

Minutes of the Town Board Meeting held by the LaFayette Town Board on July 14, 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: Wendy Reese, Town Attorney
Leon Cook, Highway Superintendent
Tom Chartrand, Bookkeeper
Jim Nakas, Planning Board, Chair.
Bob Drumm, Planning Board Member

1. Supervisor Scammell called the Meeting to Order at 6:35 p.m.
2. The Town Clerk took the Roll. All present.
3. Pledge to our U. S. Flag led by Town Councilor Dave Knapp.
4. **Councilor's Shute moved and Knapp seconded the motion to accept prior Meeting Minutes of June 9, 2008, as submitted by the Town Clerk. Motion passed unanimously.**
5. **PUBLIC HEARINGS. 6:30 PM – Converted Condominiums, Local Law C-2008.**

Wendy Reese said this is a local law that would prevent single family homeowners from converting their homes to condominiums to take advantage of various tax breaks.

Supervisor Scammell asked for any questions or comments from the public or the Town Board.

Councilor Knapp said it sounds like it's a prudent step to take. He thinks it closes the loophole.

Councilor Shute confirmed this does not prohibit condos in the Town of LaFayette.

Wendy Reese said right. It just prohibits people with one family houses to convert them to condos to take advantage of the property taxes.

There were no further questions or comments.

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

6. **COMMUNICATIONS.**

A. **RESIDENTS.**

Bob Drumm said he wanted the Town Board to be aware that there is a lot of activity at the old Cardiff church. There are a lot of people working down there and a lot of material being taken in. He doesn't want to see the people come to the Board and try to get a zone change for this property. He doesn't know if the Town Board can advise them it's an Agricultural/Residential District before they spend a ton of money.

Supervisor Scammell said he doesn't know who owns it.

Bob Drumm thinks the town should find out what's happening there because there is an awful lot of work being done there.

Supervisor Scammell asked if they have been before any of the Boards.

Mary Jo said no.

Supervisor Scammell asked if they had gotten a Building Permit.

Mary Jo said without knowing the owner she can't check on this.

Councilor Knapp said he heard it was going to be a residential home but it might be worthwhile to have Ralph Lamson stop in to visit them.

Jim Nakas just doesn't want them to show up at a Town Board Meeting and say they wouldn't have spent all the money if they'd known and now they need a zone change. If the Town Board or Ralph Lamson would advise the people this is an Agricultural/Residential area and if they want to turn it into a residential property it's fine but a business cannot be run there.

Member Bailey thinks if they want to make it a residential use it would seem it would have to come to the attention of the Assessors.

Councilor Knapp said if it's going from a tax exempt status. We might want to drop Marshall Taylor a letter too. He would certainly support Ralph Lamson going down there to ask what their plans are and see what's going on. Maybe we can avoid a situation.

Councilor Shute asked if there's anything about the work that would make them believe something is going on.

Jim Nakas said there is an awful lot of work. It doesn't mean it will become a business enterprise but he thinks the town should be aware if they are planning on living there and making it a business.

Supervisor Scammell said he will try to find out about it.

○ **Town brush pickup – annual or twice a year.**

Supervisor Scammell said a resident called him to see if we can have brush pickup twice a year.

Leon Cook said he hopes not. They picked up an awful lot in May. If we have a storm and the wind blows trees down, the residents can call the Highway Dept. and they will go pick it up.

Councilor Knapp asked about the stuff left out by the chipper.

Leon Cook said they are putting a sign up that says it's not a brush drop-off. This is the third pile someone has dropped off there.

Councilor Bailey asked if the chipper could be moved to the back of the property.

Leon Cook said they are going to put a sign up.

Supervisor Scammell asked what the cost for pickup in May was.

Leon Cook said he gave a report at an earlier meeting. Between the brush and dump days the cost for the Highway Dept. including payroll was \$26,000. That is without fringe benefits. The two dividers they took to OCRRA today cost \$10.00. They were \$5.00 each. It's \$65/ton plus the cost of fuel.

Supervisor Scammell asked what the cost would be if we only did brush pickup.

Leon will run a cost and give it to the Board at the next meeting. A lot of towns don't have anything to do with brush.

Supervisor Scammell asked what people do with it.

Leon Cook said they have to take it to Jamesville.

Councilor Knapp said there's a spot right across from the D.O.T. parking lot. There's a little quarry that OCRRA has a compost site at.

Leon Cook said this year they were charging \$20 a trailer load.

B. NYS DEPARTMENT OF AGRICULTURE AND MARKETS: RFPs for Farmland Protection Implementation Projects.

C. CNY REGIONAL PLANNING AND DEVELOPMENT BOARD: Certification Statement, SPDES.

Councilor McConnell asked if Mary Jo received a copy of this.

Mary Jo said she did.

Councilor McConnell asked for it to be filed in the SPDES file.

D. ONONDAGA COUNTY DEPARTMENT OF FINANCE: Mortgage Tax Apportionment.

E. TIME WARNER CABLE: Spin-Off.

F. TOWN OF ONONDAGA CLERK GOODWIN: Zoning Map amendment.

Councilor Knapp asked about this change.

Wendy Reese said they have proposed a local law regarding personal and commercial windmills. Commercial windmills can only be located in certain areas of the town so they created a zone overlay for them.

Councilor Knapp confirmed they are O.K. with residential windmills.

Wendy Reese said as long as certain requirements are met. One thing is to be sure you have enough property and can meet the setbacks.

Councilor McConnell asked where the commercial enterprises would be allowed.

Wendy Reese said one area is up on Sentinel Heights Rd. where the towers are. They already had a couple of industrial areas in the town where windmills would be allowed and there were a couple of other areas in the town that they felt they should be allowed.

G. T-MOBILE: Groth Road Cell Tower contract.

Councilor Knapp said this is excellent news.

H. ONONDAGA COUNTY DEPARTMENT OF AGING AND YOUTH: 2008 2% reduction in state aid.

I. PERMA: Certificate of Achievement.

J. SCHULMAN, CURTIN, GRUNDER & REGAN: Zumpano subdivision, proposed cluster development.

Councilor McConnell asked about the two different sections of law he was referring to in his two correspondences.

Mary Jo said he has withdrawn his application at this time.

K. MARCH OF DIMES-BIKERS FOR BABIES. 16th Annual event, 8.2.08.

L. OTHER.

7. SPECIAL REPORTS. None.

8. REPORTS.

A. DEPARTMENTAL (4th Monday).

- 1. ASSESSORS: Marshall Taylor & Shawn Adam and vacant.**
 - Cold War veteran's exemptions.
- 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.**
 - Quarantine law - draft.
- 4. HIGHWAY SUPERINTENDENT: Leon Cook.**
 - Building committee: rough estimate for new Highway Garage (subject to permissive referendum).

Leon Cook asked the Board to name the 88 GMC that they took off the road as surplus so he can put it up for bid.

Councilor's McConnell moved and Knapp seconded the motion for the 88 GMC to be surplus equipment. Motion passed unanimously.

Councilor Knapp asked what he bought to replace it.

Leon Cook said the 2000 half-ton pickup.

Councilor Knapp asked if it was a Chevy.

Leon said yes. Since the last meeting they shimmed some roads and sealed the shim. The roads were Shute, Amidon, Ortloff, Nichols and the lower part of Dodge. They oiled and stoned Deer Run, Holcomb Hill, Everingham, Webster, Nichols and Ortloff. They brushed off West Shore Manor. The complaint about the dirt on West Shore wasn't due to the sand and salt. They cleaned it up this spring before the contractor did his cleanup. They are building a house at the end of the road and have a driveway that is tracking mud onto the road. They are supposed to clean it up as the Highway Dept. will be paving and can't have dirt on the road. They had a washout on Bush Hill a couple of weeks ago. They cleaned the road up and cleaned the ditches out and flushed the pipe. They had to put rip-rap in the ditches. They put in 380' of 12" pipe on Smokey Hollow from the catch basin to the main cross-over pipe. Hopefully this will

take care of the problem they have every spring in that area. Now they are cleaning on West Shore Manor to get it ready for paving. He has to get someone who does the work on county contract to come in with their big paver.

Supervisor Scammell asked when that might be.

Leon Cook said this summer. He has to do it this year. There's little divot holes from the equipment putting in the water line. They couldn't help it. He got grant money to do this and it should last 10 years. He has a driveway pipe on Sugar Bush that he needs to put in. They haven't been able to locate the gas line so they are waiting for the gas company to come out and find it.

Councilor Knapp asked how the employee situation is. Is everyone back?

Leon Cook said Alfie Klaiber is off. He had carpal tunnel surgery. John Greeley is back. He can't do any lifting with his right arm. He is still doing therapy.

Supervisor Scammell asked if he is expected to completely heal.

Leon Cook said yes.

Councilor Knapp asked if Alfie Klaiber's surgery is under workers compensation.

Leon Cook said he has to check with Alfie to see how he reported it.

Councilor Knapp asked where we are with health insurance.

Tom Chartrand said we have a healthy balance.

Councilor Bailey asked how the fuel situation is at the Highway Dept.

Tom Chartrand said the fuel cost mixes in with everything else so Leon could probably answer this better.

Leon Cook said they are hurting on fuel.

Councilor Bailey asked if he would have to taper off on some jobs or skip some projects.

Leon Cook said he is still planning on doing everything they put in the budget. He has the grant money plus he got \$9,000 extra this year in CHIPS money. This will equalize our fuel costs just about. He doesn't want to cut back on the preventive maintenance on the roads this year because if it gets real bad and he has to next year, it will be real bad. You have to try to keep them up when you can.

Councilor Knapp asked Tom Chartrand the status of the overall budget now that we are half way through the year.

Tom Chartrand said we are still looking very good under the General Fund. Library was a little further into their budget then he thought they would be. We are doing pretty good on the Special District Funds. The lighting bills are up a little but he thinks he budgeted enough to cover them. He thinks we will still be tight at the end of the year. As long as we don't have any major building or other expenses, we should be alright.

5. JUSTICE COURT: Malcolm Knapp & Maureen Perrin.

- **Monthly report – May.**

A written report was submitted.

6. LIBRARY DIRECTOR: Scott Kushner.

- **Monthly report – May.**

A written report was submitted.

7. RECREATION DIRECTOR: Regina Reinschmidt.

8. TAX COLLECTOR: Mary Doster.

9. TOWN CLERK: Mary Jo Kelly.

- **Monthly report – June.**

A written report was submitted.

10. TOWN SUPERVISOR: Greg Scammell.

A written report was submitted.

B. COMMITTEE (2nd Monday).**1) AGRICULTURE (Dave Knapp & Mary Jo Kelly).**

- **Ag district public hearing – August 25th, '08 @ 7 PM, main meeting room.**

Councilor Knapp asked if the public hearing was still on.

Mary Jo said as far as she knows.

Councilor Knapp confirmed the special meeting is still on regarding farms in the Tully Valley area.

Supervisor Scammell said yes. He will confirm 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/sewer survey – review.**

Councilor McConnell submitted an outline for the phases of the LaFayette Water District. We are in Phase II. There's a Town Hall Meeting at the Community Center next Monday. He asked the Town Board what their feelings are about expending funds for Phase III which is seeking funding. Mr. Thoma commented on the possibility of finding funding. It would be a very difficult challenge to overcome. He asked the Board their thoughts on continuing on. It would cost \$2,000 - \$3,000 for Mr. Thoma to do the grant writing work after the Board decides which course to pursue. He submitted a cost estimate from Peter Grevelding for a Water/Sewer District.

Councilor Shute thinks as much as he appreciates Pete Grevelding doing this, we might want to look at someone else submitting a cost for this project. The cost doesn't seem to jive on the water part with what we paid for the East Syracuse water replacement. He thinks it was about 1.9 million for Apulia Road.

Supervisor Scammell believes it was about 1.5. He said this is an interesting point.

Councilor McConnell said we could go with OCWA or under the original idea of having a tank on Sentinel Heights which would be gravity fed to the town and many areas wouldn't even be serviced.

Councilor Knapp asked if it's basically going from Applewood Estates to Route 81 on Route 20 and from the cemetery to McClary Rd. on Route 11.

Councilor McConnell said yes. He received a couple of calls from residents on LaFayette Rd. today. There were residents on McClary Rd. who were interested too.

Councilor Knapp said we can see what the feelings are next week at the meeting.

Councilor McConnell said he will be interested to hear comments but he would also like to take feelings from the Board. If you want a second opinion regarding engineering, it will cost something. Would you want to continue with water or sewer or both?

Councilor Knapp asked if the numbers included septic as well.

Councilor McConnell said there is information on the front and back. He said if you do septic, where would you put a treatment plant?

Councilor Knapp said the big question is that you have almost a million dollars of tanks and pumping stations that you may or may not need depending on the water source.

Councilor McConnell said if you link to OCWA wherever it's closest to the town, do you by-pass those in between to get to the people within the water district? With only 233 people along the defined area, it drives the cost up.

Councilor Knapp asked if he had anything from Mr. Thoma as far as fees.

Councilor McConnell said it would cost between \$2,000 and \$3,000 to search for grants and then wait for the results.

Councilor Knapp asked how far along do we have to be in the process to know if we would qualify for the grants.

Councilor McConnell said there is a source at the federal level that allows us to apply under a concept. Other grants would require your project to be defined.

Councilor Bailey asked if any consideration has been taken as far as going to a smaller geographical project as apposed to what the concept is now. We already know that the state comptroller's office has high water marks for cost per unit. Knowing what the maximum allowance cost per unit with the state is, we could use those components. Could we shrink the area to be in conformance with the state requirements?

Councilor McConnell doesn't think you would bring it into conformance at all. If you went to just the Hamlet area, he thinks it would be more cost prohibitive as you would have miles and miles of pipe not being utilized.

Councilor Knapp said the problem is you still have to find a water source.

Supervisor Scammell said he sees the results for the water survey but did we survey them on sewer too?

Councilor McConnell said no. There were some comments from residents regarding sewer on the surveys. Some people would prefer septic to water.

Councilor Shute said regarding line item 1 on the cost estimate sheet, he calculates it to be 1.18 million which comes out to be about 2/3 less on that line item.

Councilor Knapp thinks there tends to be more grant money available for septic rather than water. He recommended Councilor McConnell review the numbers before the meeting on Monday to be sure there isn't a mathematical error.

Councilor McConnell said he is going to call Pete Grevelding.

Councilor Shute said we could ask John Dunkle what the cost per foot was for the Northeast LaFayette Water district.

Councilor McConnell said this is a number you can't determine until you define the area. He wouldn't want to compare Pete Grevelding's figures with another engineer's recent project. He will hold the Town Hall Meeting and report the residents comments back to the Board.

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.**
 - e. **“Red Folder” update. Completed.**
- 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).**
- 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).**
 - d) **Community Center basement flooding – masonry pointing, window blocking, backfilling and trenching.**
 - e) **Community Center – for profit usage guidelines.**

Councilor Knapp this is for profit groups using our facilities.

Councilor Shute said if someone is making a profit, he feels they should pay a fee for using the facility. He doesn't see anything wrong with the guidelines.

Councilor McConnell would agree. He thinks there should be a payback for the usage or profiting.

Councilor Bailey asked if a municipality has a structure and an entity uses it for profit making, would it be allowed by the state to charge a fee?

Councilor McConnell said you start with the name of the Community Center and how you allow residents to have usage of it. Residents should be allowed to use it at no charge. If it's a business, there should be a fee.

Councilor Knapp said another question is whether the business would benefit the community.

Supervisor Scammell said he is fine with the guidelines. He thinks it needs to be restricted somehow so someone isn't setting up a business there.

Councilor Shute thinks limiting the ability to reserve it to a week in advance will discourage a lot of straight-out business prospects from trying to use it because they are not going to be able to plan for it. The first priority should be given to the residents who

want to use it. We are actually relaxing the guidelines which didn't allow profit groups to use it in the past.

Councilor McConnell believes the revenue that generates may help offset the costs.

Supervisor Scammell and Councilor Shute would recommend keeping it to one-week in advance to reserve.

It was decided no reservations by a business could not be scheduled more than 1 week in advance.

Councilor Knapp wondered about the \$50 usage fee.

Supervisor Scammell said it might sound like too much for a single usage but when you consider the upkeep of the building, it's a big building.

Councilor Shute thinks it's about right.

Councilor's Shute moved and McConnell seconded the motion to adopt and add the following guidelines to the Town Facility Usage Guidelines:

FOR PROFIT ORGANIZATION USAGE OF FACILITIES

Any group or individual using town facilities and receiving any money or goods from the event, must follow the below guidelines in addition to those previously stated;

- 1) Can not use the facility more than once a week or 5 times a month.**
- 2) Reservation of facility cannot be made more than 1 week in advance of event to allow residents to use the facilities.**
- 3) There will be a fee of \$50 for each usage.**

Motion passed unanimously.

10) RECREATION & YOUTH (Dave Knapp, Adrian Shute & Regina Reinschmidt).

Councilor Knapp said things are moving along pretty well. Baseball is over with. Lacrosse is pretty heavy right now. We have worked out a very nice deal with the Apple Festival and Toolon to use the fields for the girls lacrosse. It works out really nicely and at no cost to the town.

Councilor McConnell asked the status of the grant for Stafford Park. Where are we with that and where are we going to be before winter sets in?

Councilor Knapp said basically the money has been approved. We put everything together this fall for the work to be done next spring. We do all the bids and stuff that needs to be done this fall.

Councilor McConnell said with that in mind, what project is going to be done and will it be in-kind help, subbed out and who will oversee it?

Councilor Knapp said the Optimist Club is having their golf ball drop again. He thinks they want to get another piece of playground equipment with that money. Most people seem to be excited about the walking, jogging, biking path. The in-kind service is a question we will have to sit down with Leon Cook to discuss.

Councilor McConnell asked if there is a design for it.

Councilor Knapp said yes. There's a 50% match we need to do so we have to sit down with Leon Cook on this.

Councilor McConnell said the money will be allocated to the town to be appropriated by the town.

Councilor Knapp said yes. The other urgent item that needs to be done is a little shoring up on the pavilion. This must be done with either Optimist Club money or grant money.

Supervisor Scammell asked where the problem is.

Councilor Shute said the pavilion is leaning.

Councilor Knapp said the southeast corner is leaning.

Supervisor Scammell asked what caused it to lean.

Councilor Knapp thinks the prevailing winds in the winter. Lower on the list is paving the parking lots. We will resubmit an amended proposal in 2009 so we will be at the top of the list next year for another \$50,000.

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). Keep or remove?**

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).**

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

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

Councilor Shute said they meet tomorrow night.

12) SCHOOL DISTRICT LIAISONS (Bill McConnell and Adrian Shute & Pete Paul).

Councilor Knapp said there's a new School Board President, Mike LaCava. The new Vice President is Sara Dadey.

13) SENIOR TRANSPORTATION & HOUSING (Beverly Oliver & Greg Scammell).

14) SERVICE AWARDS (Bill McConnell, Dave Knapp, John Harper & Larry Paige).

- **LOSAP –audit requirements (KG).**

Councilor McConnell said he is working on the audit. Jim Moore is the only member who will be retiring this year and they are working with him regarding the withdrawal of his funds in December.

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

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

- **Adoption of the Stormwater Plan.**

Councilor McConnell said he sent the Board the Stormwater Plan. It's a living, breathing document that tells us how to do our stormwater business and points out things the C.E.O., Board and he have to do. He hopes to have this adopted this evening.

Supervisor Scammell asked if there were any questions. There were none.

Councilor's McConnell moved and Knapp seconded the motion to adopt the Stormwater Plan. Motion passed unanimously.

Councilor Knapp thanked Councilor McConnell for all his work on this.

Councilor McConnell said we are recouping over \$4,000 thanks to Wendy Reese for the work done on this. He thanked Wendy for her help.

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

- **Hamlet drainage study – request submitted to NYS DOT, intersection of Routes 11 & 20 to be reconstructed in 2010-11.**

Councilor Knapp asked the status of the restoration for the water district.

Supervisor Scammell said there are still a couple of small items. It's 98% complete.

Mary Jo said Marty Sherman of West Shore Manor will be contacting the Supervisor regarding a pipe across the road from him that was taken and he would like back.

Leon Cook said Marty Sherman claims he owns 6' of property across the road from his house. Leon left it for Marty to show him on the deed that he owns this land. He had a pipe in the ditch. When they put in the water line, they took it out and used it somewhere else.

Supervisor Scammell confirmed he says he owns 6' on the west side of West Shore Manor which is where the pipe was.

Councilor Knapp asked if the pipe went parallel to the road.

Leon Cook said yes.

Councilor Knapp asked what purpose it served.

Leon Cook said it didn't serve any purpose. He left it that Marty Sherman was going to show him that he owns 6' of land on the other side of the road.

Councilor McConnell asked if anyone remembers what the hookup fees for the last water project were.

Supervisor Scammell thinks the fee came from OCWA.

Councilor McConnell will call John Dunkle for this information.

Supervisor Scammell said going back to Marty Sherman, if he has a pipe for his driveway and it's in the right-of-way, who owns the pipe?

Leon Cook said when you apply for a driveway permit, you pay for the pipe and the run-a-crush. The Highway Dept. installs it at the towns expense as we want the pipe to be the right elevation. If the pipe needs to be replaced, the town pays to replace it.

18) ZONING REVIEW (Mary Jo Kelly, Ralph Lamson & Greg Scammell).

- a) SOCPA subdivision guidelines to distribute to local subdivision applicants.**
- b) Digitized zoning map, correction & amendments.**
- c) Streamlining of similar uses, controlled site approvals and specific permits.**
- d) Home Occupations – Controlled Site review (KG).**

9. LITIGATION & OTHER LEGAL MATTERS.

A. ONONDAGA NATION LAND/LAND RIGHTS CLAIM.

B. PENDING ZONING ISSUES LIST.

C. LOCAL LAW C-2008, CONDOMINIUM UNIT TAX ASSESSMENTS.

**TOWN OF LAFAYETTE
RESOLUTION TOWN BOARD MEETING**

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

WHEREAS, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law entitled Local Law No. C-2008, that the Town of LaFayette shall not recognize converted condominium units, as defined in Section 581(1)(c) of the Real Property Tax Law, as condominium units for purposes of assessing the value of said units under Section 339-y of the Real Property Law, was presented and introduced at a regular meeting of the Town Board of the Town of LaFayette held on June 9, 2008; and

WHEREAS, a public hearing was held on such proposed local law on this 14th day of July, 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, the SEQR review process for this action was completed by this Board at its June 9, 2008 meeting this Board having determined this to be a Type II action; and

WHEREAS, it is in the public interest to enact said Proposed Local Law No. C 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. C-2008 as Local Law No. 3-2008 as follows:

**TOWN OF LAFAYETTE
LOCAL LAW 3-2008**

A Local Law Determining the Value of Converted Condominium Units for Tax Assessment Purposes Be it enacted by the Town Board of the Town of LaFayette, as follows:

Section 1. Pursuant to Real Property Tax Law Section 581(1)(c), the Town of LaFayette does not recognize converted condominium units, as defined in Section 581(1)(c) of the Real Property Tax Law, as condominium units for purposes of assessing the value of said unit pursuant to Section 339-y of the Real Property Law.

Section 2. This Local Law shall take effect immediately.

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 declared duly adopted.

D. SIMPLE SUBDIVISIONS.

E. AMENDMENT TO HOME OCCUPATIONS REGULATIONS.

**TOWN BOARD RESOLUTION
TOWN OF LAFAYETTE**

**Introducing A Proposed Ordinance
Amending the Town Zoning Ordinance
Regulating Home Occupations in the Town of
LaFayette**

July 14, 2008

Councillor Knapp introduced a proposed Ordinance relating to Home Occupations within 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 adoption of an Ordinance in the Town of LaFayette.

NOW, THEREFORE, it is

RESOLVED AND DETERMINED, that there are no other involved agencies, that the adoption of said Ordinance is an unlisted action for purposes of

environmental review under SEQR and that the Town Board shall act as lead agency with regard to this proposed action; and it is further

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

**ORDINANCE AMENDING
THE 1970 ZONING ORDINANCE
OF THE TOWN OF LAFAYETTE, AS PREVIOUSLY AMENDED**

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

Section 1. So that the definition of HOME OCCUPATION in Section B of Article VIII of the Zoning Ordinance is amended to add a new subsection (f) as follows:

Af) Notwithstanding the foregoing, Home Occupations which meet all of the following criteria shall not be subject to Controlled Site approval:

- (1) No employees other than the homeowner and relatives residing in the dwelling;**
- (2) No customers, pickups, or deliveries for the business at the residence;**
- (3) No signage or outside displays of merchandise, product or commodity;**
- (4) No more than 10% of the total floor area of the dwelling is used for such home occupation;**
- (5) No merchandise, product or commodity is sold on the premises;**
- (6) No modification to premises for such home occupation;**
- (7) No outside storage of anything connected to the home occupation;**
- (8) No impact on neighbors;**
- (9) No advertising disclosing physical location of the home occupation; and**
- 10. No increased traffic caused by the home occupation.**

Section 2. Effective Date.

This Amendment to the 1970 Zoning Ordinance of the Town of LaFayette, as amended, shall take effect as provided in Section 265 of the Town Law.@

and it is further

RESOLVED AND DETERMINED, that the Town Board shall conduct a public hearing as to the adoption of this proposed Ordinance at the LaFayette Town Hall located at 2577 Route 11, LaFayette, New York on August 11, 2008, at 6:30 p.m. or as soon thereafter as the matter can be heard, at which time all persons interested on the subject shall be heard.

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

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 declared duly adopted.

F. OTHER.

11. 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: appointment to fill vacancy.**
- 2) **Commercial Planned Development (CPD) District – Crossroads Development Corporation.**
- 3) **Budget initiatives.**
- 4) **Windmill Energy legislation.**

12. NEW BUSINESS.

A. RX ZONING CLASSIFICATION – Comprehensive Plan.

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

Councilor McConnell said to remove this from the agenda and he will have information for the Board at the next meeting.

C. STAFFORD PARK - flag pole (DK).

D. EDUCATION REQUIREMENTS – PB & ZBA.

E. OTHER.

12. Suggestions for improvement and positive contributions.

Councilor Shute said last week his grandparents had a little accident at their place and the LaFayette Ambulance was there in an instant and by all accounts were extremely professional and made the whole situation a lot easier. He would like to publicly commend them.

Councilor McConnell asked if they were local residents on the ambulance.

Councilor Shute said it was John and Merikay Harper. They really did a great job.

13. Executive session (if needed).

Councilor Knapp would like to ask for a very brief Executive Session to discuss a contractual matter and to include the Town Attorney and Town Clerk.

Councilor’s Shute moved and Knapp seconded the motion for the Town Board to go into Executive Session and to include the Town Attorney and Town Clerk to discuss a contractual matter. Motion passed unanimously.

The Town Board went into Executive Session at 8:02 p.m. and the regular Town Board Meeting was called back to order by Supervisor Scammell at 8:23 p.m.

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

SPECIAL DISTRICT FUND	#2075 - 2076
TRUST & AGENCY FUND	#2077 - 2080
HIGHWAY FUND	#2081 - 2103
GENERAL FUND	#2104 - 2150

Motion passed unanimously.

15. Councilor’s Bailey moved and Shute seconded the motion to adjourn. Motion passed unanimously.

The Town Board Meeting adjourned at 8:24 p.m.

Respectfully submitted,

Mary Jo Kelly
Town Clerk

Approved 8/11/08