

Minutes of the Town Board Meeting held by the LaFayette Town Board on February 25, 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
Adrian Shute, Councilor

Recording Secretary: Mary Jo Kelly, Town Clerk

Others Present: Kevin Gilligan, Town Attorney
Leon Cook, Highway Superintendent
Ralph Lamson, CEO
Tom Chartrand, Bookkeeper
Bruce Donohue
Pete Paul, Dep. Supervisor
Regina Reinschmidt, Rec. Dir.
Melissa Johnson
Jim Moore, DCO

1. Supervisor Scammell called the Meeting to Order at 6:31 p.m.
2. The Town Clerk took the Roll. All present.
3. Pledge to our U. S. Flag led by Town Councilor Bill McConnell.
4. **Councilor’s Knapp moved and Bailey seconded the motion to accept prior Meeting Minutes of February 11, 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	Yes
Councilor Shute	Voted	Abstain

Motion carried.

4. **Councilor’s Knapp moved and Bailey seconded the motion to accept prior Special Meeting Minutes of February 12, 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	Yes
Councilor Shute	Voted	Yes

Motion passed unanimously.

5. PUBLIC HEARINGS. None

6. COMMUNICATIONS.

A. RESIDENTS.

Councilor McConnell introduced Melissa Johnson who is attending the meeting tonight as part of her Civics class.

Melissa said she takes the class at the VA Hospital. It's through a medical profession program.

Councilor Knapp confirmed she is on her way to becoming a doctor.

Melissa said yes. She got a lacrosse scholarship to Gannon University.

Bruce Donohue asked the Board if they had a chance to consider his request for the Commercial Planned District. He would like their individual feedback.

Councilor Knapp asked if the Town Board hypothetically designates this as part of a Commercial Plan Development District under that section of the Zoning Ordinance, do we sit down and basically design the whole thing ahead of time or do we say all this parcel of land is in the Commercial Planned Development District and then as Bruce Donohue has specific projects in mind he brings them forward and we look at them.

Kevin Gilligan said by its nature it's a Commercial Planned Development and there must be plans submitted to the board to approve.

Councilor Knapp said we not only have to decide if we want to put this in a Commercial Planned Development District but we must also state ahead of time the uses we would deem acceptable and what things are not acceptable.

Kevin Gilligan said you can do it in a general format but there should be a plan showing driveways, parking, buildings, etc. You would also review it for the ability of it to handle a septic, runoff, etc. There would be a more detailed review when specific proposals come up. You are also involved with the SPDES as it will involve more than an acre of land.

Councilor Knapp asked if that would be done ahead of time or when a project was going to be considered.

Kevin Gilligan thinks you would do a proposed plan at the time the zone change is going to be considered.

Councilor Bailey asked if it wouldn't have to be done anyway as it's submitted to County Planning.

Kevin Gilligan said the Board also had some things they were looking at regarding the current Zoning Ordinance. The first step would be to change any items they want in the Zoning Ordinance. The next step is for Bruce Donohue to come in with a plan for the Board to consider.

Councilor Knapp said there may be some tweaking of things in our current Zoning Ordinance but for right now it's pretty general and that might be the best way to keep it. He doesn't see a lot of other properties in town that would fall under this designation.

Kevin Gilligan said the Board would have to identify the tweaks which could be done fairly quickly and then while that is going on an application could be developed and submitted.

Councilor Knapp would be in favor of proceeding along these lines.

Councilor Shute asked if the Board designates this as a Commercial Planned Development District, what happens if there is a subdivision within in it?

Kevin Gilligan said that would be a separate process. The first step is to show how it would be laid out.

Councilor Shute said giving this the Commercial Planned Development designation will help Bruce Donohue market the land. He believes keeping it more general right now would give him the opportunity to market it and let the Town Board get down to some of the finer points of it once he has someone interested. He is in favor of moving down the road for the Commercial Planned Development District.

Councilor Bailey is intrigued about the components that make up the Commercial Planned Development District. The thing that concerns him is the Town Board has some input as to what will eventually be established out there in the world of commercial enterprises. When it reaches the issue of future subdivision, would the Town Board have the ability to accept or reject what the subdivision will be made for?

Kevin Gilligan said as long as it meets your subdivision requirements it is allowed. You can put conditions on it but it's pretty much a routine thing.

Councilor Knapp said it's just like commercial zoning. If it falls within the parameters, it's tough to deny it.

Kevin Gilligan said it would depend on how the plan was presented. It's up to the proponent to set the project up.

Supervisor Scammell said he is confused about the plan vs. the district.

Kevin Gilligan said the district is how you address it in the Zoning Ordinance. In order to have a Commercial Planned Development District, you must have a plan. The plan can be amended from time to time. The owner can come in and do a specific applicant and do the detail work later.

Councilor Knapp said depending on what the uses are that are proposed.

Kevin Gilligan said yes but there should be some plan as to the building sizes, etc. Supervisor Scammell confirmed this is the same as a zone change.

Kevin Gilligan said yes.

Supervisor Scammell asked what the basis is for the Board to reject or approve a plan.

Kevin Gilligan said the plan would be submitted showing the entering road, driveway, parking area, proposed retail space, landscaping, water, septic, etc.

Supervisor Scammell said what happens if something comes along that the Town Board doesn't want.

Kevin Gilligan said you could put what you don't want in your approval of the plan.

Councilor Knapp said you could state i.e. "No industrial uses", etc.

Kevin Gilligan said this is all up to the board when it's approving the plan and should be on the plan that is submitted that the Board will approve. You can't give a blank check.

Supervisor Scammell said so the approval of the district must be accompanied by a plan.

Kevin Gilligan said yes.

Supervisor Scammell presumed the plan is the one that Bruce Donohue submitted at a previous meeting.

Bruce Donohue said the plan he submitted was to show some office buildings, retail stores, gas station and convenient store, etc. The reality is it's tentative. Somebody could come in and tell him they like the idea of a bank but don't like his plan so it would change.

Kevin Gilligan said you can amend the plan.

Bruce Donohue would like to get the approval for the uses specified on the plan and then as he comes up with a particular use that fits within the general criteria of what he's doing, he could come back to the Board. He would like the Board to accept the plan he submitted as the plan for the district. Right now he is looking at a gas convenience store. The uses are all within the plan he submitted to the Board.

Kevin Gilligan said the Town Board is going to need to do a SEQR determination at the time the zone change is granted which will require us to get through the SPDES issue and look at traffic, drainage, septic and waste disposal, etc.

Councilor Bailey asked about water.

Kevin Gilligan said that would be looked at too. All these things would have to be approved before the zone change can be granted.

Bruce Donohue said that can't happen as nothing is planned.

Kevin Gilligan said this would show the gas station and the square footage of retail, etc.

Bruce Donohue said it could take 50 years for that to happen.

Kevin Gilligan said you would show on the plan your total retail, roads in and out, main road, etc. This will tell your engineer what he needs to do in designing a stormwater pollution plan.

Bruce Donohue said he has no specific uses.

Kevin Gilligan said it doesn't matter. If you build a certain square footage building, it will still require a stormwater management plan.

Councilor McConnell believes the stormwater management plan would not come into play at this time. He thought we were to decide the first question of whether we grant the zone change. The next step is to approve what Bruce Donohue is proposing.

Kevin Gilligan said you can't do it that way because of SEQR. The only way to maintain total independence to build whatever you want that is commercial is to change it to a Commercial District. The plan is what is hanging this up. In order to have a Planned Development District, you must have a plan.

Councilor McConnell said the material he reviewed shows that this proposal may grow in time so if a particular item is to be built the stormwater management plan can be determined somewhere down the road.

Kevin Gilligan said you would show footprints of some buildings. Those footprints and the parking and the road servicing them will generate a certain amount of stormwater runoff.

Councilor McConnell said not necessarily. In this concept there is only one potential item. For example, Bruce Donohue mentioned a gas station so at this point in time that is what we would approve or disapprove of.

Kevin Gilligan said you are not allowed to segment the project. You have to look at the entire project when you are doing your SEQR. Before you can approve the Commercial Planned Development District, you must do your SEQR.

Councilor McConnell said he wished he had known this two weeks ago.

Kevin Gilligan said the SEQR has always been a part of the process when the Town Board has done these types of actions. You either have the Commercial Planned District or you want some sort of Commercial District. Before you can get to

that decision, you have to undergo an Environmental Review process and because of the size of this project, it will be a Type I SEQR.

Bruce Donohue asked if the property went back to a Commercial District would the SEQR have to be done?

Kevin Gilligan said yes. The maximum needs would be used to calculate for the SEQR.

Councilor Shute asked if it's enough to know it's going to be 450 parking spaces for the traffic study or will they have to look at some sort of layout.

Kevin Gilligan said there would have to be some sort of tentative layout. You would have to see that there is parking for the retail space, etc. An engineer would be able to tell you about SPDES and a traffic engineer would be able to tell you the possible traffic.

Councilor Shute asked what if there is a building and someone decided they wanted the building moved 50'.

Kevin Gilligan said the applicant would come back to the Town Board to amend the plan to move the building.

Councilor Shute asked if that would require SEQR again.

Kevin Gilligan said probably not.

Councilor Shute said if he had 15 people interested in this project, there could be 15 amendments to the plan.

Kevin Gilligan said it could be that.

Councilor Shute is wondering how long the process would take for each of the 15 times. Does it go from the Town Board to the Planning Board to County Planning each time?

Kevin Gilligan said no. County Planning will already have approved the plan so all you are doing is changing the orientation or location of a building. You are not changing the size, etc. If you were going to 150% of the buildout space, it would have to go through the process again.

Bruce Donohue said there's a problem doing SEQR for all these uses as we don't know what the uses will be. He was hoping the District could be done in such a way that these uses could be approved so at some point if something did come up with a person that did want to do a shopping center, he could try to work out some sort of plan. He believes you have to be somewhat loose due to what we are facing. It may or may not develop. He is also trying to address what to do with the person that has made him an offer for a gas station/convenience store. He asked if it could be done in such a manner that it could be granted or he could get a commitment letter from the Town Board stating they will grant this upon certain reviews.

Councilor Knapp asked Ralph Lamson if we have the McDonald's plan in the file regarding the septic system.

Ralph Lamson said the building plans are here but he doesn't know about the septic plans.

Supervisor Scammell said if you approve the Commercial Development Planned District and it includes the gas station, that would mean you are approving the gas station.

Kevin Gilligan said he needs to look at this to see how the Town Board can address the convenient store/gas station before the rest of the district is approved.

Bruce Donohue said the contract he is putting together with the gas station is that the plan would have to be approved by the Town.

Kevin Gilligan asked if the intent is to subdivide this parcel off and deed it to someone else.

Bruce Donohue said yes. It would be their responsibility to do the SEQR, etc. His responsibility would be to try to get the Commercial Planned District.

Kevin Gilligan said he will try to figure out a way to do this. It would seem they could start putting their project together to see how much septic and drainage is needed. If they are at a stage where they are thinking of purchasing the property, they should be at the design stage.

Councilor Shute would like to see something from the company slightly more detailed. He would like to see something showing x = # of fuel bays, etc.

Bruce Donohue said they have the rough plans.

Councilor Knapp asked the name of the company.

Bruce Donohue said Manley's Mighty Mart. They have 22-25 stores through the southern tier.

Councilor Shute said the plan looks good. He thinks there might be some difference if it were a certain amount of footage for professional offices or retail space.

Kevin Gilligan said this design would have the more intense use.

Councilor Shute said it's pretty easy to approve some doctor's offices but maybe not to have a Wal-Mart there.

Bruce Donohue said you could word it "No store to exceed (blank) square footage".

Councilor Shute confirmed if a store came in and wanted a little bigger space than what is on the map but doesn't exceed what we approved, they can do it.

Kevin Gilligan said yes.

Councilor Shute asked what if they want to exceed what we have approved?

Kevin Gilligan said then you would have to go back and do a new SEQR.

Councilor Knapp asked about the public hearing.

Kevin Gilligan said when you get to a zone change and the plan comes in, you would refer it to the Planning Board and when they make their recommendations and you get it back, you hold the public hearing for the zone change, etc.

B. NYtowns.org, NYS Governor Spitzer's office: 2008-09 Executive Budget.

C. Onondaga County Department of Aging & Youth: 12th Annual Intergenerational Awards.

Councilor Knapp said they haven't gotten many nominations for this. If anyone would like to nominate someone for this, the nomination must be received by March 7th.

D. CC&F: Stormwater Permit Information & Training Workshop.

Councilor McConnell noted this workshop will be held March 6th. Mark Parrish will be attending as Councilor McConnell will be at work. He asked Ralph Lamson if he would be attending.

Ralph Lamson said he would be at work too.

E. Southern Hill Preservation Corporation: support letters for proposals.

Councilors Knapp moved and Bailey seconded the motion to support the following proposals: The New York State Housing Trust Fund -HOME funds;

The New York State Affordable Housing Corporation; The New York State Affordable Housing Corporation as discussed in correspondence from Southern Hill Preservation Corporation in their letter of February 15, 2008. Motion passed unanimously.

Kevin Gilligan suggested contacting Barbara Locke to request a draft letter for the Board to review and approve.

Councilor's Knapp moved and Shute seconded the motion authorizing the supervisor to sign the letter drafted by Southern Hill Preservation Corp. Motion passed unanimously.

F. Onondaga County Department of Emergency Communications: Land Mobile Radio System.

Councilor Bailey said now that the county has approved passing the charge for this to the residents, he contacted Charlie Gabriel who told him with respect to the Highway Dept. getting the brand new radios as far as revenue sharing, the county will be picking up a share of the cost. There will be a cost to the town for the base station. This will be discussed at budget time. Emergency communication wouldn't be applicable to the Town of LaFayette as we don't have a local police department. As this progresses, he will keep everyone informed. Base stations are between \$3,000 and \$4,000.

Councilor Knapp said the letter states that right now the Highway Dept. will get twelve XTL 1500 Dash Mount mobile Radios and two XTS 1500 Portable Radios and one Local Control Station. He asked Leon Cook if that is sufficient.

Leon Cook said yes. That is what they are operating on now.

Councilor Knapp asked if we can purchase the radios ourselves.

Councilor Bailey said that is up to the town. You can buy additional equipment.

G. Selective Insurance: Notice of Claim (2).

Councilor Knapp confirmed we are all set with this.

Kevin Gilligan said that is correct. The insurance companies have it under their control.

H. Secure the Call Foundation: cell phone donation and redistribution.

I. Onondaga County Legislature, 12th District Legislator Bob DeMore: Cold War Veterans Tax Exemption.

J. Tully Hill: Celebration of the Senses, 3.29-30.

Councilor's Knapp moved and McConnell seconded the motion to approve the Tully Hills Celebration on March 29, 2008 through March 30, 2008. Motion passed unanimously.

Mary Jo said she has sent them the necessary paperwork and it waiting for it to be returned.

K. Other.

8. **REPORTS.**

A. Departmental (4th Monday).

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

- a) Cold War veteran's exemptions.
- b) Condominium assessments.

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

Ralph Lamson said he issued 4 Building Permits in January totaling \$688. One permit was for a new house on West Shore Manor, one was for a pole barn, one was for a porch and the other one was for a remodeling job.

Supervisor Scammell asked where on West Shore Manor.

Ralph Lamson said at the end of the road. They are going to tear the existing one down and build a new one.

a. 2386 Route 11A – Home occupation/Business in Agricultural-Residential.**b. Springhill Construction - court 08.29.07, referred to ZBA.**

Ralph Lamson said the Zoning Board of Appeals has decided that the business is not allowed. Judge Knapp is out of town right now so when he gets back we will finish this case up in front of him.

Councilor Knapp asked what the court will do now.

Ralph Lamson said he would not speak for the court but would imagine it would advise the business cannot operate out of the barn. The work will have to discontinue from the barn or they can be fined. That is what normally happens.

c. Route 11 – graffiti and abandoned vehicles.

Ralph Lamson said this will be taken care of in the spring when the owner fixes the building up and paints.

d. LaFayette Hotel – car sales.

Ralph Lamson said this is cleared up.

e. NYS Uniform Fire Prevention & Building Code Amendments (applicable?)

Ralph Lamson thinks the way our law is written is that we enforce the New York State Building Code so whatever changes they make, we enforce.

f. Certification paperwork completed (RL)?

Supervisor Scammell thinks this asks if Ralph has completed his education.

Ralph Lamson said he has.

Kevin Gilligan said he might want to check on their website as they indicate he hasn't.

Kevin Gilligan asked if the Board would like Sam Young to go on the court appearance regarding Springhill Construction.

Supervisor Scammell would say yes as we have gone down the road this far.

Councilor McConnell asked why he would send Sam Young and not John Langey.

Kevin Gilligan said because Sam is a criminal lawyer.

Councilor McConnell would tend to agree with Supervisor Scammell that we are this far along with this so he would like to put this to rest.

Councilor Knapp would agree.

Supervisor Scammell would assume Ms. Kelley's attorney will be there.

Councilor McConnell has no problem sending our attorney.

Councilor Bailey believes it makes it fairer in representing the town.

Councilor Shute asked what Sam's role would be.

Kevin Gilligan said he would be representing the town in prosecuting the case.

Councilor Knapp said he would basically inform the court of the Zoning Board of Appeals decision and some of the history.

Councilor Shute asked if he isn't there, who does this?

Ralph Lamson said he does.

Kevin Gilligan said Sam would just make sure they are following the law.

3. Dog Control: Jim Moore & Doug Scholes.

a. Dog enumeration - draft.

Jim Moore submitted a draft of a dog enumeration letter to try to send out next year to see if we can bring as many people into compliance as we possibly can and to get an accurate count which is required by NYS Ag. & Markets. This hasn't been done in quite a few years. He would like the Board to look at the material he submitted and add or takeout any information they would like to.

Supervisor Scammell confirmed the letter would be sent to everyone in town.

Jim Moore said yes.

Councilor Knapp asked if there are some other towns who have done it this way.

Jim Moore hasn't found anyone who has tried it by mail. In fact, he hasn't found any other town that has done an enumeration in 10 years. He is estimating if we can get 60 % compliance, we will benefit from it in the end.

Councilor McConnell asked if he has considered including this in the Town Newsletter.

Jim Moore said the only problem he has with that is that not everyone gets the Newsletter. He doesn't get it.

Mary Jo said Pat Keefe puts labels on the Newsletters for Tully and Jamesville. If he isn't getting it, he should let Pat know.

Councilor McConnell would have no problem with the mailing. He would suggest putting it in the Newsletter first and see what happens with that.

Jim Moore said this is to increase compliance and for identification purposes.

It was noted it ensures dogs are vaccinated for rabies and helps keep down SPCA expenses. People should know the SPCA only keeps the dog a certain amount of days and then it is put up for adoption.

b. Leash/quarantine law - draft.

Jim Moore said this would be from May 1st until December 31st.

Councilor McConnell confirmed this wouldn't be just for town property.

Jim Moore said it would be for any dog off the owner's property. This is really an extension of the county's quarantine from January 1st to April 31st of each year. He is not looking to keep someone's legally licensed dog. Right now we have nothing on the books that will allow him to do anything. He needs something on the books to allow him to pick up a dog that is doing something it shouldn't be doing.

Kevin Gilligan said if you don't have a leash law, you can't enforce a leash law. Some places have them and some places don't.

The Board will review the information Jim submitted.

Councilor McConnell said he would support moving forward with the dog enumeration.

Jim Moore will get something in the April Newsletter.

4. Highway Superintendent: Leon Cook.

• **Jerome Rockwell draft agreement.**

Leon Cook said he sent Mr. Rockwell a Certificate of Insurance and he hasn't heard anything more from him in the past 4 months.

• **Town snow contract – first payment application.**

Leon Cook said Supervisor Scammell received a paper for payment of the snowplowing contract which was taken care of and mailed back.

There's 3-4 Highway Superintendents that have volunteered to work on negotiating a new contract as we are at the end of the 3 years. We don't have Bob DeMore to head this thing up anymore so now it's actually up to the Town Supervisors to negotiate the contract but the Highway Superintendents have always gotten it going. They need some help. There's a bus that will be going to Albany to lobby for more highway money. He thinks John Greeley will be going on this. He asked Supervisor Scammell if he would be willing to work on the contracts.

Supervisor Scammell said he hasn't heard anything on this

Leon Cook doesn't know who the president of the Supervisor's Association is anymore.

Supervisor Scammell said it's the Supervisor from Camillus.

Leon Cook said since the last meeting they went around 13 times. They have a pretty good record of having the roads bare soon after it gets snowing.

Leon said on the 13th when he had trouble with his truck and it was down until the 21st. They are unable to correct the problem. They are leaning towards it being the computer. Just before you hit 40 mph it shakes. If you step down on it, it will stop. They are going to try to get by until spring and then they will try to have something done with it.

Leon said truck #5 was on Sky High and the truck shut right off and went to idle and all the red lights went on. This happened about ½ hour into the route. It was about 4:30 A.M. It was after 8:00 A.M. before he could get in touch with International. They came out and got it going. It was a sensor.

On the 19th and during the second time around, Truck 4 came in and filled the building with smoke from the rear tire. The brake drum was hot. It's a 2001 and they have never had to do a brake job on it. This is the truck that does Jamesville. They replaced the seals and everything.

Truck # 6 does the plowing around town, Cardiff, Otisco Hill, etc. They truck was on Otisco Hill and it started skipping and went down to an idle. They idled it in. It was the pass-through connector. They have replaced this 3 times already. They make these with a new material now which should be much better. Everything is back and ready to go. Today they had trouble with Truck 2 but it was just a problem with the sander that they took care of themselves.

Leon said Earth Day is going to be the 25th and 26th of April. Because they have a problem at OCRRA receiving all the material, they are going to let us bring stuff in on Monday if we have to. He thinks he is just going to set it up to bring the stuff in Monday when it's on straight-time.

Leon asked if the Town Board has made a decision on what insurance company we are going to go with for insuring the vehicles.

Supervisor Scammell believes they are deciding this tonight.

Councilor Bailey asked if all the equipment is in good shape for the next storm.

Leon said yes. He said they need some Town Supervisor's to help them fight for the new contracts.

Councilor Bailey feels as Highway Superintendent Leon knows more about the prices out there.

Leon said he will help out as much as he can.

5. 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 audited the petty cash and they had exactly \$50.00 which is what they are supposed to have. He thinks we are in good shape based on Dave Lamson's monthly reviews and this.

Councilor's Knapp moved and Bailey seconded the motion that the Town Board has audited the records of the Justice Department and has found them in compliance. Motion passed unanimously.

Supervisor Scammell asked if we need to send a letter to the Unified Court stating the audit has been done.

Tom Chartrand doesn't know if the resolution is enough.

Supervisor Scammell will check into this.

Councilor Knapp thinks we are going above and beyond compared to what other towns do.

- **Monthly report: January, '08.**
A written report was submitted.

6. Library Director: Scott Kushner.

- **Monthly Director’s Report and Trustee’s Meeting.**

A written report was submitted.

7. Recreation Director: Regina Reinschmidt.

Regina Reinschmidt said all the winter activities seem to be going well. They are just finishing up 5th and 6th grade boys basketball which played some of the surrounding towns. 5th and 6th grade girls basketball decided to just stay in-house. They just finished up as well. 4th grade basketball was an instructional program. They are going to start the 3rd grade boys and 3rd & 4th grade girls shortly. This week 3rd and 4th grade girls volleyball started. The wrestling program started in January and it included 1st through 6th grades. They are hosting a home match on Saturday. The ski program is going well. They have over 90 participants and plan on going right into March.

Councilor Knapp asked what our liability is if someone breaks a bone.

Regina said the Town doesn’t have anything for this. It’s basically their own insurance and they sign off on the Song Mt. Agreement.

8. Tax Collector: Teresa Mech.

9. Town Clerk: Mary Jo Kelly.

10. Town Supervisor: Greg Scammell.

- **Monthly reports – December and January.**

Tom Chartrand reviewed the end-of-the-year finances for 2007. He submitted a copy of the Annual Report and SOTS Annual Report to have on file. He also brought the Supervisor’s records for audit tonight.

Councilor’s Knapp moved and Bailey seconded the motion that the Town Supervisor’s records have been audited and accepted by the Town Board. Motion passed unanimously.

Councilor Shute asked how it’s going with the new bank.

Tom Chartrand thinks it’s been pretty smooth. We have picked up a couple more direct deposits.

Councilor Knapp asked how it’s going with doing the banking online.

Tom Chartrand said he thinks it’s been going well.

Councilor Knapp asked how the check machine was working.

Mary Jo said very well. She even received a phone call from Bob Fenner last week just checking in to be sure everyone was happy with HSBC.

Tom Chartrand said Mary Jo is going to write another letter to M & T closing out the Recognition Committee Account.

B. Committee (2nd Monday).

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

- a. **Ag district public hearing – May 8th, '08 @ 7PM, main meeting room.**
 - b. **Farmland Protection query.**
- 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.**
- 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.**
- 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).**
- **LaFayette Hotel.**
- 7) **Highway (“Pete” Paul, Leon Cook, Dave Knapp, Sumner Palmer & John Greeley).**
- 8) **Insurance (Adrian Shute & Bill McConnell).**
- **Bid award.**

Councilor McConnell submitted information regarding Brown & Brown and HF&C’s bids. He said Brown & Brown has submitted a revised premium of \$27,482. This premium includes crime coverage. Under HF&C this was an additional fee. \$22,811 is the premium subtotal for HF&C. \$25,841 would be the new total if you added crime coverage. If you take these two amounts and add them, there’s a \$50 difference between the proposal from Brown & Brown and HF&C. He would recommend the Board not accept the Terrorism Insurance. His reason for this is that it’s so vague on what it covers. It’s only

\$400 but he wouldn't propose taking it. Obviously the lowest premium is HF&C at \$25,841 unless you want to take the crime coverage.

Supervisor Scammell thanked Councilor's McConnell and Shute for all their work on this.

Councilor Knapp asked if it's auditable does it mean the carrier can come in and do a review and make changes. If a policy is auditable, can the carrier make changes to it? The HF&C proposal is auditable and the one from Brown & Brown is not.

Councilor McConnell asked him what he meant.

Councilor Knapp said for example say Arrowhead being the carrier felt the property valuation wasn't correct could they change them.

Councilor McConnell said no. Both of these firms are very above board. Both firms have said they can't come in and state exactly what it will cost to replace a building. They have formulas they use. There are 3 areas under the umbrella policy that will cover this. i.e. you have 2 million in each of the three areas under the umbrella policy so you would have 6 million to draw from.

Councilor Bailey agrees with Councilor McConnell that the Terrorism Insurance isn't necessary.

Tom Chartrand asked about the library insurance.

Councilor McConnell said it was his understanding that they had their own policy for the contents.

Tom Chartrand said they do and the town pays for it. Right now it's through Reagan Agency who uses Utica Mutual. There will be another \$3,300 - \$3,500 bill for this.

Councilor McConnell confirmed this is part of our budget.

Tom Chartrand said yes.

Councilor Shute said this might be something we can look at down the road.

Councilor McConnell said one question that came up is are we insured properly. He thinks we are.

Councilor Knapp thinks the crime addition and elected official addition are good. We are in a very nice situation where either way we go we are saving money and increasing our coverage. He too thanked Councilor's Shute and McConnell for all their work on this. For him, for \$50 difference, he would tend to go with Brown & Brown mainly because Tom Dadey works for them and he grew up here and knows the community. A large portion of his family is still in the community so he thinks Tom would be a little more than an insurance agent for us. He has dealt with Brown & Brown many years with the Apple Festival and he has found them to be a very solid firm and very professional.

Councilor Shute is thinking he would be in favor of HF&C. From the getgo on both the Workers Compensation and Liability it was Jim Stoddard who found all the savings we are going to be realizing.

Councilor Knapp commended him for that. Brown & Brown does do other municipalities and a lot of county organizations.

Councilor Bailey would concur with Councilor Knapp that he would lean towards Brown & Brown. His reason for this is that he was very intrigued with the presentation they gave and with all the insurance brokers across the

state, Brown & Brown is listed # 6. This was a difficult decision for him to make as HF&C did do a lot of work. They are listed # 92 in the state. Brown & Brown does a lot of municipality work and has a great expertise in insuring municipalities.

Councilor McConnell said all 3 agencies were very professional, extremely desiring of the business and did a good job. He thinks change is healthy. The thing he struggles with is the same as Councilor Bailey. He agrees with Councilor Shute that we saved a lot of money on the Workers Compensation Insurance. We will save \$5,000 - \$6,000 on this portion of our insurance. He would tend to lean towards Brown & Brown on this. As HF&C got the Workers Compensation, by going with Brown & Brown on this, both of the companies benefit from their hard work.

Councilor's Knapp moved and Bailey seconded the motion to award the insurance bid for General Liability, property, law enforcement, employment practices liability, public officials, automobile, OCP, crime and business, etc to Brown & Brown. Motion passed unanimously.

Councilor Knapp once again thanked Councilor's McConnell and Shute for all the hard work they did on this.

Councilor McConnell will let the agencies know the Board's decision on this.

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

- a) Next heat pump replacement and programmable thermostats.
- 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).

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).

Councilor Knapp said the Open House/Welcome for Mr. Tigh is March 12th at Grimshaw from 6:30 – 8:30 p.m. He thought it might be nice if he stopped up to the florist and ordered a little centerpiece from the Town Board.

The Board was in agreement with this.

Mary Jo said to have Lisa send the bill to her.

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

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

a) **Validation and posting.**

Councilor McConnell said the members posted by John Harper were all approved by their membership.

Councilor's McConnell moved and Knapp seconded the motion to accept the document of members posted as the 2007 payment for the distribution fees for the LaFayette Fire Department. Motion passed unanimously.

b) **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).

Councilor McConnell said back in November he asked Wendy Reese to tie in the refund for engineering fees and SPDES from John Dunkle.

Kevin Gilligan will find out about this tomorrow.

Councilor McConnell said Wendy sent out the new defined requirements for the SPDES Management Officer.

Kevin Gilligan thinks she was letting the SPDES Management Officers know what their function is.

Councilor McConnell said in December he reviewed this with Mark Parrish.

Kevin Gilligan said in almost all his other municipalities it's the Code Enforcement Officer who is the SPDES Management Officer.

Councilor McConnell said he and Ralph will be discussing this. Mark Parrish has returned from some time away. They will be having a SPDES Committee Meeting soon and he will let the Board know their findings.

17) Water (Greg Scammell & "Pete" Paul).

- a) **Northeast LaFayette Water and Smokey Hollow Service Improvement districts.**
 - **Spring restoration.**
- 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.

Discussion took place on what is going on with the Oneida's.

Kevin Gilligan noted most of the property with the Oneida's seems to be commercial and most of what is in Onondaga County is residential.

B. Springhill Farms.

The Zoning Board of Appeals made its decision on this and it will now go to Justice Court.

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

This has been completed and can be removed from the agenda.

D. Condominium assessments (Manlius sample).

Kevin Gilligan said he is waiting to hear from the Board on what they want to do about this.

E. Pending zoning issues list.

Kevin Gilligan said he is waiting to hear from the Board on this.

F. SPDES requirements for admin (WSR).

This was discussed earlier.

G. Other.

10. UNFINISHED BUSINESS & ACTIVE PROJECTS.

A. Community Development Grant app - 2008.

Councilor Knapp said they are basically wrapping this up. He thanked Leon Cook for his help on this. He got a letter from John Dunkle verifying our numbers and a letter of support from Regina Reinschmidt. We need a motion tonight for the two submissions authorizing us to submit them.

Councilor Knapp moved and Councilor Shute seconded the motion authorizing the submission of the Community Development Grant application for improvements to Stafford Park in the amount of \$100,000. Voting was as follows:

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

Motion passed unanimously.

Councilor Knapp moved and Councilor Bailey seconded the motion authorizing the submission of the Community Development Grant application for improvements to the LaFayette Beach in the amount of \$100,000. Voting was as follows:

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

Motion passed unanimously.

Councilor Knapp asked if when the Board was talking about fencing at the Beach, was it for the pool area or the whole park?

Supervisor Scammell thought it was just the pool.

Councilor McConnell thinks it would be very expensive to fence the whole Beach area in. A lot of people use the basketball court and box lacrosse.

- 1) **Stafford Park.**
- 2) **LaFayette Beach.**
- 3) **Grant writer.**

B. For TB review.

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

Councilor McConnell said he has been unable to contact Matt Amidon. Shawn Adam has dropped off some information for Matt.

- 2) **Commercial Planned Development (CPD) District – Crossroads Development Corporation.**
- 3) **Condominium assessments.**

11. NEW BUSINESS.

A. Rx zoning classification – Comprehensive Plan.

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

C. Stafford Park - flag pole.

D. Education requirements – PB, ZBA & CE.

Supervisor Scammell said he hasn’t heard back from the Planning or Zoning Board of Appeals on this yet. He will send them another reminder.

E. Other.

**RESOLUTION – TOWN BOARD
TOWN OF LAFAYETTE
February 25, 2008
MPJ ZUMPANO SUBDIVISION**

The following resolution was made by Councilor David Knapp and was seconded by Councilor Thomas Bailey:

WHEREAS, ZUMPANO REAL ESTATE, LLC, (hereinafter “Developer”) has executed, and delivered to the Town a Permanent Right-of-Way and Easement dated November 3, 2006, conveying said parcel of land to the Town; and

WHEREAS, said Developer also executed and delivered to the Town:

A Drainage Construction and Maintenance Agreement dated September 22, 2006 (the “Agreement”); and

Security in proper form and amount as required by said Agreement including a cash deposit for engineering inspection and monuments; and

WHEREAS, the Developer provided to the Town easements for drainage and utility purposes as required by the approved plan, together with a current abstract of title and title insurance in an amount acceptable to the town Board; and

WHEREAS, the Town Board, by resolution authorized the Supervisor of the town to execute and enter into an agreement with the Developer for the construction and maintenance of drainage facilities within such development; and

WHEREAS, it appears the Developer has constructed the improvements as described in said Agreement;

NOW, THEREFORE, it is

RESOLVED, that the Developer be and (s)he is hereby released from further obligation under the Drainage Construction and Maintenance Agreement dated September 22, 2006, and that any remaining securities be released to the Developer; and it is further

RESOLVED, that all authorizations and approvals herein granted be and are expressly conditioned upon the Developer providing a duly executed affidavit of no liens and the payment of all outstanding fees and disbursements, including title document and insurance costs, due to the Town resulting from this development.

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

Gregory Scammell	Supervisor	Voted	Yes
David Knapp	Councilor	Voted	Yes
Thomas Bailey	Councilor	Voted	Yes

William McConnell	Councilor	Voted	Yes
Adrian Shute	Councilor	Voted	Yes

The foregoing resolution was thereupon duly adopted.

12. Suggestions for improvement and positive contributions.

Councilor McConnell said because the law restricts us to when we start our budget process in the fall, we really don't have time to work on issues that might save us money. He would suggest each committee chief go through our budget needs. He thinks we should take the time right now to look into the items of interest so we are all set at budget time.

Councilor Knapp would agree. We have done very well in identifying some areas.

Councilor McConnell would ask the Town Board to look at the budget lines and start working towards this by the next meeting.

Councilor Bailey said he attended the AOT Conference last week. It went very well and all the resolutions were passed. This is the 40th year of the Taylor Law and there was some discussion to making modifications regarding unions, etc. Ken Andrews has been elected the president of the NYS Association of Towns. He is a Councilor for the Town of DeWitt. He is a local contact for us.

Councilor Paul said he was the Chairman of the DeWitt Police Dept. Commission.

Councilor Bailey said he is a very involved individual.

13. Executive session (if needed).

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

SPECIAL DISTRICT FUND	# 1352-1353
HIGHWAY FUND	# 1354 - 1358
GENERAL FUND	#1359 – 1382

Motion passed unanimously.

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

The Town Board Meeting adjourned at 9:56 p.m.

Respectfully submitted,

Mary Jo Kelly
Town Clerk

Adopted March 10, 2008