

Minutes of the Town Board Meeting held by the LaFayette Town Board on December 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  
William McConnell, Councilor  
Adrian Shute, Councilor

Recording Secretary: Mary Jo Kelly, Town Clerk

Others Present: Kevin Gilligan, Town Attorney  
Leon Cook, Highway Superintendent  
Tom Chartrand, Bookkeeper  
Ralph Lamson, CEO  
Pete Paul, Dep. Supervisor  
Jim Moore, DCO  
Tom Dadey, Brown & Brown

1. **Supervisor Scammell called the meeting to order at 6:35 p.m.**
2. **Town Clerk took the roll. All present.**
3. **Pledge to our U. S. Flag led by Town Councilor Tom Bailey.**
4. **Councilor's Knapp moved and Bailey seconded the Motion to accept the November 24, 2008 Town Board Meeting Minutes as submitted by the Town Clerk. Councilor McConnell abstained. Motion passed.**
5. **PUBLIC HEARINGS.** None.
6. **COMMUNICATIONS.**

**A. RESIDENTS.**

**B. CNY SPCA: 2009 CONTRACT.**

Kevin Gilligan anticipates the contract we approved last year will be sent to us quickly. On the form that they sent us this year it appeared that the cost of spaying and neutering would be the town's expense. This should be removed. The revisions he recommended clarified that the one charge takes care of the rabies shot and he tightened up the additional charge section. He recommended the contract indicate that only the Dog Control Officer can deliver any animal that the Town would be responsible to pay for.

Jim Moore said that has happened twice this year.

Supervisor Scammell asked if it was a Town of LaFayette resident.

Jim Moore said yes. Both dogs were redeemed so we got our money back. They didn't change the fees on this contract, they are still \$150.

Supervisor Scammell asked if he knew how many animals we take out there that get spayed or neutered.

Jim Moore said if it's done by them, it's at their cost. When the dog goes up for adoption, it is spayed or neutered.

Supervisor Scammell asked if the person adopting the dog pays for this.

Jim Moore said yes.

Supervisor Scammell asked if he knew how much it costs.

Jim Moore thinks about \$50.

Kevin Gilligan said we should have a revised contract within a week.

**Councilor's Knapp moved and Shute seconded the motion authorizing the Supervisor to sign the amended SPCA Contract when it is received. Motion passed unanimously.**

**C. ONONDAGA COUNTY HEALTH DEPARTMENT: WATER SUPPLY TEST, TOWN COMMONS.**

**D. UPSTATE TEMPERATURE CONTROL: 2009 MECHANICAL SERVICE AGREEMENT.**

**Councilor's Knapp moved and Shute seconded the motion authorizing the Supervisor to sign the Upstate Temperature Control Service Agreement for 2009. Motion passed unanimously.**

**E. NYS DEC: PROPOSED RESPONSE ACTION DOCUMENT FOR THE GEDDES BROOK INTERIM REMEDIAL MEASURE ONONDAGA LAKE SUPERFUND SITE.**

**F. NYS DEC: PROPOSED PLAN FOR OPERABLE UNIT 1 OF THE GEDDES BROOK/NINE MILE CREEK SITE ONONDAGA LAKE SUPERFUND SITE.**

**G. ONONDAGA COUNTY HEALTH DEPARTMENT: DIVISION OF ENVIRONMENTAL HEALTH, NOTICE OF VIOLATION.**

Councilor Knapp took his copy of this up to Shute's. He should be hearing back from Scott Shute pretty quickly. We have until the 29th to have this taken care of.

Supervisor Scammell said Mr. Swindler told him that Shute's are familiar with this.

**H. PERMA: 2009 WORKERS COMPENSATION RENEWAL QUOTE.**

Councilor Knapp said he spoke to Tom Chartrand and Tom Dadey about this.

Tom Chartrand submitted a recap on this. He advised there is enough funds to cover the cost of payments in our budget.

Councilor Knapp asked if our bill actually went down.

Tom Chartrand said yes.

Tom Dadey said this is because the rates in general have gone down.

Tom Chartrand said unfortunately we don't get a detail of what our modifiers are. Before we make the payment, we should get in touch with Haylor, Freyer and Coon and ask if we can

get the LaFayette Fire Dept. and Town of LaFayette bills split. The ambulance calls should be under the fire department.

Councilor Knapp asked if we could keep them both with PERMA.

Tom Chartrand said if they will allow us to do this.

Councilor Shute said he talked to them today and they are in the process of working out the quotes each way. Early indications show it may not make a difference when they factor in that the town had one claim for \$45,000 and none of the fire department's claims were equal to this.

Tom Dadey said there are a couple of things that drive the Worker's Comp. costs: class codes, estimated payroll and your losses. He asked if Tom Rezsnyak has anything to do with the fire department safety.

Councilor Knapp thinks he is going to try to. Is it too late to do anything for 2009?

Tom Chartrand said the voucher can't be paid until January anyway.

Supervisor Scammell asked what the next step is.

Councilor Shute said to wait for the numbers.

Councilor Bailey said we might have to shop around.

Tom Chartrand thinks you are too late to shop around. He thinks you have to give 30 days notice. He noted the population number has jumped up which is what our rates are based on.

Supervisor Scammell said it's the census number which he believes is inaccurate but he thinks it's as accurate as you can get.

Councilor Knapp asked if the 4,964 includes the north end of town that isn't covered by the LaFayette Fire dept.

Councilor Shute noted they say the percentage served is 75%.

Tom Chartrand said he was concerned because our population jumped up 130.

Councilor Shute thinks they came up with the 75% by using the number of households.

Councilor McConnell said it looks like there are two issues. One is to crunch the numbers and see if there's a benefit to breaking out the fire department and town. The other thing is we had one significant claim this year which is probably the real issue.

Councilor Shute said an expiration from Professional Indemnity Agency came in today. He gave it to Tom Dadey to review.

Tom Dadey will look into this.

**I. NYS PSC: 315 AREA CODE.**

**J. OTHER.**

7. **SPECIAL REPORTS. None.**

8. **REPORTS.**

**A. DEPARTMENTAL (4<sup>th</sup> Monday – no second meeting this month).**

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

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

Supervisor Scammell asked Kevin Gilligan if he had heard anything on this.

Kevin Gilligan hasn't heard a word. Marshall Taylor said when he heard something he would let us know.

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

- a. 3448 Route 11 – debris. Court. Warrant issued.**
- b. 3231 Webb Road. House in disrepair (spring cleanup).**
- c. Oschner Road – junk.**
- d. LaFayette Beach capacity determination.**
- e. Other.**

**3. Dog Control: Jim Moore & Doug Scholes.**

- **2009 SPCA Contract.**

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

- **Multimodal funding.**
- **Permissive referendum.**

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

- **January, 09 audit letter to NYS Unified Court System.**
- **Monthly report.**
- **Audit reports (May – September, 2008).**

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

- **Monthly report.**

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

- **Monthly report.**
- **Beach capacity sign.**

**8. Ropes Course: Sandy Smith.**

- **Periodic Usage reports.**
- **Report submittals (AS).**

**9. Tax Collector: Mary Doster.**

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

- **Monthly report – November.**

A written report was submitted.

**11. Town Supervisor: Greg Scammell.**

- **Monthly report.**

**Councilor's Knapp moved and McConnell seconded the motion authorizing the**

**Supervisor to make any end of the year transfers needed. Motion passed unanimously.**

**B. Committee (2<sup>nd</sup> 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.**

Councilor McConnell gave an update.

- 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.**
  - Replace planters at hamlet four corners.**

Councilor Knapp recommended having Rainer Brocke come in to the January meeting to discuss this.

- 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.**

Mary Jo said Tom Dadey submitted paperwork tonight showing insurance coverage for the Library.

- 9) Physical Plant (Herb Salladin, Dave Knapp & Bill McConnell).**
  - a) Next heat pump replacement and programmable thermostats.**

- b) Fire & smoke alarms at Town Offices (1<sup>st</sup> & 2<sup>nd</sup> floor) & Community Center. Code requirements (Rick Storrier/DK).**
- c) Town offices - Loose clapboards – estimate needed (DK).**
- d) Community Center basement flooding – masonry pointing, window blocking, backfilling and trenching.**
- e) Community Center fencing.**

Councilor McConnell went down to the Nature Preserve with Tom Turner in October. Tom had requested the town get some pallets for some maintenance work at the creek. He and Councilor Knapp have been looking for them.

Councilor Knapp said they are an odd size that he needs.

Councilor McConnell has located 16 of them at B & B Lumber. They are \$10 each.

**Councilor's Knapp moved and Shute seconded the motion to purchase 16 pallets from B & B Lumber not to exceed \$160.00. Motion passed unanimously.**

Councilor McConnell will pick these up next week. We have had access from Ransom Road for some time for emergency vehicles for the ropes course.

Supervisor Scammell asked if we created the original driveway back into the ropes course from Ransom Rd.

Leon Cook said yes. The General Fund paid for the material.

Supervisor Scammell asked Kevin Gilligan about maintaining this.

Kevin Gilligan said it's not a public road.

Tom Chartrand said it was actually paid for through a grant from Community Development.

Mary Jo said Sandy Smith has all the paperwork for the property owner to get something in writing granting us a right-of-way.

#### **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.**
- **Worker’s Comp cap? (11.12 memo)**

Councilor Shute said they are meeting tomorrow night.

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

Councilor McConnell has written a letter for the next Newsletter. They will be considering expanding hours for the Wellness Center with no charge for residents. They will be looking for possible hours for additional family or group activities at the school.

Councilor Bailey asked if the Board had been notified about the emergency response program the school is doing.

The Board has all signed up for this.

Councilor Knapp thinks it’s a good idea.

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

Councilor Shute asked about a voucher from the Senior Citizens.

Tom Chartrand said they have \$300 left in their budget.

Councilor Shute noted that is what the voucher is for.

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

- **LOSAP audit.**
- **Legislative relief appeal.**

Councilor McConnell said the New Hartford gave a quote of \$4,000 and to be completed by May 15<sup>th</sup>. He expects another quote to come in within the next couple of weeks. He spoke to the comptroller’s office about the audit. They told him that they couldn’t tell him how to interpret the law but that our plan sounds reasonable. He would recommend pursuing the 2008 audit and moving on from there.

Councilor Knapp said this sounds fine by him.

Councilor McConnell said this started because the fire companies of Long Island have taken the defined benefit approach and there is no money in those funds now. His letter to Senator DeFrancisco explains that we use the defined contributions and explained the over-view we do so he would hope we get a response.

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

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

Councilor McConnell said we have to do a housekeeping inspection this year. He would recommend we do it ourselves. The last SPDES bill is before the Board tonight. Next year he would only expect one for writing the report or if we have to do more on the outfalls.

**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. WIND ENERGY CONVERSION SYSTEMS.**

Discussion took place regarding wind energy conversion systems being attached to buildings. It was decided the language should be changed from wind energy conversion systems to windmill structures.

Councilor McConnell said he would like to talk to Bill Putzer about this and ask him to attend the next Town Board Meeting. He is interested in some of the items Dryder has in their ordinance.

Councilor Knapp would like to hear what Bill Putzer has to say on this.

Councilor Shute isn't sure about the limitations as far as the output. What if they come up with smaller windmills that produce more energy?

Kevin Gilligan thinks the purpose for that type of limitation is to stay away from commercial type units so windmills aren't being put up to supply energy for more than just the individual's property.

Supervisor Scammell suggested changing it from 20 to 30.

It was decided to remove item D from the ordinance regarding the 20 kw output.

Kevin Gilligan will get a revised copy of this to the Board for review.

Councilor Knapp asked about solar energy conversion systems. Has anyone regulated this?

Ralph Lamson has seen very little information on this.

**D. OTHER.**

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



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

1) **Stafford Park – accepted, to be bid.**

2) **LaFayette Beach – rejected.**

Councilor Knapp said we should be getting the application around the 15<sup>th</sup>. He asked when we would have to hold a public hearing for this.

Kevin Gilligan said in January. You will need a public hearing on the 5-year plan and the application for the current year.

**B. For TB review.**

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

2) **Grievance Board of Assessment Review (open position).**

3) **Christian Hollow Cemetery – RoW, access (DK).**

11. **NEW BUSINESS.**

**A. RX ZONING CLASSIFICATION – COMPREHENSIVE PLAN.**

**B. STAFFORD PARK - FLAG POLE (DK).**

Councilor Knapp said the flag pole has been ordered.

**C. EDUCATION REQUIREMENTS – PB & ZBA.**

**D. FIRE DEPARTMENT CONTRACTS.**

Mary Jo said she got the last signature required tonight so they will be mailed out tomorrow.

**E. ORGANIZATIONAL MEETING, 1.6.09 @ 5PM.**

**F. NATIONAL GRID POLE ATTACHMENTS- ATTACHMENT AGREEMENT (DK).**

Councilor Knapp said he is taking care of this.

**G. OTHER.**

Councilor Knapp asked if Supervisor Scammell has heard anything from the D.O.T. on the 4 corners.

Supervisor Scammell said not a word. Considering the state of the national economy and the state budget, he thinks everything is on hold.

Councilor Knapp would like the Board to think about some new signs for the state championship athletic teams. He showed the Board some pictures of what some other places have. If the Board would like him to, he will look into this further.

Councilor Bailey thinks this does invite graffiti or theft. He is not opposed to them but just wanted to raise this point.

The Board was in favor of Councilor Knapp looking into these signs further.

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

Councilor Shute said the Chamber of Commerce's Open House went very well. They had 19 businesses and 71 people attended. Several people advised him that they had no idea of some of the businesses were available. Orchard Valley did a tremendous job as usual.

Councilor Knapp said the Town Tree Lighting will be this Sunday, the 14<sup>th</sup> at 4:00 p.m. at the 4 corners with all the usual events. HSBC is taking care of the coloring contest prizes. Community Council will be doing the refreshments. The LaFayette Central School Band and Chorus will be there and the LFD will have Santa.

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

- **Highway storage contract.**

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

<b>HIGHWAY FUND</b>	<b>#2905 - 2916</b>
<b>GENERAL FUND</b>	<b>#2917 – 2953</b>
<b>SPECIAL DISTRICT FUND</b>	<b>#2954</b>
<b>TRUST &amp; AGENCY FUND</b>	<b>#2955</b>

**Motion passed unanimously.**

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

The Town Board Meeting adjourned at 7:58 p.m.

Respectfully submitted,

Mary Jo Kelly  
Town Clerk

Adopted 1/6/09