

Minutes of the Regular Town Board Meeting held by the La Fayette Town Board on May 11, 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 (Arrived 6:35 p.m.)
Thomas Bailey, Councilman
William Mc Connell, Councilman
Adrian Shute, Councilman

Recording Secretary: Mary Jo Kelly, Town Clerk

Others Present: Thomas Chartrand, Bookkeeper
Kevin Gilligan, Town Attorney
Leon Cook, Highway Superintendent
Sandy Smith, Ropes Course
Jim Clarke, Ropes Course

1. Supervisor Scammell called the Town Board Meeting to order at 6:31 p.m.
2. The Town Clerk took the Roll. Councilor Knapp absent. All else present.
3. Pledge to our U. S. Flag. Town Councilor Tom Bailey.
4. **Councilmen Shute moved and McConnell seconded the motion to accept prior meeting minutes of April 27, 2009 as submitted by the Town Clerk. Motion carried.**

5. **PUBLIC HEARINGS.**

• **MS4 – SPDES Annual Report.**

Supervisor Scammell asked for any comments or questions on the report.

Councilor McConnell said there's a different format. The biggest thing that they did was the inventory of the outfalls which we won't have to do again for 5 years and it will be done by the Intermunicipal Agreement. This was prepared by O'Brien & Gere. The Highway Superintendent's and Code Enforcement Officer's comments are included in the report.

There were no further comments or questions.

Councilor's Bailey moved and McConnell seconded the motion to close the public hearing. Motion passed.

Councilor's McConnell moved and Bailey seconded the motion authorizing the Supervisor to sign the MS4 Annual Report. Motion passed.

Councilor Knapp arrived.

1. **COMMUNICATIONS.**

A. Residents.

B. Board of Assessment Review Training: Jim Keefe, Richard Stach and “Pete” Paul.
Supervisor Scammell noted the members have completed their training.

C. NYS Governor Paterson: Executive Order for Reducing Property Taxes.

D. Life Science Laboratory Report: town facilities.

Supervisor Scammell said the water reports were all negative.

Councilor Knapp asked if this means we are good for a year.

Leon Cook said they test once a year. If they get a bad test reading, they have to do it again. The only spot they didn't test was the pool which will be done when the water it turned on.

E. Barry P. Schwartz: Urgent Collateral Source Legislation.

Supervisor Scammell asked Kevin Gilligan about this.

Kevin Gilligan said it is requesting the town to consider writing a letter in support of several bills in the Assembly.

Councilor's Knapp moved and McConnell seconded the motion to send a letter in support of the Collateral Source Legislation. Motion passed unanimously.

F. Other.

Councilor Bailey asked the Town Board to take a moment to recognized one of our distinguished residents, Deputy Harrison Homer. Deputy Harrison Homer began his career in the 1970's as a Corrections Officer at Jamesville Penitentiary, and later served as a County Park Ranger. He was sworn in as an Onondaga County Sheriff on June 14, 1980 and spent many years in the uniformed patrol division. He worked various assignments in his career including the Armament Section where he was a Firearms Instructor. His assignment up until his retirement on April 30, 2009, was working Patrol Unit 4-5-Zero-8 on the B Watch which is the day shift right here in our town and other neighboring communities and, without reluctance, Harry has served also as a LaFayette Town Constable. Harry was the recipient of numerous divisional and departmental commendations throughout his career. He is currently and continues to be a State Trustee with the New York State Lodge of the Fraternal Order of Police. It is hereby resolved on behalf of the residents of the Town of LaFayette, New York, the Town Board with respect and appreciation recognizes the time and effort Harrison Homer has provided the community by volunteering his time as Constable and for protecting the welfare and safety of the residents of the Town of LaFayette as an Onondaga County Sheriff. This resolution was passed unanimously on April 27, 2009. Councilor Bailey and the Board thanked Harrison for his service and wished him a good retirement.

2. **SPECIAL REPORTS.**

- None.

3. **REPORTS.**

A. DEPARTMENTAL .

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.

a. 3448 Route 11 – court and cleanup.

Councilor Knapp asked if the current cleanup going on is by Mr. Shute or by the town.

Kevin Gilligan said it's Mr. Shute. As far as he knows we haven't done anything. Ralph couldn't do an inspection on the inside of the house as it was so full of stuff so he shut the house down and said he would be back to do another inspection.

Councilor Bailey would encourage Ralph Lamson to set aside a certain date and notify a hauler and get the debris cleaned up. The high winds we've had lately have blown the stuff into other peoples yards, etc. He doesn't want to see the ball drop on this.

b. 3448 Route 11 – cleanup.

c. 3231 Webb Road. House in disrepair (spring cleanup).

d. Oschner Road – junk.

e. LaFayette Beach capacity determination.

f. Monthly report.

g. Other.

3) Dog Control: Jim Moore & Doug Scholes.

- **Conference: 6.2 – 6.3.**

Supervisor Scammell said the Dog Control Officer and his Deputy would like to go to a conference in Webster for a total cost of \$284.50. He asked if there was money in their budget for this.

Tom Chartrand there's almost enough in their budget but there is money under training for them.

Councilor's Knapp moved and McConnell seconded the motion authorizing the Dog Control Officer and his Deputy to attend the conference in Webster for an amount not to exceed \$300. Motion passed unanimously.

4) Highway Superintendent: Leon Cook.

5) Justice Court: Malcolm Knapp & Maureen Perrin.

- **Monthly report.**

6) Library Director: Scott Kushner.

- **Monthly report.**

7) Recreation Director: Regina Reinschmidt.

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

8) Ropes Course: Sandy Smith.

- **Access maintenance/easements (BM).**
- **Trail maintenance (KC & JC).**
- **Directors Agreement.**

Councilor McConnell submitted the final draft for the Management and Operations for the LaFayette Nature Preserve and Ropes Course. There were a couple of additions made.

Supervisor Scammell asked for any comments. There were none.

Councilor Knapp confirmed the Town Attorney is comfortable with the policy.

Kevin Gilligan said yes with the changes that were made.

Councilor's McConnell moved and Bailey seconded the motion to accept the Management and Operations Policy for the LaFayette Preserve and Ropes Course dated May 11, 2009. Motion passed unanimously.

Councilor McConnell asked the Board to confirm the Agreements with the approved Directors.

Councilor's Knapp moved and McConnell seconded the motion authorizing the Supervisor to sign the Director Agreements with all the approved Directors and Managers of the LaFayette Ropes Course for 2009. Motion passed unanimously.

9) Tax Collector: Mary Doster.

10) Town Clerk: Mary Jo Kelly.

a. Monthly report – April.

A written report was submitted.

11) Town Supervisor: Greg Scammell.

a. Monthly report – April.

A written report was submitted.

B. COMMITTEE.

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.

b. Mass shelter response.

c. Multi-Jurisdictional Hazard Mitigation Plan.

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.

Councilor McConnell said the committee met regarding the corner building. The committee will be looking into the duplication of road signs.

b. Redo planters at hamlet four corners, coordinate w.LCS, explore grants (RB & LC).

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).

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

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

a. 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 and steps.

Councilor Knapp asked if these were done.

Councilor Shute said the Physical Plant Deputy was working on them this

past week.

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

Councilor Knapp asked if this has been completed.

Councilor Shute doesn't think so.

g. Copier proposal from Eastern: copier costs and evaluation.

h. Stafford Park pole.

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

Councilor Knapp said the Optimist Club held their Annual Fishing Derby this past weekend. They really appreciate Carpenters Brook for stocking the pond with 350 rainbow trout this year. There were a lot of kids who got a lot of fish. The top fisherman of the day was

Kayleigh Olrich who caught a 21 ½ inch rainbow trout. Councilor Shute’s son Morgan got second place. Carpenters Brook does a really nice job.

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.**
- c. North Ball Field inspection.**

Councilor Shute has a list from the inspection and he will have our Physical Plant Deputy get to work on it.

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 – 05.13.09.

Councilor McConnell said it’s scheduled on Wednesday from 9:00 a.m. to 4:00 p.m. The audit costs more than it should cost for how little time it should take. Hopefully after this audit there will be a substantial decrease in cost next year.

b. Legislative relief appeal.

Councilor McConnell said he did talk to Senator DeFrancisco. His original thought

was that the town was requesting funding and Councilor McConnell advised we weren't but wanted to do away with the audit process. They discussed the wording for a proposal and this will be looked into further.

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.**
Councilor McConnell said the bill is for \$3,400 as 2,900 municipalities participated.

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).

- SOCPA subdivision guidelines to distribute to local subdivision applicants.**
- Digitized zoning map, correction & amendments.**
- Streamlining of similar uses, controlled site approvals and specific permits.**
- Tully Valley Conservation Initiative.**

9. LITIGATION & OTHER LEGAL MATTERS.

A. Onondaga Nation Land/Land Rights Claim.

Councilor Knapp asked about this.

Kevin Gilligan said they have worked out a deal so that case may go away.

Councilor Knapp confirmed this wouldn't be a precedent to what Onondaga County is looking at.

Kevin Gilligan said no since there is an agreement prior to having a court decision.

B. Pending zoning issues list.

C. LFD/JFD contract.

Supervisor Scammell advised he did write another letter to the LaFayette Fire Dept. inviting them to a meeting and he hasn't heard anything from any of them.

D. Other.

10. UNFINISHED BUSINESS & ACTIVE PROJECTS.

A. Community Development Grant app - 2008.

- **Stafford Park – accepted, to be bid.**

Councilor Knapp said the 08 grant is at the county and they are finishing up their environmental review.

B. Community Development Grant app – 2009, submitted.

Councilor Knapp said they have had their first meeting on the 09 grant and we are still in the game. We should know in the next couple of weeks whether we will get any money.

C. Stimulus projects.

1) Central LaFayette Water District (timeline).**

Councilor McConnell thinks it's time for the Board to make a decision where they want to go on this. Everyone has had a chance to look at the engineering design and concept. The Board would have to consider and approve forming a water district. The next step is educating the public and then having a mandatory referendum that they would have to vote on.

Councilor Knapp couldn't remember if we have enough to get put on the EFC list or not.

Councilor McConnell said yes we have.

Councilor Knapp asked what we would accomplish by having a vote on forming the district.

Councilor McConnell said you can take the engineering plan and put it on the EFC list without any obligation. To capture the stimulus funds, this project would have to be ready to go in February 2010. We are about 30 days behind schedule on this now.

Supervisor Scammell thought we would hold the public meetings prior to forming the district to find out what the public's feelings are.

Councilor Knapp asked Kevin Gilligan about the timeframe for scheduling a referendum.

Kevin Gilligan said you schedule a mandatory referendum which has to be at least 45 days out but no more than 60 days out. You could vote at the next Town Board Meeting on the district so you might want to have a public meeting prior to that.

Councilor McConnell thinks it would be too much too quick to do this. We have a 4-day holiday weekend coming up next week and then regents. His thoughts are to have the meetings the third week in June to the last week in June.

Councilor Knapp said we could hold a quick Special Town Board Meeting if we needed to.

Councilor Shute said the plan as it stands would be over the New York State Comptroller's limit. Can we say either get it below the Comptroller's limit or we don't do this?

Kevin Gilligan said you discuss grants you feel you might get that will reduce that number but you don't know by how much.

Mary Jo asked if both the cost of the proposal to go over Route 81 and the cost of the proposal to stop at Grimshaw will be discussed with the public.

Councilor McConnell said yes. He will start on a power point with information that is important and run it by the Board for their additional thoughts and input. In June the Board would then be ready to go forward. He can look at getting two nights during the last week of June to hold the public meetings in the LGI room at the High School.

The Board was in agreement with this.

2) LaFayette Hamlet Sewer District.

Councilor McConnell discussed where funding could come from. He said Tom Chartrand emailed him the surplus amount and some of it could be used as a loan for the sewer district. We can't pursue any grant money until we have an engineering design. To do the green initiative, over 90% would be paid for by the grants. He would like to earmark \$9,400 of the surplus towards the sewer district.

Councilor Knapp asked Kevin Gilligan if we can appropriate this money in the assumption it will be paid back when we form the district because if we don't get the grants or it gets voted down, how do we get this money back?

Kevin Gilligan said it wouldn't get paid back but he believes there are mechanisms to do this.

Councilor McConnell thinks there is more funding available for sewer than there is for water.

Kevin Gilligan said you have the same issue with both districts. You will be incurring expenses for both of them.

Councilor Shute said we aren't exactly at the same point because right now we have a number for the water district but no number for the sewer district to give to the residents.

Supervisor Scammell said we could have a ballpark number and explain the green money and find out if the residents are interested in paying for a sewer district. You have to talk about some amount of money because otherwise we are out the \$9,400 that we put forward.

Councilor McConnell said we have already captured that in Focus 2010. When he held the community meeting, there was an overwhelming response in favor of this.

Supervisor Scammell said in the past we have discussed numbers. The residents will have to face that they will have to come up with some money.

Councilor Knapp said the folks in the Hamlet could have a hard choice of whether to have water or sewer as they might not be able to afford both.

Councilor Shute would recommend talking to the engineer first as we don't know the money amount. We have to know the location, where the stuff is going and the size of the district too. Some of the people might want to be in the district but not be able to because of their location.

Kevin Gilligan would think there is a lot more grant money for the sewer project.

Councilor McConnell will talk to the engineer tomorrow to see if we can get a concept.

Councilor Shute said it would be good if the engineer could supply the 3 items he discussed earlier. If we go to public meetings, he thinks the water and septic public meetings should be held separately.

Councilor McConnell will get in touch with Ryan Fisher tomorrow to see if he can come up with something less expensive.

3) Highway Garage.

4) LaFayette Beach Renewal.

5) LaFayette Public Library/Town Offices (SK, AS & GS).

6) Winacre Drive.

D. For TB review.

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

E. Cardiff Cemetery Restoration.

Supervisor Scammell said this is in process.

11. NEW BUSINESS.

A. Rx zoning classification – Comprehensive Plan.

B. Stafford Park - flag pole (DK).

C. Fire Department contract – district boundary, preliminary budget, attorney feedback.

D. Tobacco Free proposal (signs, posters, facilities usage), resolution to OnCo (MJ).

E. TWC/Verizon franchise (DK).

F. Rescheduled August meeting to 08.24.09.

G. Other.

Councilor Shute said we have been progressing with the LaFayette Community Day on May 30th and everything looks good. He needs either a permit or letter from the Town regarding permission to hold the fireworks.

Mary Jo believes Ralph Lamson said he issues the permit for this.

Councilor's Shute moved and Knapp seconded the motion authorizing the Supervisor to write the letter if no permit is needed. Motion passed unanimously.

Councilor's Shute moved and Knapp seconded the motion to waive any town permit fee. Motion passed unanimously.

Councilor Shute has the Insurance Certificate naming the Town of LaFayette and Optimist Club as additional insured up to 5 million dollars. He said Community Council has jumped in for a portion of the food cost and the Optimist Club is paying for the fireworks in the amount of \$2,500. He talked to Tom Chartrand and there's \$1,348.54 in the Celebration Fund. He doesn't have an exact cost for the food.

Councilor Knapp said there's a bill for Cemetery flags which has to come out of this.

Councilor's Shute moved and Knapp seconded the motion to support the LaFayette Community Day for an amount not to exceed \$900. Motion passed unanimously.

Leon Cook said the 94 cab and chassis went for a bid of \$6,888 in the county auction. The county gets \$30 of this which leaves us with \$6,858.

Leon said on Clark Hollow he will be putting up some weight limit signs not to exceed 5 ton. He heard there will be 2-3 million yards of clay coming out of a place on Clark Hollow from Fabius which is going to cover the bottom of Onondaga Lake. If that is the case, it's going to be an awful lot of trucks. Clark Hollow won't handle that weight. The signs with the weight limit will force the trucks to go another way to Apulia Rd. where the clay will be loaded onto railroad cars.

Councilor Bailey asked if Leon thought they would be able to get an exemption as it's a government project.

Leon Cook said they would have to get the exemption from the town as we own the road.

Councilor Knapp and Councilor Shute thought it was a good idea.

Leon Cook has signs coming tomorrow.

Councilor Knapp asked how the cleanup went.

Leon Cook thinks we had as much metal come in as last year but a lot less other stuff.

Councilor Knapp asked about T.V.'s.

Leon Cook said they got quite a few.

Councilor Knapp asked about refrigerators and freezers.

Leon Cook said they are down to 60. He thinks we will be looking better financially.

Councilor Knapp said the price of metal is way down.

12. Suggestions for improvement and positive contributions.

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

Councilor's Shute moved and Knapp 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 unanimously.

The Town Board went into Executive Session at 7:37 p.m. and Supervisor Scammell called the Regular Town Board Meeting back to order at 8: 21 p.m.

Councilor McConnell said Sandy Smith and Jim Clark submitted a report for the Ropes Course.

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

HIGHWAY DEPT.	# 3765 – 3771
GENERAL FUND	# 3772 – 3807
SPECIAL DISTRICT FUND	# 3809

Motion passed unanimously.

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

The Town Board Meeting adjourned at 8:22 p.m.

Respectfully submitted,

Mary Jo Kelly
Town Clerk

Adopted 6/8/09