

Minutes of the Regular Town Board Meeting held by the LaFayette Town Board on January 12, 2009 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, Councilman  
Thomas Bailey, Councilman  
William McConnell, Councilman  
Adrian Shute, Councilman

Recording Secretary: Mary Jo Kelly, Town Clerk

Others Present: Leon Cook, Highway Superintendent  
Thomas Chartrand, Bookkeeper  
Kevin Gilligan, Town Attorney  
Rainer Brocke, Env. Board  
Bill Putzer, Comfort Windows  
Gayle Wiegand, Comfort Windows  
Jenny Dickinson, Tobacco Free Onondaga County

1. Supervisor Scammell called the Organizational Meeting to order at 6:34 p.m.
2. The Town Clerk took the Roll. All present.
3. Pledge to the U.S. Flag led by Tom Bailey.
4. **Councilor’s Knapp moved and McConnell seconded the motion to accept prior meeting minutes of the Organizational Meeting on January 6, 2009. Motion passed unanimously.**
5. **PUBLIC HEARINGS. None.**

1. **COMMUNICATIONS.**

- A. **Residents.**
- B. **Tobacco Free Onondaga County: “Young Lungs at Play”, 2007 Initiative.**
- C. **Onondaga County Commissioner of Finance: Mortgage Tax Apportionment.**
- D. **Onondaga County Commissioner of Finance: Water District Special Assessments.**
- E. **Central New York Planning and Development Board: stormwater workshop, 9.2.09.**

Councilor Knapp confirmed they attended this last year so they don’t have to go this year.

**F. Onondaga County Agricultural and Farmland Protection Board: Open enrollment for 2009.**

**G. Wayward Paws: Cat overpopulation, increased volunteers.**

**H. NYS Comptroller Hancox: average estimated cost thresholds for special districts.**

**I. Onondaga County Legislature: 2009 town tax rates, fixed, ratified and confirmed.**

**J. U.S. Senator Charles Schumer: America's Historical and Cultural Organizations Grants Program.**

**K. U.S. Senator Charles Schumer: Gang Resistance Education and Training Program.**

**L. U.S. Senator Charles Schumer: 2009 National Leadership Grant Program.**

**M. Onondaga County Department of Aging & Youth: Youth Program Block Grant.**

Councilor Knapp said basically under the proposed budget by the Governor, there are some changes for the youth programs. They are doing away with the county youth boards totally and are taking all of this money and dedicating it to Hillbrook and other prevention programs and it will be up to the County Executive to decide which program needs what. It's pretty sure that the money we would get for our recreation program is gone. This is true for all the towns and we should plan on not receiving the \$2,400 this year.

**N. PERMA: loss runs online.**

Supervisor Scammell noted they will not be sending this quarterly report any more. You will have to go online to get it.

**O. Jamesville-DeWitt High School: Operation Graduation.**

**Councilor's Knapp moved and Bailey seconded the motion to support the Jamesville-DeWitt High School: Operation Graduation in the amount of \$100.00. Motion passed unanimously.**

**P. Central New York Regional Medical Services Council: public hearing, 1.13.09.**

**Q. Association of Towns: 2009 Training School and Annual Meeting.**

**R. LaFayette Fire Department: all future communications through Riehlman, Shafer and Shafer.**

Councilor McConnell said each year for those who have retired from the LaFayette Fire

Dept. they have gotten their post entitlement awards in the amount of \$700. Last year they had 9 people retire. BPA-Harbridge takes this amount and cuts the checks and does the 1099's and sends them to the recipients on March first or April first. This costs us \$450. There are 10 members retiring this year. He would like to propose that Tom Chartrand cut the checks and issue the 1099's from the information the LaFayette Fire Dept. provides. The town would save an increasing amount each year for the distribution fees. It's also quicker if Tom does it.

Councilor Knapp asked how it will be different then what we've been doing.

Councilor McConnell said right now we send one lump sum for those that are active and those that are due post retirement. In return, BPA-Harbridge sends the checks out which takes them about 2 weeks to do.

Tom Chartrand said as long as we have each individuals correct Social Security Number and complete address, etc. he is O.K. with doing this. He doesn't want to be in the middle of something that we don't have proper Social Security Numbers to report to the IRS.

Councilor McConnell has spoken to the President of the LaFayette Fire Dept. advising there should be no extra work for Tom and all the information should be provided. He doesn't doubt this will be done as most of the people are waiting for their checks.

**Councilor's McConnell moved and Knapp seconded the motion to now allow post entitlement payment for the Service Award recipients to be paid directly from the town following the 30 day review of active and inactive members. Motion passed unanimously.**

#### **S. Other.**

### **2. SPECIAL REPORTS.**

#### **A. Tobacco Free Onondaga County, Jenny Dickinson.**

Jenny Dickinson said they work on point of purchase which is the sale of tobacco products at the retailers. They ask the town to pass a resolution that the placement of the advertising for tobacco be reduced or removed. So far they have gotten Cicero, Elbridge, Marcellus and East Syracuse to pass these resolutions. They are not law binding. This initiative has been going on since fall 2007. They also work individually with the retailers. They have 54 that have signed on voluntarily to remove their signage. There are a little over 350 more retailers in the county of Onondaga.

Another thing they do is tobacco free parks and playgrounds. So far they have 10 municipalities that have agreed to do this. There really hasn't been great success in the southern tier so far. They do this because additional second hand smoke doesn't dissipate like you think it does and standing upwind from a smoker can have an impact. It also shows decrease of acceptance of smoking. This helps send a message to youth in the community that you don't accept smoking.

The last thing is the "No Thanks Big Tobacco". They educate the community on the issues of not accepting tobacco.

Councilor Shute said as he read this, smoke-free playgrounds are not something that can be enforced.

Jenny Dickinson said no, actually it's more for educational purposes. She showed the Board two signs of what could be posted. Her organization would provide the signs. They

generally come if there's a festival in the town and hand out educational information. They also have a website.

Councilor Knapp asked what kind of impact she thought the Tobacco 19 would have.

Jenny Dickinson said they really didn't work on this. A lot of what they do is based on studies.

Councilor McConnell asked when she approaches retailers, what kind of response does she get from them?

Jenny Dickinson said it is better working with the larger chains. They have CVS and Wal-Mart onboard so far. They do a mailing and explain why they are doing this and give the 3 brands that are most marketed that seem to be the most used. This program has been running for about 5 years.

Councilor McConnell would like to consider it and discuss it.

### **B. Mr. Bill Putzer, Comfort Doors and Windows.**

Bill Putzer and Gayle Wiegand were present. They gave the Board packets put out by the American Wind Energy Association. They felt this information would help the town with the Zoning Ordinance.

Councilor McConnell said this came from the American Wind Association which has 30 years of experience in advising towns.

Gayle Wiegand said he's been doing a lot of research where he lives and found he doesn't have enough wind to make it work. You have to have at least a 12 mph wind speed on an annual basis to have it cost effective. In his area he doesn't think they will ever be put up. In LaFayette you have hills with some very good wind resources.

Councilor Knapp asked Bill Putzer how tall his tower will be.

Bill Putzer said about 120'.

Councilor Knapp asked if they base the height on the wind analysis as well as the trees and other obstacles.

Bill Putzer said absolutely. The trees you plant today may be 100' tall 20 years down the road. You don't want to put the tower 80' from the trees.

Gayle Wiegand said the life expectancy of the turbine is about 30 years. Bill Putzer will see payback on the turbine in about 13 years. In New York State you have to be certified as an eligible installer.

Councilor Knapp asked Bill Putzer what the propeller size of his windmill is.

Bill Putzer said 12'.

Gayle Wiegand said everybody has to go through the process to get certified to be an installer. He and Bill Putzer are working on becoming certified now.

Bill Putzer said you aren't going to have a lot of guys putting these up. Trees will blow down before the tower will. The tower can withstand wind of 120-150 mph. You don't want to get the tower too far away from the structure as the wire is expensive.

Councilor Knapp asked about the noise.

Gayle Wiegand said the noise compares to an air conditioner.

Bill Putzer thinks you have to know what the wind speeds are to determine the necessary height of the tower. You don't want ground drag.

Gayle Wiegand said New York State will subsidize this program. If you are a certified installer with a certified product, they will put up \$25,000 of the cost. You have to have the certifications in place and a minimum windspeed of 10.1 mph. Everything they will be doing

will be the right way and showing people a payback that is sellable. If someone is going to make a \$30,000 investment, they will be showing them that they will get a payback in a certain period of time. They will show people what they are actually saving. This is only if you are using the grant money.

Councilor McConnell asked what the Planning Board requested Bill Putzer to have for his setback.

Bill Putzer thinks they went the length of the tower plus 10%.

Councilor McConnell asked what he would recommend the setback be.

Gayle Wiegand said the height of the tower and maybe an additional 10% from the structure.

Councilor McConnell said in our ordinance we don't talk about roof mounting systems. Is there a market out there that these should be considered in the ordinance?

Bill Putzer said there is an article in the pamphlet they gave to the Board on this. It's coming but right now he wouldn't be concerned about it. Right now they are not very effective. He thinks it's something that will come in the future but it's not here yet.

Gayle Wiegand said he has looked at a lot of different ones and has not seen one he'd be interested in being a vendor of.

Councilor Bailey said given the current state of the states dismal economic situation it doesn't seem to him that NYSEDA grants will be around much longer.

Bill Putzer said we pay for these.

Gayle Wiegand said it's covered in a surcharge in your National Grid bill every month.

Councilor Bailey asked if this is subject to reforms as to its continuance or discontinuance.

Bill Putzer doesn't think it will be an issue for 8 years or so.

Gayle Wiegand said it's about \$1.25 a month that all of us are paying. Comfort Windows is the largest home energy STAR company in new York State.

Councilor Shute said according to the ordinance, we are considering a setback of windmills of 110% the height of the tower from the property lines, right of ways, roads, etc. It doesn't discuss setbacks from structures.

Kevin Gilligan said that is correct. He thinks this was adjusted after a previous meeting.

Bill Putzer just wants to reassure the Board that these towers can withstand hurricane winds.

Councilor Shute said we have had a lot of people that feel people will be setting these up as a business to sell the power back to National Grid. Can they explain why this will not happen?

Gayle Wiegand said turbines will not make enough power to actually have that happen. In Bill Putzer's house, he may generate about 80% of the power he uses. It's not realistic.

Bill Putzer said National Grid buys it back at 2 cents per kilowatt and we buy it at 12 or 13 cents per kilowatt. You would be foolish to think you can make money doing this.

Councilor Shute asked if National Grid actually buys it.

Bill Putzer said they actually give you a credit. There could be 4 or 5 days the wind turbine doesn't work.

Councilor Shute asked if it just rolls back the meter.

Bill Putzer said yes. There's a meter to monitor the power the windmill generates and the meter for National Grid. You can see the meter from National Grid going backward when the power overage is being generated by the windmill.

Councilor Shute asked if the 120' is the height of the tower.

Kevin Gilligan said it's from the base to the top of the propeller.

Gayle Wiegand said the extra 20 feet can make a big difference. It would be good to measure the height to the hub and not the top of the propeller.

Councilor McConnell asked about the arguments on the environmental issues like the birds, etc.?

Bill Putzer said more birds are killed by windows, cars, etc. than the wind turbines. It's all hearsay. He said there are a lot of websites the Board can go to that will help them prepare for the future. This is just the beginning.

Councilor McConnell asked what number of turbines some of the farmers might want to put up to mitigate the cost.

Gayle Wiegand said only the first windmill is fully subsidized and half of the second one.

Councilor McConnell asked if he sees farmers putting up more than one turbine.

Bill Putzer said not unless they have deep pockets. He could see them going with more thermal or solar. LaFayette doesn't have any wind strong enough for a commercial windmill.

Supervisor Scammell asked the cost to put up a windmill.

Gayle Wiegand estimated an average expense of \$53,000 to \$60,000 with a subsidized amount of \$27,000 from NYSERDA. The net cost to the homeowner would be between \$27,000 and \$30,000.

Supervisor Scammell asked about the payback period.

Bill Putzer said anywhere from 15-20 years.

Gayle Wiegand said there might be some wind source area in the town that could see a payback in 9-10 years.

Councilor Shute asked if they ever see it happening where these come down in price.

Bill Putzer said no as these are made of steel and if we don't get the price of steel down, he doesn't see it happening.

Supervisor Scammell asked if there is any storage of the energy.

Bill Putzer said not really.

Supervisor Scammell said you are actually using it or losing it.

Gayle Wiegand said you are storing it in National Grid's pocket.

Bill Putzer thinks you need to look at the tower heights again. If you are on the top of a hill with no structures or trees around, you don't need to go 140'.

Councilor McConnell asked if there is a standard height.

Gayle Wiegand said it's a minimum of 80'.

Bill Putzer said it depends on what's in the line of the windmill. He doesn't think you want to restrict people from getting the NYSERDA money by limiting the height of the tower. The ordinance proposes 120' and they recommend it be higher.

Gayle Wiegand said if you allow 125' to the hub, it should be good. This would allow for a little concrete buildup.

Councilor Bailey asked if the maintenance requirement has to be done by someone certified.

Bill Putzer said he doesn't ever see a homeowner doing the maintenance of climbing the tower to service the windmill.

Supervisor Scammell asked if the windspeeds are estimates.

Bill Putzer said no. They are accurate. They Google your house and determine the accurate windspeed.

Councilor Shute asked how the prospect for windmills would compare with the prospect of using solar panels.

Gayle Wiegand said for smaller residences there is some potential. You aren't going to see wind turbines popping up at every corner.

Bill Putzer said we don't have the wind here to justify it.

Councilor Shute asked about the solar.

Gayle Wiegand said it's pretty expensive. The product is still pretty pricey. There's a shortage of panels at this point. He's seen some units around on people's homes. Payback is not real good at this point.

Bill Putzer thinks a lot of the renewable stuff is coming but it's not here yet.

Councilor Bailey asked if they think the Town should take the responsibility of installing in the ordinance information regarding windmills advice to the homeowners i.e. to be mindful of trees, etc. He asked if areas of the town should be designated for them that have the correct windspeed.

Bill Putzer said he wouldn't get into this. The installer is responsible for metering the property. NYSERDA is already policing this through the net metering. An installer isn't going to jeopardize his license by giving the buyer the wrong information.

Councilor Bailey confirmed there's a protection to the homeowner out there.

Bill Putzer said yes. NYSERDA does police these and makes sure the contractor's numbers to the homeowner are correct. If he were the Town, he wouldn't get into this.

Gayle Wiegand said there may be some situations where a person needs the tower to be 140' and they will have the information to prove they need this height for the wind.

Bill Putzer said the dealer would have to show this to the Board.

Councilor Shute confirmed you have to jump to 140' after 120'.

Bill Putzer said yes. It's 20' increments. He thinks the contractors that know this business are going to do the right thing. They will show you the windspeeds at 100', 120', etc. The big thing is you want to get the owner into the wind that is going to work. He told the Board to feel free to contact him with any other questions as they have two dealers they can contact if they don't know the answer. He thinks you are better off looking at the tower heights based on the windspeeds.

Gayle Wiegand said you could have a base at 125' with a possibility of a variance if someone needs to go higher.

Bill Putzer said if you need the extra height to get the NYSERDA subsidation, you could go for a variance. He doesn't believe you will have the big windmills coming to this area. We just don't have the wind power.

Councilor Bailey thinks the Board has the responsibility of getting the word out about the acceptable wind velocity even if it's just in the Newsletter.

Bill Putzer said it would be good and you should mention the 10.1 mph windspeed that is required by NYSERDA for the grant funding. He will get the town a map showing the hot areas circled in the town where enough wind energy might be generated.

The Board thanked them for coming.

### **3. Reports.**

#### **A. Departmental (4<sup>th</sup> Monday – no second meeting last month).**

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

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

**Councilor’s Shute moved and Bailey seconded the motion accepting the Veterinary Medical Contract for 2009. Motion passed unanimously.**

- 4) **Highway Superintendent: Leon Cook.**
  - a. **Multimodal funding – received.**
  - b. **Permissive referendum.**
- 5) **Justice Court: Malcolm Knapp & Maureen Perrin.**
  - a. **January, 09 audit letter to NYS Unified Court System.**
  - b. **Monthly report.**
  - c. **Association of Town annual meeting request.**

**Councilor’s McConnell moved and Bailey seconded the motion to provide up to \$700 advance money for expenses for Honorable Maureen Perrin and Justice Court Clerk Eva Palmer to attend the Annual Association of Town Meeting. Motion passed unanimously.**

- 6) **Library Director: Scott Kushner.**
  - **Monthly report.**
- 7) **Recreation Director: Regina Reinschmidt.**
  - a. **Monthly report.**
  - b. **Beach capacity sign.**
- 8) **Ropes Course: Sandy Smith.**
  - a. **Periodic Usage reports.**
  - b. **Report submittals (AS).**
  - c. **Access maintenance.**
- 9) **Tax Collector: Mary Doster.**
- 10) **Town Clerk: Mary Jo Kelly.**
  - a. **Monthly report – December.**

A written report was submitted.

**b. Annual report – 2008.**

A written report was submitted.

**c. Audit Town Clerk Cash Book.**

**Councilor’s McConnell moved and Shute seconded the motion for the Board to audit the Town Clerk Cash Book. Motion passed unanimously.**

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

- **Monthly report.**

**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).**

Councilor McConnell would like himself, Supervisor Scammell and Councilor Shute to get together to go over some ideas. He would like to hold this Economic Development Committee Meeting on Monday, January 19, 2009 at 5:00 p.m. in the LaFayette Commons Office Building.

As a quorum of the Board will be attending this meeting, Mary Jo will notify the paper and post the meeting notice.

**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).**

- a. LaFayette Hotel.**
- b. Replace planters at hamlet four corners.**
- c. Input to Windmill Ordinance.**

Rainer Brocke thinks the best they can do is give the Town Board the environmental side of this. There was a Town of Hammond that passed a law not too long ago and they had to appeal it because they hadn’t done a SEQR Review. He would suggest for an environmental

engineer to look at the SEQR before it is completed. He would also recommend for a town meeting before the Board is done with this.

Supervisor Scammell said a public hearing is required.

Rainer Brocke said the Board can act on whether a bigger windmill is worthwhile. Maybe it would be good to set up areas that would be the best place for a windmill as Councilor Bailey mentioned. There's quite a lot to consider in terms of the visibility of these things. The large turbines can have sound approaching that of a jet engine. At 500' on the big ones, you can end up going down to 50 decibels. A big consideration is the passage of migratory birds. Right now the State of New York is in the middle of developing guidelines for windmills. Article 11 of the SEQR addresses the migratory birds. Article 15 addresses the streams. Article 20 addresses the wetlands. These are the articles New York State is looking at now regarding windmills. It's kind of hard to deal with the DEC right now as they are out of money. The thing they are doing is somewhere they are developing the guidelines for these windmills. He thinks they should be able to come up with something maybe in a couple of weeks or so. You may end up having to do a study. LaFayette is in the direct line of the migratory birds going to Lake Ontario. He thinks we should come up with something responsible. The payback from these windmills isn't great. His concern is just that we do our homework and he will help the Town Board as much as he can. He thinks it's a good idea to identify areas within the township which would be a good clean way of doing this.

Councilor Bailey said this may be an unnecessary step. His concern is to get the message out. He noted the guys that were here said the big windmills like the ones in Fenner wouldn't work here as there isn't enough wind in LaFayette for them.

Rainer Brocke believes they are finding out that the big windmills are being very destructive to the birdlife. He believes we want to stay positive but be realistic.

**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).**

- a. Reagan Insurance – LPL.**
- b. Claim – highway accident.**
- c. PERMA-loss runs online.**

Councilor Shute submitted a voucher for the payment of insurance coverage for the library in the amount of \$700 to Brown & Brown. They were removing one thing and adding another. The net effect was \$700.

Councilor Shute said under the insurance claims for the Highway Dept. , Tom Dadey told him not to talk to any of the insurance companies and it's all taken care of with the agents.

Leon Cook said he faxed some information to Tom Dadey today. He called Tom who advised him to fax everything to him. The accident on Markland Rd. happened while his guys were maintaining the road. There's a New York State Law that says our insurance doesn't pay for something like this and the other insurance company has to as we were maintaining the road. Tom Dadey told him their Claims Dept. knows about this law. It's just a legal thing going on

between the two insurance companies. Tom Dadey is taking care of this so we don't need to get involved.

- 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.
  - f. Commons water supply violation correction. (DK)
  
- 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).**
  - a. NYS Workplace Violence Prevention Law (NYS boilerplate & DVD).
  - b. Community Center – cigarette butt disposal.
  - c. Worker's Comp cap? (11.12 memo)
  
- 12) **School District liaisons (Bill McConnell and Adrian Shute & Pete Paul).**

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

**a. LOSAP audit.**

Councilor McConnell said he sent out requests for proposals for the audit back in November. He received a letter from Testone Marshall Discenza CPA's dated December 17<sup>th</sup> stating they were not interested at this time. The response from Hilton and Posers, CPA was the first to come in. Their proposal was for \$4,000 and they would begin 5/15/09 and be done by 5/30/09 which is well within the guidelines of 180 days from the beginning of the year. He talked to Tom Chartrand tonight and we have the funds to pay this. He hasn't received anything back from Senator DeFrancisco's office yet in response to his letter.

**Councilor's McConnell moved and Bailey seconded the motion to contract with Hilton 7 Powers, CPAs, P.C. in an amount not to exceed \$4,000 for the audit of the Service Awards Program to comply with the law. Motion passed unanimously.**

**b. Legislative relief appeal.**

**c. 2008 roster.**

A copy of the roster was submitted to the Board.

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

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

- **Housekeeping Inspection.**

**16) Water (Greg Scammell & "Pete" Paul).**

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

**17) Zoning Review (Mary Jo Kelly, Ralph Lamson & Greg Scammell).**

- SOCPA subdivision guidelines to distribute to local subdivision applicants.**
- Digitized zoning map, correction & amendments.**
- 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.**

**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.**

Councilor Shute said Councilor Knapp did get the engineering firm to agree to provide all the engineering fees pro-bono for the project. They are in the process of trying to get together an adhoc committee to design the biking, jogging, walking path.

Kevin Gilligan has noticed some of the towns are scheduling the public hearings for the 5-year plan. He doesn't know if there has been any correspondence received from Community Development.

No one has seen anything.

## **B. FOR TB REVIEW.**

- 1) **Windmill Energy legislation (Environmental and Conservation Advisory Board feedback).**

Supervisor Scammell noted Councilor McConnell has submitted information regarding windmills.

Councilor Shute would be in agreement with changing the tower height measurement to be to the hub. The definition of windmills in the proposed ordinance amendment seems to be the definition of wind conversion machines. This definition would cover the broad range and we discussed last time that we were only going to use this to cover windmills as opposed to wind energy conversion systems. Under Section B, subsection 3, subsection a(2), again the words energy conversion system appears and it should be windmills.

Councilor McConnell said he has something in this section too. He doesn't think we should have the wording "...shall be allowed on any farm activity used for agricultural purposes upon showing that such additional systems are needed to generate electricity to operate such farm." He thinks part of this sentence isn't needed.

Councilor Shute would agree. From the beginning there's been the reaction that people will be selling this energy and from all the research, the economics of it just aren't there.

Councilor McConnell would end it after the word "purposes".

Councilor Shute said under Section B subsection 3(1), the word idea is you don't want kids getting to the tower and climbing it. He thinks there should be the word "or" between each of the 3 items listed. Requiring all 3 of these is requiring triplicate.

Councilor McConnell said under Section B Subsection 2 in trying to make it easy for the person coming before the Planning Board, what are we looking for.

Kevin Gilligan said for the applicant to bring in the pamphlet or brochure about the product and that they show that they need the recommended height in the literature or from the tower company.

Councilor McConnell said under Subsection 2(c) he would strike this out. How would that demonstrate this.

Kevin Gilligan said that would show what the use would be for their home as opposed to what the output of the windmill would be.

Councilor McConnell said since we restricted it to be 20 kw, is that sentence really needed?

Councilor Shute said we took out the restriction of the 20 kw at the last meeting.

Councilor McConnell said knowing the cost and everything else, he would say that sentence is not needed because we know they are just generating for their own home.

Kevin Gilligan said we don't know that. You regulate not for the people who are following it right but for those people who won't. The gentlemen tonight mentioned several of their competitors who are off the wall with their recommendations.

Councilor McConnell said the applicant can only produce enough energy for their property.

Kevin Gilligan said or the power goes back to the grid and the owner gets a credit for the amount of their overage.

Councilor McConnell doesn't see where it makes sense to say "reduce consumption of electricity at that location" as they aren't going to be selling it to any other location.

Kevin Gilligan asked how about used primarily at that location.

Councilor McConnell said any units that anyone will purchase today will be used for that as it won't be an industrial strength generating system. He asked if using the phrase "reduce consumption of electricity at that location" infers that someone might try to hook their buddy up.

Kevin Gilligan said you could say "reduce energy cost at that location".

This was favorable to the Board.

Councilor McConnell said Under (e) it states a full SEQR and Visual EAF are required. What is the difference between the short SEQR and long SEQR?

Kevin Gilligan would say we should change this to a short form SEQR. The Visual EAF is put out by the state and just determines how far out the tower can be seen, etc..

Councilor McConnell said since we are waiting for the Environmental Conservation Board to come back in two weeks, should we schedule a public hearing?

Kevin Gilligan said you should make the changes before scheduling a public hearing. He will get a revised draft to everyone and hopefully at the next meeting we will have the Environmental Conservation Board's input.

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

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

**4) Workers Comp. (AS)**

## **11. NEW BUSINESS.**

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

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

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

**D. FIRE DEPARTMENT CONTRACTS.**

**E. OTHER.**

Councilor Shute said we do have someone who wants to help Herb Salladin out on some of the maintenance items. He knows there are some things at the Community Center that need to be done. He thinks it would be good to have someone hired to help out with these things. He will check with Tom Chartrand to see the position title this would fall under for hiring.

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

The Town Board went into Executive Session at 8:50 p.m. and Supervisor Scammell called the Regular Town Board Meeting back to order at 9:16 p.m.

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

- **Councilor’s Knapp moved and Shute seconded the motion to give a Certificate of Appreciation: Gary Olrich. Motion passed unanimously.**

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

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

<b>GENERAL FUND</b>	<b>#3134-3152</b>
<b>HIGHWAY FUND</b>	<b>#3153-3156</b>
<b>TRUST &amp; AGENCY FUND</b>	<b>#3157</b>

**Motion passed unanimously.**

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

The Town Board Meeting adjourned at 9:19 p.m.

Respectfully submitted,

Mary Jo Kelly  
Town Clerk

Adopted 1/26/09 with following corrections: Page 3 - EPA written in two spots...to be replaced with BPA – Harbridge.