

Minutes of the Regular Town Board Meeting held by the La Fayette Town Board on March 9, 2009 at 6:30 p.m. in the Meeting Room of the La Fayette Commons Office Building at 2577 Route 11 in the Town of La Fayette.

- Present: Gregory Scammell, Supervisor
David Knapp, Councilman
Thomas Bailey, Councilman
Adrian Shute, Councilman
- Absent: William Mc Connell, Councilman
- Recording Secretary: Mary Jo Kelly, Town Clerk
- Others Present: Thomas Chartrand, Bookkeeper
Kevin Gilligan, Town Attorney
Ralph Lamson, C. E. O.
Leon Cook, Highway Superintendent

1. Supervisor Scammell called the Town Board Meeting to order at 6:36 p.m.
2. The Dep. Town Clerk took the Roll. Councilman McConnell absent. All else present.
3. Pledge to our U. S. Flag. Town Councilor Tom Bailey.
4. **Councilmen Shute moved and Knapp seconded the motion to accept prior meeting minutes of February 23, 2009 as submitted by the Town Clerk. Voting was as follows:**

| | | |
|----------------------------|--------------|----------------|
| Supervisor Scammell | Voted | Yes |
| Councilor Knapp | Voted | Yes |
| Councilor Bailey | Voted | Abstain |
| Councilor McConnell | Voted | Absent |
| Councilor Shute | Voted | Yes |

Motion carried.

5. **PUBLIC HEARINGS.**

- None.

6. **COMMUNICATIONS.**

- A. Residents. (Please sign in and give your name before you speak).**
- B. Onondaga County Health Department: violations correction.**
- C. NYS DEC: Freshwater Wetland Maps.**

D. Southern Hills Preservation Corp.: NYS Affordable Housing Corporation.

E. NYS DOT: fiscal crisis, multi-modal funding.

Leon Cook will check on this.

F. Other.

7. **SPECIAL REPORTS.** None.

8. **REPORTS.**

A. DEPARTMENTAL (4th Monday).

1) Assessors: Marshall Taylor, Shawn Adam and Bill Turner.

- **Cold War veteran's exemptions – impact estimate.**

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

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

3) Dog Control: Jim Moore & Doug Scholes.

4) Highway Superintendent: Leon Cook.

5) Justice Court: Malcolm Knapp & Maureen Perrin.

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

6) Library Director: Scott Kushner.

- **Monthly report - January.**

A written report was submitted.

Councilor Knapp asked how much outside money the library gets.

Tom Chartrand said \$850 from Pompey and they reimburse the town \$4,000 for

fines.

Councilor Knapp asked about grants.

Tom Chartrand said the grants they get don't come through the town so he doesn't

know.

7) Recreation Director: Regina Reinschmidt.

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

- 8) **Ropes Course: Sandy Smith.**
 - a. **Periodic Usage reports.**
 - b. **Report submittals (AS).**
 - c. **Access maintenance/easements (BM).**

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

- 10) **Town Clerk: Mary Jo Kelly.**
 - **Monthly report – February.**
A written report was submitted.

- 11) **Town Supervisor: Greg Scammell.**
 - **Monthly report.**

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).**

- 4) **Emergency Response (Tom Bailey, Bill McConnell & “Pete” Paul).**
 - a. **Onondaga County Department of Communications - OCICS.**

Tom Bailey said there is supposed to be an upcoming meeting but he hasn't been informed of the date yet.

- 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.**

Supervisor Scammell will email Rainer Brocke for an update on this.

Leon Cook said he talked to Rainer about this when he picked the planters up last year. Rainer said he had talked to the school and they didn't seem too interested in building new ones so we may have to repair these again.

7) Highway (“Pete” Paul, Leon Cook, Dave Knapp, Sumner Palmer & John Greeley).

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

Councilor Knapp said they met to figure out who was on the Building Committee.

Leon Cook said it consists of himself, John Greeley, Nunzio Vadala and Pete Paul. They talked with the guy who built the firebarn. The main thing to do first is to get the land. Councilor McConnell stopped in one day last week and he thinks we should go for the property that is next to the ballfield and stay away from the property by the Log Cabin. He thinks the neighbor might complain about the traffic if we put a new road in.

Councilor Knapp said he took the Restore New York paperwork down to Thoma today. They thought there was going to be a pot of money for Municipal building so it might be worth looking into.

Supervisor Scammell said there’s also the library expansion.

Councilor Knapp asked Leon Cook to get his list together and see the cost for everything.

Leon Cook asked if there is a deadline for the paperwork.

Kevin Gilligan thinks it’s June 1st.

Councilor Knapp said there are two rounds. The first round is due pretty quick and the second round he thinks is due in about a year.

Leon Cook asked if it would be better for someone from the Highway Dept. or the Town Board to approach the guy about the property.

Councilor Knapp said it’s tough because we might get some money and we might not. We could get some numbers from the owner.

Supervisor Scammell asked if purchasing the land would require a permissive referendum.

Kevin Gilligan doesn’t know if the stimulus program includes purchasing property.

Supervisor Scammell asked what if we bonded for it?

Kevin Gilligan said if you were to bond for it, you would have to do a permissive referendum as you would probably be going out at least 5 years on the bond. He will be recommending the town do an environmental audit on the property. You could be looking at a considerable investment just to clear that property for purchase.

Supervisor Scammell asked how much.

Kevin Gilligan said certainly 5 figures and maybe 6.

Councilor Knapp said the other property is the property this side of the cemetery.

Leon Cook thinks they want \$150,000 for that property.

Councilor Shute sees a problem with the sewer district because you have to find someone who knows how to run a treatment plant whereas with water you just hook up to OCWA. Septic is a rather limiting factor to the density of development.

Supervisor Scammell thought of the sewer just for the Hamlet area.

Councilor Shute said it goes as far down Route 11 as the high school.

Supervisor Scammell said he wasn’t thinking of it going that far. He was actually thinking the smaller the better and try to make it affordable for the folks in the center of town.

Councilor Shute said we would have to start from scratch because the other plan encompassed all of Route 11.

Supervisor Scammell isn't thinking it would go any further than the Nice & Easy going north on Route 11. The only people that have said they want sewer to him are the people in the Hamlet area.

Councilor Bailey asked if we are still hoping the water or sewer district will coincide with the D.O.T. work.

Supervisor Scammell said he can't wait to put the two together if the D.O.T. keeps pushing their construction date out. Maybe the D.O.T. will be encouraged to do their construction work because we are going forward with the sewer or water districts.

Councilor Shute would think it would make a difference on whether or not there is grant money available. If there is a substantial amount of grant money we can go forward with this. If not, we may have to wait.

8) Insurance (Adrian Shute & Bill McConnell).

- **ISO/PPC rating for LFD.**

Councilor Knapp said Councilor Shute has done some research on ISO rating. He asked Kevin Gilligan if he knew anything about this.

Kevin Gilligan said no.

Councilor Knapp said it just seems strange that when nothing has changed the rating would change so dramatically.

Councilor Shute said none of the other towns around us have changed. He thinks that the fire department may have filled out a survey wrong.

Supervisor Scammell said or didn't fill one out.

Councilor Shute said the person from ISO said last June the LFD would have been notified that this was going to happen. Based on his research it will mean somewhere between a 20 to 30% increase in the homeowners rates for insurance.

Councilor Knapp confirmed we do have a window to correct this.

Councilor Shute said according to the person at ISO there is a way to appeal this.

Councilor Knapp said Tully, Fabius and Pompey are all rated 5.

Councilor Shute said the only place in southern Onondaga County that has the same 8 rating as LaFayette is a little place past DeRuyter that doesn't have a fire department. We have been told to contact the fire department attorney so is that what we should do?

Kevin Gilligan said you have been told you can challenge this so that is what he would do.

Councilor Knapp asked if it's up to the town or the fire department to act.

Councilor Shute thinks the town or fire department can challenge this.

Kevin Gilligan said you might ask the fire department to look into this. If he were them, he would be embarrassed.

Councilor Knapp said a 10 is no protection at all.

Leon Cook said the time it takes to answer a call is considered in this too.

Councilor Bailey said volunteer vs. paid, equipment, etc. all filter into this.

Councilor Shute said the protection class was changed from 5/9 to 8B/10. He reviewed the criteria required. He was advised the fire department didn't demonstrate the ability to deliver the right amount of water over a certain period of time.

Supervisor Scammell said we could write a letter stating none of our equipment has changed and ask if they could come to a meeting to explain this.

Councilor Shute thinks we need someone from the fire department stating that they can supply “x” amount of water over “y” amount of minutes.

Supervisor Scammell asked if we should take this letter to the fire department and ask for them to respond.

Kevin Gilligan recommended asking why it has jumped from last year.

Councilor Shute asked if we have to write the lawyer on this or do we write the fire department directly?

It was decided he should send a letter from the Town Board to the fire department.

Councilor Shute said he will send a letter to the LaFayette Fire Department President and Chief and ask them to come to the next meeting.

Councilor Knapp said he would include in the letter that this has a negative impact on the town insurance and it could have a negative impact on every homeowner in the town.

9) Physical Plant (Herb Salladin, Dave Knapp & Bill McConnell).

a. Next heat pump replacement and programmable thermostats.

Councilor Knapp said he should have bids in this week for the heat pump replacement.

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.

f. Commons water supply violation correction. (DK)

Councilor Knapp said this can be removed from the agenda.

g. Commons water testing.

He spoke to Scott Kushner who has agreed to do the water sampling.

Supervisor Scammell said he is interested in having someone from the Health Dept. come to a Town Board meeting to discuss the water testing.

The Board was in favor of this.

Supervisor Scammell will contact the representative and ask if they can attend a future Town Board Meeting.

h. Deputy.

This can be removed from the agenda.

Councilor Shute said we could contact the Deputy about the fence at the Community Center,

The Board was in favor of this and to have him come up with an estimate on the cost to fix the fence. The Board would also like him to check out the steps and possibly replace them.

i. Community Center phone jack and wall extension for Regina.

Supervisor Scammell said Regina Reinschmidt emailed him about getting a phone jack.

Councilor Shute will ask the Deputy about this too.

j. Copier costs and evaluation.

Supervisor Scammell said a gentleman stopped by to discuss our copiers. He is going to give us some options.

10) Recreation & Youth (Dave Knapp, Adrian Shute & Regina Reinschmidt).

Councilor Knapp said tomorrow is Teresa Mech's last meeting as President/Treasurer of Community Council and he would recommend giving her a Certificate of Appreciation. The Board was in favor of this.

Councilor Knapp said he has the Dept. of Aging and Youth Award packet qualifications. He thinks this will be the last year for this.

Kevin Gilligan said you might want to think about Beverly Oliver.

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 inspection.

Councilor Shute said there is a list of things needing repair at the Community Center that he hasn't had a chance to review yet.

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

Councilor's Knapp moved and Shute seconded the motion to approve the purchase of 1,000 LaFayette writing pads not to exceed \$1,000. Motion carried.

Councilor Knapp said this Friday and Saturday night is the LaFayette High School production "Pirates of Penzance" at 7:00 p.m.

Supervisor Scammell said when he subs at Tully, he noticed the highway trucks filling up at the school transportation department. He talked to Jim Keefe about this and he thought it might be cheaper for us.

Leon Cook said it wouldn't be any cheaper.

Councilor Knapp thought Tully saved money by doing this.

Leon Cook said they saved money because they didn't have to put a storage tank in.

Councilor Shute asked if the buses use diesel.

Leon Cook said most of them do.

Councilor Shute will look into this.

Councilor Bailey thinks from an administrative point of view it could be a consolidation of services.

Supervisor Scammell said if we are looking into this in terms of the Highway Dept., we should look into the shared services with the L.F.D. It was noted that currently the L.F.D. fills up at the Nice & Easy.

Kevin Gilligan isn't sure the L.F.D. would be able to buy off of a state bid.

Councilor Bailey asked if this couldn't be hammered out in the contract.

Kevin Gilligan would think it could be dealt with then.

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

a. LOSAP audit.

b. Legislative relief appeal.

c. Prior service award spreadsheet.

This can be removed from the agenda.

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

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

- **Onondaga County intermunicipal contract.**

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

- **Hamlet drainage study – request submitted to NYS DOT, intersection of Routes 11 & 20 to be reconstructed in 2011-12.**

17) 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. Tully Valley Conservation Initiative.**

Supervisor Scammell said he asked the Zoning Review Committee to look at this.

Mary Jo Kelly said she talked with Ralph Lamson about this. She is not in favor of putting this into our Zoning Ordinance as it limits folks from selling their land for a house to be built or letting a family member build on it. There is also concern as to whether the folks in the Tully Valley area really are interested in this.

Ralph Lamson said it takes in the whole Tully Valley area.

Supervisor Scammell will invite a representative of this group to come to a Town Board Meeting.

9. LITIGATION & OTHER LEGAL MATTERS.

A. ONONDAGA NATION LAND/LAND RIGHTS CLAIM.

B. PENDING ZONING ISSUES LIST.

Ralph Lamson said he talked to Nadine Bell about Robert Shute. In our Junk Yard Ordinance we state the town can go in and clean up a property but must notify the person first. Nadine is comfortable with us going forward and doing this if we send Mr. Shute a letter by registered mail and regular mail and post the notice on his door. He called Harrison Homer Friday to connect with him to go down and post the notice on Mr. Shute's door. The owner has 14 days from the time the notice is posted to clean his property up. This doesn't relieve him of his court appearances.

C. LFD/JFD CONTRACT.

D. OTHER.

10. UNFINISHED BUSINESS & ACTIVE PROJECTS.

A. COMMUNITY DEVELOPMENT GRANT APP - 2008.

1) Stafford Park – accepted, to be bid.

Councilor Knapp said on the 2008 claim he and Councilor Shute met with the CNS engineers last week. They are doing our design for the walking, biking and jogging path at no charge. He also met with the folks at Community Development when he handed in our 2008 application Friday to give them an update. We can use the Highway Dept. to do the stone, paving, etc. which will act as our matching funds. The only thing they need to do is an environmental assessment to be sure we are not disturbing ground that shouldn't be disturbed. The guys at CNS recommended we do a short form of our own to show we have looked at it and don't feel there will be any issues.

Kevin Gilligan said he will have to get some description of the project. Once he gets

this, he can put together a short EAF with a probable negative declaration. He said usually Community Development does this so Councilor Knapp might want to check with Nina first to see if this is something they want us to do.

Councilor Knapp will check with her. Once they get the numbers together for the binder and stone, he will get them to Leon Cook to look over. He gave Mary Jo a copy of the 2009 application for the town files.

2) LaFayette Beach – rejected.

Ralph Lamson it would be good to upgrade this for the kids.
Leon Cook said there is a way to limit the flow of cold water going into the pool area.

Supervisor Scammell will talk to John Dunkle about this.;

3) Grant writer.

B. COMMUNITY DEVELOPMENT GRANT APP – 2009.

C. STIMULUS PROJECTS.

- 1) **Central LaFayette Water District (timeline**).**
- 2) **LaFayette Hamlet Sewer District.**
- 3) **Highway Garage.**
- 4) **LaFayette Beach Renewal.**

D. FOR TB REVIEW.

- 1) **Grievance Board of Assessment Review (pending).**

Supervisor Scammell moved and Councilor Knapp seconded the motion to appoint Jim Keefe to the Grievance Board of Review for a term beginning 10/1/09 and ending 9/30/2014.

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

11. NEW BUSINESS.

A. RX ZONING CLASSIFICATION – Comprehensive Plan.

B. STAFFORD PARK - FLAG POLE (DK).

C. FIRE DEPARTMENT CONTRACT – DISTRICT BOUNDARY, PRELIMINARY BUDGET.

The Board was in favor of Supervisor Scammell sending a letter to the LaFayette Fire Dept. attorney stating the Board is willing to start Preliminary Budget discussions whenever they would like to.

Councilor Knapp said we could discuss the whole ISO situation at the same time.

Supervisor Scammell will send an email to the attorney stating we would like to discuss the ISO and Preliminary budget with them and that the Town Board meets on the 2nd and 4th Monday of the month and ask when they would like to meet.

D. TOBACCO FREE PROPOSAL (signs, posters, facilities usage).

E. OTHER.

Councilor Knapp said he sent out the letter regarding the Justice audit reports for 2006-2007. He will talk to the Court to see if they are ready to have the 2008 records audited.

12. Suggestions for improvement and positive contributions.

13. Executive session (if needed). Highway storage contract.

Councilor's Knapp moved and Bailey seconded the motion for the Town Board to go into Executive Session to discuss potential litigation and to include the Code Enforcement Officer and Town Attorney. Motion carried.

The Board went into Executive Session at 8:08 p.m. and Supervisor Scammell called the Town Board Meeting back to order at 8:50 p.m.

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

| | |
|------------------------------|---------------------|
| HIGHWAY FUND | #3457 - 3468 |
| GENERAL FUND | #3469 - 3490 |
| SPECIAL DISTRICT FUND | #3491 - 3492 |

Motion carried

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

The Town Board Meeting adjourned at 8:51 p.m.

Respectfully submitted,

Mary Jo Kelly
Town Clerk