the following steps:

- 1) The Town Engineer to put or bid a complete environmental assessment of the building and said property and to review details on the current septic system on the property and give the TB an estimate of cost to design the final stage of treatment and to validate this with the appropriate agencies.**
- 2) The Code Enforcement Officer to do an internal and external inspection of the building and report back to the Board with his recommendations.**

Motion passed unanimously.

Marshall Taylor asked if the intent is to convert the apartments in the building to offices or to reconfigure the building all together.

Councilman McConnell said the developers he spoke to all agreed to make the downstairs a couple of offices and apartments for the upstairs. Once the above information is found out, he will research to see if there is funding available for this.

b) Focus 2010.

c) Hamlet sewage district.

d) Hamlet water district.

Councilman McConnell said they had a good Economic Development Committee Meeting the other night. They discussed the constraints of putting water or septic in the Hamlet due to the 2009 DOT plans. They are going to try to put numbers together. If the Town Board wants the committee to gather this information, they will go forward. 40% of the cost would be cut if it's done at the time the road project is as the digging will be done one time. We can go immediately and find funding prior to going forward with the district.

Councilman Bailey asked what the town share of the state funding would be.

Councilman McConnell said it's high. There's 3 things to explore. There's a grant opportunity under capital grants and would lower the costs. Income levels of the area involved drives the grant funding. Does the Board want the Economic Development Committee to work up all the unknowns to bring before the Board?

The Board was in agreement for the Committee to do this.

Marshall Taylor asked regarding the sewer for the Hamlet, is the intent to use the system Clay Smith researched or to design a new one?

Councilman McConnell said he read Clay Smith's proposal 3 times and that would be the original proposal. The research would be for what we could afford and what would be best for the community.

Councilman Knapp thinks water or septic would solve the problem. He doesn't think you need both but you can look at the cost for both.

4) Emergency Response (TB/BM).

a) LFD exhaust vents – '06 AFG grant submitted (TB).

This can be removed from the agenda.

b) Onondaga County Department of Communications - OCICS.

c) NYS PSC – TSP (Telecommunications Service Priority) (BM).

d) Pandemic/Avian/Bird Flu.

e) NIMS training (TB).

Councilman Bailey said there's a September 30th deadline. He completed the various ICS courses online. For the purpose of meeting the deadline, he will get a letter to Pete Alberti's Office.

Councilman Knapp asked if this is mandatory.

Councilman Bailey said this is a national protocol. This is going to be a national standard down the road. It will be required for municipalities to meet federal and state funding requirements.

5) Employee Policies & Benefits (MK/AS/MD).

- **Implement employee-share healthcare premium increase.**

6) Environmental & Conservation Advisory Board (RB, BF, KF, WG, EG, NM).

- **Newsletter – property owner options for Tent Caterpillars - complete.**
- **SPDES subcommittee – tba.**

7) Highway (PP/LC/DK/SP/JG).

a) Long term – 5 year capital equipment forecast.

b) Road maintenance schedule.

c) Multimodal/CHIPS funding – in process, via Senator DeFrancisco's office.

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).

d) Alarms at Town Offices & Community Center.

e) Community Center – kitchen roof leak.

Councilman Knapp said he spoke to Jim Miller at Vanderhoof. He sent a man out to look at this.

9) Recreation & Youth (DK/AS/RR).

a) Marion Bailey Park.

1. Short term.

- **New trees & maintenance (stump removal & tree trimming) to existing trees -94%.**
- **Park signs “children playing” - 76%.**
- **Basketball court improvement (new nets, paint backboards, straighten basketball pole, remove old volleyball pole) - 73%.**
- **General maintenance and improvement (more mowing, weed trimming, trash pickup, remove old concrete pad) – 70%.**

2. Long term.

- **Resurface basketball court.**
- **Add fencing (north side) to protect children from ditch & road.**
- **Speed limit reduction to 30 mph.**
- **Traffic flow control (light, sign, 4way stop @ 11A & Rowland).**
- **Parking area from 11A.**

b) LaFayette Beach.

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

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).**
- 3. Install grills.**

d) Park designs.

- **Parkitects.**

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

a) Electrical work list.

Councilman Shute said the electrician he was talking about doesn't have the required insurance. He will get a quote from Bill Flynn and Fred Groth for the work needing to be done.

Councilman Knapp asked where the information came from that the town would be sharing a defibrillator with the building next door.

Discussion took place.

Supervisor Scammell said if we want one per building and provide the training, it might be good.

Councilman Bailey said there are programs out there and he will check into them.

Marshall Taylor said maybe we could enter into something with the school to get them at a cheaper cost.

Tom Chartrand said the actual price is only about \$2,000. You have to upgrade the pads every year.

Councilman Bailey said you have to be careful of the manufacturer.

Marshall Taylor asked if there is any liability with these.

Councilman Bailey said no. They fall under the good Samaritan.

Councilman Knapp said he has bids coming in for a roof over the sandbox at the Beach and structural repair to the back of the lifeguard building.

b) 5.22.06 inspection – electrical work (AS).

- **Town Offices.**
- **Concession Stand.**
- **Stafford Park.**
- **Bailey Park.**

11) School District liaisons (BM/PP).

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

13) Service Awards (BM/DK/NV/JH).

- a) **Firefighters Tax Exemption Law (Onondaga County Supervisors Association memo).**
- b) **Requirements for service awards & tax exemption reconciliation.**
- c) **Action timeline for calculations & depositing of annual contribution.**

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

- **Prevailing wage impact on contract.**

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.**
 - 1. **Grants & long term, low interest loans (RD & EFC).**
 - 2. **Letter to Dale Sweetland, Onondaga County Legislature Chairman – complete.**
 - 3. **NYS Comptroller’s Office – approved.**
 - 4. **Phase I archeological study – NYS OPRHP.**
 - 5. **\$200k BAN.**
 - 6. **Review surveyor bids & select.**

- c) **Hamlet drainage study – request submitted to NYS DOT.**
 - 1. **NYS DOT notified of subsidence behind M. Amidon’s property.**
 - 2. **6.6.06 NYS DOT meeting @ Grimshaw Elementary School.**
- d) **OCWA – Coye Road Water District hydrants at Roberts Drive & Hedgerow Lane – approved. 12” line to be installed.**

e) **Drainage Districts.**

1. **Jamesville Grove Subdivision (9.25 PH).**

Wendy Reese advised they did receive the required documents with a proposed construction maintenance agreement and John Langey suggested the Board can consider moving to authorize the supervisor to approve the drainage construction maintenance agreement subject to review of all the legal requirements.

Councilmen Knapp moved and McConnell seconded the motion to authorize the supervisor to approve the Drainage Construction Maintenance Agreement subject to review of al legal requirements. Motion passed unanimously.

2. **Zumpano Subdivision (9.25 PH).**

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).**
- f) **11/20 signage for local businesses.**

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

A. ONONDAGA NATION LAND CLAIM & LAND RIGHTS.

B. WILLIAM MAY MOBILE HOME ON JAMESVILLE RESERVOIR.

- **County court rules in town’s favor.**
- **NYS Supreme Court rules in town’s favor.**
- **Appealed by Mr. May.**

Wendy Reese said Sam Young is pushing for a resolution as soon as possible so maybe we can get a faster decision during the winter months so Mr. May can move the trailer off during the winter.

C. ROBERT SHUTE – ROUTE 11.

- **Town of DeWitt Court rules in town’s favor.**
- **5.16 sentencing.**
- **Fine imposition.**

Wendy Reese said the has not paid his fine. Kevin Gilligan asked her to inquire how the Board wants to proceed.

Councilman Shute said after 9 months his ability to appeal is gone.

Wendy Reese said you cannot perfect your appeal after 9 months.

Councilman Shute said if we do this now, we will incur more legal costs. Why not wait another 6 months. The best he sees is we could have a lien against his house.

Ralph Lamson said he would make him pay the fines.

It was noted the fine is up to \$750.

Councilman Bailey said if we remain silent, the property will begin to gain junk again. He thinks we should either advise him to perfect his appeal or pay the fine. He just thinks Mr. Shute will go back to being in violation again.

Wendy Reese said if you file a motion to appeal, he would have a time-frame to appeal his motion by.

Councilman Shute asked how this would make him pay the fine.

Councilman Knapp said if he doesn’t appeal it, he will have to pay the fine.

Councilman McConnell would recommend tabling this until Kevin Gilligan returns at our next meeting. The Board agreed to this.

D. NY LIMITED PARTNERSHIP (APPLE RIDGE APARTMENTS) V. TOWN OF LAFAYETTE BOARD OF ASSESSORS & BOARD OF ASSESSMENT REVIEW.

10. UNFINISHED BUSINESS & ACTIVE PROJECTS.

A. CRAM COMMUNICATIONS – agreement and bond.

B. CRIME COVERAGE – review of town books (TC).

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. SPDES – MS 4 Phase II, in kind.

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

E. ONONDAGA COUNTY: PROPOSAL FOR CENTRALIZATION OF TAX COLLECTION - data collection.

F. CNY COMMUNITY FOUNDATION - Grants for Green Spaces.

- **Stafford Park: Community Council – LaFayette Beach (AS, RR) – submitted and approved**

Councilman Shute said Regina Reinschmidt said she is having Jamie Manley from the Highway Dept. do some of the work as he has the safety equipment needed for this and she is getting volunteers for the remainder of the work to be done.

- **Bailey Park: Trees. CNYCF - \$750, ToL - \$?.**

G. REAGAN AGENCY/SELECTIVE INSURANCE LOSS CONTROL VISIT-PROPERTY INSURANCE EVALUATION/8.21(BM/AS).

Councilman McConnell spoke to Tom Riley this week. The insurance policy goes from March to March. It comes up for renewal in January. He advised Tom Riley we need it to start the process sooner. He said he would like estimates from 3 A+ groups next year. Councilman Shute is going to look into 3 estimates from other companies. There will be more information to report at the next meeting.

Councilman Knapp asked about the bill that was due in September.

Supervisor Scammell said this is for the library book selection.

Tom Chartrand said it would appear it should go to the Library.

H. LAFAYETTE TRAIL RIDERS & NATIONAL GRID PROPERTY/8.21(KG): letter to NG.

Wendy Reese said Kevin Gilligan said he sent the no objection letter out either today or Friday.

I. NATIONAL GRID – 10,000 trees and growing/8.21 (TB).

Councilman Bailey spoke to the gentleman there. This program does not apply to residential individuals. It applies to organizations or groups. He doesn't know how it would apply as we are a town. The trees would have to be in proximity to power lines. He didn't know if the Optimist Club would be interested in this.

Councilman Knapp will bring it up to them.

Councilman McConnell asked if this would be something that could be used for Bailey Park.

Councilman Bailey said they are paying up to \$50/tree. A department representative comes out and inspects the site to be sure it meets the criteria. It is designed more for a group like the Boy Scouts, Optimist Club, etc.

J. OTHER.

Councilman Knapp noted Dog Control has a voucher with a couple of boarding charges on it. Do we need to authorize him to do this. Is it O.K. that he just does it?

Supervisor Scammell said he and Jim Moore discussed this. Jim is only doing it under an emergency type of situation, i.e. 3:00 a.m. It is strictly a convenience matter.

Councilman Knapp said he doesn't have a problem with this.

11. NEW BUSINESS.

• **Other.**

Councilman McConnell said the gardens at the LaFayette Commons Office Building have deteriorated over time. He would recommend we put a bid out for maintenance of them. We can have some pre-winter pruning, etc. He would recommend this be a yearly process.

Supervisor Scammell said that would be fine with him.

Tom Chartrand would recommend the Board authorize this up to a certain amount.

Councilman McConnell will seek bids for this and have them for the next meeting.

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:

HIGHWAY FUND	# 6265 - 6269
GENERAL FUND	# 6270 - 6295
SPECIAL DISTRICT FUND	# 6296
TRUST & AGENCY FUND	# 6297 - 6305
COMMUNITY DEVELOPMENT & CAPITAL FUND	# 6306 - 6309

Motion passed unanimously.

15. Councilman Knapp moved and McConnell seconded the motion to adjourn.

Motion passed unanimously.

The Regular Town Board Meeting adjourned at 9:45 p.m.

Respectfully submitted,

Mary Jo Kelly
Town Clerk

Approved 10/17/06