

Minutes of the Town Board Meeting held by the LaFayette Town Board on February 12, 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

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 Adrian Shute.
3. **Councilmen Shute moved and Knapp seconded the motion to accept prior meeting minutes and public hearing minutes of January 22, 2007. Motion passed unanimously.**
4. **Public Hearings. None - Junkyard Ordinance amendment ** (2.26.07 @ 6:30).**
5. **COMMUNICATIONS.**
 - A. **Residents.**
 - **Leslie & Craig Archer: donation in honor of Ernie (family donkey used in town's tree lighting ceremonies).**

Supervisor Scammell said the Archer's would like to give the money we pay them for the use of Ernie at our Annual Tree Lighting Ceremony back to the Town.
 - **Other.**
 - B. **Institute for Stormwater Management Standards: BMPs Inspection & Maintenance Tracking System.**

Councilman Knapp asked if this is has anything to do with us forming our committee.

Councilman McConnell said it deals with that item as well as the report that we have already gotten.

C. Onondaga County Planning Agency: Planning Statistics (subdivision activity, U.S. Census Bureau population estimates and housing authorized by building permits – 2006).

Councilman Knapp thanked Supervisor Scammell for including the building permit census data. It was very interesting. We have almost cracked the 5,000 mark. Supervisor Scammell noted we are the fastest growing percentage-wise.

D. Jamesville-DeWitt High School: Operation Graduation.

Councilmen Knapp moved and Bailey seconded the motion being much of the northeast portion of LaFayette goes to the Jamesville-DeWitt School District he moves we pay \$100 to their Operation Graduation function. Voting was as follows:

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

Motion passed unanimously.

E. Selective Insurance: recent claim.

Councilman Knapp asked the particulars of this. Supervisor Scammell said it's regarding the Grader lawsuit.

F. NYS DEC: SPDES, Evaluation of Year 3 MS4 SWMP annual reports & Year 4 submittals.

G. NYS DEC: Soliciting applications for fish & wildlife biodiversity conservation.

H. Onondaga County Legislature: Pest management & environmentally conscious gardening summit.

I. Assessor's office: Onondaga County Low Income Senior & Disability exemptions.

Councilman McConnell said we go through this every year and adopt it. Will we do the same thing?

Supervisor Scammell said we always have but it's up to the Town Board on whether we will do it again or not. He believes we have to have a public hearing for this.

Kevin Gilligan confirmed public hearings would have to be held. He advised this year they actually did a 5-year program for some of the exemptions. Does the Board want the local law to be for 5 years or does the Town Board want to review this every year?

Supervisor Scammell said we only review it periodically now when the county does.

Councilman Knapp asked Kevin what he recommended.

Kevin said most people like to look at it every year to see what kind of impact it might have on the budget.

The Board agreed they would like to review the exemptions every year.

Marshall Taylor said the exemption would range from 5% to 50% depending on your income.

Supervisor Scammell asked if this is a graduated thing over 4 years.

Kevin said they increase the allowed income each year.

Marshall said the Veterans Exemption would change whenever Onondaga County adopts a new one.

Councilman McConnell asked what this exemption really is.

Marshall said it's a 15% exemption for those who served in wartime but not in a combat zone and 25% for those who served during wartime in a combat zone.

Councilman McConnell asked what the "Total Alternative" means.

Marshall said at one time you could either take the money or the percentage. You can't do this anymore but they just left the title that way.

Supervisor Scammell would rather review them annually.

Councilman Knapp and the rest of the Board agreed.

Marshall reminded the Board this must be done by the first of March each year. He has sent this information on to the school.

TOWN BOARD RESOLUTION

February 12, 2007

Councilman McConnell introduced proposed Local Law No. A-2007, amending Local Law 2-1998 to increase the maximum exemption allowable in paragraph (a), (b) and (c) to \$36,000, \$24,000 and \$120,000 respectively in the Town of LaFayette, and made the following motion, which was seconded by Councilman Bailey:

WHEREAS, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a local law in the Town of LaFayette, such that there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQR) with respect to the proposed enactment of said Local Law, with the result that the Town Board shall act as lead agency in this matter.

NOW, THEREFORE, it is

RESOLVED AND DETERMINED, that the enactment of proposed Local Law No. A-2007 is a Type II action and will have no significant effect on the environment; and it is further

RESOLVED, that the Town Board conduct a public hearing as to the enactment of proposed Local law No. A-2007 at the Town Hall located at 2577 Route 11 in the Town of LaFayette on February 26, 2007 at 6:30 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard.

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

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

The foregoing resolution was thereupon declared duly adopted.

TOWN BOARD RESOLUTION

February 12, 2007

Councilman McConnell introduced proposed Local Law No. B-2007, to provide for an increase in the partial real property tax exemption for persons with disabilities whose incomes are limited by reason of such disabilities in the Town of LaFayette, and made the following motion, which was seconded by Councilman Bailey:

WHEREAS, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a local law in the Town of LaFayette, such that there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQR) with respect to the proposed enactment of said Local Law, with the result that the Town Board shall act as lead agency in this matter.

NOW, THEREFORE, it is

RESOLVED AND DETERMINED, that the enactment of proposed Local Law No. B-2007 is a Type II action and will have no significant effect on the environment; and it is further

RESOLVED, that the Town Board conduct a public hearing as to the enactment of proposed Local law No. B-2007 at the Town Hall located at 2577 Route 11 in the Town of LaFayette on February 26, 2007 at 6:30 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard.

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

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

The foregoing resolution was thereupon declared duly adopted.

RESOLUTION

**TOWN OF LAFAYETTE
February 12, 2007**

The following resolution was made by Councilman McConnell and seconded by Councilman Bailey.

WHEREAS, Section 467 of the New York Real Property Tax Law authorizes municipalities, after public hearing, to grant a partial exemption from real property taxation for real property owned by certain persons with limited income, who are 65 years of age and over; and

WHEREAS, the Town of LaFayette has, from time to time, provided such tax benefits to its citizens who qualify for such exemption according to the provisions of Section 467 of the New York Real Property Tax Law; and

WHEREAS, the State of New York amended Section 467 of the New York Real Property Tax Law (Chapter 186 of the Laws of 2006) to provide for an increase in the maximum eligibility levels for the Real Property Tax sliding scale exemption for senior citizens; and

WHEREAS, pursuant to Section 3 of the Town of LaFayette Local Law 3 of 2001, the Town wishes to make this increased benefit available to its qualifying senior citizens as a way of assisting them to keep their homes during retirement years; and

WHEREAS, if adopted by the Town of LaFayette, the new income guidelines for the sliding scale property tax exemption program would be as follows:

<u>EXEMPTION</u>	<u>INCOME LIMITS:</u>
50%	\$26,000
45%	\$27,000
40%	\$28,000
35%	\$29,000
30%	\$29,900
25%	\$30,800
20%	\$31,700
15%	\$32,600
10%	\$33,500
05%	\$34,400

and;

WHEREAS, it is the desire of this Board to increase the senior citizens' property tax exemption to the maximum allowable under the law.

NOW, THEREFORE, be it

RESOLVED AND DETERMINED, that this Board shall conduct a public hearing, at the Town Hall, to consider the increase in the senior citizens’ exemption, as herein set forth, on Monday, February 26, 2007, at 6:30 p.m. or as soon thereafter as the matter can be reached; and it is further

RESOLVED AND DETERMINED, that this proposed action is a Type II action for purposes of SEQR.

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

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

The foregoing resolution was thereupon declared duly adopted.

J. Assessor’s office: Mill Road parcel revision.

K. Onondaga County, Division of Environmental Health: 2007 monitoring requirements for Northeast LaFayette Water District.

L. Onondaga County Legislature: 2.6.07 agenda.

M. Onondaga County, Department of Finance: Costs associated with Tax Collection function.

Supervisor Scammell said we are the third lowest in cost for the procedure of tax collection so he doesn’t know how the county thinks they can reduce the cost.

Councilman Knapp noted we are the second lowest.

N. Syracuse Post-Standard, 1.27.07: “Route 20 from Brookfield to LaFayette promoted as ‘Equine Alley’”.

Councilman Knapp noted there are a lot of horse farms.

O. Other.

6. SPECIAL REPORTS. NE LaFayette Water District – authorization to bid (02.26.07).

7. REPORTS.

A. DEPARTMENTAL (4th Monday).

- 1) **Assessors: Mary Duster, Marshall Taylor & Jim Munnell.**
 - 2) **Building & Zoning Code Enforcement: Ralph Lamson & Jack Sutton.**
 - a) **2300 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).**
 - 3) **Dog Control: Jim Moore & Doug Schools.**
 - 4) **Highway Superintendent: Leon Cook.**
 - 5) **Justice Court: Malcolm Knapp & Maureen Perrin.**
 - 6) **Library Director: Scott Kushner.**
 - 7) **Recreation Director: Regina Reinschmidt.**
 - 8) **Tax Collector: Teresa Mech.**
 - 9) **Town Clerk: Mary Jo Kelly.**
 - a) **Monthly report, Jan, '07.**
 - b) **Miscellaneous cash report.**
 - 10) **Town Supervisor: Greg Scammell.**
 - a) **Multi-town Shared Services Opportunities (Association of Town Supervisors) – NYS Senator John DeFrancisco.**
 - b) **Business demand survey.**
- B. COMMITTEE (2nd Monday).**
- 1) **Agriculture (Dave Knapp & Mary Jo Kelly).**
 - 2) **Communications & Technology (Mike Forte, Pat Keefe Mary Jo Kelly, Marshall Taylor, & Greg Scammell).**
 - a) **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.**

b) **ToL Web status, Jan – '07.**

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

a) **LaFayette Hotel.**

- **File Engineer's report.**

b) **Focus 2010.**

c) **Hamlet sanitary sewer district.**

d) **Hamlet water district.**

e) **Grants – Ms. Thau, contract (KG & BM).**

Councilman McConnell said Ms. Thau did research and submitted some information to him regarding 4 possible grants. He will report on these at the next Town Board Meeting.

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.).**

Supervisor Scammell said he did complete the 700 or 800 level of NIMS Training.

e) **AED's & training for town offices, library & Onondaga County Soil & Water.**

Councilman Bailey said he is waiting to hear from a sales representative of Metronic. This is the same department the LFD purchased theirs through.

f) **Fire Mutual Aid Plan (2007) response.**

g) **Pets Evacuation & Transportation Standards Act of 2006.**

Kevin Gilligan said this has to be part of the Town's Disaster Preparedness Program.

Councilman McConnell will work on this.

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.**

Mary Jo said this is completed and can be removed from the agenda.

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

- **Pest management in environmentally conscious gardening (On Co Legislature).**

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

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

b) Amidon Road – stub access (legal research – KG).

Councilman Knapp noted the Board received information from Kevin on this. Kevin Gilligan said it looks like the road continued to be extended and used. It doesn’t appear the road was ever really extended past Fallon’s property as there was no need. The use and maintenance of the road has always been done by the town. He thinks there is a Highway-By-User of Amidon Road to its intersection of Summer Ridge.

Councilman Knapp asked Kevin why the extension of the road showed up on the tax map.

Marshall Taylor said tax mapping extended that road because of the county’s rules about landlocking parcels. The right-of-way that Lloyd Amidon gave is not a road. As far as they are concerned, this is a road.

Councilman Knapp asked how we reconcile this.

Kevin said he has no idea. He will get with tax mapping to see how they did this. He really doesn’t see any point in spending more money to research this. They have looked at deeds and abstracts and can’t find any trace of a deed for the road anywhere.

Supervisor Scammell asked if Syracuse Onondaga Planning Agency and Onondaga County Planning Agency are the same.

Kevin said they combined their functions back in the 60’s or 70’s. He believes some of the employees are paid by the city and some by the county. SOCPA is kind of the umbrella of it.

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) Fire & smoke alarms at Town Offices (1st & 2nd floor) & Community Center. Code requirements (RL).**

Councilman Knapp will get in touch with Rick Storrier about the fire alarm system.

c) Paddle lock for LPL.

Councilman Knapp talked to Fred Groth about this and it has been completed.

d) Heat pump repair.

Councilman Knapp will contact Upstate Temperature Control on this.

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

Councilman Knapp said Councilman Shute was chairman of the Winterfest this year.

Councilman Shute said they had about 300 people attend total, not all at once.

They raised \$2,600 for LaFayette Outreach.

Councilman Knapp said we got lucky with the weather.

Councilman Shute agreed. Boy Scouts won all the awards.

Supervisor Scammell asked how many chili entries there were.

Councilman Shute said they had 11.

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. Optimist’s project.**
- 2. Lacrosse facility – estimates (\$5K – materials only), (re)location possibilities.**

- **Tully-\$12k – materials only (all volunteer labor).**

d) Park designs – Parkitects.

Councilman Knapp said the equipment has been ordered. They did not require any money up front.

Supervisor Scammell noted the plans are in the Town Offices now. He asked if they will replace all the playground equipment that is there now.

Councilman Knapp said this will be located just to the north of the pavilion. The equipment there presently will come out. They might put the swings at the Beach. The monkey bars and slide will go. Around April 21st is the weekend they plan on installing the equipment. The goal is to unveil it at the Fishing Derby which is the second Saturday in May.

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

- a) **Smoke detector batteries – change at DST/EST time changes (2x year).**

- b) **Community Center & Town Offices 11.08.06 inspection list.**

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

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

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

Councilman McConnell expected the LFD to be here tonight with their paperwork. He will contact John Harper about his. The Town Board approved the list which was posted for 30 days. The final list should be submitted for the Town Board to approve.

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

- **District wide mailing – 2007 fuel costs, prevailing wage, etc**

Councilman Knapp said they have had a couple of rough weeks. They have been in touch with Feher on multiple occasions.

Councilman Bailey noted they broke down last week in his area.

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

Councilman McConnell said he gave Nancy Mueller the past SPDES Reports to review and she will get back to him. He asked Ralph Lamson to take a look at them too. He will talk with John Dunkle for his input and then he will get with Kevin Gilligan to write the report which should be done by March 1.

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 (JD & TC).**

- **Plans & specs.**

Kevin Gilligan noted the plans have been completed.

- **Authorization to bid (03.12.07)**
- **Bid (03.26.07, tentative).**
- **Public info meeting (mid-April).**

Supervisor Scammell said the latest on financing is that earlier when a percentage of those in the district did not wish to take the USDA financing, he called USDA to see if there was any flexibility in the term. The person he spoke to indicated there was none. He conveyed this back to the residents advising the 38 years was the 38 years. He has since received a call from a different person advising the district can pay off the loan earlier in time. He believes this means if the residents agree to pay more than what the minimum they need to pay would be and the town keeps it in an account separately, it could be put towards paying off the bond earlier. He received a letter today affirming the \$481,000. Community Development has done a mailing to all the district residents regarding the money. Ruzekewicz's and Collins's were included in this mailing. It is all means tested.

Councilman Knapp confirmed Collins's and Ruzekewicz's could be helped with wells.

Supervisor Scammell said yes, if they pass the means test. Community Development will administer this money which is very nice.

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.**

Councilman Knapp noted the Zoning Board of Appeals Agenda for tomorrow night has an application for a tower to be placed on the same site on the Morezak property as the application for a tower was approved 4 years ago. The previous tower was approved but they had a year to do it and didn't. Does the new application have to start from scratch?

Kevin said yes.

Councilman Knapp asked even though the other application was approved?
Kevin said yes.

Councilman Bailey asked if there were any additions or modifications to the Telecom Act.

Kevin said as far as he knows, it has not been amended. You are dealing under a use variance which is very different due to this being a public utility. The standards of proof are much lower. They need to show they need the tower to cover their system.

8. LITIGATION & OTHER LEGAL MATTERS.

A. ONONDAGA NATION LAND/LAND RIGHTS CLAIM..

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 said Sam Young wrote a letter to the judge who has taken this over and advised where we are and stating we need to get something done. He has asked the judge to make them move the trailer now.

Councilman Knapp asked if the reservoir is frozen over yet.

Marshall Taylor said yes. He doesn't know how thick the ice is but it's frozen over.

C. ROBERT SHUTE – Route 11.

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

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

Ralph Lamson said where it states we must serve appearance tickets in person, the Zoning Ordinance reads we can serve them by registered mail.

Kevin will check on this.

A public hearing will be held the 26th on this.

E. AMEND ZONING ORDINANCE TO CHANGE DOG KENNELS FROM A-R TO BUSINESS OR INDUSTRIAL. Airstrip research needed.

F. AMIDON ROAD – stub access (abstract research).

G. GRADER V. TOWN OF LAFAYETTE.

Leon Cook said he hasn't had time to meet with anyone on the road about the letter that they received from Grader's attorney.

Supervisor Scammell thinks a letter should go to the residents from the town.

Councilman Knapp believes we should do something. He thinks silence on our part is a tacit acknowledgement that they are correct which isn't the case.

Kevin said if he can get the names of the resident's on the road, he can send them a counter-letter.

Councilman Bailey agreed with doing this.

Councilman Shute asked what the content of the counter-letter would be.

Kevin said it would state the Board's position is that this is a highway-by-user and any actions taken recently by the town do not create or diminish the highway-by-user. This is a public road as designated by the Highway Department and beyond that, it's a private driveway of the Grader's.

Councilman Knapp asked if we should specify how much of the road is a public road.

Leon said up to just passed Woods' driveway.

Councilman McConnell said one attorney has sent a letter and if another attorney of the town sends a letter the resident's are stuck in the middle. He asked if Grader's attorney would receive a copy of the letter.

Kevin said yes.

Councilman McConnell asked what would happen when they receive this if they try to stop people from using the road?

Kevin said they can't block the road or we can have the police there.

Councilman McConnell would suggest that we should write something and that we should call Grader's attorney and meet with him this week to advise what we are doing and find out how far they want to go. He doesn't wish for this to put the other people on the road in the middle. He would recommend writing the letter and having a meeting with the Grader's attorney and some Board Member's who can attend. He doesn't think the letter should be threatening but just state the facts as we see them.

Councilman Knapp asked what if after receiving the letter someone tries to block the road?

Kevin said they can't. The letter was a pretext to say it's not a public road.

Supervisor Scammell likes Councilman McConnell's suggestion. He would like to meet with their attorney first before sending the letter.

Councilman Knapp confirmed we are going to write a letter and send it to the attorney first.

Councilman McConnell would suggest having Kevin write the letter and circulate it to the Town Board and we notify Grader's attorney to meet with the Town Board Members that can attend and see if he would consider withdrawing his letter.

Councilman Bailey said the last sentence is what gets him. It calls for a response. We need to defend the neighbors down there who have fallen victim to this.

Councilman McConnell would agree but doesn't want to put them between the town and someone who wishes to file suit against the town.

Councilman Shute asked if it's O.K. for the Board to meet with their attorney if they are considering filing suit against the town.

Kevin said he would be there too.

Councilman Knapp would agree it should be between the attorney's at this point.

Leon said the last Meeting Minutes say we did not create a highway-by-user. Hasn't this been done?

Kevin said we didn't create a highway-by-user. It's created by law. We just show record that it has been used and the town has maintained it for about 20 years.

Councilman Knapp noted an emergency vehicle had to use it.

Kevin said we only recognized it so tax mapping would put it on the map.

Marshall Taylor said the county has decreased the Grader's property by ¼ acre so they don't own it anymore.

Kevin said they never did.

Councilman McConnell said formally.

Marshall said according to the deed at the courthouse, it has been decreased from what the deed said he owned.

Supervisor Scammell said he does agree with Councilman Bailey too that at some point we need to send something to the neighbors stating they are O.K. to use the road.

Kevin said when he speaks to Grader's attorney, he will advise either their attorney or the town attorney needs to write something to the residents clarifying matters.

Councilman Knapp asked if there was any way for the Town Board to legally do anything..

Kevin said the town could sue them over this. We could ask a court to declare it a highway-by-user. We don't need to do this as it is a highway-by-user. He told Leon if the Highway Dept. has any problems there to call the police.

Supervisor Scammell asked if there has been any problems with the plowing down there.

Leon said no.

H. WORKPLACE VIOLENCE ACT, section 27-b NYS Labor Law (MT).

Supervisor Scammell noted Mike Treamont submitted something for the Board to review. The effective date is March 4.

Kevin will talk to Mike about what the town needs to do since it has less than 20 employees.

I. DELINQUENT TAX LETTER (Tax Collector T. Mech).

Kevin said they drafted a letter for this.

Mary Jo said she put it on LaFayette letterhead and placed it on Teresa's desk to sign and mail.

9. UNFINISHED BUSINESS & ACTIVE PROJECTS.

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

B. COMMUNITY DEVELOPMENT GRANT APP.

- 1) **2006 - Water district & Water District hookups. Accepted, to be administered & distributed by OnCo CD.**
- 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 (BM).**

Discussion took place regarding eligibility for funding.

Kevin said they would like to see items that would benefit people very close to the park.

Councilman Shute said we might not need to apply for the full amount.

Kevin said or you might want to apply for more small ones.

Councilmen Knapp and Shute think we need to meet again to discuss this.

It was decided that Councilmen Knapp and Shute would meet with John Dunkle to update our application.

C. ONONDAGA COUNTY: PROPOSAL FOR CENTRALIZATION OF TAX COLLECTION –data collection, Lysander PILOT.

D. CNY Community Foundation - Grants for Green Spaces – completed (projects for 2007?).

Councilman McConnell said he is going to do an application for this again this year for Bailey Park for more trees.

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. (AS & DK).

Councilman Knapp said we lost the weather to be able to put these up.

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

G. U.S flags – proper lighting for utility pole mounts (BM, 8.29.06 email).

- **Purchase LaFayette banners to be flown w.the U.S. flags & arrange in an attractive manner, perhaps flags with banners. Banner design.**

H. For TB review.

- 1) **Review home occupations & detached structures (RL memo 12.07.06) (including Zoning Review committee).**
- 2) **GBoR member: tbd , 01/01/07 – 09/30/08 (replacing John Aiken’s term).**
- 3) **Zoning Board of Appeals member: tbd, 1/1/07 – 12/31/10 (replaced Al Miller’s term).**

11. New Business.

- **Other.**

Councilman McConnell said Phil Field dropped off the verified list and numbers accrued by the members of the LaFayette Fire Dept.

Councilmen Knapp moved and McConnell seconded the motion to authorize the supervisor to sign the 2006 Sponsor Authorization Form for the Service Award Program. Motion passed unanimously.

Councilmen Bailey moved and Knapp seconded the motion to enter in lease agreements for the Tax Collector, Assessor, Supervisor and Justice Court computers. Motion passed unanimously.

Councilmen Knapp moved and McConnell seconded the motion to approve an amount of \$750 for Councilman Bailey to attend the Association of Towns Annual Training School. Voting was as follows:

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

Motion carried.

Councilman Knapp noted an application for Phase II for the Jamesville Grove Subdivision has been received from Mr. Cohen.

Councilman McConnell asked if the Board would like to do a Certificate of Appreciation to Stephanie Amidon for all her work in the AmeriCore.

The Board was in agreement with this.

Councilman McConnell will contact the Amidon's and have something for the next Town Board 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	#7085 – 7098
GENERAL FUND	#7099 – 7140
SPECIAL DISTRICT FUND	#7162
TRUST & AGENCY FUND	#7163-7164
COMMUNITY DEVELOPMENT & CAPITAL FUND	#7064, 7165-7166

Motion passed unanimously.

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

The Town Board Meeting adjourned at 7:58 p.m.

Respectfully submitted,

Mary Jo Kelly
Town Clerk

Adopted 2/26/07