

Minutes of the Town Board Meeting held by the LaFayette Town Board on January 28, 2008 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
Adrian Shute, Councilman

Absent: William McConnell

Recording Secretary: Mary Jo Kelly, Town Clerk

Others Present: Kevin Gilligan, Town Attorney
Leon Cook, Highway Superintendent
Tom Chartrand, Bookkeeper
Pete Paul, Dep. Supervisor

1. Supervisor Scammell called the meeting to order at 6:32 p.m.
2. The Town Clerk took the Roll. Councilor Mc Connell absent. All else present.
3. Pledge to the U.S. Flag led by Councilman Dave Knapp.
4. **Councilor's Bailey moved and Shute seconded the motion to accept the January 14, 2008 Town Board Meeting Minutes as submitted by the Town Clerk. Councilor Knapp abstain. Motion carried.**
5. **PUBLIC HEARINGS**. None. (2.11 – low income senior and low income disability exemptions).
6. **COMMUNICATIONS.**
 - A. **RESIDENTS**
 - B. **LAFAYETTE OPTIMIST WINTERFEST: silent auction.**

Councilor Shute asked if the Town would support this event again this year.
Tom Chartrand said we supplied the funds last year for a presentation.
Kevin Gilligan said it was for the dog sleds.
Councilor Shute said we have someone who is willing to make chili for the Chili Cook-off on behalf of the Town. Mary Jo has said she will do it. They have sled dogs again.
Tom Chartrand said we will need something stating the funds went towards this.
Supervisor Scammell said snowmobile safety would be good.
Councilor Knapp said the Trailriders will be there.
Tom Chartrand said the town funded \$150 last year.
Councilor's Shute moved and Knapp seconded the motion to support snowmobile safety education in the amount of \$150.00 at the Winterfest. Motion passed unanimously.

Councilor's Knap moved and Shute seconded the motion to provide material for the Town to be represented in the Chili Cook-off in an amount not to exceed \$75.00. Motion passed unanimously.

C. SYRACUSE POST-STANDARD, 01.19.07: CNY employment report – Dec, '07.

D. ONONDAGA COMMUNITY DEVELOPMENT: 2008 application.

E. ONONDAGA DEPARTMENT OF AGING AND YOUTH: 12th Annual Intergenerational Awards Ceremony – 5.15.08.

Councilor Knapp said he can't put anyone in on this as he is president of the Youth Board. A couple of years ago Councilor McConnell put in Walt Shannon's name and he won and it was very special for him. If anyone has a deserving person, there are a lot of categories to submit a name under.

Supervisor Scammell asked about the Daylight Youth of the year.

Councilor Knapp said it's generally a youth who has shown achievement under extenuating circumstances.

F. SELECTIVE INSURANCE: Claim 20730074.

Supervisor Scammell said they usually just look for someone to contact them that we have received the notice.

Councilor Shute said he will call them.

Councilor Knapp confirmed we are all covered with this.

Kevin Gilligan said yes.

G. OTHER.

7. SPECIAL REPORTS. None.

8. REPORTS.

A. DEPARTMENTAL (4th Monday).

1) Assessors: Marshall Taylor & Shawn Adam and vacant.

- Low income senior and low income disability exemptions.

Supervisor Scammell said Marshall Taylor passed some information around earlier about the Cold War Veterans Exemption. We are still waiting to hear from the county on this. He read an email from Karen Carney regarding this exemption. She advised if the legislature passes this it won't go into effect until after September 2008.

Councilor Knapp will check with Bob DeMore on this.

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

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

- Springhill Construction - court 08.29.07, referred to ZBA.

b) Route 11 – graffiti and abandoned vehicles.

c) LaFayette Hotel – car sales.

d) Route 11 North – Robert Shute – junk accumulation.

e) **2007 written Building Permits Report submitted.**

Written Code Report was submitted advising status on above items.

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

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

• **Jerome Rockwell draft agreement.**

Leon Cook said he has not heard anything more on this.

Leon advised so far this year they have gone around the town 45 times. There were two or three days that they had to go around 3 times in one day. They have used about ½ of the salt supply. If we don't get hit too hard between now and April we will be O.K.

Supervisor Scammell asked how many tons we use a year.

Leon Cook said 1200 ton. We have to buy 1320 ton. We give 120 ton to the state for loading us and mixing our sand and salt. He had 96 ton left from last year.

They have been cutting some brush and cleaning some ditches when they aren't plowing.

They had some trouble with the main furnace. It was a serious problem. The fan and limit control refused to work. When he caught it, it was cherry red inside. They turned the control to manual and it cooled the furnace right down. He had Bush Heating put a new fan and limit control in and it worked fine. The next morning it was overheating again. He shut it off and they left it until they got back as it was 4:00 a.m. They had to put another fan and limit control in as when it overheated, it cooked them. They found out the motor is about 3 years old and this time it wouldn't start. It was a fault of the motor in the beginning. He had to get a new motor too. It's working fine now.

Supervisor Scammell asked how old the furnace is.

Leon Cook said 10-11 years old. He put money in the budget for this year in case he has to replace it. He hates to replace it if he doesn't have to. The other furnace in the back is getting quite a few years on it too.

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

a) **Unified Court System 06.13.07 request (January, '08 review): town letter to NYS Office of Court Administration.**

Tom Chartrand said you are supposed to review all the court receipts and disbursement records and send a letter that you have audited the reports.

Supervisor Scammell asked if Dave Lamson submits something on this. He talked to Dave and showed him the letter we received.

Councilor Knapp said he has an appointment with Dave tomorrow and can talk to him about this.

Tom Chartrand said you will be sending a letter to the court system that you have reviewed the books and you are comfortable that they are accurate. You audited the town Clerk's records at the last meeting in a similar way.

Supervisor Scammell said the board has reviewed all the reports Dave Lamson has produced.

Tom Chartrand said you could check their petty cash.

Councilor Knapp said he will do this. He will talk to Dave Lamson about getting some kind of listing the Board can audit.

Tom Chartrand said if he is compiling their receipts, you could match them to the end-of-the-year reports to be sure they match.

b) **Monthly Review of Justice Court Records – Nov & Dec, '07.**
Written reports were submitted.

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

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

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

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

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

Supervisor Scammell said he heard from the project manager at the NYS DOT stating they have suspended work on the Route 20 and Route 11 intersection project for now. He sent back an email asking if they had an idea of the time-frame for this. He hasn't heard anything back yet.

B. COMMITTEE (2nd Monday).

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

- **Ag district public hearing – May, '08.**

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

- **New town website – functional requirements in process, new email addresses, conversion & file transfers.**
- **Senior website being designed by S.U. student Gail Burleigh.**

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

- **Thoma/Comprehensive Plan proposal.**
- **Water survey – review.**

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

a) **Onondaga County Department of Communications - OCICS.**

b) **NIMS training (TB members, etc.).**

c) **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.”**

d) **Mass shelter response.**

- 5) **Employee Policies & Benefits (Mary Jo Kelly, Adrian Shute & Mary Doster).**
- 6) **Environmental & Conservation Advisory Board (Rainer Brocke, Barb Ferro, Knowlton Foote, Eileen Gilligan, Nancy Mueller & Mark Distler).**
- 7) **Highway (“Pete” Paul, Leon Cook, Dave Knapp, Sumner Palmer & John Greeley).**
- 8) **Insurance (Adrian Shute & Bill McConnell).**
- 9) **Physical Plant (Herb Salladin, Dave Knapp & Bill McConnell).**
 - a) **Heating/Cooling system bids and thermostats (DK).**
 - b) **Fire & smoke alarms at Town Offices (1st & 2nd floor) & Community Center. Code requirements (Rick Storrer/DK).**
 - c) **Town offices - Loose clapboards – estimate needed (DK).**
 - d) **Community Center – porch steps.**
 - e) **Bench outlet for justice dept and overall bench design.**

Supervisor Scammell said the Justice Dept. would like an outlet put in by the bench so they can have the computer plugged in as everything must be recorded now. He said they would like to have something built out from the front of the bench so when people come forward they can stand at it.

Councilor Knapp will talk to Fred Groth about the outlet.

Podiums were suggested intermittently.

Eva Palmer said if they have a trial, they would need two podiums. They need a shelf out in front of the bench so people don't get so close to the bench.

Supervisor Scammell asked if a table could be put in front of the bench on court night.

Eva Palmer said temporarily a table would work.

Kevin Gilligan said usually there is some sort of table or shelf in front of the bench. If they are going to have a trial, they usually have two tables set away from the bench for both sides.

Eva Palmer said a shelf across the front of the bench would be fine.

Councilor Knapp asked if we knew of anyone requesting to be added or removed from the Ag. District.

Mary Jo said they probably would contact the folks next door about this. We might not hear until the public hearing.

Supervisor Scammell believes they would contact Bobbi Harris.

Mary Jo said Bobbi Harris is tentatively scheduling a public hearing some time in May. She hasn't confirmed when yet.

Councilor Knapp asked Mary Jo to let him know when something is scheduled.

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

a) Marion Bailey Park.

1. Short term.

- **Park signs “children playing” - 76% (location needed).**
- **Basketball court improvement (new nets, paint backboards, straighten basketball pole, remove old volleyball pole) - 73%. (price needed for grant)**

2. Long term.

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

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.

- **Park entrance signs (consolidate, carry in – carry out).**

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

- **NYS Workplace Violence Prevention Law (NYS boilerplate & DVD).**

12. School District liaisons (Bill McConnell and Adrian Shute & Pete Paul).

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

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

- **Validation and posting.**

A list of the names being posted at the L.F.D. was received.

Supervisor Scammell said he counted 58.

Tom Chartrand thinks there are about 39 of the names listed that have obtained their points.

Councilor Knapp confirmed we are right on budget then.

Tom Chartrand said it looks like it.

- **Billing cycle.**

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

16. **SPDES (Bill McConnell, Jim Nakas, Steve Beggs, Nancy Mueller, Ralph Lamson, Mark Parrish & Kevin Gilligan).**
17. **Water (Greg Scammell & “Pete” Paul).**
 - a) **Northeast LaFayette Water and Smokey Hollow Service Improvement districts.**
 - **Construction completion.**
 - **Spring restoration change order.**
 - b) **Hamlet drainage study – request submitted to NYS DOT, intersection of Routes 11 & 20 to be reconstructed in 2010-11.**
18. **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) **Streamlining of similar uses, controlled site approvals and specific permits.**

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

A. **ONONDAGA NATION LAND/LAND RIGHTS CLAIM.**

B. **SPRINGHILL FARMS**

C. **MAY V. TOWN OF LAFAYETTE: legal fees (\$2,854) payable by Mr. May in contempt motion.**

Kevin Gilligan said they spoke to Mr. May’s lawyer today and were advised Mr. May will pay the fine.

D. **CONDOMINIUM ASSESSMENTS (Manlius sample).**

Supervisor Scammell said this is regarding the reduced assessment on condominiums. If you have a condominium, you can have a reduced assessment because it’s a condominium.

Tom Chartrand said the assessment is based on rental and not on the sale.

Supervisor Scammell thinks the amount he saw was about ½.

Councilor Knapp asked the difference between a condominium and a house.

Kevin Gilligan said you buy a condominium but you don’t own any land. You only own the structure on top of the land.

Councilor Knapp asked what the difference between a condominium and renting is.

Kevin Gilligan said a developer kicked this thing in. Under the state statute it allows the town not to recognize this approach.

Tom Chartrand said Spafford and Owasco are looking at legislation to stop this too. They are very concerned about it.

Councilor Knapp said confirmed with a condominium the developer retains title to the property and just sells the house.

Tom Chartrand said these are for stand alone structures.

Supervisor Scammell asked if the board wanted to pursue this.

The Board will think about this and review the sample and make a determination at the next meeting.

Kevin Gilligan thinks it would be good if Marshall Taylor could brief the Board on this and give the Board his thoughts.

E. Other.

10. UNFINISHED BUSINESS & ACTIVE PROJECTS.

A. COMMUNITY DEVELOPMENT GRANT APP - 2008.

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

- **Bailey Park.**
- **LaFayette Beach.**
- **Stafford Park.**
- **Grant writer.**

Supervisor Scammell noted a copy of last year's submittal was distributed to the Board.

Councilor Knapp said we need to schedule a public hearing for the next meeting for our 5-year plan. He wanted the Board to look at the previous one so it could be ready for the next meeting.

Councilor's Knapp moved and Bailey seconded the motion to hold a public hearing for the Community Development 5-Year Plan at the February 11, 2008 Town Board Meeting at 6:30 p.m. or as soon thereafter as it can be heard. Motion passed unanimously.

Councilor Knapp said Councilor McConnell talked to the folks at Thoma about putting this grant together for us and he would like to get permission to give them a copy of what we did before and have them give us a price to do this.

Supervisor Scammell asked if we need to have it by the public hearing.

Kevin Gilligan said no.

Tom Chartrand said the Board could authorize Councilor Knapp to enter into a contract with Thoma up to a certain dollar amount.

Councilor's Knapp moved and Shute seconded the motion to authorize Councilor Knapp to enter into an agreement with Thoma to do the 2008 Community Development Grant for an amount not to exceed \$1,000. Motion passed unanimously.

B. NYS DOT: quarterly reports on 11 & 20 reconstruction & drainage.

C. For TB review.

1) GBoR member: tbd , 01/01/07 – 09/30/08 (replacing John Aiken's term).

Councilor Knapp thinks by the next meeting he will have at least one if not two members for these positions.

2) GBoR member: tbd, mm/dd/yy – mm/dd/yy (replacing Shawn Adam).

3) Commercial Planned Development (CPD) District samples.

Councilor Knapp thinks there are some good points in the samples provided that we could incorporate into our zoning without too much work.

Councilor Knapp noted the instructions for the thermostats came in.

10. NEW BUSINESS.

A. RX ZONING CLASSIFICATION – Comprehensive Plan.

B. BILL MOENCH’S DONATION - “Don’t Tread on Me” flag.

C. NOTICE OF CLAIM – LaFleur/Verizon.

D. REAGAN INSURANCE REQUEST LETTER.

Councilor Knapp said Councilor McConnell was hoping the Board could have a special meeting to actually discuss the proposals to decide which way we want to go as Councilor Shute cannot attend the next Town Board Meeting. He was looking at either the 12th or 19th of February if schedules were permitting. The Board will decide on a date and it will be posted.

E. OTHER

Supervisor Scammell said he has a letter ready to go to Reagan Agency stating the Town Board of the Town of LaFayette has authorized and completed an internal audit of the Tax Collector’s 2005 records. The findings as well as Town Board Minutes relating to this audit are attached to the letter. He asked the Board if they wished him to send the letter.

Councilor’s Knapp moved and Shute seconded the motion authorizing the supervisor to sign and send the letter to Reagan Agency. Motion passed unanimously.

Supervisor Scammell thanked Kevin Gilligan for the information regarding education for the Zoning Board of Appeals and Planning Board. If the members don’t receive this training, the Board will not be able to reappoint them. The Board will send a letter to those who haven’t fulfilled this obligation to advise them of the state requirements.

12. Suggestions for improvement and positive contributions.

Councilor Bailey noted Councilor Knapp was recently in New Orleans doing some volunteer work. He helped paint a school and houses as well as other restoration work.

13. EXECUTIVE SESSION (if needed).

14. Councilor’s Shute moved and Knapp seconded the motion to audit and pay the following bills:

GENERAL FUND

#1186 -1217

HIGHWAY FUND	#1218 – 1222
SPECIAL DISTRICT FUND	#1223
TRUST & AGENCY FUND	#1224

Motion passed unanimously.

15. Councilor's Knapp moved and Shute seconded the motion to adjourn. Motion passed unanimously.

The Town Board Meeting adjourned at 7:49 p.m.

Respectfully submitted,

Mary Jo Kelly
Town Clerk

Adopted 2/11/08