

Minutes of the Town Board Meeting held by the LaFayette Town Board on January 8, 2007 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
Kevin Gilligan, Town Attorney
Tom Chartrand, Bookkeeper
Marshall Taylor, Assessor/Clerk
Ralph Lamson, CEO
Anne Smith, Historian
Clay Smith
Anne Sweeney Nakas

1. Supervisor Scammell called the meeting to order at 6:30 p.m.
2. The Town Clerk took the Roll. All present.
3. Pledge to our U. S. Flag led by Town Councilor Bill McConnell.
4. **Councilmen Bailey moved and Shute seconded the motion to accept the January 2, 2007 Organizational Meeting Minutes as submitted by the Town Clerk:**

Voting was as follows:

Supervisor Scammell	voted	Yes
Councilman Knapp	voted	Yes
Councilman Bailey	voted	Yes
Councilman McConnell	voted	Abstained
Councilman Shute	voted	Yes

Motion carried.

5. **Public Hearings. Local Law No. 1 – 2006: Dog seizure fees.**

Supervisor Scammell asked Kevin Gilligan to give an overview of this.

Kevin said the Board made a slight adjustment to the dog seizure law so the town can charge for dogs seized under the Ag. and Markets Law and not just the town law.

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

Councilman McConnell said the law states the fees will be set from time to time by resolution of the Town Board.

Kevin said these were set at the Organizational Meeting.

Councilman Knapp said they were set at the Organizational Meeting knowing that this amendment would be coming.

Councilman Bailey is in favor of this amendment. The existing law is dated 1981 and it needs to be amended.

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

**TOWN OF LAFAYETTE
RESOLUTION TOWN BOARD MEETING
January 8, 2006**

The following resolution was offered by Councilman Knapp, who moved its adoption, seconded by Councilman Bailey, to wit:

WHEREAS, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law entitled Local Law No. 1 of 2006, "A Local Law Pertaining to Dog Seizure Fees in the Town of LaFayette", was presented and introduced at a regular meeting of the Town Board of the Town of LaFayette held on December 11, 2006; and

WHEREAS, a public hearing was held on such proposed local law on this 8th day of January, 2007 by the Town Board of the Town of LaFayette and proof of publication of notice of such public hearing, as required by law, having been submitted and filed, and all persons desiring to be heard in connection with said proposed local law having been heard, and said proposed local law having been in the possession of the members of the Town Board of the Town of LaFayette in its final form in the manner required by Section 20 of the Municipal Home Rule of the State of New York; and

WHEREAS, it is in the public interest to enact said Proposed Local Law No. 1 of 2006.

NOW, THEREFORE, it is

RESOLVED AND DETERMINED, that the enactment of Proposed Local Law No. 1 of 2007 is a Type II action and will have no significant effect on the environment thus concluding the SEQR review process; and it is further

RESOLVED, that the Town Board of the Town of LaFayette, Onondaga County, New York, does hereby enact Proposed Local Law No. 1 of 2006 as Local Law No. 1 of 2007 as follows:

**TOWN OF LAFAYETTE
LOCAL LAW NO. 1-2007**

A Local Law Pertaining to Dog Seizure Fees in the Town of LaFayette

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

Section 1. Amendment

Town of LaFayette Local Law No. 1 of the year 1981 entitled "A Local Law to Impose Restrictions Upon the Keeping of Dogs Within the Town of LaFayette", as amended by Local Law No. 2 of the year 2002, is hereby further amended as follows:

(A.) So that Section 7(c) is amended to read, in its entirety, as follows:

“c. dogs seized pursuant to this Local Law or pursuant to the New York State Agriculture and Markets Law may be redeemed by producing proof of licensing and identification pursuant to the provisions of Article 7 of the Agriculture and Markets Law and by paying fees as set from time to time by resolution of the Town Board.”

Section 2. Effective Date

This Local Law shall take effect immediately upon its filing with the New York Secretary of State.

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

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

The foregoing Resolution was thereupon declared duly adopted.

6. COMMUNICATIONS.

A. RESIDENTS.

Anne Sweeney Nakas resides at 2390 Route 11A and had a question about the business that is being operated and whether it is in violation of our zoning. When she read the Town Board Minutes of 12/11/06, it mentioned the construction business being operated at 2386 Route 11A. This has been in operation since 2005. She doesn't understand the process. It was reported several months ago. Does this not have to go before the Zoning Board of Appeals at some point? If it's operating out of compliance, it seems to be in limbo except for a letter written in favor of it. Isn't there some time-frame that it should have to go before the Zoning Board of Appeals?

Supervisor Scammell said this was brought before Ralph Lamson for his determination.

Anne said it's a full-time construction office with two full-time employees. No one who lives in the home works in the office. She disagrees with Ralph when he said that the resident's sister works there. The people that do work in the office are there a minimum of 4 days a week. It's a full-time office. If the sister and the accountant weren't there to run it, it wouldn't run. There's no mention of the FedEx deliveries. When Ralph called to confirm they were out of compliance, that was the last she heard. She then thought it would go before the Zoning Board of Appeals and they would be allowed to express their feelings. She doesn't understand how the C.E.O. Office can determine whether a business is O.K.

Kevin Gilligan said the first thing that should happen is Ralph should review the facts and make a determination. The determination should be made to the complainents. If they don't like what the determination is, they have a right to bring it before the Zoning

Board of Appeals to make a determination as to whether Ralph is right or wrong. If it is still aggrieved, it could be taken to court. The Board was in receipt of a letter from Ralph regarding the zoning law being changed. Kevin said he recommends it not be changed.

Supervisor Scammell asked if we have received a letter of determination from Ralph. It was noted no letter was received.

Supervisor Scammell said the Board still needs this letter.

Kevin Gilligan said if Ralph determines that they are not in compliance, he could still start the process if he would like to see the zoning ordinance amended.

Anne said they knew from the minute they started this business that it was not in compliance with zoning. It's a business in an Agricultural/Residential District. To her, this means it's out of compliance. She checked back with Ralph after Sheila told her everything was O.K. Ralph advised her that they were out of compliance. Ralph never conveyed to them that despite what they felt, it was fine. The people that work in the office do not reside in the home.

Councilman McConnell would suggest that the CEO make the determination on this and allow the process to work.

Supervisor Scammell agreed with Councilman McConnell.

Anne said Jason lives in the house maybe 3 months a year and it's his business.

Supervisor Scammell confirmed it's his construction business that is running in the back where there are two employees who do not reside there.

Anne said Sheila can be away for months at a time and the office still operates.

Councilman Shute said Ralph Lamson advised the business is out of state. Do they have construction vehicles there?

Anne said no. The barn was renovated but there are no construction vehicles there.

Councilman Shute asked about the FedEx traffic.

Anne said to be generous, some days there are 3 deliveries and sometimes none. If we average it to one a day, she thinks it would be very honest. She disagrees with the minutes where Sheila said her sister comes sometimes and the accountant comes once in awhile. She was hoping this would go before the Zoning Board of Appeals so she could have her comments heard.

Supervisor Scammell asked the Board if they wished to wait and review the information Kevin Gilligan submitted tonight before asking Ralph to write a determination letter.

The Board wished to have a formal letter of determination and for Ralph to copy Anne of his findings.

Anne asked if she disagrees with Ralph's decision, is it up to her to go before the Zoning Board of Appeals?

Supervisor Scammell said yes. First we need to get the letter from Ralph and be sure she is properly notified.

B. ZBA MEMBER AL MILLER: RESIGNATION LETTER.

Councilmen Knapp moved and McConnell seconded the motion to accept Albert Miller's resignation letter from the Zoning Board of Appeals effective 12/31/06. Motion passed unanimously.

C. NYS ORPS: PROPERTY TAX MYTHS & MISUNDERSTANDINGS BROCHURE AND PDF.

Councilman Knapp thought this offered very good explanations.

D. NYS ORPS: TRIENNIAL AID - \$12,140 FOR 2,428 PARCELS.

E. ONONDAGA COUNTY LEGISLATURE: ONONDAGA COUNTY WATER DISTRICT ASSESSMENTS.

Councilman Knapp asked why the listing shows LaFayette 9X and LaFayette.

Tom Chartrand believes it has something to do with those that have or don't have their own public water service.

F. SENATOR CHARLES SCHUMER: U.S. DEPARTMENT OF HOMELAND SECURITY'S 2006 FIRE PREVENTION & SAVETY GRANT (FP&S) PROGRAM.

G. ONONDAGA COUNTY HEALTH DEPARTMENT: NORTHEAST LAFAYETTE/SMOKEY HOLLOW WATER DISTRICTS – COMPLIANCE SCHEDULE.

Councilman Knapp noted they are looking for a compliance schedule. Is this something the engineer puts together?

Supervisor Scammell said he talked to John Dunkle and Mr. March about this. He forwarded a copy of John Dunkle's earlier schedule to them and hasn't heard anything back from Mr. March yet so he thinks everything is O.K.

H. SPCA: 2007 CONTRACT.

I. ONONDAGA COUNTY SUPERVISORS ASSOCIATION PRESIDENT BOB DEMORE: SHARED SERVICES GRANTS- PROPOSALS SOUGHT.

Councilman Knapp said a grant was received to explore ways municipalities can save money by combining services. If anyone thinks of anything, let Supervisor Scammell know. There was a grant received through Senator DeFrancisco. He knows there are a lot of shared services with the Highway Dept.

J. NYS OFFICE OF THE STATE COMPTROLLER: ESTIMATED COST THRESHOLDS FOR SPECIAL DISTRICTS.

Councilman Knapp noted they have raised the ceiling on some of the municipal districts to a little above \$600 for water.

K. INSURANCE SERVICES OFFICE: RESURVEY OF COMMUNITY FOR PUBLIC PROTECTION SURVEY.

Councilman Knapp asked if they met with the L.F.D. today.

No one knew.

L. ONONDAGA COUNTY LEGISLATURE: 2007 TOWN TAX RATES, RATIFIED AND CONFIRMED.

M. SYRACUSE POST-STANDARD, 12.22.06: CNY EMPLOYMENT – “SERVICE SECTOR SETS JOBS RECORD”.

N. NYS DEC: PROPOSED RULE MAKING & PUBLIC HEARING.

O. ONONDAGA COUNTY LEGISLATURE: 2.2.07 AGENDA.

P. ONONDAGA COUNTY-COMMUNITY DEVELOPMENT DIVISION: 2007 CD FUNDING.

Councilman McConnell noted we are not eligible this year. He called them and is waiting to hear back from them.

Councilman Knapp asked if they do a reassessment of this every year.

Kevin Gilligan said you would have to have a public hearing soon. He would suggest the Board schedule one for 2/12/07. The Board can always not have one but can't have one that hasn't been scheduled.

Supervisor Scammell asked about the next meeting in January.

Kevin thought the Board might want some time to put a plan together.

Supervisor Scammell said they already have one from last year.

Councilmen McConnell moved and Knapp seconded the motion to hold a public hearing regarding the Community Development funding on January 23, 2007 at 6:30 p.m. Motion passed unanimously.

Q. NYS DEC: REVISED PROPOSED PLAN FOR THE TOWN OF SALINA LANDFILL.

R. OTHER.

Supervisor Scammell said he received a letter regarding the Zumpano Subdivision from W-M Engineers certifying that the drainage and stormwater management facilities were constructed in accordance with the specifications and under their supervision.

Supervisor Scammell said he received a list of the resolutions that will be voted on at the Annual Association of Towns Meeting.

Councilmen Knapp moved and McConnell seconded the motion to appoint Councilman Bailey as the voting Delegate for the Town of LaFayette at the Annual Association of Towns Meeting. Motion passed unanimously.

7. SPECIAL REPORTS. Town Historian Anne Smith, annual report - 2006.

A written report was submitted which Supervisor Scammell read.

Anne said if the decision is made to do more pictures, we might have to find a different style of frame as she can't find these anymore.

Leon Cook said he will have his wife take a look at these frames and she might know some place to get them.

8. REPORTS.

A. DEPARTMENTAL (4th Monday).

- 1) Assessors: Mary Doster, Marshall Taylor & Jim Munnell.**
- 2) Building & Zoning Code Enforcement: Ralph Lamson & Jack Sutton.**
 - a) 2330 Route 11 South, across from LaFayette Rural Cemetery, numerous violations.**
 - b) Apulia Road – various violations south of Jamesville Reservoir.**
 - c) Route 11A – junk, propane tanks/odor.**
 - d) Code requirements for town office alarms (see 8B8b).**
 - e) Non-residential building inspections.**

Supervisor Scammell asked about the redepositing of the Cohen check. Tom Chartrand said he has redeposited it and hasn't heard anything back yet. Kevin Gilligan believes their insurance has been reinstated.

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

Supervisor Scammell said the Board is in receipt of a contract for the SPCA.

Councilmen Knapp moved and Shute seconded the motion to authorize the Supervisor to sign the Agreement with the SPCA for out dog shelter. Motion passed unanimously.

4) Highway Superintendent: Leon Cook.

Leon Cook said first of all, he wants to let the Board know he has one man out right now. Bill Doupe has had to have surgery. He doesn't expect Bill back to work in the next few days. He will have to have an O.K. from his doctor before he can come back to work.

Supervisor Scammell asked if he had any idea how long Bill will be out.

Leon would think a couple of weeks.

Leon said they have kept busy cutting brush and ditching. They are cutting trees that are 95% dead and might fall down into the road. Eventually next year he may have to put money in his budget to have someone take a couple of trees down. There are wires involved and they are too dangerous for the Highway Dept. to tackle. It's nothing to get excited about right now. They have been servicing equipment. They have all their salt in for the year 2006-2007 winter. They ended up paying \$29.57/ton. Last year it was \$25.51. It went up about \$4. The price of salt will hold until September. He has brought in 1200 tons. That is about what he gets every year. If the weather stays the way it is now, we will have some left over.

Councilman Knapp asked if it's in the state shed.

Leon said yes. The state signs an agreement that they will use so many ton for the season. Last year they didn't use what they signed up for and they had to take it anyway or they had to pay for it anyway. When they started out, their salt shed was full which is why he couldn't get our salt in their until the end of December. It's kind of scary that if they don't use all their salt, they won't have any place to put it.

Supervisor Scammell asked where the next closest salt shed to this one is.

Leon said North Syracuse. They have one off of 690 too. There's also one on Butternut St. They have them all over.

Supervisor Scammell asked what the requirements for salt storage are. Leon said you aren't suppose to store any salt out in the open. It should all be covered.

Supervisor Scammell asked what the problem is when it's left uncovered.

Leon said you get runoff and the DEC doesn't allow it. The weather makes it turn right back into rock.

5) Justice Court: Malcolm Knapp & Maureen Perrin.

6) Library Director: Scott Kushner.

7) Recreation Director: Regina Reinschmidt.

8) Tax Collector: Teresa Mech.

Councilman Knapp said he received Supervisor Smith's email and agreed we need to talk to Teresa Mech about how to handle this next year for those folks who wish to pay their taxes during the current year. He will talk to Teresa about this and see if either she or her deputy can come in and accept these payments.

Supervisor Scammell said the bills might need to be updated regarding the hours.

It was asked about how many people wanted to pay their bills in 2006.

Marshall Taylor said there are probably about 100.

9) Town Clerk: Mary Jo Kelly.

- **Miscellaneous cash reports.**

10) Town Supervisor: Greg Scammell.

- **Multi-town Shared Services Opportunities (Association of Town Supervisors) – NYS Senator John DeFrancisco.**
- **Business demand survey.**
- **Fund transfers.**

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

SPECIAL DISTRICT FUND

To: SF3410.4 LaFayette Fire	Contractual Expense	<u>\$6,000.00</u>
	TOTAL	<u>\$6,000.00</u>
From: SF599 LaFayette Fire	Surplus 2006	<u>\$6,000.00</u>
	TOTAL	<u>\$6,000.00</u>

Motion passed unanimously.

B. COMMITTEE (2nd Monday).

1) Agriculture (Dave Knapp & Mary Jo Kelly).

- **Non-residential building inspections (Farm Bureau).**

Councilman Knapp asked Kevin Gilligan if he'd heard anything more about the farm inspections, etc.

Kevin said he has a copy going to Councilman Knapp tomorrow regarding these regulations. The farm inspection section is only about one line. Right now he needs to review the town regulations to be sure they meet the minimal standards. In terms of the farm inspection, he thinks Ralph Lamson should just call the contact person to find out if there will be some change. He has 3 years to do the inspection.

Councilman Knapp asked what he thought their intent was.

Kevin said the information received was from a lobbying group trying to change it.

Councilman Knapp asked what the intent of the state was in mandating this.

Kevin said to be sure all buildings are at minimum code for safety.

Councilman McConnell asked if this is being encouraged by insurance companies.

Kevin said this follows closely with when they adopted the uniform code a few years ago. This stems from that. This is mainly procedural.

2) **Communications & Technology** (Mike Forte, Pat Keefe Mary Jo Kelly, Marshall Taylor, & Greg Scammell).

- **Town Website** (functional requirements, transition to Digital Towpath, parallel operations, URL name (now townoflafayette.com, possibly townoflafayette.org or lafayette.ny.us.gov), email addresses, conversion & file transfers.

Councilman McConnell said he will be contacting Mike Forte to work with Sandy Smith to get the scheduling set up on the website. This would just be so people could see what dates are available to use the course.

3) **Economic Development** (Bill McConnell & Greg Scammell).

a) **LaFayette Hotel.**

- **Engineer's report.**

Councilman McConnell said he wanted to check with Mr. Muraco to see if he is still interested in donating the building to the town. He asked the Board what they would like to do.

Supervisor Scammell said he doesn't have any other plans for the building.

Councilman Shute said at a Chamber of Commerce meeting they did hear that the state might take on dismantling this as part of the road project construction. He asked Supervisor Scammell if that was brought up at the DOT meeting he attended.

Supervisor Scammell said there is a possibility that the building is within the right-of-way and we don't know what this means from the DOT projects perspective.

Councilman McConnell said he will write a letter to see if Mr. Muraco is still interested and see what develops after the road project continues.

Councilman Knapp asked if the DOT would make a determination soon about the building in relationship to the DOT project. Will they determine where the right-of-way actually is in relation to the building?

Councilman McConnell agrees that we need to know that soon.

Supervisor Scammell will contact the NYS DOT and advise them of our situation and request this information as soon as possible.

Marshall Taylor asked if anyone knew if the town owned the building would the DOT make the town take the building down?

Councilman McConnell said he would like to find out if there is still an interest in donating it to the town and then the legalities of owning it if it ends up needing to be taken down.

Councilman McConnell submitted a resume from Jennifer C. Thau who he has interviewed to possibly work under the Economic Development Committee to write grants. He has talked to the references she listed. He would like to hire her under the Economic Development Committee to work out of her home as needed. He would suggest paying her \$20/hour and use her on a 6 month probationary period and determine what we want to do over the long haul.

Councilman Knapp asked if he had some specific idea for her to work on.

Councilman McConnell said yes. One specific area is the Hamlet. He talked to Regina Reinschmidt and she agreed it would be helpful to have her work on the grants for Community Council.

Councilmen McConnell moved and Knapp seconded the motion to hire Jennifer C. Thau to work for the next 6 months on grants at a fee of \$20/hour at the direction of the Board. Motion passed unanimously.

Kevin Gilligan said we would have to have some sort of formal agreement with her that sets up that she isn't getting health insurance or workers compensation from the town, etc.

Councilman McConnell asked Kevin if he would draft an agreement up.

Kevin said he would.

- b) Focus 2010.**
- c) Hamlet sanitary sewer district.**
- d) Hamlet water district.**
- 4) **Emergency Response** (Tom Bailey, Bill McConnell, "Pete" Paul).
 - a) Onondaga County Department of Communications - OCICS.**
 - b) **NYS PSC – TSP** (Telecommunications Service Priority) (BM).
 - c) Pandemic/Avian/Bird Flu.**
 - d) **NIMS training** (TB members, etc.).
 - e) AED's & training for town offices, library & Onondaga County Soil & Water.**
- 5) **Employee Policies & Benefits** (Mary Jo Kelly, Adrian Shute & Mary Doster).

a) NYS Disability Insurance.

b) Vision care, including safety glasses program for all FT employees.

Councilman Shute said the vision insurance is a voluntary plan that employees would pay for on their own if they choose to but it must be done through the town to get the group rate. He thinks the board should allow them to do this as it's not going to cost us anything and provides the benefit to the employees.

Supervisor Scammell agrees with Councilman Shute as it's no cost to the town. It would be up to the employees.

Councilmen Shute moved and Knapp seconded the motion to offer the employees the vision plan at their own cost and to have Mary Jo send letters to all employees informing them of this benefit and the cost if they wish to participate. Motion passed unanimously.

Councilman Shute said he received an email from POMCO advising they are sending out a letter to anyone eligible for Medicare. They would like us to pay \$2.25 per letter for this to be sent out to all the employees. He spoke to Mary Jo about this and he doesn't see any reason to send this out to everyone. POMCO information is available in the Town Offices if employees wish to see it.

6) **Environmental & Conservation Advisory Board** (Rainer Brocke, Barb Ferro, Knowlton Foote, Wolff Garritano, Eileen Gilligan & Nancy Mueller).

7) **Highway** ("Pete" Paul, Leon Cook, Dave Knapp, Sumner Palmer & John Greeley).

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

b) **Mill Road/Highways by Use** – letter to OnCo Real Property & Graders.

Kevin Gilligan said the Notice of Claim is preserving Grader's right to sue the Town based on what has already happened. They are establishing their right to sue the town to challenge the town's determination that this is a highway-by-user.

Councilman Bailey asked in the event that Mr. Grader or his attorney should come before this Board to discuss this, should the Board remain quiet?

Kevin said yes.

Councilman Knapp said if Mr. Grader calls one of the Town Board Members, the same should apply.

Kevin said yes. You should advise him due to this being a possible litigation, all correspondence should be to your attorney

c) **Amidon Road** – stub access (legal research – KG).

Kevin Gilligan said they have dug and dug and Mary Jo has found all kinds of stuff from Summer Ridge and so far they have found absolutely nothing which would allow the Town of LaFayette to use the road from Brunner's on. It's probably a highway-by-user. Right now they can't find anything that establishes the town's right to

the extension of road that goes by Fallon's. He would suggest getting an abstract of title. It would cost up to \$1,000 for this.

Ralph Lamson said Mr. Chambers just dropped off a survey that has names of the old neighbors property on it. He told Mr. Chambers the property owners names need to be updated. This survey shows the road going past Fallon's.

Kevin said that would be a good starting point.

Councilman Knapp believes we need to get to the bottom of this. We owe Mr. Chambers an answer.

Kevin said Mr. Chambers probably has a private right to the road.

Councilman Knapp asked where the drainage comes in.

Kevin said that would be a private easement.

Leon said Bob Scott used to own the house where Fallon's live now. If we could get some information from him, it might help a lot. He may have a copy of his old deed.

Discussion took place regarding the deed for Fallon's property.

Councilmen Knapp moved and Bailey seconded the motion authorizing the Town Attorney to get the abstract for this property at a cost not to exceed \$1,000. Motion passed unanimously.

Councilman Knapp said he reviewed the voucher regarding Ashburn Dr. for \$500. He has no idea what this is for. He gave it to Leon Cook to review.

Mary Jo said it could be a deposit made a long time ago for this road.

Leon would recommend not paying this until he looks into it to see what it's about.

As Ralph Lamson had arrived, the Board returned on the agenda to Anne Sweeney Nakas's concerns regarding the business operating next door to her on Route 11A.

Supervisor Scammell said she was looking for what the determination was. The Board is looking for some kind of letter stating his determination. Anne felt there were 2 employees who were not people living there.

Ralph Lamson said she has a sister and bookkeeper who come there to work. He will write a letter about this.

Supervisor Scammell asked him to copy Nakas's on this. He senses they will challenge it before the Zoning Board of Appeals.

Ralph said he was just waiting to see if the changes to the Zoning Ordinance were going to go through first. He is going to wait to see if this is allowed before he does anything.

Supervisor Scammell thinks her frustration is that she has been asking since 2005.

Ralph said the first time he spoke to Anne was last fall.

Supervisor Scammell confirmed Ralph's finding so far is that there is a business operating there.

Ralph said correct.

Councilman McConnell asked if this is out of compliance with what we currently have.

Ralph said yes.

8) **Physical Plant** (Herb Salladin, Dave Knapp & Bill McConnell).

- a) **Heating/Cooling system alts & new temperature controls** - RFP, deferred until 2007 (water softener needed?, energy source options(natural gas, heating oil equivalent prices)).

b) **Alarms at Town Offices & Community Center.** Code requirements.

Ralph Lamson said there needs to be smoke detectors and smoke alarms for the first and second floor that work. He said we might be able to use the original smoke detectors that were wired into the building.

Councilman Knapp will talk to Rick Storrier about this.

Supervisor Scammell asked about the Community Center.

Ralph will look into seeing what the Community Center needs.

c) **Re-keying of locks.**

Councilman Knapp asked if at some point we want to have the keys redone at the Park and the Beach.

Mary Jo said Regina is checking with Community Council on this and will let us know.

9) **Recreation & Youth** (Dave Knapp, Adrian Shute, Regina Reinschmidt).

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, lifeguard station repair.**

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).

d) **Park designs** – Parkitects.

Councilman Knapp said they are having a meeting this Thursday with the playground equipment person and he is going to give them a couple of posters with the design on them so they can post them around town to give folks a little insight as to what is being done. The hope is to have it so we can open the playground up at the Fishing Derby which is the second weekend in May.

10) **Safety** (Tom Rezsnyak, Adrian Shute, Leon Cook & Regina Reinschmidt).

- **Smoke detector batteries** – change at DST/EST time changes.

11) **School District liaisons** (Bill McConnell & Pete Paul).

Councilman McConnell said the superintendent asked where the town is at with sewer and water. He advised him of the status.

Councilman Knapp said he attended the Board of Education Meeting and handed out the proclamation from the town to the cross country team. It went very well.

12) **Senior Transportation & Housing** (Beverly Oliver & Greg Scammell).

13) **Service Awards** (Bill McConnell, Dave Knapp, John Harper & Larry Paige).

Councilman McConnell said he has the 2006 approval form for the Board to sign. Councilman Knapp noted there are 40 members that appear to be eligible.

Councilman McConnell said they would like to meet quarterly with this Board to discuss where they are going, etc. Upon the Board approval, he will get this back to John Harper for posting.

14) **SOTS & OCRRA Liaison** (Dave Knapp & Bill McConnell).

Councilman Knapp said they are considering sending a letter to the residents regarding the cost increase. The increase is due to the increase in fuel cost and OCRRA raising their rates.

15) **SPDES** (Bill McConnell, Jim Nakas, Steve Beggs, Nancy Mueller, Ralph Lamson, John Dunkle & Kevin Gilligan).

Councilman McConnell said he is going to contact the committee members and talk to John Dunkle to see where we need to go with this.

16) **Water** (Greg Scammell & “Pete” Paul).

- 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.** Financing method.

Supervisor Scammell thinks there was a very small number of residents who were unhappy with how the survey came out. They were unhappy that only 25% of them wanted to do something different.

Councilman Knapp asked when this has to be decided.

Kevin Gilligan said this needs to be cranked up and ready to go into the ground in 3 months. This is the big money. When they start digging dirt, they are going to want this money. If the Board isn't ready to decide this tonight, it should be ready to decide it at the next Town Board Meeting.

Marshall Taylor said he needs some guidance about what is going to be done. If the Board plans on the people paying for their water next year, it needs to be on the taxroll by March 15th. Do you start paying for this once they start digging or wait until it's all done?

Kevin would say for 2007 it will be the interest charge for the BAN. It should be split between the units or houses within the district.

Marshall and the Board had questions regarding the number of units and the breakdown between the two districts.

Supervisor Scammell will ask John Dunkle to attend the next Board Meeting to answer these questions.

Kevin said the grant money from Congressman Walsh's Office is still in place. This was already voted on and already processed.

- c) **Hamlet drainage study** – request submitted to NYS DOT, intersection of Routes 11 & 20 to be reconstructed in 2009

17) **Zoning Review** (Mary Jo Kelly, Ralph Lamson & Greg Scammell).

- a) **Jamesville Reservoir Preservation District/JRPA change.**
- b) **SOCPA subdivision guidelines to distribute to local subdivision applicants.**
- c) **Digitized zoning map, correction & amendments.**

9. **LITIGATION & OTHER LEGAL MATTERS**

A. Onondaga Nation Land/Land Rights Claim.

Councilman Knapp asked if there was anything new on this. Kevin hasn't heard anything.

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.**
- **File or dismiss.**

Kevin Gilligan said has made to dismiss this at the Appellate Division. The Appellate Division advised Mr. May papers must be submitted to the court by February 26th or it will be dismissed. Sam Young said he is going to request the judge determine the trailer must be removed.

C. Robert Shute – Route 11.

- **Town of DeWitt Court rules in town’s favor.**
- **5.16.06 sentencing.**
- **Fine imposition, appeal pending.**

Kevin Gilligan said this will stay the same.

D. Junkyard Ordinance – update to include enforcement tools for abandoned vehicles, nonresident property owners who refuse to comply, etc.

An amendment to the Junkyard Ordinance was submitted for the Board’s review. Councilman Shute said it refers to the Zoning Officer, is this the person we discussed at budget time?

Kevin said the Zoning Officer would be Ralph Lamson.

Councilman Knapp asked if we should mention the Deputy Zoning Officer.

Kevin said it is always implied the Deputy can act on behalf of the Zoning Officer.

Councilman McConnell asked about the fine of \$500.

Councilman Knapp asked if we get up to \$500.

Kevin said it reads not more than \$500. The amount would be determined by the judge.

Councilman Shute confirmed the CEO doesn’t set the fine. He writes the ticket and the judge sets the fine.

Kevin said correct.

Ralph Lamson thinks this will help immensely. If people know that eventually the town can take care of this and they will be billed for it will make a difference.

The Board decided they would like to review this until the next Town Board Meeting.

Councilman Bailey asked if this includes other apparatus like boats, RV’s, etc.

Ralph said it involved trailers like the one on the island.

Councilman Bailey said we have a proposal before us and if we wish to do a sweep of the town this spring and we come upon a vehicle that’s not a motor vehicle, will this work?

Kevin advised it is broad enough to include boats, etc.

Councilman Bailey said as long as we are reviewing this ordinance now, he would like it to include anything that might be encountered.

Kevin will look into tying this ordinance into the state one.

E. Amend Zoning Ordinance to change dog kennels from A-R to Business or Industrial. Exclude airstrips also?

Supervisor Scammell asked where this was left off.

Kevin Gilligan said he is gong to draft up something on this.

Discussion followed regarding private airstrips.

Kevin said you could make them require a specific permit.

Councilman McConnell would like to research this and not have it eliminated at this time.

Councilman Shute asked if we are saying green houses are not an accessory use to a farm.

Ralph Lamson said no. It is just being taken out of the Ordinance as an example.

The Board will research some more on air strips.

F. Amidon Road – stub access (legal research).

This was discussed earlier.

G. Grader v. Town of LaFayette.

Kevin said the Notice of Claim should be forwarded to the town’s insurance company.

10. UNFINISHED BUSINESS & ACTIVE PROJECTS.

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

Supervisor Scammell said this is still being worked on.

B. Community Development Grant app.

1) 2006 - Water district & Water District hookups. Accepted.

2) 2007 Park Designs (Bailey Park, LaFayette Beach & Stafford Park). Review 2006 apps.

3) Park designs (SU &/or playground equipment manufacturers- Parkitects) – rejected.

➤ **Bailey Park.**

➤ **LaFayette Beach.**

➤ **Stafford Park.**

➤ **Community Development income survey map.**

C. Onondaga County: proposal for centralization of tax collection –data collection, Lysander PILOT.

Supervisor Scammell said he hasn’t heard anything new on this.

D. CNY Community Foundation - Grants for Green Spaces – 2007.

- **Stafford Park: Community Council – LaFayette Beach** – submitted and approved CNYCF - \$750. File final update to CNY CF.

Councilman Shute advised Regina Reinschmidt was sending this in.

E. Signs – business (four corners – LaFayette Chamber of Commerce), small (redesign?, minor roads), large (install four at 11 N&S and 20 E&W), signs on

town properties/local business opportunities during Apple Festival, Winterfest, etc. .

Councilman Knapp said he and Councilman Shute met with Leon Cook and John Greeley today and went around looking for good spots for the new signs. They have come up with 4 locations. They will check with the property owners for permission and if the weather permits, they will get the signs up.

Supervisor Scammell said he received a complaint from a resident on Apulia Rd. regarding a LaFayette sign that is very deteriorated.

Councilman Shute believes the residents suggestion was to take the sign down. It would look better to have nothing than what is there now.

Leon Cook said all the signs at the town line are new except for the one on Route 91.

Councilman Shute volunteered to take the sign the resident is complaining about down. There are two of them he knows of.

The Board was in agreement for him to take the two signs down.

F. **2007 Community Development projects** (park improvements – review prior application for Stafford Park, confirm availability of funding (median income requirements) .

G. **U.S flags** – proper lighting for utility pole mounts.

Councilman McConnell will have a sample of lighting for the next meeting.

H. Other.

Councilmen Knapp moved and Shute seconded the motion to authorize the supervisor to sign the Accounting Services Contract for 2007. Motion passed unanimously.

Councilmen Knapp moved and McConnell seconded the motion to authorize the supervisor to sign the Legal Services Contract for 2007. Motion passed unanimously.

Councilmen McConnell moved and Knapp seconded the motion to accept the names to be posted for the Service Award Program by the LaFayette Fire Dept. as submitted. Motion passed unanimously.

11. **NEW BUSINESS**

A. **Review home occupations & detached structures.**

B. **GBoR member: ? , 01/01/07 – 09/30/08 .**

C. **Planning Board member: ? , 1/1/07 – 12/31/09.**

D. **Planning Board alternate member, one year.**

E. Zoning Board of Appeals member: ?, 1/1/07 – 12/31/10.

13. Suggestions for improvement and positive contributions.

14. Councilmen Knapp moved and Bailey seconded the motion for the Board to go into Executive Session to discuss a labor matter involving a particular employee and to include the Town Attorney. Motion passed unanimously.

The Town Board went into Executive Session at 9:06 p.m. and the Regular Town Board Meeting was called back to order by Supervisor Scammell at 9:55 p.m.

Councilmen Knapp moved and Shute seconded the motion to appoint Shawn Adam to the Planning Board to replace Andrew Peebles for a term ending 12/31/09. Motion passed unanimously.

Councilman Knapp asked Supervisor Scammell about the Route 20 Association Meeting he attended.

Supervisor Scammell said they are still getting going. They are getting some grant money and are looking to hire an executive director. They put out a newer map. He thinks they re going to get on digital towpath.

Councilman Knapp asked if they are looking at changing the boundaries at all.

Supervisor Scammell said no. He thinks there is a desire among the board to go to Oregon but it's a new organization and there are things to do first. They are looking to establish a premises on Route 20 but don't have money to buy a building or maintain one. He thinks it's important to note that there's also the Cherry Valley Corridor which is part of this.

15. Councilmen McConnell moved and Bailey seconded the motion to audit and pay the following bills:

HIGHWAY FUND	#6854 - 6877
GENERAL FUND	#6878 – 6933
SPECIAL DISTRICT	#6955 - 6957
TRUST & AGENCY	#6958 – 6960
COMMUNITY DEVELOPMENT & CAPITAL FUND	# 4045

Motion passed unanimously.

16. Motion to adjourn.

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

The Town Board Meeting adjourned at 10:01 p.m.

Respectfully submitted,

Mary Jo Kelly
Town Clerk