

Minutes of the Town Board Meeting held by the LaFayette Town Board on June 11, 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, Councilor (Arrived 6:35 pm)
Thomas Bailey, Councilor
William McConnell, Councilor
Adrian Shute, Councilor (Arrived 6:35 pm)

Recording Secretary: Mary Jo Kelly, Town Clerk

Others Present: Leon Cook, Highway Superintendent
Kevin Gilligan, Town Attorney
Tom Chartrand, Bookkeeper
John Dunkle, Town Engineer
Anne Sweeney-Nakas
Mike Amidon
Pete Paul, Dep. Supervisor
Bob Essig, Attorney
Wendy Reese, Attorney
Marshall Taylor

1. Supervisor Scammell called the meeting to order at 6:33 p.m.
2. The Town Clerk took the Roll. Councilor's Knapp and Shute absent. All else present.
3. Pledge to our U. S. Flag. Town Councilor Bill McConnell.
4. **Councilor's McConnell moved and Bailey seconded the motion to accept prior meeting minutes of May 14th, 2007, as submitted by the Town Clerk. Motion passed unanimously.**
5. **Public Hearings. Subdivision regulations.**
Kevin Gilligan said this does two things. It readopts the Subdivision Regulations as it was getting confusing as to what was adopted by resolution and what was adopted by local law. In the future if we amend the Regulations, we will know it must be done by local law. The other thing that was done was the adding of the term "Simple Subdivision which is the mere adjustment of existing lot lines, without the creation of new streets, curb cuts or municipal infrastructures; or the elimination of existing lot lines so as to consolidate one or more lots into a lesser number of lots and not involving the creation of new streets, curb cuts or municipal infrastructure; or the division of one parcel so as to create no more than two new building lots during a consecutive five year period, and not involving the creation of new streets, curb cuts or municipal infrastructure". The procedure to review these is under Article 3:

Review and Approval Procedure, Section 310. The main point is that the Codes Officer is allowed to review these Simple Subdivisions without referral to the Planning Board under most circumstances although he has the opportunity to refer it to the Planning Board if it's warranted or needed.

Mary Jo said the Board cannot act on this tonight as we have not heard back from County Planning yet.

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

Councilor's McConnell moved and Knapp seconded the motion to close the public hearing. Motion passed unanimously.

6. COMMUNICATIONS.

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

• Mike Amidon.

Mike Amidon was present to discuss his property at the southeast corner of Route 11 and Route 20.

Councilor McConnell said he invited Mike Amidon here. He has met with Mike and Mr. Thoma about the New York Restore Grant. New York Restore can provide 50-90% of the total monetary requirement to take the building from where it is now to helping restore it. A private citizen cannot apply for this grant, the town must do it. He would advocate having Mr. Thoma write the grant for this. He submitted information regarding the cost for this. The grant money can be used for any part of the cost to develop it except for the purchase of other properties to go with it.

Councilor Knapp confirmed you cannot purchase land with it.

Councilor McConnell said no.

Mike Amidon said he is all for the grant. The number one concern is the septic system. If he wants to use the septic that is on the vacant land, Mr. Muraco wants \$500/month for 40 years or \$100,000 for the property. He is thinking about possibly using the building for storage on the ground floor, office space on the second floor and apartments on the third floor. He needs to find an engineer to look at what the current septic system can handle. He spoke to someone from the Health Dept. who advised they would monitor the current system and some chemicals would have to be added to it.

Councilor McConnell said they believe the current system would need two more biofilters.

Councilor Knapp asked if Mike had talked to Mr. Muraco yet.

Mike said yes.

Mike said another possibility might be to bring the septic under the road. If this is possible, he thought about using the lower part of the building for parking with a couple of apartments above.

Councilor McConnell said one of the unique things on the New York Restore Grant is that there is no set timeline for submittal although many people already have their grants written. Mr. Thoma thinks this year there may be a lot of grants approved but he doesn't know about next year. He would recommend signing a contract proposal so Mike Amidon can go forward with this.

Councilor Knapp asked if we have a rough number that we would be asking for grant purposes.

Mike said it depends on what he is going to do with the building. He would say roughly \$200,000 - \$400,000.

Supervisor Scammell asked for any other questions from the Board.

Councilor Bailey asked if there had been any thought when Mr. Thoma gets into the development options of the building, for communication with the State D.O.T. regarding their major project coming up in a year or so? When you are talking about running discharge under the road to line up with your system, the engineering would have to be worked out. If the D.O.T. is going to come in and tear up the 4 corners, would it be conducive to what is being proposed.

Mike said he doesn't know whether to do this now or wait until 2009 when the D.O.T.'s project occurs.

Councilor Bailey recommended he talk to the State D.O.T. to let them know what he is thinking of doing and see if anything can be incorporated when they do their project.

Mike is willing to wait until 2009 but if that affects the grant, he doesn't know which way to go.

Councilor McConnell said let's say in August the town applied for the grant on Mike Amidon's behalf, it would take 3 months before we heard anything. Conceptually the spending of the grant money could coincide with the D.O.T. project.

Mike said he doesn't know whether to apply for the grant now or wait until 2009. That is where he is at.

Councilor McConnell said the fee to write the grant would be \$1,750. The town has to write it on behalf of the developer. Therefore, the town would initially pay for this and the developer would pay the town back.

Councilor's Shute moved and Knapp seconded the motion to enter into the contract with Thoma Development Consultants for an amount not to exceed \$1,750 for submission of the Restore New York Grant application. Motion passed unanimously.

The Board moved ahead on the agenda to Special Reports.

7. SPECIAL REPORTS.

A. Northeast LaFayette & Smokey Hollow Water Districts – CCF/Bob Essig memo.

Mr. Essig submitted a summary of important provisions of the project financing agreement which he reviewed with the Board.

Councilor Shute confirmed if the interest rate is 6.75% or less, we are bound to it.

Mr. Essig said yes.

Councilor Bailey said regarding the first annual administrative fee for the first interest payment due September 1st, what do you do if it falls on a holiday?

Mr. Essig said he would get it there by August 31st.

Councilor Bailey said September 1st is on a Saturday.

Tom Chartrand said the Board will be approving the bill at the August Town Board Meeting. The check will be drawn and sent at the beginning of August. You will authorize the payment the month prior to the due date.

Supervisor Scammell asked if he would be mailing this or doing an electronic transfer.

Tom Chartrand said we are not set up for electronic transfers.

Supervisor Scammell said when the Board meets the second Monday of August, it will authorize this payment to be mailed.

Councilor Bailey said it should be sent in plenty of time.

Mr. Essig thanked John Dunkle for all his help on this. The one thing he asks is when the utilization plan is approved and they send the Supervisor a letter stating the approval that a copy of this letter be sent to him.

John Dunkle said the construction started today. We are underway. They started on Cook Farm Rd. He needs to go to the Town of Onondaga now but will stop back here after he's done there to answer any questions the Board might have regarding SPDES.

Anne Sweeney-Nakas said when she was here in May, her understanding was that Sheila Kelley would have 2 weeks to supply proof that there was an ongoing business there and to show there was no break in the business operating. By this meeting the proof submitted would either be satisfactory or not. She received a letter from Ralph Lamson dated June 5th stating he has received letters outlining business operations at Sheila Kelley's residence. He asked the Nakas's to write their recollection of a business being run at the property. It doesn't seem to be correct to get into what her recollections are. Either they have proof or they don't. She doesn't see why writing her letter would do anything. This would just be her recollections against their recollections. She would think old invoices, etc. would be evidence. There must be some standards of satisfactory proof.

Supervisor Scammell asked Kevin Gilligan if there is standards for proof.

Kevin said yes.

Ann Sweeney-Nakas doesn't feel her writing a letter would do anything. From living next door, was there what she would consider a business operating there in the past? No. They are the ones applying for the grandfather clause so she believes the burden of evidence is on them. Employees and trucks arrive every day. The barn is the business except for where the horses are kept. There are construction supplies. This morning before 8:30 a.m. at least 4 other trucks had arrived. The guests/workers/friends are still living there. It's kind of growing and growing. It is really very disruptive.

Supervisor Scammell doesn't know if Ralph Lamson looked to her and others to get a sense of whether a business had been going on there or not.

Ann said she doesn't understand the purpose of that. Her understanding from the last meeting is that they had to supply evidence. Her request is that this family be requested to move the business or supply evidence that a reasonable person could look at as evidence or proof that bonified businesses were there on a consecutive basis. They either have that evidence or they don't. If they don't, then they are still out of compliance with zoning and have a decision to make.

Supervisor Scammell said he doesn't know where Ralph is at with this.

Ann asked if she should contact Ralph or where she should go from here.

Supervisor Scammell would recommend contacting Ralph.

Ann said she is not going to get into what her recollections are. She would presume there is some standards that are fair for everyone.

Supervisor Scammell asked Kevin Gilligan about this.

Kevin said there are standards listed and he will get some information on this and send it to Ralph.

Councilor McConnell thought there was originally a 2-week period to go to the next step.

Kevin said a letter received by them really doesn't mean anything. They haven't come close to showing evidence or proof.

Councilor Knapp asked if Ralph makes his call on this, do they appeal to the Zoning Board of Appeals if they don't agree with his decision?

Kevin said yes and the Zoning Board of Appeals would be required to make a finding based on evidence.

Councilor Knapp said the next level after the Zoning Board of Appeals would be the courts.

Kevin said correct.

Councilor Bailey confirmed if the property owner makes no attempt to appeal, the Code Enforcement Officer then must enforce the code if they are in violation.

Kevin said if it's determined it's not a legal use, the property owner should be advised to terminate the business and if they don't, it would go to Justice Court.

Ann asked what the other court for an appeal would be.

Kevin said the Supreme Court.

B. SPDES – CCF/Wendy Reese.

Wendy advised on the SEQR it should be changed from a Type II action to an Unlisted Action. She advised the illicit discharge law will be done after the Board has decided upon the 3 laws before them tonight. These would all take effect January 1, 2008.

Councilor Knapp asked Kevin if he had any opinion on the town-wide vs. the MS4 area.

Councilor McConnell would recommend Wendy give input on this.

Wendy thinks the town does most of the stuff already in the various subdivisions and site plan reviews. Is there a reason to only do it in the MS4 area? No.

Councilor Knapp asked if in the future this could become a town-wide requirement.

Kevin said the MS4 area can be redefined from time to time by the DEC.

Wendy Reese said if they make the MS4 area the entire town, then it would become the entire town.

Councilor McConnell doesn't see this happening as the MS4 area right now is determined by population.

Kevin said it would not be accurate to think we are already doing this town-wide on all these things because there are a lot of projects that never get to the Town Board, Planning Board or Zoning Board of Appeals and merely have to be reviewed by the Codes Officer to obtain a building permit. If the Board adopts these town-wide, then any

time anyone is going to build a house or do anything that would disturb an acre or more of land, the SPDES process would need to occur.

Councilor McConnell thinks there is already merit for this. He received calls from two resident's where over 1 acre was disturbed and didn't have any review.

Councilor Knapp asked if we make this town-wide, would it still be anything 1 acre or more?

Wendy said yes. If you don't go town-wide it would only apply to the MS4 area.

Councilor Shute thinks the whole idea of this ends up being a poorly thought out plan by the DEC which is being imposed on us and there's nothing we can do about it. He doesn't agree with taking a bad plan and making it for everyone.

Kevin said this law was developed at the federal level in the 90's and they handed it off to the DEC.

Councilor Bailey would not be supporting the town-wide resolution at this time because in the future agencies such as the EPA may modify or amend it to make it mandatory to be done town-wide. He doesn't believe it's in the town's best interest.

TOWN BOARD RESOLUTION

Councilor McConnell introduced proposed Local Law No. D-2007, establishing minimum erosion, sediment and stormwater management requirements and controls in the Town of LaFayette, and made the following motion, which was seconded by Councilor Knapp:

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. D-2007 is an Unlisted 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. D-2007 at the Town Hall located at 2577 Route 11 in the Town of LaFayette on July 9, 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:

William McConnell Councilman Voted Yes

Thomas Bailey Councilman Voted Yes

Adrian Shute Councilman Voted Yes

David Knapp Councilman Voted Yes

Gregory Scammell Supervisor Voted Yes

The foregoing resolution was thereupon declared duly adopted.

TOWN BOARD RESOLUTION

Councilor Knapp introduced proposed Local Law No. E-2007, amending the subdivision regulations of the Town of LaFayette, and made the following motion, which was seconded by Councilor 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. E-2007 is an Unlisted 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. E-2007 at the Town Hall located at 2577 Route 11 in the Town of LaFayette on July 9, 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:

William McConnell Councilman Voted Yes

Thomas Bailey Councilman Voted Yes

Adrian Shute Councilman Voted Yes

David Knapp Councilman Voted Yes

Gregory Scammell Supervisor Voted Yes

The foregoing resolution was thereupon declared duly adopted.

TOWN BOARD RESOLUTION

TOWN OF LAFAYETTE

**Proposed Ordinance Amending Town Zoning Ordinance
Regarding Erosion/Sediment and Stormwater Management**

Councilor Knapp introduced a proposed Ordinance relating to erosion/sediment and stormwater management within the Zoning Ordinance in the Town of LaFayette, and made the following motion, which was seconded by Councilor McConnell:

WHEREAS, no other agency has the legal authority or jurisdiction to approve or directly undertake the adoption of an Ordinance 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 adoption of said Ordinance, with the result that the Town Board shall act as lead agency in this matter.

**NOW, THEREFORE, it is
RESOLVED AND DETERMINED, that the following proposed Ordinance is
hereby introduced for the Town Board's consideration:**

REVISED

**AMENDMENT TO THE 1970 ZONING ORDINANCE
OF THE TOWN OF LAFAYETTE, AS AMENDED**

**BE IT ORDAINED, by the Town of LaFayette, acting
through its duly constituted Town Board and pursuant to the authority
conferred by Section 265 of the Town Law, the 1970 Zoning
Ordinance of the Town of LaFayette, as amended, is hereby further
amended, effective January 1, 2008, as set forth below:**

**Section 1. So that Section C of Article III of the Zoning Ordinance
is amended to add a new subsection (e) as follows:**

**“e) A Stormwater Pollution Prevention Plan (“SWPPP”)
consistent with the requirements of Local Law No. 5 of
2007 shall be required for Controlled Site Uses for all land
development activities, as that term is defined in Local Law
No. 5 of 2007. The SWPPP shall meet the performance
and design criteria and standards in Local Law No. 5 of
2007. The approved Controlled Site Use shall be consistent
with the provisions of Local Law No. 5 of 2007.”**

**Section 2. So that Section B of Article IV of the Zoning Ordinance
is amended to add a new subsection (g) as follows:**

**“G) A Stormwater Pollution Prevention Plan (“SWPPP”)
consistent with the requirements of Local Law No. 5 of
2007 shall be required for Specific Use Permits for all land
development activities, as that term is defined in Local Law
No. 5 of 2007. The SWPPP shall meet the performance
and design criteria and standards in Local Law No. 5 of
2007. The approved Specific Use Permit shall be consistent
with the provisions of Local Law No. 5 of 2007.”**

**Section 3. So that a new Section J of Article V of the Zoning
Ordinance is added as follows:**

**“SECTION H. STORMWATER POLLUTION PREVENTION PLAN
A Stormwater Pollution Prevention Plan (“SWPPP”) consistent with
the requirements of Local Law No. 5 of 2007 shall be required for
all land development activities, as that term is defined in Local Law
No. 5 of 2007. The SWPPP shall meet the performance and
design criteria and standards in Local Law No. 5 of 2007.”**

Section 4. Effective Date.

**This Local Law shall be effective upon filing with the office of the
Secretary of State;
and it is further**

RESOLVED AND DETERMINED, that there are no other involved agencies, that the adoption of said Ordinance is an unlisted action for purposes of environmental review under SEQR and that the Town Board shall act as lead agency with regard to this proposed action; and it is further

RESOLVED AND DETERMINED, that the Town Board shall conduct a public hearing as to the adoption of this proposed Ordinance at the LaFayette Town Hall located at 2577 Route 11, LaFayette, New York on July 9, 2007, at 6:30 p.m. or as soon thereafter as the matter can be heard, at which time all persons interested on the subject shall be heard.

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

vote was as follows:

William McConnell Councilman Voted Yes

Thomas Bailey Councilman Voted Yes

Adrian Shute Councilman Voted Yes

David Knapp Councilman Voted Yes

Gregory Scammell Supervisor Voted Yes

The foregoing Resolution was thereupon declared duly adopted.

- **LaFayette VFW Post 1955: Memorial Day request.**

Councilor's Knapp moved and McConnell seconded the motion to support the VFW with the Memorial Day Parade in the amount of \$250.00. Motion passed unanimously.

- **Other.**

B. Life Science Laboratories: water analyses.

C. Syracuse Post-Standard, 05.18.07, monthly employment report, "Best April in Six Years".

D. NYS Unified Court System: 2007 Justice Court Assistance Program.

Councilor Knapp will forward this information on to the Justice Department to see if they qualify for anything.

E. Highway Superintendent Leon Cook: Transportation Emergency Communications.

Leon said in 2015 we will loose our radio frequency. They told us it wouldn't happen but now it is going to. This means we will have to go to a different band and will have to get brand new radios.

F. NYS Comptroller DiNapoli: Pollution Remediation Obligations.

G. Special Commission on the Future of the NYS Courts: public hearings.

Councilor Knapp will try to make this. His concern is that they are going to try to push for district courts so it would be one big county court.

H. U.S. Senator Charles Schumer: FY2007 Edward Byrne Memorial Discretionary Grants Program.

I. Onondaga County Legislature: 06.05.07 agenda.

J. Onondaga County Department of Emergency Management: NIMS workshops.

Councilor Bailey said he will probably go to this.

Supervisor Scammell asked him to report back to the Board on this.

K. NYS Department of Agriculture & Markets: Advance notice for potential applicants seeking state financial assistance for Farmland Protection Implementation projects.

Councilor Knapp thinks it looks like they are thinking about exempting some farm land from the SPDES requirements.

L. CNY Regional Planning & Development Board: storm-water training.

Supervisor Scammell said he gave Ralph Lamson a copy of this.

Kevin Gilligan would recommend sending a copy of this out to all the developers in the town. You get credit on the SPDES report as a part of our education requirement under SPDES for doing this.

Supervisor Scammell asked Mary Jo to take care of this.

M. Onondaga County Emergency Medical Services Regional Council: public hearing.

N. NYS Office of Real Property Services (ORPS): tentative equalization rate = 93%.

O. Other.

The Board returned to Communications.

8. REPORTS (one meeting in June).

A. DEPARTMENTAL (4th Monday).

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

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

a) 2386 Route 11A – Home occupation/Business in Agricultural-Residential.

- **Springhill Construction grandfathered?**

b) 2190 Tully Farms Road – structure needs to be removed/burned.

- c) **3081 Webb Road – property cleanup needed, letter sent.**
- d) **2880 Route 11A – property cleanup needed, letter sent, contract for cleanup.**

3) Dog Control: Jim Moore & Doug Scholes.

4) Highway Superintendent: Leon Cook.

- **\$39,171 to be received for '07-08 CHIPS funding – NYS Senator John DeFrancisco.**

Leon Cook said the signs are up now.

Councilor Bailey asked if the old ones will be taken down.

Leon said different organizations in the town put the old ones up.

Councilor Shute said he will take charge of removing them.

They have done quite a bit of ditching.

They picked up over 200 10-wheeler loads of brush this year. That's more brush than they had in the ice storm. May 15th was the cut-off for the brush to be put out. He has gotten 3-4 calls between last Thursday and tonight regarding people wanting him to pick brush up. He has advised the resident's he will try to pick it up sometime. Some people hire a contractor to take down a big tree and then it is left there for the Town Highway Dept. to pick up.

May 29th and 30th they paved all the roads up in the Applewood Estates. This came under the grant they had for \$96,000. He applied for over \$51,000 of it. He still has to do the Q-Track and Gordon Cooper Drive. He has some work to do down there before they pave.

Councilor Knapp said the roads turned out really nice in Applewood.

Leon said today they put in the pipe on Thunder Road that people were worried about. It was a galvanized pipe that was put in when the developer did it. They had to put in a lot of heavy stone before they could even start putting the pipe in. They have this almost finished.

Leon gave a report on Clean-Up Days.

Dust control	\$487.50
Rent A John	\$85.00
Freon removal	\$1,374.00
Ballast removal	\$300.00
Getting rid of tires	\$150.00
OCRRA	\$2,500.52
Total	\$4,997.02

When we get done with the metal, instead of owing money we should be \$242.80 to the good.

Leon asked the status of Mill Rd.

Supervisor Scammell said the Grader's are appealing.

Kevin Gilligan said they have filed a Notice of Appeal. Leon should operate as if this were a town road. The Grader's may or may not appeal.

Councilor Knapp asked how long they have to decide whether or not to appeal. Kevin thinks about 6 months.

Leon said they have a Safety Meeting tomorrow night. Tom Rezsnyak is supposed to be coming up with a program for Workplace Violence

Wednesday and Thursday the Highway Dept. will have to help Otisco out as they helped us. Tully helped too and that is what they do. They help out back and forth.

5) Justice Court: Malcolm Knapp & Maureen Perrin.

- Review of Justice Records Nov. 2006 through Feb. 2007 submitted.
- May report submitted.

6) Library Director: Scott Kushner.

7) Recreation Director: Regina Reinschmidt.

8) Tax Collector: Teresa Mech.

9) Town Clerk: Mary Jo Kelly.

- May report submitted.

10) Town Supervisor: Greg Scammell.

- a) Business demand survey.**
- b) Delinquent tax collection letter.**
- c) Sky Heights subdivision - Tully.**
- d) Monthly reports submitted for May.**

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).

- **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.**

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

a) LaFayette Hotel/Amidon Building – Thoma Redevelopment Report for LaFayette Hotel.

Discussed earlier in the meeting.

- b) Focus 2010.**
- c) Hamlet sanitary sewer district.**
- d) Hamlet water district.**

Councilor McConnell said in May he and Councilor Knapp sat down with some gentlemen from Barton and Loguidice to discuss water and sewer districts and the cost if it were to tie into the D.O.T. project. He submitted a copy of their findings to the Board. He had Bernie Thoma come up with a cost to do a Comprehensive Plan for the Town of LaFayette. He submitted a copy of this to the Board for review.

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

4) Emergency Response (Tom Bailey, Bill McConnell, “Pete” Paul).

Councilor Bailey said there’s nothing new to report other than the workshop this week.

Supervisor Scammell asked about the local resolution.

Councilor Bailey said they do want some sort of formal resolution . He will clarify this at the workshop.

a) Onondaga County Department of Communications - OCICS.

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

c) Pandemic/Avian/Bird Flu.

Supervisor Scammell asked if we need to have a Pandemic/Avian/Bird Flu written policy.

Councilor Bailey would recommend following the County Health Department’s policy.

d) NIMS training (TB members, etc.).

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

f) Pets Evacuation & Transportation Standards Act of 2006.

g) NIMS contact information (05.07.07 letter)

- **Local resolution similar to county’s needed?**
- **Jurisdiction contact sheet**
- **CNY Business Journal – “Legal, HR considerations before a pandemic flu strikes.**

5) Employee Policies & Benefits (Mary Jo Kelly, Adrian Shute & Mary Doster).

- **NYS Deferred Employee Compensation Plan.**

Councilor Shute said the Committee will look into this.

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).

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 (Rick Storrier/DK).**
- c) **Thermostats (DK).**
- d) **LPL ceiling leak.**

It was decided to get an estimate for the siding for budget time. Councilman Knapp will get the estimate.

- e) **Community Center – fencing repair needed.**

Councilor Knapp will look into this.

Councilor Knapp said the Exit signs that were bad have been replaced.

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. Optimist’s project.**
- 2. Lacrosse facility – estimates (\$5K – materials only), (re)location possibilities.**
 - **Tully-\$12k – materials only (all volunteer labor).**
- 3. Girl’s bathroom – soffit repair.**

Councilor Knapp said when the Optimist Club put the playground equipment up, the Boy Scouts were there and repainted the bathrooms and fixed the slats that were broken.

Councilor's Knapp moved and Shute seconded the motion to do a Certificate or Appreciation up for Boy Scouts Pack 100. Motion passed unanimously.

Councilor Knapp said baseball is winding down. Lacrosse for girls and boys begins this week. They did a Family Kickball Day yesterday that went well.

Councilor Shute said the bleachers will be coming in for the park.

Councilor Knapp said they should be arriving in the next couple of weeks.

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.**

Supervisor Scammell asked if the Safety List repairs have been completed.

Councilor Shute said at the next meeting they will have a new updated list.

c) **NYS Workplace Violence Prevention Law.**

d) **Snowblower (electric?) evaluation.**

e) **Light on north exit.**

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).

- **LOSAP proposal.**

- **Tax rate query.**

Councilor McConnell submitted a proposal to the Board which he has been working on. He sent a copy of it to the L.F.D. and asked to attend their last meeting. He talked to John Harper and they are planning to review it at their next meeting and then to come to the Town Board.

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

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

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

- **(3) Local laws.**

- **LFD – tax rate proposal & LOSAP proposal.**

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

- a) **Northeast LaFayette Water and Smokey Hollow Service Improvement districts.**
 - **Public info meeting (early May).**
 - **Letter to VESyr, affirming H2O cutoff date (completed).**
 - **Onondaga County Community Development – additional insured.**
 - **EFC DWSRF authorization.**

Councilor Knapp asked about the first payment in September as we won't have collected any money yet.

Kevin Gilligan said he is working on this with Tom Chartrand.

- b) **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.**
- d) **Zoning Ordinance update – amendments to subdivision process.**

Kevin Gilligan said he is reviewing the proposed Zoning Ordinance amendments and hopes to get with Mary Jo in the next week to see just what might be involved.

9. LITIGATION & OTHER LEGAL MATTERS.

A. ONONDAGA NATION LAND/LAND RIGHTS CLAIM.

- **Syracuse Post-Standard, 06.02.07, “Onondaga land claim hearing delayed”.**

B. WILLIAM MAY MOBIEL HOME ON JAMESVILLE RESERVOIR.

- **County court rules in town's favor.**
- **NYS Supreme Court rules in town's favor.**
- **Appealed by Mr. May.**
- **Order and judgment favoring town.**
- **Appeal by Mr. May?**

C. GRADER V. TOWN OF LAFAYETTE.

- **Decision favoring town.**
- **Grader appeal.**

Councilor Shute would not think it was necessary to sign a Motion for Dismissal.

Kevin would recommend when the appropriate time comes, you make the motion for dismissal for May and Grader.

10. UNFINISHED BUSINESS & ACTIVE PROJECTS.

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

Supervisor Scammell advised he sent a letter to Mr. Wirshing and has not heard

back. He has sent a follow-up letter stating if he doesn't hear from her by a specific date, we would be looking at other means to collect the fee. He asked Kevin if she could be taken to small claims court.

Kevin said yes.

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).**

Councilor Knapp said we have been put on the Reserve List and if there is money left over, they would approve \$50,000 for us. We applied for \$100,000. \$50,000 would take care of the really pressing things that need to be taken care of. He was advised it puts us much higher on the list for next year.

Councilor Shute asked when we did the application.

Kevin said it comes at the end of the year and you have to hold a public hearing. Supervisor Scammell thinks the packet comes in January.

Councilor Shute thinks this year the Board should keep it in mind and sit down with Jennifer Thau to write the application for next year.

C. ONONDAGA COUNTY: proposal for centralization of tax collection –data collection, Lysander PILOT.

D. CNY COMMUNITY FOUNDATION - Grants for Green Spaces –2007 projects(s).

Councilor McConnell said this will be mailed tomorrow for Bailey Park.

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).

Supervisor Scammell said the guys did a great job on this.

Mary Jo said she has received a lot of compliments on this.

Councilor McConnell recommends taking down the Championship signs and try to incorporate them onto these signs.

Councilor Knapp noted seeing some signs in other towns that said “Salute Our Champions”, etc. that might work.

- F. 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.**
- G. TOWN LANDFILL – vehicle extraction practice site (LFD research w.NYS DEC).**
- H. FOR TB REVIEW.**
- 1) **GBoR member: tbd , 01/01/07 – 09/30/08 (replacing John Aiken’s term).**
 - 2) **Zoning Board of Appeals member: tbd, 1/1/07 – 12/31/10 (replaced Al Miller’s term).**

11. NEW BUSINESS.

- **Other.**

Mary Jo said she had a young lady come into the office Thursday and apply for a Hawkers and Peddlers Permit. On the application she states it will only be her and that she would like to sell educational material door-to-door from 8:00 a.m. to 9:00 p.m. She was advised her license would have to be run through the Sheriff’s Dept. and that Mary Jo would call her when everything was all set and she could come in and pay \$50 and pick up her permit. Friday morning about 7:30 a.m., this same young lady with another young lady were selling the material from door-to-door. She asked if the Permit should be denied because of this.

Supervisor Scammell asked if the Board can deny the Permit.

Kevin said probably not.

Supervisor Scammell asked if the Board could require the applicant to appear before them.

Kevin said the Board could require this.

It was decided the Board would like to speak to the applicant before the permit is issued.

Councilor Shute said at the joint Chamber Meeting they had about 35 attendees and almost as many different businesses represented. They plan on doing it again in another 6 months. People from the other towns were very excited about it.

Councilor Knapp asked about Jamesville Grove.

Kevin Said they haven’t turned a thing in.

John Dunkle returned. He thinks it will be hard limiting the SPDES to the MS4 area as the boundaries are hard to define.

Councilor McConnell moved and Councilor Knapp seconded the motion to rescind all three motions made earlier in the meeting regarding SPDES as the Board would like more time to review and think about them. Motion passed unanimously.

Councilor Knapp moved and Councilor Bailey seconded the motion to authorize the Supervisor to sign the Project Finance Agreement with the Environmental Finance Facility Corp. Motion passed unanimously.

12. Suggestions for improvement and positive contributions.

- **Welcome to LaFayette pamphlet – Town Clerk Mary Jo Kelly.**

13. Executive session (if needed).

14. Councilor's Knapp moved and McConnell seconded the motion to audit & pay the following bills:

HIGHWAY FUND	#7786-7800
GENERAL FUND	#7767, 7801-7854
SPECIAL DISTRICT FUND	#7768
TRUST & AGENCY FUND	#7856-7864
COMMUNITY DEVEL. & CAPITAL FUND	#7865-7866

Motion passed unanimously.

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

Motion passed unanimously.

The Town Board Meeting adjourned at 9:10 p.m.

Respectfully submitted,

Mary Jo Kelly
Town Clerk

Adopted 7/9/07