

Minutes of the Town Board Meeting held by the LaFayette Town Board on November 24, 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: Wendy Reese, Town Attorney
Leon Cook, Highway Superintendent
Tom Chartrand, Bookkeeper
Ralph Lamson, CEO
Kevin Gilligan, Town Attorney (Arrived 7:21 p.m.)

1. **Supervisor Scammell called the meeting to order at 6:30 p.m.**
2. **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 the November 10, 2008 Town Board Meeting Minutes as submitted by the Town Clerk. Motion passed unanimously.**
5. **PUBLIC HEARINGS.** None.
6. **COMMUNICATIONS.**
 - A. **RESIDENTS.**
 - B. **U. S. SENATOR CHARLES SCHUMER: NATIONAL CYBER SECURITY AWARENESS MONTH.**
 - C. **NYS DEC: DRAFT REMEDIAL DESIGN WORK PLAN FOR ONONDAGA LAKE BOTTOM SITE.**
 - D. **NATIONAL GRID: ATTACHMENTS TO POWER POLES.**
Councilor Knapp will take care of this.

E. NYS GOVERNOR PATERSON: \$5.2B, TWO-YEAR DEFICIT REDUCTION PLAN.

Supervisor Scammell noted it states “The proposed eliminates \$41 million in additional Aid and Incentives for Municipalities (AIM) funding for New York City that was added in the 2008-09 Enacted Budget. New York City will still receive an AIM payment of \$205 million in 2008-09. For municipalities outside of New York City, the plan would maintain 2009-10 AIM payments at 2008-09 levels...” He asked if we get an AIM payment.

Tom Chartrand said yes.

F. OTHER.

7. **SPECIAL REPORTS.** None.

8. **REPORTS.**

A. DEPARTMENTAL (4th Monday).

1. Assessors: Marshall Taylor, Shaw Adam and Bill Turner.

- **Cold War veteran’s exemptions (awaiting Onondaga County – deadline passed?).**

Supervisor Scammell said last meeting Kevin Gilligan was going to check to see if the deadline had passed.

Wendy Reese said we are waiting on the county. There is nothing new.

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

a. Route 11 – graffiti and abandoned vehicles (spring cleanup).

Councilor Knapp asked the status of this.

Ralph Lamson said the graffiti and vehicles are cleaned up but still has trash laying around.

b. 3448 Route 11 – debris. Court.

Ralph Lamson said this is the Shute property. They have a warrant out for Robert Shute as he hasn’t appeared in court yet. We have the option under the Junk Yard Ordinance to clean the property up but the property owner must be notified first. Can we just take the notification to his door or does he have to be served?

Wendy Reese will check on this.

Ralph Lamson wondered if we gave the constable a copy of the notice to give the property owner if that would be O.K.

Wendy Reese will check on this.

Supervisor Scammell asked if the vehicles across the road are his.

Ralph Lamson believes one of the trucks was his.

c. 2617 Route 11 – debris. Court.

Ralph Lamson said this has been cleaned up.

d. 3231 Webb Road. House in disrepair.

Ralph Lamson said this went to court the other night and the person advised he hasn't been able to do much work on the house because of the weather so the judge gave him until spring.

e. OTHER.

A written report was submitted.

3. Dog Control: Jim Moore & Doug Scholes.

4. Highway Superintendent: Leon Cook.

• Multimodal funding.

Leon Cook said they finished ditches and shoulders on Markland and Ransom Roads. They plowed snow as follows:

- 10/28 – 2 trips around
- 10/29 – 1 trip around
- 10/30 - 1 trip around
- 11/17 – 1 trip around
- 11/18 – 2 trips around
- 11/20 – 1 trip around
- 11/21 – 2 trips around
- 11/22 – 2 trips around

They have used 106 tons of salt and 106 tons of sand so far.

Leon said for the new truck Tracey quoted a Sterling. He went down to the county a couple of weeks ago and looked at the Sterlings they have and he was interested in them until he got a call from a guy at the county who advised him not to buy one as they are going to quit making them and he heard later that they did. It would have cost \$123,340 with the change of equipment.

Councilor Knapp asked if they are going out of business.

Leon Cook said they are going to quit making that particular truck. It's a branch off from GMC. The price on the Mac with changing the equipment would be \$122,034. With Paystar Stadium, with the equipment and the cab and chassis, it is \$101,910. The price to take off the plow equipment and dump box and install them on the new truck would be \$11,647. He added \$1,000 so when they take the old plow equipment and dump box off if they need new hoses they can put them on. These hoses have been on since 1994. If they don't have to use it for hoses or anything, the \$1,000 will come off the total price. The 5-year warranty is \$2,826. For changing the equipment, the truck and everything it will add up to a total of \$117,783. This is less than what we planned for it to be in the budget.

Councilor Knapp asked if it's an International.

Leon Cook said yes. They make Paystar. The state contract number is OGC PC 62176. This OGC contract covered changing the equipment too.

Tom Chartrand said we will need to do a Permissive Referendum subject to a 30 day wait so we can spend the \$46,000 in the Reserve.

Leon Cook said the cab and chassis won't be done until the end of February or first of March. It will take another 1-1 ½ months to take the equipment off of our truck and install it on

the new cab and chassis. He will then put the old cab and chassis up for auction. We have to have this truck for cleanup days. It's important to get this ordered. The Cummings warranty is only for 2 years. In 2002 there was almost a \$4,000 increase in price because of the exhaust system. In 2007 there was almost a 7 ½ thousand additional charge for updating the exhaust system. We didn't have that increase for the International. He would like the Town Board to give him the O.K. to get this going.

Tom Chartrand said we need to do a Permissive Referendum so we have the funds available to spend. Once the 30 day Permissive Referendum has expired, we can order the truck.

Councilor's Knapp moved and Bailey seconded the motion that the Town of LaFayette, County of Onondaga, State of new York resolved, that pursuant to section 6-c (6-g) of the General Municipal Law, as amended, The Town Board of the Town of LaFayette hereby authorizes the expenditure of \$46,000.00 from the Highway Equipment Reserve Fund. This resolution is subject to a 30 day Permissive Referendum. The purpose of this Reserve Fund is to accumulate moneys to finance the cost of highway Equipment. The type of Equipment to be financed from the Reserve Fund is the acquisition of an International 10 Wheel Dumpttruck. Total estimated purchase price of \$118,000.00. Motion passed unanimously.

Councilor Shute asked what he has to put down when he orders it.

Leon Cook said nothing. We don't pay until all the equipment is on and it's delivered to us.

Supervisor Scammell asked if it can be cancelled after it's ordered.

Leon Cook said yes.

Councilor Knapp said as long as we can order ahead with a cancellation clause, he could go forward with this.

Leon Cook will find out for sure tomorrow.

Councilor Knapp recommended Leon explain that we have to do a Permissive Referendum.

Supervisor Scammell said in terms of a new Highway Garage, do we have any sense of the size of the building or acreage we need?

Leon Cook said the size of the building is 120' x 100'.

Supervisor Scammell asked how much acreage he needs.

Councilor Knapp thinks it's 5 acres.

Supervisor Scammell asked if that would hold them for 20 years.

Leon Cook said he would say so.

Supervisor Scammell asked him for a copy of what they need.

5. Justice Court: Malcolm Knapp & Maureen Perrin.

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

- **Monthly report.**

A written report was submitted.

- **Audit reports (May – September, 2008).**

Written audit reports for May through September were submitted.

6. Library Director: Scott Kushner.

- **Monthly report – October.**

A written report was submitted.

Councilor Knapp noticed the expansion project was discussed. They were going to hire an architect, etc. He wondered if there was any information on money available.

Supervisor Scammell said he met with the architect and Scott as they were looking for a survey, etc. They didn't discuss funding or anything like that yet.

Councilor Knapp asked how we pay the architect for his services.

Supervisor Scammell doesn't believe he is charging anything right now but is just looking into it for the library. He hasn't seen any bill for this and hasn't been told it's costing us anything.

7. Recreation Director: Regina Reinschmidt.

- **Monthly report – October.**

A written report was submitted.

Supervisor Scammell thanked Leon Cook for filling the pool back up and winterizing the bathhouse.

Councilor Knapp said Gary Olrich too.

Supervisor Scammell said it was noted the Beach has to be posted for people capacity. This must be done by the Town Engineer.

Leon Cook said that is something new.

Tom Chartrand said there is a little bit of money left in the Engineering budget this year.

Councilor Knapp will contact the Town Engineer to see about the number. He said Gary Olrich closes the bathhouses and opens them every spring as well as opening them and closing them for Winterfest. He has always done this for free. He thinks the minimum we could do is send him a thank you note for doing this.

The Board was in agreement with this.

Mary Jo suggested inviting him to the Organizational Meeting.

The Board agreed with this and would like to give him a Certificate of Appreciation at that time.

8. Ropes Course: Sandy Smith.

- **Periodic Usage reports.**

- **Report submittals (AS).**

9. Tax Collector: Mary Doster.

10. Town Clerk: Mary Jo Kelly.

- **Monthly report – October.**

11. Town Supervisor: Greg Scammell.

- **Monthly report.**

A written report was submitted.

Councilor's Knapp moved and Bailey seconded the motion to approve the following transfers:

HIGHWAY FUND

To:
DA5110.4 Repairs Contractual \$16,000.00
TOTAL \$16,000.00

From:
DA5110.1 Repairs Personal Services \$16,000.00
TOTAL \$16,000.00

GENERAL FUND

To:
A3510.2 Dog Control Equipment \$345.00
TOTAL \$345.00

From:
A3510.4 Dog Control Contractual \$345.00
TOTAL \$345.00

Motion passed unanimously.

B. COMMITTEE (2nd Monday).

- 1) Agriculture (Dave Knapp & Mary Jo Kelly).
- 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 estimate.
 - b. Water/sewer survey – review.
 - DOH.
- 4) Emergency Response (Tom Bailey, Bill McConnell & “Pete” Paul).
 - a. Onondaga County Department of Communications - OCICS.
 - b. 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.

Supervisor Scammell said Rainer Brocke has advised we will need to replace the planters.

- 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 at their Safety Meeting last week the gentleman from PERMA was here and explained our Workers Compensation Insurance is going to go up substantially and the main reason is the excess of insurance claims coming from the fire department occurring mostly during training exercises. He has asked our agent to research whether it would save us money if we split the two groups apart.

Tom Chartrand said Pompey did this 3-4 years ago and there was a savings on both sides. Councilor Knapp asked if we still pay the bill if we split them apart.

Tom Chartrand said they can submit the bill and we pay it like we have in the past. They could pay it and then submit it to us for reimbursement or submit it as part of the contract.

Councilor Shute asked if the amount could be listed in the total budget for them.

Tom Chartrand said certainly. It would just be a matter of changing the contract. We are on a calendar year for PERMA with Workers Comp.

- 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 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).

c) Stafford Park.

- Pavilion ingress/egress

11) Safety (Tom LaFayette Beach 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).

Councilor Shute said the upshot of the meeting is that the definable goal they came up with is that they wanted to increase the visibility and the reputation of both the school and the town. He isn't entirely sure how we will do this yet. There is going to be some PR work on the schools part. Councilor McConnell did present his idea for the signs on Route 11 and Route 20. The school is going to look into the possibility of grants for this. Sarah Dadey, Rhonda Akl and Peter Tigh were present from the School Board.

Councilor Knapp asked about the recreation.

Councilor Shute said Peter Tigh said he was going to look into opening the Wellness Center at the High School for free to residents rather than charging them.

Councilor Knapp thinks they are talking about having an open gym on Sundays.

Councilor Shute said they were going to look into it. It has to do with their custodial schedules.

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

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

- LOSAP audit (draft to NYS Senator DeFrancisco).

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

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

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.

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.**

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

A. ONONDAGA NATION LAND/LAND RIGHTS CLAIM.

B. PENDING ZONING ISSUES LIST.

C. OTHER.

Nadine Bell is looking for direction from the Town Board on how to proceed with the Sheila Kelley court case. This will be discussed later in Executive Session.

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

A. Community Development Grant App - 2008.

- 1) **Stafford Park – accepted, to be bid.**
- 2) **LaFayette Beach – rejected.**
- 3) **Grant writer.**

B. FOR TB REVIEW.

- **Windmill Energy legislation (Zoning Review committee, Town of Onondaga example, etc.)**

Supervisor Scammell said he is fine with going forward with the draft the Zoning Review Committee submitted to the Town Board earlier. The Planning Board is just looking for some basic guidance.

Councilor Shute thinks it's a good place to start from.

Councilor Knapp would agree to keep it very basic.

- **Grievance Board of Assessment Review (open position).**
- **Christian Hollow Cemetery – RoW, access (DK).**

11. **NEW BUSINESS.**

A. RX ZONING CLASSIFICATION – COMPREHENSIVE PLAN.

B. STAFFORD PARK - FLAG POLE (DK).

Councilor Knapp talked to the folks about ordering the flag pole. We want to use this years money for it.

Tom Chartrand said he should order it before the end of the year.

Councilor Knapp said one of the expensive things on it is shipping. Can we order it and if it doesn't get shipped until February it would be O.K.?

Tom Chartrand said as long as he has an invoice.

C. EDUCATION REQUIREMENTS – PB & ZBA.

D. FIRE DEPARTMENT CONTRACTS.

This will be discussed in Executive Session.

E. OBSOLETE EQUIPMENT – LASERJET 2100 (NSN), OKIDATA 106A0059487, DELL COMPUTER (CNON 6250-71616-58J).

Councilor's Knapp moved and Bailey seconded the motion to declare the above equipment surplus. Motion passed unanimously.

F. OTHER.

Councilor Knapp suggested scheduling the Organizational Meeting as the Board only meets once in December.

Councilor's Shute moved and Knapp seconded the motion to schedule the 2009 Organizational Meeting on Tuesday, January 6, 2009 with refreshments starting at 5:00 p.m. and the Meeting to follow at 6:30 p.m. Motion passed unanimously.

Tom Chartrand said the General Payroll for the Town Board would normally fall on 12/25. He asked if the board wanted to move it ahead to the 18th to be paid with the Highway Payroll.

Councilor's Knapp moved and Shute seconded the motion to move the December 25th payroll to December 18th. Motion passed unanimously.

Councilor Shute said the Annual Tree Lighting will be Sunday, December 14th at 4:00 p.m. He asked if there was a sign for this that could be put on the corner.

Councilor Knapp said no. He will see if he can come up with something for this.

Councilor Shute said he contacted the L.F.D. and we are all set.

Councilor Shute said on December 3rd from 5:00 – 7:00 p.m. the Chamber of Commerce is sponsoring an open house. It's a trade show for LaFayette businesses. We have 20 local businesses participating. It will be at Orchard Valley. From 5:00 – 6:00 p.m. there will be free wine, beer and food for anyone who would like to come. With the economy the way it is, it would be very nice for the people of LaFayette to come and support the local businesses.

Kevin Gilligan arrived (7:21 p.m.)

12. Suggestions for improvement and positive contributions.

13. Executive session (if needed).

- **Highway storage contract.**

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

The Town Board went into Executive Session at 7:22 p.m. and Supervisor Scammell called the Regular Town Board Meeting back to order at 8:35 p.m.

Ralph Lamson said he talked to Regina Reinschmidt about the Beach. She said using the engineer to figure out the number for posting was recommended to her. It does not have to be an engineer who does this. He checked his codes for a pool and it's 50 square feet per person. Next spring he can measure the pool out and get a sign posted.

Councilor Knapp asked about the public hearing schedule for the Community Development Grant application.

Mary Jo said in 2007 it was held in January and in 2008 it was held in February.

Councilor Knapp said there is something coming down from the state regarding domestic partners getting benefits.

Tom Chartrand said one of the members of OCEBA or POMCO had expressed interest in including domestic partners in the policy. We currently don't address domestic partners in our Employee Handbook. He doesn't think we have had any requests for this.

Supervisor Scammell thinks we should wait until we are asked.

Councilor Knapp asked if there are guidelines from the state.

Tom Chartrand said this had nothing to do with the state. It's from our health insurance carrier.

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

HIGHWAY FUND	#2844-2850
GENERAL FUND	#2851-2881
TRUST & AGENCY FUND	#2882-2884

Motion passed unanimously.

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

The Town Board Meeting adjourned at 8:42 p.m.

Respectfully submitted,

Mary Jo Kelly
Town Clerk

Adopted 12/8/09