

Minutes of the Town Board Meeting held by the LaFayette Town Board on September 8, 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
Pete Paul, Dep. Supervisor
Jim Moore, DCO
Jim Nakas, Planning Board, Chair.
Matt Napierala, Representing Manley Mighty Mart
Jim Emerkk, Representing Manley Mighty Mart
Ron Rowland
Katie Farwell
Pat Keefe, Info. Officer
Shawn Adam, Assessor, Plan. Bd. Member
Jerry Munger
Sandy Smith, Ropes Course
Kevin Corcoran, Ropes Course

1. Supervisor Scammell called the Meeting to Order at 6:31 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 Adrian Shute.
4. **Councilor’s Shute moved and Knapp seconded the motion to accept prior Meeting Minutes of August 11, 2008, as submitted by the Dep. Town Clerk.**

Voting was as follows:

Supervisor Scammell	Yes
Councilor Knapp	Yes
Councilor Bailey	Abstain
Councilor Shute	Yes

Motion carried.

5. **Public Hearings. None. Bid openings for 1988 GMC truck.**

Three bids were received:

LM Cook & Associates submitted bid for \$501.00 with deposit of \$50.10.
Andrew Hall submitted bid of \$508.00 with no deposit.

Don Skinner submitted bid of \$150 with \$40 deposit.

The bid was awarded to LM Cook as high bidder because Andrew Hall's bid was not eligible as no deposit was sent with it.

6. COMMUNICATIONS.

A. RESIDENTS. (Please sign in and give your name before you speak).

B. NYS ORPS: Final state equalization rate, 93.00.

C. U.S. SENATOR CHARLES SCHUMER: Picturing America grants.

D. ONONDAGA COUNTY SOIL AND WATER CONSERVATION DISTRICT: MS4 technical assistance.

E. NYS PSC: Verizon's Network Review Plan.

F. PERMA: First Cardinal.

G. THE ASSOCIATION OF TOWNS: 2009 annual dues.

Councilor's Knapp moved and Shute seconded the motion to pay the Association of Towns annual dues of \$900. Motion carried.

H. ONONDAGA COUNTY DEPARTMENT OF EMERGENCY MANAGEMENT: NIMSCAST points of contact.

Councilor Bailey said this is taken care of. He faxed the point of contact to County Emergency Management. He made himself the first point of contact. Supervisor Scammell is the second point of contact and Deputy Supervisor Paul is the third point of contact.

I. OTHER.

Supervisor Scammell said he received correspondence from the Jamesville Fire District that they intend to renew their contract for fire protection.

Supervisor Scammell said the Board has received a public assembly application from the LaFayette Apple Festival Committee to hold the LaFayette Apple Festival.

Councilor Knapp said in the past the Board has waived the application fee for this as it's a public service to the community.

Councilor's Shute moved and Bailey seconded the motion to grant the Public Assembly Permit for the LaFayette Apple Festival to be held October 11th and 12th. Motion carried.

Supervisor Scammell said he received a letter from the LaFayette Fire dept. advising they wish to negotiate their fire protection for 2009.

7. SPECIAL REPORTS.

• **Manley's Mighty Mart.**

Matt Napierala and Jim Emerkk were present representing Manley Mighty Mart.

Jim Emerkk said it's a family owned and operated business located throughout the Binghamton area. There are 23 stores now. They are looking to expand towards the Syracuse area along Route 81 and have proposed a site within the Town of LaFayette. One issue with the proposed site is that it is zoned Hamlet which doesn't allow gas stations. They are here tonight to ask the Town Board to entertain a zone change or use variance for this parcel. This is a critical hurdle to move this project forward. The site is located west of Route 81 and west of McDonalds at the interchange. It's a 30 acre parcel. It would require a subdivision for the proposed site. The proposed site is 6.5 acres. It would be served by a well and a septic system. It would include a 4,300 square foot gas station and convenient store. It would have 4 islands for gas pumps and 3 for diesel. There would be a drive-through for doughnuts and coffee. The access point would be the McDonalds driveway. They are proposing access off of Route 20 which would require a D.O.T. study. They feel this is an appropriate use for this area and it would be a benefit to the community to have another gas station in the area to have competition and offer lower gas prices. They are looking for an indication from the Board whether this fits the towns planning for this particular parcel.

Supervisor Scammell asked for any comments or questions.

Councilor Knapp said he knows Councilor McConnell has feelings on this application. Regarding the drive-through, were they looking on having any particular franchises within the convenient store?

Jim Emerkk said it could be a Dunkin Doughnuts.

Matt Napierala said they have a curtain license with Dunkin Doughnuts. They recently received approval in Preble which includes a Dunkin Doughnuts.

Jim Emerkk said they would also serve pizza.

Matt Napierala said it's Big Al's pizza. It's home made. It would be an up-to-date and modern interior. There's deli food and pizza.

Councilor Bailey asked how many existing stores there are now.

Jim Emerkk said 23.

Councilor Bailey asked the location for the closest one to LaFayette.

Jim Emerkk said Ithaca and there will be one under construction in the spring in Preble. The majority of the stores are in the southern area. Exxon and Valero are their fuel sources.

Matt Napierala said the majority of the stores are in Broome County.

Councilor Knapp asked where the Preble one would be.

Matt Napierala said right off the interchange at the abandoned Sunoco station.

Jim Emerkk said there are pictures of the stores at their website.

Councilor Bailey asked if it's a 24 hour operation.

Jim Emerkk said yes.

Jim Nakas asked if it's true all ingress and egress would be from the McDonalds drive.

Jim Emerkk said there is an existing no-access strip along Route 20 so they would recommend having this lifted. They would have to prove through a traffic study that this is warranted and there's a need for it.

Matt Napierala said this sketch has been developed through tax map information. They haven't approached the D.O.T. yet. They wanted to provide a safe egress for their customers and those on the highway.

Councilor Bailey asked if the architectural footprint is the same as the other 23 stores.

Matt Napierala said no. It's a rectangular based building that fits the owners outfitting of the store. There's a split faced brick in the front. It's a block building and has some gabled entries.

Supervisor Scammell asked if the drive-through is located on the backside of the building.

Jim Emerkk said yes.

Councilor Knapp asked if it goes right up to the neighboring property. How far to the neighboring property owner does it go?

Jim Emerkk said quite a ways. It's a 30 acre parcel and this is only a 6 acre parcel.

Matt Napierala said essentially the concept was to take what they needed but not too much. They looked at their location and proper separation for the leach field.

Jim Emerkk said they also looked at turn- around space for the trucks.

Jim Nakas asked the projected number of vehicles per day that would visit this facility.

Jim Emerkk said he doesn't have that with him right now.

Jim Nakas is sure the company would have that information.

Matt Napierala said when they get to the Planning Board stage, that information will be made available. They don't want to be misquoted here.

Jim Emerkk said that information would have to be provided to the D.O.T. on this.

Dep. Supervisor Pete Paul asked if this would be a truck stop and sell diesel as their representative said there are 3 diesel islands.

Jim Emerkk said it's a separate dispenser for the diesel. There will not be overnight parking here. They might put a convenient shower in for the customers.

Jim Nakas said currently in the Hamlet District this is not an allowed use. If you somehow remove this parcel from the Hamlet area, would you then rezone it Business? Does that then open the door for the whole Hamlet area to go away with one application after another?

Councilor Shute thinks the discussion has been to create a Commercial Planned Development District. A specific project in this one specific area that we would lay the requirements out beforehand.

Jim Nakas said a Commercial Planned Development District means business to him. He thinks we should be very cautious here because you have a nice protected area of the Hamlet that maybe should stay protected.

Councilor Shute said the idea of the second gas station and competition and their extra services is all good but as we have talked about this, in his opinion, the idea of a truck stop whether or not it meets the definition of a truck stop but is obviously for tractor trailers is a problem. Any tractor trailer traveling north would have to get off on Route 11 and make a turn at the 4 corners and get back on going back through the 4 corners again. If they are traveling south, they can get on right there. The 4 corners has been a problem with traffic for us already.

Matt Napierala said a lot of these trucks might stop at the Tully exit.

Councilor Shute said the proposed plans include trucks as there are 3 bays for diesel.

Councilor Bailey said the southbound wouldn't have the impact that trucks traveling north would have.

Councilor Shute said for something that is providing a service for Route 81 traffic, it really brings no additional services to the town. He hasn't heard from anybody that we can't get enough diesel fuel in town for the residents.

Councilor Bailey said 7th North Street off Route 81 is crowded every night. This could have connotation of an overflow because of the pilot situation.

Matt Napierala said their main state of business is a convenient store and pedestrian fuel. They have some contracts with certain companies they give discounts to. He would think you would be looking at mostly southbound traffic.

Councilor Bailey said not necessarily as Route 20 and 481 are being used as cut-through by the tractor trailers.

Pat Keefe asked for the website for Manley's Mighty mart.

Jim Emerck said it's manleymightymart.com or you can just Google it.

Supervisor Scammell asked what the Town Board's options are.

Kevin Gilligan said the Town Board first has to decide whether this is something they are interested in entertaining in any fashion. If it is, there are a number of different options. He thinks probably the Town Board would want to refer this to the Town Planning Board for its review and recommendation. He would think they would want to look at it in terms of the existing Comprehensive Plan and what the proposal would do or how it would impact that Comprehensive Plan and using that, they give their recommendation to the Town Board and whether it's fit or not fit and why.

Jim Nakas said it's almost like putting the cart before the horse. Why would the Planning Board want to review something that according to the existing Zoning Ordinance is not allowed? If you permit the zone change, then it becomes an application and must go through the process. The Planning Board is being asked to give their blessing to something that is totally and completely not in compliance with the town laws.

Kevin Gilligan said the Planning Board wouldn't be doing a Controlled Site review. They would be looking at the concept of whether a convenient store, gas station and possible trucks aspect are appropriate for that area. They would look at what the current land use plan has to say about that and whether or not in the Planning Board's estimation the Town Board should be looking at a way to go forward with this proposal. It's more of a conceptual review. Should the Town Board consider amending the Zoning Ordinance to allow this type of use in that location?

Councilor Bailey concurs with Kevin Gilligan. He would have the applicant go before the Planning Board.

Councilor Shute said to save time from leapfrogging from meeting to meeting and board to board, he would say as it exists here, he would not be supporting the change to a Commercial Planned Development District with the existing plan for the trucks.

Councilor Knapp said the referral would give Councilor McConnell a chance to state his feelings too.

Supervisor Scammell said if the Town Board refers this to the Planning Board for their recommendation, do we need to include anything?

Kevin Gilligan said just a copy of the plan and they could attend the Planning Board and make the same presentation and see how the Planning Board feels about it and how they feel it would fit in the Comprehensive Plan and if the Commercial Planned Development should be allowed.

Matt Napierala said they are looking for some direction and a way to go. They don't want to waste the town's time, their time or the clients time. They would like to pursue this.

Councilor Bailey said when he sees the diesel canopy, he just sees big trucks. Maybe when they go before the Planning Board they might want to do an Option A and Option B. One option could be with diesel and one without.

Councilor Shute said when he looks at the plans, he sees it as the gas station is 1/3 of the whole plan and the diesel is 2/3 of the plan.

Councilor Bailey said regarding northbound traffic, just east of Route 81 is an elementary school.

Councilor Knapp asked if the entire area would be paved.

Jim Emerkk said yes. The only part they are showing gravel is the truck parking.

Councilor's Knapp moved and Bailey seconded the motion to refer this to the Planning Board for their recommendation. Motion carried.

- **Sandy Smith, Ropes Course.**

Sandy Smith submitted a report for 2007 and 2008. Throughout the spring and summer months they have continued to maintain their perfect safety record on the LaFayette Challenge Ropes Course. The experience and commitment of the four Course Directors are what has resulted in their numerous years of course usage without a single accident. They continue to express the importance of quality training and mentoring of all course facilitators who utilize the LCRC in order to keep the accident free record. The season started out on May 15th with their yearly safety inspection. William Mundell/Outback Climbing Center from Amarillo Texas does this. Upon his thorough inspection, we passed. The Adventure Days are not only fun for the participants, they are educational. During the activities team building, communication, skills, problem solving, etc. are stressed and enhanced during the day. Because of their safety record, the insurance for the course was \$4,578.39 last year and is \$4,419.40 this year. This is down \$158.99 from last year.

Councilor Bailey asked if it's the same insurance carrier.

Sandy Smith said yes. It's Hallmark out of Tyler Texas. Last year between the course fees and the grant she applies every year for \$1,300, they more than cover the insurance cost. Last year the total brought in came to over \$6,000.

Councilor Knapp noticed some of the spots are blank for the groups, why is that?

Sandy Smith said she is still waiting for the paperwork for those groups.

Councilor Bailey said he thinks for the purposes that the town is a political subdivision of the State of New York, and for purpose of documentation, maybe a form of some type should be created and put in a binder of some sort and filed with the Town Clerk. Periodically these should be submitted to the Town Clerk and that way we won't have blank spaces for the groups. It could be quarterly or annually. You would have a running log of what's going on down there.

Sandy Smith said she was at a meeting with Councilor McConnell, Councilor Shute, Tom Chartrand and Jim Clark about this. A form was developed at that time.

Councilor Shute asked if they have started using them.

Kevin Corcoran said yes.

Councilor Shute said it seems the money coming in and the money going out are really a wash by the time you figure in the insurance and expenditures. He is wondering why the town is involved there at all. It seems like a lot of record keeping and work. He thinks the town should be taken out of the mix and have an agreement where the ropes course people can maintain their own insurance, records and own fees and the town doesn't need to be involved in it.

Councilor Bailey asked who owns the property.

Councilor Shute said the town does.

Councilor Knapp said there could be a \$1/year fee.

Councilor Bailey asked Kevin Gilligan if it's doable.

Kevin Gilligan said he will have to check into it. His only concern is leasing land to private individuals. There might be a state prohibition on this. He will research it.

Councilor Knapp asked if the rainy summer slowed them down.

Sandy Smith said not really but with funding cuts it did. As far as the paperwork, she takes care of all of that herself.

Kevin Gilligan asked if their group is incorporated.

Sandy Smith said no.

Kevin Gilligan said that would be an issue. It's basically a group of people that come together. They have no entity at this point. He doesn't know exactly who you would be leasing the property to.

Councilor Bailey said then the Town would be compelled to keep documentation.

Councilor Shute said the fact that it's not a 501C means it's likely we cannot lease the land to them.

Kevin Gilligan said it certainly makes it more troublesome. They are basically acting as independent contractors being facilitators at a town facility called the Ropes Course. We contract with them to serve as facilitators. He doesn't know if the contracts are current or not. We will have to tighten the contract up and make sure we have one for everyone.

Councilor Shute said it appears there have been 7 uses since the meeting. Have we gotten forms for those?

Kevin Corcoran said he still has two outstanding forms.

Sandy Smith said she has some of them.

Kevin Corcoran said one thing that needs to be addressed is when they met two years ago with Councilor McConnell, he was very much in favor of creating a calendar that would be posted on the LaFayette website. About one month ago, Councilor McConnell advised the calendar still doesn't exist as the website is still under construction. He would like to see this calendar. He would like to find out from two years ago to now, as he still is a course director and is still out in limbo, what is really going on here as far as this meeting. He is curious as a course director as to what Councilor McConnell is really looking for. What does he want Sandy, Jim and himself to submit?

Councilor Knapp said he can't speak for Councilor McConnell but knows very recently it came up again because actually our bookkeeper was concerned because it looked like some of the fees weren't matching the number of groups. He is doing his job and making sure if the state comes in and audits us, we aren't going to get beat up. We are just trying to have a tracking system so we don't get in trouble from that standpoint.

Councilor Bailey asked what sets the criteria for the fees. He sees \$200 and \$150.

Kevin Corcoran said it depends on the size of the group.

Councilor Bailey noted the difference in course rental fees.

Kevin Corcoran said the course fee was \$150 and now it's \$200.

Councilor Bailey said looking at 2008 everything is \$200. Will that be the way it will be?

Sandy Smith said yes. She was the one who charged \$150 to keep the costs down. Now it will always be \$200.

Kevin Corcoran said this ropes course was built without any town money. They got grants for it. Their main focus was to run the course without tapping into the town money. They are not looking to have the taxes raised for this. He is all for the money coming in for the course rental to pay the fees.

Councilor Shute said he can't speak for Councilor McConnell but he would like to know what is going on. The Board gets questions from people. What's going on down there? How many people are using it? What are they spending? He doesn't know the answers to these questions. This is where the rumors start coming up. When people come and ask the Board a question about the ropes course, we are supposed to be minding the tax payers money and he shouldn't respond "I don't know".

Councilor Bailey said as long as he has been on the Board it's been a well run course. This was just for minor housekeeping that needed to be taken care of. Any way the town can help in the future or for grants, he is all for it.

- **Jim Nakas, Planning Board Chair, Windmills.**

Jim Nakas said there should be some guidelines. How many windmills can be on a parcel? If it's more than one, the owner isn't interested so much in generating electricity for his house but rather selling it back to National Grid so are you running a business? The Planning Board has had 3 of these applications before them. The applicant says it must be 134' high. The neighbor doesn't think it needs to be that high. The applicant says NYSERDA says it does. We have no way of knowing if it's accurate or not. How should these windmills be assessed as the net worth of their property has gone up?

Shawn Adam said on the last application he offered the information that he and Marshall Taylor have discussed this and the state is encouraging assessing them at full cost of the windmill.

Jim Nakas said and the neighbor thinks his assessment should go down.

Shawn Adam said the Planning Board has been caught unaware. There is some legitimate concern. The visual aspect is one main concern. There are also concerns about noise, etc.

Jim Nakas thinks as time goes on, we will be seeing more of these applications. He would like to recommend the Board implement a 6 month moratorium until we can get some guidelines in place. John Langey has said he would help to do this. In the Town of Onondaga he was told they had a 6 month moratorium on windmills and asked for another 6 months to be sure they had everything in place. He would ask the Town Board to consider this as a possibility while we are trying to get everything in order.

Kevin Gilligan said Wendy Reese worked on the one for Onondaga.

Jim Nakas asked if it would require a public hearing for the moratorium.

Kevin Gilligan said yes.

Shawn Adam said the NYSERDA wind study seems to support areas like Reidy Hill and LaFayette Road.

Councilor Knapp said up by his house on Route 20 too.

Councilor Bailey said when you do the math, the total cost for the windmill is \$60,000 and the owner has to come up with 50% of that. The assessment department comes in and assesses the facility. The savings the owner gets on the electric meter he has to pay in taxes.

Shawn Adam said the state is saying they want the windmills assessed at full cost and yet another part of the state is supporting the windmills for half the cost.

Councilor Knapp said and National Grid is buying the energy back at whole sale.

Shawn Adam said the moratorium in effect for the next 6 months would be during the wintertime anyway. If we are looking at green alternatives, he doesn't think we can slam the door on these.

Councilor Knapp said this doesn't help in our overall energy problem because the wind doesn't blow all the time.

Kevin Gilligan could have a draft of the local law for a moratorium ready to be introduced at the next meeting and to schedule a public hearing at the first meeting in October.

Councilor's Knapp moved and Bailey seconded the motion to have the Town Attorney draft a local law for the next meeting for a moratorium on windmills.

Voting was as follows:

Supervisor Scammell	Yes
Councilor Knapp	Yes
Councilor Bailey	Yes
Councilor Shute	No

Motion carried 3 – 1.

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.

- Route 11 – graffiti and abandoned vehicles (spring cleanup).**
- Certification paperwork completed (RL)?**
- Building Code revisions (draft – KG).**
- 3448 Route 11 – debris. Court.**
- 2617 Route 11 – debris. Court.**
- 3231 Webb Road. House in disrepair.**
- SPDES.**

3. DOG CONTROL: Jim Moore & Doug Scholes.

- **Quarantine law - draft.**

Jim Moore said Doug Scholes filled in for him while he was out of work. He would like the Town Board to either dismiss or proceed with this law. He would like to get it off the agenda.

Councilor Bailey noted Councilor McConnell isn't here and asked if that is an issue for Jim Moore.

Jim Moore believes Councilor McConnell is not willing to proceed with it.

Councilor's Bailey and Shute would like to move forward with dismissing it.

Supervisor Scammell would be in favor of going forward with it. He gets several calls on this.

Jim Moore thinks maybe we should bring it up in another year or two to see what the input is then.

Councilor Knapp would be in favor of that.

Jim Moore said he and JoAnn Moore have upped the patrol at the Beach and Bailey Park. The trend of kids hanging out there seemed to end when school started. At Stafford Park, people are parking on the grass by the pavilion.

Councilor Shute said maybe a gravel path to the pavilion could be considered.

Councilor Bailey said maybe during budget time we can look at some of the boulder rocks.

Councilor Knapp said he will talk to the Optimist Club about this.

4. Highway Superintendent: Leon Cook.

- **Estimated cost for second brush pickup.**

Leon Cook said they picked brush up again because they were getting so many phone calls.

They have to take a couple of trees down on Sugar Bush in the next couple of weeks.

They have been mowing roadside.

About 1 ½ weeks ago there was a bad spot on Pioneer and on Norman Drive the curve in the road was slanting to the right. It took 10 ton of blacktop to take care of both these spots.

They worked on the 550 ford. It's the 2001. They put 4 ball joints on it, a rotor and all new seals.

Road side mowing with the mower has been completed for the fourth time. That is the most times then they have ever gone around.

- **2010-2011 snow contract with OnCo DOT.**

Leon Cook said there is a contract before the Board for sharing services with the state D.O.T. which has to be taken care of.

- **Multimodal funding.**

Leon Cook said there gave the multimodal information to Supervisor Scammell to sign.

Councilor's Bailey moved and Shute seconded motion to submit the paperwork for the Multimodal funding for a total amount of \$79,565.85 where \$60,000 is from the state and \$19,565.85 is from the town. Motion passed unanimously.

Leon Cook said he put extra money in the Highway Budget but it wasn't quite enough to cover the furnace. The one there now is almost 20 years old. We paid \$3,945 for it. Just to buy the furnace now will cost \$4,500. He doesn't know if this includes freight or not. They have to do it because the furnace has a hole in the combustion chamber.

Supervisor Scammell noted according to the Procurement Policy anything over \$3,000 must have quotes from at least 3 vendors.

Councilor Knapp said Leon Cook should put some basic specs together to get two more prices.

Kevin Gilligan asked if there might be something on the state or county bid for this.

Leon Cook said he didn't find anything.

Councilor's Shute moved and Bailey seconded the motion to enter into the services agreement with the N.Y.S. D.O.T. from October 1, 2008 to September 1, 2009 where we pay for 10% of the salt. Motion passed unanimously.

5. Justice Court: Malcolm Knapp & Maureen Perrin.

- **Monthly report – July.**

A written report was submitted.

- **January, 09 audit letter to NYS Unified Court System.**

6. Library Director: Scott Kushner.

- **Monthly report – June.**

A written report was submitted and Board Minutes.

7. Recreation Director: Regina Reinschmidt.

- **Monthly report – none.**

8. Tax Collector: Mary Doster.

9. Town Clerk: Mary Jo Kelly.

- **Monthly report – August.**

A written report was submitted.

Mary Jo Kelly asked the Board to accept the credits for the year for Zoning Board of Appeals Members and Planning Board Members who complete the online course and test.

Councilor's Bailey moved and Shute seconded the motion to accept the online course and tests as credits for the year for the Planning and Zoning Board of Appeals Members.

10. Town Supervisor: Greg Scammell.

Supervisor Scammell said he and Leon Cook met with Mr. Rockwell and his attorney. He would ask to go into Executive Session and to include the Highway Superintendent and the Town Attorney.

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

The Town Board went into Executive Session at 8:14 p.m. and Supervisor Scammell called the Town Board Meeting back to order at 8:53 p.m.

B. Committee (2nd Monday).

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

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

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.**

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

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

Councilor Bailey said there’s an upcoming meeting on September 18th which he has been invited to. He will give an update on this at the next meeting.

- b. **NIMS training.**

Councilor Bailey said from Friday until yesterday he was in Oriskany at the state emergency training facility. He took the exam for the 300 course. This is part of FEMA. The training is completed so this item can be removed from the agenda.

- c. **NIMS contact information (05.07.07 letter)**

- 1. **Local resolution similar to county’s needed?**

Councilor Bailey said at the next meeting the Board will need to do a resolution stating the Town of LaFayette is going to be NIMS compliant. He gave Mary Jo a draft of this and will have Kevin Gilligan look it over.

- 2. **Jurisdiction contact sheet**

Councilor Bailey said this item can be removed from the agenda as he has done this.

- 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).

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

8) Insurance (Adrian Shute & Bill McConnell).

- **Library.**

Councilor Shute said the insurance policy for the library was up on September 1st. We have gotten the quote from Reagan agency for \$3,100. He has another quote at

\$1,900 which is a little better coverage than what the library had before. Tom Dadey said we can add the library coverage into the general town policy for roughly \$1,200 – \$1,300 or we can keep it separate. The policy doesn't necessarily need to be separate. He talked to Scott Kushner for the library and he said they really don't pay attention to what goes on with the insurance as it's a town matter. He asked if the Board wanted to keep it separate or all in one. He thinks we need to decide this tonight.

Councilor's Knapp moved and Shute seconded the motion authorizing Councilor Shute to tell Brown and Brown to include this in the town policy not to exceed \$1,300. Motion carried.

- 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, gutters.
 - e) Trash service agreements – parks and town offices, billing & contracts.

Councilor Knapp said he has the agreements. He is still looking at the recycling amount. The trash amounts are fine. We can let the representative know that we are just looking at the recycling amounts but the other amounts are fine.

- f) Community Center fencing.

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). 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).**
- **Community Center – cigarette butt disposal.**

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

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

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

- **LOSAP –audit requirements.**

Supervisor Scammell said Councilor McConnell indicated he's worked with BPA Harbridge on a timeline to use for the LOSAP program payout, etc. He met with John Harper last night to have the LFD review, comment, etc.

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

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

- **Code Enforcement.**
- **Full town SPDES map.**

Supervisor Scammell said Councilor McConnell indicated that O'Brien and Gere has accomplished 100% of the outfall testing, monitoring, evaluation in lieu of the required minimum of 20% over the next five years per year. The town will pay for the amount due this year and the next four years of engineering fees for this is \$0. The voucher before the Board tonight is in the amount of \$414 which is one of the initial associated fees with mapping the sites. Initial payment for the CNYRDPB will also be in a voucher, this is budgeted for their part in the SPDES report, etc.

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.**

Supervisor Scammell said Councilor McConnell indicated he is meeting with a DEC grant writer and Bernie Thoma on September 9th to look at the reality of researching and receiving \$3M in potential grants.

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) **Wind turbines – draft.**

A draft was submitted by the Zoning Review Committee along with recommendations on the draft from Wendy Reese.

9. LITIGATION & OTHER LEGAL MATTERS.

A. Onondaga Nation Land/Land Rights Claim.

B. Pending zoning issues list.

C. Town of Onondaga – windmills ordinance.

D. Other.

Councilor Knapp asked Kevin Gilligan about the OSHA mandated course memo. Kevin Gilligan doesn't know about this. He thinks it's something that came through the Labor Dept. He thinks it's more for contractors like LaFleur for the water district.

10. UNFINISHED BUSINESS & ACTIVE PROJECTS.

A. Community Development Grant app - 2008.

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

Councilor Knapp asked Kevin Gilligan if Community Development gets in touch with us about putting together bids or if we just do it.

Kevin Gilligan said what the Board turned in at the beginning of spring was voted on last Tuesday.

Councilor Knapp said it was approved.

Kevin Gilligan said whoever is coordinating this needs to call Nina McLain and start doing the bids, etc. You have to come up with a bid package including specs for the project. You put it out for bid.

Kevin Gilligan asked what project is being proposed.

Councilor Knapp said a walking, biking, jogging trail around the park.

Kevin Gilligan said you might want John Dunkle to work up the specs and there is a local share for this.

Councilor Knapp will give John Dunkle a call.

B. For TB review.

1) Assessor: appointment to fill vacancy.

Supervisor Scammell said Bill Turner stopped by to see about the assessor position. He advised the Town Board is determining whether to go with a sole assessor or not. He asked the Board for their comments.

Councilor Shute still believes in the concept of only having one assessor.

Supervisor Scammell said it doesn't mean this can't be changed in the future.

Councilor Knapp believes if you elect the assessors, there must be 3. If you appoint them then it can be one. He doesn't have any problem with Bill Turner as an individual. He just doesn't want him to go through all the training and then have the Town Board decide to go in a different direction.

This will be decided at the next Town Board Meeting.

- 2) **Commercial Planned Development (CPD) District – Crossroads Development Corporation.**
- 3) **Budget initiatives.**
- 4) **Windmill Energy legislation.**

11. NEW BUSINESS.

A. Rx zoning classification – Comprehensive Plan.

B. Stafford Park - flag pole (DK).

Councilor Knapp thinks we should look at our budget first and see if we will have the money in the spring.

C. Education requirements – PB & ZBA.

D. Surplus equipment (Panasonic phonefax PQQT11ZZ3ZAA, HP Business Inkjet Printer 2200 SG0B3120VB, Dell Dimensional Hard Drive 4100 J98Q01, Dell Keyboard SK-8000 3882A277, Microsoft Keyboard RT 9431 5157702907429, HP Printer 56430A CN1C06B2Zk, All Backup Pro 1100 Zb022823295, Dell Keyboard SK8000 3882A271, Dell Monitor Ultrascan P991 08376T, Dell Hard Drive 87lk801, Dell Hard Drive G7WKB01.

Councilor’s Bailey moved and Knapp seconded the motion declaring the above listed items surplus and they may be disposed of. Motion carried.

E. Cemetery care (Christian Hollow, Sherman Hollow, etc.)

Supervisor Scammell said a resident called from Tully Valley concerned that Christian Hollow Cemetery being over-run. It’s our obligation to care for the abandoned cemeteries.

Councilor Knapp said the Sherman Hollow Cemetery is being taken care of by the Oddfellows. He knows the farmer who owns the surrounding land to Christian Hollow Cemetery gets very upset when folks go across his land to get to the Cemetery. He thinks there might be a right-of-way to the Cemetery. He thought there was something off of Otisco Road.

Kevin Gilligan said you would have to do a title search.

Mary Jo will look through the records to see if she can find anything on this.

F. Other.

12. Suggestions for improvement and positive contributions.

13. Executive session (if needed).

- **Highway storage contract.** (Held earlier in the Meeting.)

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

HIGHWAY FUND	#2382 - 2404
GENERAL FUND	#2405 – 2441
SPECIAL DISTRICT FUND	#2306 – 2307, 2459

TRUST & AGENCY FUND	#2308 – 2310, 2460
COMMUNITY DEVELOP.	
& CAPITAL FUND	#2311 – 2313, 2461

Motion carried.

15. Councilor's Bailey moved and Knapp seconded the motion to adjourn. Motion carried.

The Regular Town Board Meeting adjourned at 9:22 p.m.

Respectfully submitted,

Mary Jo Kelly
Town Clerk

Adopted 9/22/08