

Minutes of the Town Board Meeting held by the LaFayette Town Board on May 12, 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  
Adrian Shute, Councilor

Absent: William McConnell, Councilor

Recording Secretary: Mary Jo Kelly, Town Clerk

Others Present: Kevin Gilligan, Town Attorney  
Leon Cook, Highway Superintendent  
Tom Chartrand, Bookkeeper  
Marshall Taylor, Assessor  
Mark Parish  
Bill Turner, Assess. Griev. Board Review  
Bettye Knapp, Assess. Griev. Board Review  
Debbie Miller, Assess. Griev. Board Review

1. Supervisor Scammell called the Meeting to Order at 6:37 p.m.
2. The Town Clerk took the Roll. Councilor McConnell absent. All else present.
3. Pledge to our U. S. Flag led by Town Councilor Tom Bailey.

**Councilor's Knapp moved and Shute seconded the motion to accept prior Meeting Minutes of April 28, 2008, as submitted by the Town Clerk. Motion passed unanimously.**

4. **PUBLIC HEARINGS.** MS4, 7 PM.

5. **COMMUNICATIONS.**

**A. RESIDENTS.**

**B. SOCPA: Onondaga County Multi-Jurisdictional All-Hazard Mitigation Plan.**

Councilor Bailey said this intertwines with the emergency response. He can be the point of contact for the town. He thinks we need to fill the form out and send it in.

Councilor Shute said it must be in by May 23<sup>rd</sup>.

Councilor Bailey will go ahead and complete the form and send it in.

**C. Other.**

6. **SPECIAL REPORTS.** None.

7. **REPORTS.**

**A. DEPARTMENTAL (4<sup>th</sup> 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.**
  - a. **2386 Route 11A, Springhill Construction – Illegal Home Occupation/Business in Agricultural-Residential. Court.**
  - b. **Route 11 – graffiti and abandoned vehicles (spring cleanup).**
  - c. **Certification paperwork completed (RL)?**
  - d. **Building Code revisions (draft – KG).**
  - e. **3448 Route 11 – debris. Court.**
  - f. **2617 Route 11 – debris. Court.**
  - g. **3231 Webb Road. House in disrepair.**
- 3. DOG CONTROL: Jim Moore & Doug Scholes.**
  - a. **Dog enumeration – review, town-wide notice in newsletter.**
  - b. **Quarantine law - draft.**
  - c. **Resident pet death.**

Supervisor Scammell said a dog was mauled by the neighbors dog. They will be back in court. Originally there was hope the Dog Control Officer had the authority to have an attacking dog euthanized but apparently the law says he doesn't have that authority until the dog bites a second time.

Councilor Bailey asked about a period of quarantine.

Kevin Gilligan said you have to be able to label it a dangerous dog which no one saw the actual attack.

Councilor Knapp asked if anyone is claiming it wasn't the dog.

Supervisor Scammell said no. Everyone agrees to the identity of the dog that did the attacking. There are some things that can be done regarding the dog. He isn't sure when they are due back in court.

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

- **4. 25 & 26 – Earth Day.**

Leon Cook said this is over and done with and can be removed from the agenda. Everything went very well.

- **Building committee: rough estimate for new Highway Garage (subject to permissive referendum).**

Leon Cook said the new pickup truck is working out good.

Councilor Knapp asked what kind it is.

Leon said it's a half-ton Chevy with a hitch. It's working out real good. It's getting good gas mileage too.

Leon said they picked up brush for one week before cleanup days and they ended up with 73 10-wheeler loads. That is about half the brush they have to pick up. They worked the landfill one week and two Saturdays. So far they have hauled 29 ton to OCRRA at \$65/ton. They have loaded 5 dumpsters with steel.

Councilor Bailey asked if there was any problem with trespassers at night.

Leon said they didn't have any problem. He won't be able to give a full report on the cleanup until he sees how much he gets back from the steel and he still has tires to take to Williamstown.

Councilor Knapp asked if they had many refrigerators.

Leon said they have about 50. This is about 25 less than last year.

Councilor Knapp asked when the guy is coming to remove the Freon.

Leon said it's going to be this Saturday or a week from Saturday. He started out wt \$15/unit and last year he charged \$16. He doesn't know if he will charge a dollar more this year or not.

Leon said they had a lot of complaints from people saying we weren't taking enough things. John Greeley told them it's been 2 years since we could get a burn permit so we can't take the stuff anymore. He put in the Newsletter that T.V.'s couldn't be brought in this year as well as wire cables or wire fence of any kind. They use to take the steel to a different place that wouldn't take the fencing. He checked today with where they are taking it now and they said it wouldn't bother their equipment to take it so maybe next year the wire fence and T.V.'s can be accepted. They will also be able to take propane tanks as long as they take the valve out of the tank first. It will cost the town for what few T.V.'s come in. People got confused when we said no wood of any kind. If their furniture has wood on it, they thought they couldn't bring it in. If you have a couch with wooden legs, you can bring it to the landfill and they can take it to OCRRA. He thinks this caused a little confusion. We will have to put something in the paper next year so people understand it and it may make some people happier.

Leon said Mrs. Lombardo from West Shore Manor called. Last winter he reported they had bad flooding down there. He went down and found the neighbor was being flooded so he cleaned the ditch and opened it up. Mrs. Lombardo was not happy with this. She explained when she bought the property in 2005 there wasn't a ditch there and she wasn't the one who filled it in. She had a written paper that when the waterline went through her property it would be put back as good as or better than before. He talked to Ron LaFleur and asked if he finished the pipe, would Ron do the work and Ron said he would do it. He talked to Mrs. Lombardo afterwards and she said she was satisfied.

Councilor Knapp asked how they are coming on the restoration.

Leon said they are doing pretty good right now. The minority group walked off the job. He was there with no men. Ron is now doing it himself and doing a pretty good job.

Councilor Bailey asked if this is acceptable under our contract.

Kevin Gilligan will have to check.

Councilor Knapp said if the other folks walked out, what choice do we have?

Supervisor Scammell said the Grievance Board of Review would like to address the Board tonight.

Bill Turner, Bettye Knapp and Debbie Miller addressed the Board.

Bill Turner thinks the Board should consider having an attorney at the Grievance Board of Review night.

Debbie Miller said it insures everything is good if they are challenged.

Bettye Knapp said residents may bring an attorney with them.

Bill Turner said it assures everything is filed correctly. There are a lot of requirements that come up during their discussions.

Councilor Bailey thinks it's a wise idea. The media has raised the awareness level and he thinks we should be prepared.

Councilor's Knapp and Shute were in favor of this.

Kevin Gilligan said you would need to increase the retainer for the year. He isn't sure at this point if he has someone to come.

**Councilor's Knapp moved and Shute seconded the motion to reinstate \$250 under attorney fees to cover an attorney to attend the Assessment Grievance Board of Review night. Motion passed 4-0.**

Supervisor Scammell said Mark Parish is present to discuss SPDES.

Mark Parish thanked the Board for the opportunity to be the MS4 engineer. Basically we are at the end of the program which officially ends the middle of March and a report must go into the DEC by June 1<sup>st</sup>. This must be made available to the public for review and comment. A draft was submitted to the Town Board. In January 2008 it was the end of the first 5 year cycle of the SPDES Permit. The DEC has issued a new permit which became effective May 1<sup>st</sup>. The new permit has additional requirements for Onondaga Lake Watershed. Basically they have modified the program somewhat and made it clearer on what needs to be done. Some of the requirements become effective in September and some you will have a couple of years to workout. He will be working with Councilor McConnell and the MS4 Committee to review these over the next couple of months to see what effects this will have on the town and what will need to be done to meet the requirements.

Councilor Knapp asked if this would basically involve Onondaga Creek.

Mark said yes.

Councilor Knapp asked about adjoining property owners along Onondaga Creek.

Mark said there wouldn't be anything beyond the requirements elsewhere. He's been working with Councilor McConnell and the MS4 Committee to come up with the MS4 Plan. If people's roles change or new people are brought in, the town has a plan so people can refer to it to see what they should be doing. They hope to have the plan done within the next month or so.

#### Minimum Measures 1 & 2: Public Education and Outreach in Stormwater Impacts and Public Involvement/Participation.

Mark Parish said the town is participating in the CNYRPDB program that will provide the majority of the measures required for this item including training and education associated with other minimum measures. He thinks the cost to the town is \$3,200 - \$3,300. CNYRPDB does this for about 25 towns so it keeps LaFayette consistent with the other towns. He thinks this is a good program and as long as it's offered, he would suggest the town keep participating in it.

#### Minimum Measure 3: Illicit Discharge Detection and Elimination.

Mark Parish said the town adopted the required local law for this in 2007. He will be working with Councilor McConnell performing dry weather surveys of outfalls in the upcoming year. They will need to follow up to identify the source and eliminate illicit discharges, if any, that are identified.

Councilor Shute confirmed this is just for the MS4 area.

Mark said correct. There are probably only 25-30 outfalls.

Minimum Measures & 5: Construction Site Stormwater Runoff Control/Post-Construction Stormwater Management.

Mark Parish said the town adopted the required local law for construction/post-construction measures in 2007. He will continue to perform reviews of SWPPP for projects but now the town needs to provide an MS SWPPP Acceptance Form for the operator to include with NOI for a construction permit. The town will be responsible for issuing the Acceptance Form and reviewing the plans.

Mark said they will be working on procedures to provide required inspections of construction sites and post-construction stormwater management practices. The town doesn't have a lot of these.

Minimum Measure 6: Pollution Prevention/Good Housekeeping.

Mark said they will be reviewing NYSDEC guidelines on these measures, assessing town compliance and making recommendations, if needed, for changes to town operations to obtain compliance. This basically applies to things such as highway maintenance, maintenance of buildings and grounds, open spaces, etc. The DEC has some guidance on this. They will be reviewing these items and will come back with some recommendations.

Councilor Shute asked if they do this for the whole town or just the designated area.

Mark said it really applies to the towns municipal operations so it doesn't apply to the designated area.

Councilor Shute asked if the law the Board passed made these restrictions just for the certain MS4 areas.

Mark said this is different. The law does not apply to this part of the program.

Councilor Shute asked if there is a part of this that covers the state operations within the municipality.

Mark said the State D.O.T. is part of the MS4 program and has an MS4 permit.

Councilor Shute asked who does the testing for their facilities?

Mark said there is no testing for their facilities at this point.

Councilor Knapp asked what we do regarding verification for the highway. If we are one of the 10% that gets inspected, do they go out and check certain areas?

Mark said he doesn't know. He works on this program with 3 other towns and none have been notified of a DEC inspection. He doubts they will get into that level of detail. He thinks they are advising that we are supposed to be implementing certain practices and wants to know what we are doing to comply? Some of the things the town does are already in the report.

**Councilor's Knapp moved and Bailey seconded the motion authorizing the supervisor to sign the Certification Statement for the annual SPDES Report. Motion passed 4-0.**

Supervisor Scammell opened the public hearing for the MS4 at 7:06 p.m. He asked for any questions or comments from the Board or the public. There were none.

Councilor Knapp thanked Mark Parish for all his work on this as well as Councilor McConnell for all his time on this. Unfortunately it's a paperwork drill.

Mark Parish said the report will remain on file in the Town Clerk's Office for a week so the public can review it and comment if they wish.

**Councilor's Knapp moved and Bailey seconded the motion to close the public hearing. Motion passed 4-0.**

The public hearing closed at 7:08 p.m.

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

- **New home computer required by NYS.**

A written report for April was submitted.

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

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

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

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

- a. Monthly report – April.**

A written report for April was submitted.

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

A written report for April was submitted.

**Councilor's Knapp moved and Shute seconded the motion to appoint Richard Stach to the Assessment Grievance Board of Review to fill a vacancy left by Shawn Adam. Term is through 9/30/2010. Motion passed 4-0.**

Councilor Knapp asked if anyone had come forward that might be coming before the Grievance Review Board.

Marshall Taylor said no.

Councilor Knapp asked if there is a cutoff date.

Marshall Taylor said by the 21<sup>st</sup> they should know. He had 3 people call today.

Kevin Gilligan suggested Marshall invite Rick Stach to sit in this year so he can see how it goes.

Marshall will talk to Karen Carney to see if this is legal. He can sit in the back but Marshall doesn't think he can sit with the Board.

**B. COMMITTEE (2<sup>nd</sup> Monday).**

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

- **Ag district public hearing – August 17<sup>th</sup>, '08 @ 7PM, main meeting room.**

Councilor Knapp said the public hearing for Ag. District 4 has been moved to August 25<sup>th</sup> at 7:00 p.m.

**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.**
- c. Evaluate communications line (MT).**

Marshall Taylor said in December Councilor Shute said he contacted a couple of people who might be able to offer cheaper services than what we have now. He submitted a report to the Board of what we require now and of his findings. He didn't get

a bid from Paytech as they are our current provider. We are in the first year of a 5-year contract with Paytech and you are required to pay the monthly charge for the balance of the term even if you don't continue with the contract. Time Warner gave a bid of \$680/month for 15 lines and Paytech is \$750/month for 24 lines. Each additional line for Time Warner would be \$37.50. He received a letter from Time Warner which he submitted to the Board. They advise "The services we have in place today are 'Best Effort Services' and therefore are not a guaranteed solution." This means they will make their best effort but there is no guarantee. The Town Clerk sends checks through her lines for banking, she uses one line for the DEC with drivers license numbers. The court works with checks, confidential information, etc. He has confidential information with incomes, etc. We need to have the security that Paytech offers.

Councilor Knapp asked if we deal with social security numbers.

Marshall said he does. The data that travels inside the T line is the most secure you can get. The T line decreased in cost this year by \$3,384 which over 10 years is \$30,000. The nice thing about the T is that it's a telephone company network based system. We have a T that runs from our office to downtown Syracuse with no one on it but us. It's extremely secure. We have been smart with this decision. Paytech offers features no one else can give us. If this building should burn down tomorrow and we needed the phone service transferred to someone's cell phone, it can be done immediately. Time Warner can't do this. If we said we wanted megaband added to the system, Paytech can do this. If down the road we need to go digital, Paytech can do this. Verizon gave a price that was 5 times higher than we are paying and that was in 2001. The system is state of the art. It's not that expensive and has a service contract. If we don't get what they promise, we are allowed a refund which no one else offers. He would highly recommend the Board never get rid of the T. If you had to start over again with the T, the government has initiated a bunch of upfront fees. He would recommend if the Board wants to change, they wait until the contract runs out or they will be out \$30,000.

Councilor Knapp thinks it's a good thing that we look at these things every now and then. He thanked Marshall for doing the research. Sometimes we find savings and other times we find out we are doing pretty good.

Marshall said Paytech offers a tremendous amount of service you don't get elsewhere.

Councilor Bailey wouldn't be receptive to switching out of the contract. Assuming the town does stay with Paytech when the contract is up for renewal in 4-5 years, if fiber is abundant and if we switch to fiber, would there be an incentive to do so without impacting the taxpayer?

Marshall said some day fiber will be here and this can be looked into.

The Board thanked Marshall for his work on this.

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

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

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

- a. Onondaga County Department of Communications - OCICS.
- b. NIMS training.
- 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).**

Councilor Shute said he received a claim from Geico stating we were in an accident with one of their clients.

Leon Cook asked where about.

Mary Jo said she forwarded a claim to the County D.O.T. for an accident on Meeker Hill where a sign was knocked down as it was on a county road.

Supervisor Scammell said he has received a call from an insurance company wondering if the town is going to put a claim in for a tree that was hit. He has asked where the tree was and they don't know. He has asked what road it was on and the agent didn't now.

Leon Cook said he got a phone call on the tree too. He found out it was on LaFayette road which is a county road so he gave them the County D.O.T.'s number.

Councilor Shute said the second claim is from Verizon which he presumes is regarding LaFleur. It basically is just asking if the town has any questions.

Councilor Knapp thinks we are all set with this one.

Kevin Gilligan said we sent it to the insurance company.

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

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

Councilor Knapp said he is getting an estimate for both rooms.

**b) Fire & smoke alarms at Town Offices (1<sup>st</sup> & 2<sup>nd</sup> floor) & Community Center. Code requirements (Rick Storrier/DK).**

**c) Town offices - Loose clapboards – estimate needed (DK).**

Councilor Knapp said he met with a contractor and an estimate will be coming for this.

**d) Community Center basement flooding – masonry pointing, window blocking, backfilling and trenching.**

Councilor Knapp asked Supervisor Scammell if he and Pete Paul had met with the mason yet.

Supervisor Scammell said no.

Councilor Knapp said it's starting to be flag time again. Do we want to do the Service Flags under the non-lit poles and the U.S. Flags on the lit poles again or do we want to do something different?

Councilor Shute would prefer to have all American Flags. We never got any complaints in the past other than the one resident.

Supervisor Scammell asked if we still have the Service Flags.

Councilor Knapp said yes. He would have to replace some of them but not all of them. They weathered very well last year. It was decided to do the same as we did last year for another year.

## **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 the programs are off and running. Girls lacrosse is using the Apple Festival Fields again. He would like to have a very quick Executive Session at the end of the meeting.

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

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

Councilor Shute asked if the fire or smoke alarm inspection has been completed.

Councilor Knapp said the lacrosse season will be over shortly and he will get Bill Storrier in to look at them.

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

Councilor Shute said they had their first meeting this evening. Councilor Knapp and he met with Sarah Dadey, Jim Wolf, Peter Tigh and Tom Goskoski just to go over new things that are going on with the school or the town and keep each other apprised of plans. He thought it went very well.

Councilor Knapp agreed.

Councilor Shute said they are thinking of doing it 3-4 times a year.

Councilor Knapp thinks they would like the town to spread the word that they think they finally have a solution to the drainage issue at the high school. They worked out a deal to buy the piece of property at the corner of Route 11 and Mondore. It will actually be a proposition on the budget vote. If they buy the land, the state will pretty much pay for the drainage as it will be on school property. For an extra few dollars, they will own the property and solve the drainage problem.

**13) Senior Transportation & Housing (Beverly Oliver & Greg Scammell).****14) Service Awards (Bill McConnell, Dave Knapp, John Harper & Larry Paige).**

- LOSAP –audit requirements (KG).

**15) SOTS & OCRRA Liaison (Dave Knapp & Bill McConnell).****16) SPDES (Bill McConnell, Jim Nakas, Steve Beggs, Nancy Mueller, Ralph Lamson, Mark Parrish & Kevin Gilligan).**

- Annual report, 6.01.08.

**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.
- e) Family accessory units – review.
- f) Home Occupations.

Councilor Knapp asked Kevin Gilligan about his email regarding the storage application.

Kevin said they want to know about an easement up there. John Dunkle is recommending the town require an easement for the detention basin and drainage so if

something goes wrong, we would have the right to go on the property to fix it. They are thinking of some sort of agreement with the owner that puts the requirement of maintenance on the owner and if the owner doesn't do it, the town can do it with the easement and bill the owner. If the owner doesn't pay it, it can be put on their taxbill. This would be specific to this situation.

Councilor Knapp said there is a very wet area at the bottom of this property. Given that fact and the fact that it borders our town park, he thinks we need to protect ourselves.

Kevin Gilligan will proceed in that manner if that is what the Board wants.

Councilor Shute said he would be really careful writing these things where we are going to go in and do what we want to and then charge people for it.

Councilor Knapp thinks it would be an extreme circumstance for us to go in. if it's causing trouble for our park, that is what he is thinking of.

Councilor Bailey is in favor of being proactive rather than reactive.

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

### **A. Onondaga Nation Land/Land Rights Claim.**

### **B. Springhill Farms.**

Kevin Gilligan said he ran into Jim Nakas who was complaining that the whole Springhill operation is moving forward with no changes.

Councilor Knapp said in court on Wednesday Ralph Lamson was there and said he did an inspection and the town is happy. Mr. Nakas was also present in court and didn't say anything.

### **C. Pending zoning issues list.**

### **D. Condominium Unit Tax Assessments.**

### **E. Simple Subdivisions.**

### **F. Other.**

## **10. UNFINISHED BUSINESS & ACTIVE PROJECTS.**

### **A. Community Development Grant app - 2008.**

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

### **B. For TB review.**

- 1) **Assessor: tbd, (replacing Jim Munnell).**

Supervisor Scammell said Bill Turner has expressed an interest in becoming an Assessor.

Councilor Knapp asked why he wanted to do it.

Bill Turner said to get more involved with the town government and what goes on in the town.

Supervisor Scammell said he has known Bill for a very long time and has a great deal of respect for him.

Bill Turner said he has known Councilor Bailey for a number of years. The main reason he wants to do this is to take more interest in what's going on in the town and pay more attention to what's going on.

It was decided to wait until after the Assessment Grievance Board of Review night to make this appointment.

- 2) **GBoR member: Richard Stach (replacing Shawn Adam).**
- 3) **Commercial Planned Development (CPD) District – Crossroads Development Corporation.**
- 4) **Budget initiatives.**
- 5) **Dog quarantine.**

Supervisor Scammell said Jim Moore stopped in and asked if the Town Board was interested in going forward with this or not.

Councilor Knapp asked if there was any feedback from the survey.

Mary Jo believes Jim said he had around 30 responses which were all positive. He advised he would be running it in the next Newsletter to see if more responses come in.

Kevin Gilligan said he sent the Board a sample of a local law which tweaks our current local law for simple subdivisions. All it does is indicate that an appeal of the Code Enforcement Officer's decision would go to the Planning Board and not the Zoning Board.

**TOWN BOARD RESOLUTION**

May 12, 2008

**Councilor Knapp introduced proposed Local Law No. B-2008, to amend Local Law 4-2007 with Respect to Appeals from Determinations of the Code Enforcement Officer Regarding Simple Subdivisions in the Town of LaFayette, and made the following motion, which was seconded by Councilor Shute :**

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

**NOW, THEREFORE, it is**

**RESOLVED AND DETERMINED, that the enactment of proposed Local Law No. B-2008 is a Type II action and will have no significant effect on the environment; and it is further**

**RESOLVED, that the Town Board conduct a public hearing as to the enactment of proposed Local law No. B-2008 at the Town Hall located at 2577 Route 11 in the Town of LaFayette on June 9, 2008 at 6:30 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard.**

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

<b>Gregory Scammell, Supervisor</b>	<b>Voted</b>	<b>Yes</b>
<b>David Knapp, Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Thomas Bailey, Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>William McConnell, Councilor</b>	<b>Voted</b>	<b>Absent</b>
<b>Adrian Shute, Councilor</b>	<b>Voted</b>	<b>Yes</b>

**The foregoing resolution was thereupon declared duly adopted.**

**6) Windmill Energy legislation.**

**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.**

Councilor Knapp said he will have the quote for the flag pole at the ballfields for the next meeting.

**D. Education requirements – PB & ZBA.**

**E. Watson Greenhouse Agreement.**

Supervisor Scammell asked the Board if they wanted to enter into an agreement with Watson Greenhouse for the gardens at the town offices.

Councilor Knapp would recommend going through the end of October.

**Councilor’s Bailey moved and Knapp seconded the motion to enter into the agreement with Watson Landscaping to maintain the gardens at the town offices from April through October. Motion passed 4-0.**

Kevin Gilligan said they will have to supply their insurance and sign the incidental contract.

**F. Other.**

Councilor Bailey asked if the L.F.D. got the new ambulance yet.

Councilor Knapp said they are going to get it from Indiana within the next week or two.

Marshall Taylor asked about the condo issue. He asked for the Board’s thoughts on this.

Councilor Knapp is still reviewing all the material Kevin Gilligan sent them but he is in favor of doing something.

Councilor Bailey agreed.

Councilor Shute is in favor of not allowing a conversion from an apartment to a condo as long as we are not including the whole concept of condos.

Kevin Gilligan said you are not banning the conversion, you are only changing how they are taxed.

Councilor Shute asked if this is for new construction as well.  
Kevin Gilligan said no, only for conversions.  
Councilor Shute is O.K. with it.

**Councilor’s Knapp moved and Bailey seconded the motion authorizing the Town Attorney to draft some legislation for this. Motion passed 4-0.**

**12. Suggestions for improvement and positive contributions.**

**13. Executive session (if needed).**

**Councilor’s Knapp moved and Bailey seconded the motion for the Town Board to go into Executive Session to discuss a contractual matter and to include the Town Attorney and Highway Superintendent. Motion passed 4-0.**

The Town Board went into Executive Session at 8:02 p.m. and Supervisor Scammell called the Regular Town Board Meeting back to order at 8:12 p.m.

Councilor Knapp said the rededication of the Gordon Ohstrom Field on Saturday went very well and was well attended. The ceremony was nice and the new sign is very very nice. Everyone was happy.

**14. Motion to audit & pay bills.**

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

<b>HIGHWAY FUND</b>	<b>#1743 - 1753</b>
<b>GENERAL FUND</b>	<b># 1754 – 1781</b>
<b>TRUST &amp; AGENCY FUND</b>	<b># 1802 – 1803</b>

**Motion passed 4-0.**

**15. Motion to adjourn.**

**Councilor’s Shute moved and Knapp seconded the motion to adjourn. Motion passed 4-0.**

The Town Board Meeting adjourned at 8:14 p.m.

Respectfully submitted,

Mary Jo Kelly  
Town Clerk

Adopted 6/9/08