

Minutes of the Town Board Meeting held by the LaFayette Town Board on February 11, 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, Councilor
Thomas Bailey, Councilor
William McConnell, Councilor

Absent: Adrian Shute, Councilor

Recording Secretary: Mary Jo Kelly, Town Clerk

Others Present: Kevin Gilligan, Town Attorney
Leon Cook, Highway Superintendent
Tom Chartrand, Bookkeeper
Marshall Taylor, Assessor
Shawn Adam, Assessor
Jason Allers, HF&C
Tom Reiley, Reagan Agency
Jim Stoddard, HF&C
Bruce Donohue
Tom Dadey, Jr., Brown & Brown
Bob Messina, Brown & Brown

1. Supervisor Scammell called the Meeting to Order at 6:31 p.m.
2. The Town Clerk took the Roll. Councilor Shute absent. All else present.
3. Pledge to our U. S. Flag led by Town Councilor Bill McConnell.
4. **Councilor’s Knapp moved and Bailey seconded the motion to accept prior meeting minutes of January 28th, 2008, as submitted by the Town Clerk. Voting was as follows:**

Supervisor Scammell	Voted	Yes
Councilor Knapp	Voted	Yes
Councilor Bailey	Voted	Yes
Councilor McConnell	Voted	Abstain
Councilor Shute	Voted	Absent

Motion carried.

5. **PUBLIC HEARINGS.**

A. Low income senior and low income disability exemptions.

Supervisor Scammell opened the public hearing for Senior Exemptions.

Kevin Gilligan said this adjusts the income levels that trigger the partial tax exemptions for senior who are 65 years of age or older.

Councilor Knapp confirmed we are approving what the count did.

Kevin said yes. He thinks Marshall Taylor has contacted the school about this too.

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

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

**RESOLUTION AUTHORIZING A PARTIAL
EXEMPTION FROM REAL PROPERTY TAXES
FOR PERSONS 65 YEARS OF AGE AND OLDER
AND INCRASING THE INCOME LIMITATION
RELATIVE TO SAME IN THE TOWN OF LAFAYETTE**

The following resolution was made by Councilor Knapp and seconded by Councilor 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 for multiple years; and

WHEREAS, the Town wishes to make this benefit available to its qualifying senior citizens as a way of assisting them to keep their homes during retirement years; and

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

WHEREAS, the Board, after due notice in accordance with the new York Real Property Tax Law, Section 467 and Section 3 of Town of LaFayette Local Law 3-2001, has held a public hearing on this date to consider increasing said exemption.

NOW, THEREFORE, be it

RESOLVED, that this Board hereby authorizes a partial real property tax exemption for persons 65 years of age or older, pursuant and subject to the provisions of Section 467 of the New York Real Property Tax Law and Local Law 3-2001, in accordance with the following schedule:

<u>EXEMPTION</u>	<u>INCOME LIMITS commencing 3/1/08</u>	<u>INCOME LIMITS commencing 3/1/09</u>	<u>INCOME LIMITS commencing 3/1/10</u>
50%	\$27,000	\$28,000	\$29,000
45%	\$28,000	\$29,000	\$30,000
40%	\$29,000	\$30,000	\$31,000
35%	\$30,000	\$31,000	\$32,000
30%	\$30,900	\$31,900	\$32,900

25%	\$31,890	\$32,800	\$33,800
20%	\$32,700	\$33,700	\$34,700
15%	\$33,600	\$34,600	\$35,600
10%	\$34,500	\$35,500	\$36,500
5%	\$35,400	\$36,400	\$37,400

and it is further

RESOLVED, that this resolution shall amend, supersede and replace all prior resolutions of this Town with respect to the subject matter herein.

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	Yes
Councilor Knapp	Voted	Yes
Councilor Bailey	Voted	Yes
Councilor McConnell	Voted	Yes
Councilor Shute	Voted	Absent

Motion passed.

B. 2008 Community Development application.

Supervisor Scammell opened the public hearing for the 2008 Community Development application.

Councilor Knapp said the 5-Year Plan has been completed. The bridges that were under last years plan really don't come under this so they have been removed. The figures have been readjusted for the various projects.

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

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

Supervisor Scammell opened the public hearing for the Local Law Amending Local law 1-2004 to Provide for an Increase in the Partial Tax Exemption for Persons with Disabilities Whose Incomes are Limited by Reason of Such Disabilities". He asked for any questions or comments.

Councilor Knapp said again, we are following the county on this.

Kevin Gilligan said it's the same sliding scale for the county and state. This applies to persons with disabilities

There were no further questions or comments.

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

RESOLUTION TOWN BOARD MEETING

February 11, 2008

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

WHEREAS, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law entitled Local Law No. A of 2008, "A Local law Amending Local Law 2-2004 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”, was presented and introduced at a regular meeting of the Town Board of the Town of LaFayette held on January 14, 2008, and

WHEREAS, a public hearing was held on such proposed local law on this 11th day of February, 2008 by the town Board of the Town of LaFayette and proof of publication of notice of such public hearing, as required by law, having been submitted and filed, and all persons desiring to be heard in connection with said proposed local law having been heard, and said proposed local law having been in the possession of the members of the Town Board of the Town of LaFayette in its final form in the manner required by Section 20 of the Municipal Home Rule of the State of new York; and

WHEREAS, it is in the public interest to enact said Proposed Local Law No. A of 2008.

NOW, THEREFORE, it is

RESOLVED, that the town Board of the Town of LaFayette, Onondaga county, new York, does hereby enact Proposed Local Law No. A of 2008 as Local law No. 1 of 2008 as follows:

**TOWN OF LAFAYETTE
LOCAL LAW 1-2008**

**A Local Law Amending local Law 1-2004 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**

Be it enacted by the Board of Trustees of the Town of LaFayette, as follows:

Section 1. New York Real Property Tax Law Section 459-c authorizes municipalities to provide a partial real property tax exemption for real property owned by persons with disabilities whose incomes are limited by reason of such disabilities.

Section 2. New York Real Property Tax Law Section 459-c has been amended to authorize municipalities to increase the maximum income eligibility levels for the exemption for persons with disabilities for multiple years.

Section 3. The new income guidelines for the sliding scale property tax exemption are as follows:

<u>EXEMPTION</u>	<u>INCOME LIMITS commencing 3/1/08</u>	<u>INCOME LIMITS commencing 3/1/09</u>	<u>INCOME LIMITS commencing 3/1/10</u>
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10%	\$34,500	\$35,500	\$36,500
5%	\$35,400	\$36,400	\$37,400

Section 4 Local Law 1 of 2004 is hereby amended to establish increased income eligibility levels for the exemption for persons with disabilities at the maximum amounts authorized by Real Property Tax Law, Section 459-c as described in Section 3 of this Local Law.

Section 5. This Local Law shall take effect immediately.

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

Supervisor Scammell	Voted	Yes
Councilor Knapp	Voted	Yes
Councilor Bailey	Voted	Yes
Councilor McConnell	Voted	Yes
Councilor Shute	Voted	Absent

The foregoing Resolution was thereupon declared duly adopted.

6. COMMUNICATIONS.

A. RESIDENTS.

B. Shawn Adam, Assessment Grievance Board of Review: resignation (became one of our town assessors).

Councilor’s Knapp moved and Bailey seconded the motion to accept Shawn Adam’s letter of resignation with regret. Motion passed.

C. Onondaga County Health Department: water supply sample satisfactory.

D. NYS Public Service Commission: new area code for 315 needed.

E. Southern Hills Preservation Corporation: 2007 annual report.

Councilor’s McConnell moved and Knapp seconded the motion to approve \$2,500 for services provided by Southern Hills. Motion passed.

F. OCWA: 2008 rate schedule changes.

G. CNY RPDB: Stormwater Permit Information and Training Workshop.

H. Other.

7. SPECIAL REPORTS. Insurance proposals.

A. 6:45 - Reagan Agency.

Tom Reiley was present from Reagan Agency. He submitted the insurance renewal from Selective Insurance to the Board. He also approached Philadelphia who didn’t feel they could be as competitive or offer the same coverage as Selective. All the coverages are the same except for buildings and contents that are increased by 4 %. He advised the Board when reviewing proposals, blanket limits and agreed on amounts should be in place.

Councilor Knapp asked what the agreed amount is.

Tom Reiley said it's the amount the town and insurance company agree the town should be insured for. He advised the Board to pay special attention to the Public Official Liability as they think of going with another company. The Board needs to be sure it covers all conditions. When the Board gets all its proposals in, he would be more than happy to meet with them and answer any questions they might have or review the proposals with them. Selective is one of the largest carriers for insurance for municipalities in New York State.

Councilor Knapp asked about the employment coverage.

Tom Reiley said it's a whole separate policy. The proposal is included in the paperwork he submitted to the Board. He discussed the auto coverages.

Councilor Knapp asked if we are insured for what a vehicle is worth or the replacement cost.

Tom Reiley said equipment and vehicles are at bluebook value.

Councilor McConnell said we started down this track a little over a year ago. He asked if the coverage for the Highway Garage would replace the entire building and its contents.

Tom Reiley said yes.

Councilor McConnell said the coverage should cover the cost to build the building today and replace the equipment inside of it.

Tom Reiley said yes.

Councilor McConnell said the Community Center is estimated at \$368,502 when the analysis was done. Was the analysis through the modeling program again?

Tom Reiley said a couple of years ago a representative came out and walked through the buildings and said what the values should be.

Councilor McConnell believes there are a couple of items listed under the town insurance that OCWA actually covers.

Tom Reiley said they have always been on the policy and he hasn't been told to take them off.

Councilor McConnell asked which building at the pool was estimated at \$44,000 to replace.

Councilor Knapp said it would have to be the bath house.

Councilor McConnell said we have a gap in our insurance regarding crime coverage. How did that gap occur?

Tom Reiley isn't sure how it happened. He realized it 2 years ago.

Councilor Bailey asked what Selective's position is on maintenance regarding facility damages.

Tom Reiley said they are comfortable because they were out here 2 years ago. There's no problem with insurability.

Councilor McConnell asked how often Selective will come out here if they came out 2 years ago.

Tom Reiley said it depends. A couple of years ago they realized they didn't have the right limits and visited every town.

B. 7:00 - Haylor, Freyer & Coon.

Jason Allers and Jim Stoddard were present.

Jason Allers submitted their proposal for insurance. They found a lack of crime coverage on our existing policy. They found the town is paying for coverage for an OCWA water tower and pump building that are covered by OCWA. HF&C has access to many insurance products and carriers who specialize in municipal

insurance. When they toured the town facilities, they realized many of the buildings were not on our current policy. He measured the buildings and included them in their proposal. He discussed Public Officials Coverage.

Councilor Knapp confirmed this includes the Zoning Board of Appeals Members, Planning Board Members, Town Board Members and all appointed and elected officials.

Jason Allers said yes. He said employment practices are not defined in our current policy. This is included in his proposal. In HF&C's proposal they have quoted the crime coverage and the water tank and pump station have been removed. They have provided two quotes for coverage from two different carriers who are specialists in municipal insurance. They have included all buildings with their values in their proposal. They have given a proposal for Law Enforcement Coverage which would cover armed security or court officers.

Councilor Knapp asked if Dog Control would come under this.

Jason Allers said that would be covered under the General Liability.

Councilor Knapp confirmed he would be covered under the Public Official coverage too.

Jason Allers said yes.

Jim Stoddard said by having Law Enforcement coverage, it just makes it clearer as to what is covered.

Jason Allers said they recommend Fireman's Fund Insurance for this. Their relationship with the carrier is exceptional and their rating is exceptional. They have been around for over 100 years. They have a lot of added features in the coverage that aren't normally found. They recommend Peerless for the property equipment. They have a new replacement cost option.

Jim Stoddard thinks this has the most impact on the highway heavy equipment. If the equipment is 10 years old or newer you don't want to look at the depreciation value in the claim, you want to look at the full amount. Peerless is the only carrier that will do this.

Councilor Bailey asked what the age limitation is.

Jason Allers said it's 10 years old and newer.

Jim Stoddard said they specifically amend the language for this equipment. There's a separate endorsement on the coverage where they list the replacement costs for vehicles 10 years old or newer.

Councilor Knapp confirmed the equipment would rotate off for the full replacement after 10 years.

Jim Stoddard said yes. You would still have coverage but not the new replacement value.

Jason Allers said they would recommend raising the umbrella limits to \$5,000,000. They would recommend considering using Fireman's Fund web based risk management. They would recommend considering adding Fireman's Fund Green Building Endorsement and insure with the specialists at HF&C. He said they are available to answer any questions at any time.

Councilor Knapp said insurance coverage expires on the 29th at midnight. When would they have to be notified of the Board's decision to have everything in place.

Jason Allers would recommend 10-14 days in advance so they can be sure they have everything in place that the town needs.

Jim Stoddard said or as soon thereafter as you can. It would be a good time to shoot for to be sure everything is in place.

C. 7:15 - Brown & Brown Empire State.

Tom Dadey and Bob Messina were present.

Tom Dadey submitted insurance proposals for Brown & Brown in a sealed envelope. He advised they are the 6th largest broker in the country. Some of their clients are the LaFayette Apple Festival, Town of DeWitt, Onondaga County, OCRRA, OCWA, etc.

Bob Messina said you buy insurance in case you need it. You don't buy insurance for every possible thing. You want to mitigate the risks but not every risk. When they are looking over our coverage and policy, they are looking to see what is missing and what can they improve on. The worst situation is to have something not covered. They are a decentralized company. If the Board chooses them, the town would have the resources of a large company with the personal attention of a small office. They have the collective wisdom of all the offices within their company. Our current policy says you need to contact the insurance company when someone knows about a potential risk. If you don't, an insurance company could refuse your claim if something happens. They have additional endorsement which states if the risk engineer doesn't know about it then it didn't happen. This costs nothing. The definition of bodily injury in our current policy does not include mental anguish. Most times it's included under the general definition. They have defined it in their policy. Very often contracts filed by the town include insurance forms. Who reviews them?

Kevin Gilligan said he does.

Bob Messina said they work with a lot of attorneys who review the contracts. A lot of times the attorney's expertise is not with the insurance. They review the contract strictly for insurance coverage. They don't look at the legal aspects.

Councilor Knapp said Leon Cook does a great job of soliciting help from various neighboring towns. If one of their trucks is in our town helping out and something should happen, whose insurance would cover it.

Bob Messina said their insurance.

Councilor Knapp asked what if we borrowed their paver and we were operating it?

Bob Messina said the town should have coverage for it. He advised our current Public Official Policy does not cover EPL1 or third party. If they are fortunate enough to have the town business, they will review our needs.

Tom Dadey said he has knowledge of the Town and its needs. An advantage to being a small town is if Leon needs to hire someone in the Highway Dept., it's usually someone local who everyone knows. The proposal they have put together is from some well known carriers.

Councilor Knapp asked how they would value buildings, etc.

Bob Messina said there are a couple of ways to do it. He thinks the town probably knows more about the values. They can get an average square foot cost and meet with a builder to see what it would cost. They can look at other similar buildings that were recently built.

Tom Dadey said they used the same values as what is in our current policy as they wanted to compare apples to apples.

Councilor Knapp said right now we are basically using the Marshall and Swift type numbers.

Tom Dadey said if they designate Brown and Brown, they would come out and do a top to bottom inspection. This is meant to give recommendations so the town can avoid issues down the road.

Councilor Bailey asked how they are on expectation of maintenance. In an event where significant damage occurs and something comes up like some rotting of supports, would the claim be denied?

Bob Messina said he would have to look closely at the policy form. He would say it's got to be pretty gross for something like that to occur.

Councilor Knapp asked if they had someone come out that would be looking at that. Is there a policy that every 5 years or so they would reinspect the buildings.

Bob Messina said you want to keep your buildings in repair.

Councilor Bailey said we have safety people who are always inspecting our buildings too.

Bob Messina said that is an unusual exclusion.

Tom Dadey said inspections would be done more than once every 10 years. If anyone has any questions, he and Bob's numbers are in the material submitted.

Councilor Knapp thanked Councilor's McConnell and Shute for setting up the insurance presentations.

Bruce Donohue was present to make a formal application for a Commercial Planned Development District. He submitted copies of what he is proposing. He tried to comply with Section G of the Zoning Ordinance.

Councilor Bailey said the way it is set up is that the Town Board would have the actual authority to deny or accept the proposed businesses that would go into the district. He asked if there are any existing studies that have been done on the property.

Bruce Donohue said he hasn't done any. He would like the Board to consider the uses.

Supervisor Scammell asked if he knew how deep McDonald's well is.

Bruce Donohue didn't know. He asked if there would be a date he would have an answer from the Board by.

Supervisor Scammell said Bruce could call him. The Board will meet again on the 25th.

Councilor Knapp said Kevin Gilligan is working on some clarifications on our existing ordinance.

8. **REPORTS.**

A. DEPARTMENTAL (4th Monday).

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

a) Low income senior and low income disability exemptions.

b) NYS ORPS: RP7114.

c) Cold War veteran's exemptions.

Councilor Knapp said in talking with our County Legislator Bob DeMore, it looks like there will be two options for Cold War veterans exemptions.

Marshall Taylor asked if the Board had thought about what it was going to cost the town to do this. He thinks the exemption will be at 15% so it's easier to keep track

of. He thinks the exemption will never end. The county can't approve this within the 90 days to make it effective this year so it will have to be considered for next year.

2. **Building & Zoning Code Enforcement: Ralph Lamson & Jack Sutton.**
 - a. **2386 Route 11A – Home occupation/Business in Agricultural-Residential.**
 - b. **Springhill Construction - court 08.29.07, referred to ZBA.**
 - c. **Route 11 – graffiti and abandoned vehicles.**
 - d. **LaFayette Hotel – car sales.**
 - e. **NYS Uniform Fire Prevention & Building Code Amendments (applicable?)**

Supervisor Scammell asked about this.

Kevin Gilligan said there are a number of different things out there. He sent a memo on January 31st that pointed out the State of New York changed the Prevention and Building Code and recommended all the villages and towns amend their own building and code section. This regards the local requirements.

Mary Jo said she isn't sure if we have any local requirements. She knows we adopted to use the NYS Building Code.

Kevin Gilligan will check with Ralph Lamson on this.

- f. **Certification paperwork completed(RL)?**

3. **Dog Control: Jim Moore & Doug Scholes.**
 - a. **Dog enumeration.**
 - b. **Leash law.**

Supervisor Scammell said Jim Moore will be attending the next meeting to discuss a leash law in the Hamlet and a dog enumeration.

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

5. **Jerome Rockwell draft agreement.**

6. **Justice Court: Malcolm Knapp & Maureen Perrin.**
 - **Unified Court System 06.13.07 request (January, '08 review): town letter to NYS Office of Court Administration. Audit list (DK).**

Councilor Knapp said he spoke to Dave Lamson and he was going to review the information Supervisor Scammell got vs. what he's been doing to be sure one satisfies the other. He will try to have a confirmation on this by the meeting on the 25th.

7. **Library Director: Scott Kushner.**
 - **Monthly Trustees & Directors report – December.**

Written monthly Trustee and Directors Report were submitted for December.

8. **Recreation Director: Regina Reinschmidt.**

9. **Tax Collector: Teresa Mech.**

10. **Town Clerk: Mary Jo Kelly.**
 - **Monthly report – January.**

A written report was submitted.

11. Town Supervisor: Greg Scammell.

B. COMMITTEE (2nd Monday).

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

- a. Ag district public hearing – May, '08.
- b. Farmland Protection query.

Councilor Knapp spoke to the resident about this.

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

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

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

- a. Thoma/Comprehensive Plan proposal.
- b. Water survey – review.

Councilor McConnell said they are counting the homes and estimating the cost. The next step would be to talk to Thoma about what grants would be available.

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)
 - 1. Local resolution similar to county’s needed?
 - 2. Jurisdiction contact sheet
 - 3. CNY Business Journal – “Legal, HR considerations before a pandemic flu strikes.”
- d. Mass shelter response.

Councilor Bailey said he will be contacting Ken Jerome about this.

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).

Kevin Gilligan said he attended the last meeting for his wife as she was ill. Apparently their new project that they want to get into is the grey building.

Supervisor Scammell asked what they are thinking about.

Kevin Gilligan said everyone but Rainer would like the building to come down and to build a park in its place. Rainer does not want the building to come down.

Councilor Bailey asked if they invited the current owner of the building to the meeting.

Kevin Gilligan said no but they discussed having a work session in the future to include the current owner and Town Board.

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

8) Insurance (Adrian Shute & Bill McConnell).

Councilor’s McConnell moved and Knapp seconded the motion to hold a Special Meeting February 12, 2008 at 6:00 p.m. in the LaFayette Commons to discuss the insurance proposals and any other matters that may arise. Motion carried.

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

- a) **Next heat pump replacement.**
- b) **Fire & smoke alarms at Town Offices (1st & 2nd floor) & Community Center. Code requirements (Rick Storrier/DK).**
- c) **Town offices - Loose clapboards – estimate needed (DK).**
- d) **Community Center – porch steps.**

This has been completed.

- e) **Bench outlet for justice dept and overall bench design.**

This has been completed.

Supervisor Scammell said a programmable thermostat is needed for the recent heat pump that we purchased.

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).**

Councilor Knapp said we really have two projects that we are going to be submitting for the Community Development Block Grant. One is the LaFayette beach and the other is for Stafford Park. He is looking for some direction on the one we would prioritize over the other. On the one hand he thinks at the Beach the facilities are in more disrepair but on the other hand, Stafford Park is much more heavily used and its improvements would affect more people.

Councilor McConnell said his understanding is that we don't have to supply the priority.

Councilor Knapp confirmed we don't have to. We had the Beach listed as a priority before as basically it's the only area that qualified.

Councilor McConnell said when he spoke to someone from Community Development he was advised they would look at our application and review all the requests made in making their determination. This year Stafford Park is eligible as well as the Beach.

Supervisor Scammell said he would pick Stafford Park improvements.

Councilor Knapp said he and Councilor McConnell met with Mr. Thoma.

Councilor McConnell said to get the grant writing process going there is some information needed. Mr. Thoma presented a per/hour cost. His target date is to get it done by the 19th.

Councilor Knapp said the cost would be well under our \$1,000 approved limit.

Supervisor Scammell said he would like to see us continue to work on Bailey Park too.

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).

Marshall Taylor asked Councilor McConnell if he would be taking the approved tax exemptions to the school or if he wanted Marshall to.

Councilor McConnell asked what we have done in the past.

Marshall Taylor said last year Councilor McConnell took the information to the school but prior to that he always sent them over a copy of what we did.

Councilor McConnell said lets just do that again.

Councilor Knapp said the new superintendent, Mr. Tigh, has attended some recent community events. There is going to be a welcoming reception for him sometime in March. He will let the Board know the date as soon as he finds it out.

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

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

- a) **Validation and posting.**

- b) **Billing cycle.**
- c) **Legal query (NB email).**

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

16) SPDES (Bill McConnell, Jim Nakas, Steve Beggs, Nancy Mueller, Ralph Lamson, Mark Parrish & Kevin Gilligan).

- **Mark Parrish presentation – 2.25.**

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

- a) **Northeast LaFayette Water and Smokey Hollow Service Improvement districts.**
 - 1. **Construction completion.**
 - 2. **Spring restoration change order.**

Kevin Gilligan said OCWA is running the system now.

- 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.**

Kevin Gilligan said he has a memo coming to the Board and Mary Jo about the existing zoning issues and how the Board would like them prioritized.

Marshall Taylor said in the past there was an amendment to the zoning regarding in-law living quarters. To date we have two of these structures that are not attached to the house. They are free-standing structures with a roof extended over 40’ to connect the main house. They have separate well and septic, etc. There is one on Route 11 and another on Sentinel Heights. His understanding was whatever space you were going to create would be attached to the existing structure. Neither of these are attached to the existing structure.

Kevin Gilligan reviewed the In-Law/Accessory Use section of the Zoning Ordinance.

Supervisor Scammell asked about the wording under B-2.

Kevin Gilligan said he hasn’t seen this in any other towns.

Supervisor Scammell asked if the wording should be “shares an adjoining wall”.

The Board recommended sending a letter to the Zoning Board of Appeals and to Ralph Lamson discussing the intent of the Ordinance.

Kevin Gilligan will draft this letter.

Marshall Taylor thinks it would help if increases like this were accompanied by architectural plans. He would recommend any increase in living space require an

architectural drawing. It's hard to distinguish between what's old and new for assessing purposes with drawings.

Mary Jo thinks there is something that states of an addition is under a certain amount, architectural drawings aren't needed.

The Board decided Ralph should be asked about this to see what the law says.

9. LITIGATION & OTHER LEGAL MATTERS.

A. Onondaga Nation Land/Land Rights Claim.

B. Springhill Farms.

Kevin Gilligan said this is on the agenda for the Zoning Board of Appeals tomorrow night. The Board may be headed for a denial which will the applicant has advised will be followed by a law suit.

C. May v. Town of LaFayette: legal fees (\$2,854) payable by Mr. May in contempt motion.

This has been completed as the check has been received.

D. Condominium assessments (Manlius sample).

Supervisor Scammell said this topic was brought up by Marshall Taylor.

Marshall Taylor said because of the classification of the property, it is assessed differently.

Councilor Knapp asked the definition of a condo.

Marshall Taylor said his understanding is that it's a place where 3-4 houses are attached. The people own the buildings but don't own the land. These must be assessed as market rentals.

Councilor Knapp asked if the contractor maintains title to the land.

Marshall Taylor said yes.

Kevin Gilligan said of the association. He has at least one other town right now drafting legislation changing the assessment law so they are not able to handle these as rental units but must be assessed as single family residents. He asked the Board if they would like him to proceed with this local law.

Councilor Knapp thinks we should look at it.

Councilor Bailey agreed.

This will remain on the agenda.

E. FOIL.

Supervisor Scammell said John Dunkle provided the information today.

F. Other.

10. UNFINISHED BUSINESS & ACTIVE PROJECTS.

A. Community Development Grant app - 2008.

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

a) **Bailey Park.**

- b) LaFayette Beach.**
- c) Stafford Park.**
- d) Grant writer.**

This will also be discussed at Special Meeting on the 12th.

B. For TB review.

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

Councilor McConnell said Matt Amidon has said he would be interested in volunteering for this position.

Supervisor Scammell asked how he is with numbers.

Councilor McConnell said he knows Matt is a college graduate and willing to learn.

Councilor Knapp said he will have to attend a class.

Shawn Adam said they need some young people to get involved. He thinks Matt can handle it. The class is pretty good.

Councilor Knapp said the other members on the Board can help him out too.

Councilor’s McConnell moved and Knapp seconded the motion to appoint Matt Amidon to the Assessment Grievance Board of Review to fulfill the remainder of John Aiken’s term. Motion passed.

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

- 3) Commercial Planned Development (CPD) District samples.**

- 4) Condominium assessments.**

11. NEW BUSINESS .

A. Rx zoning classification – Comprehensive Plan.

B. Bill Moench’s donation - “Don’t Tread on Me” flag.

Councilor McConnell said he and Anna came in and looked at the flag to try to come up with some ideas.

C. Insurance special meeting (2.12 or 2.13).

D. Other.

Supervisor Scammell said he sent a letter to Jim Nakas and Steve Beggs regarding the education requirements and the members who have not completed these requirements.

Councilor’s Knapp moved and McConnell seconded the motion to approve \$700 for Councilor Bailey to cover expenses to attend the Association of Towns Meeting. Motion carried.

Marshall Taylor said 2 years ago the school and Town Board adopted the Fireman’s Exemption which gave the firemen about \$3,000 off the assessment of their house. The state of New York also passed a law in 2007 which gave them a \$200 deduction on their NYS taxes. In 2008, they will have rescinded the rule on both

advising a fireman can have one or the other. The exemptions on the property come out to be about \$75. He has notified the fire departments of this and advised they must decide whether they want the \$200 income tax deduction or the \$75 property tax exemption.

Councilor Bailey said he brought this to the attention of their president, John Harper.

Councilor Knapp asked if they can decide individually.

Marshall Taylor said yes, they do decide individually.

Councilor Bailey said he can put this in a letter form to the department so they know this is for next year.

Marshall Taylor said there was some discussion at an earlier meeting about placing a flag pole at the other ballfields. Is there enough money in the budget this year to do this? He would be willing to take money from his budget for this as he feels it's important.

Councilor Knapp agreed with this. He will look into it.

Marshall Taylor would hope it's the same size as the one on the other ballfields.

Councilor Knapp thanked him for reminding him about this.

12. Suggestions for improvement and positive contributions.

13. Executive session (if needed).

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

HIGHWAY FUND	#1245 – 1253
SPECIAL DISTRICT FUND	#1274 - 1277
GENERAL FUND	#1279 – 1308

Motion carried.

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

The Town Board Meeting adjourned at 9:05 p.m.

Respectfully submitted,

Mary Jo Kelly
Town Clerk

Adopted 2/25/08