

Minutes of the Regular Town Board Meeting held by the La Fayette Town Board on June 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
 Thomas Bailey, Councilman
 William Mc Connell, Councilman (Arrived 6:45 p.m.)
 Adrian Shute, Councilman

Absent: David Knapp, Councilman

Recording Secretary: Mary Jo Kelly, Town Clerk

Others Present: Thomas Chartrand, Bookkeeper
 Kevin Gilligan, Town Attorney
 Leon Cook, Highway Superintendent
 Mike Shafer, L.F.D. Attorney
 John Harper, L.F.D. President
 Steve Young, L.F.D. Vice President
 Regina Reinschmidt, Rec. Director
 Luis Schrader
 Chloe Grass
 Jordan P. Jguyen
 Andy Ryan
 Jesus Carrero
 Wade Shute

1. Supervisor Scammell called the Town Board Meeting to order at 6:34 p.m.
2. The Town Clerk took the Roll. Councilor's Knapp and McConnell absent. All else present.
3. Pledge to our U. S. Flag. Town Councilor Adrian Shute.
4. **Councilmen Shute moved and Bailey seconded the motion to accept prior meeting minutes of May 11, 2009 as submitted by the Town Clerk. Motion carried.**
5. **PUBLIC HEARINGS.**
 - None.
6. **COMMUNICATIONS.**
 - A. **Residents. (Please sign in and give your name before you speak).**
 - **Melissa Hogan: Assessor Taylor's help.**
 - **LaFayette Fire Department and Mr. Mike Shafer.**

Mike Shafer said they thought it would be appropriate to come in and get things on schedule for budget discussions so everyone is on the same page before the public hearing is held this year. They would like to have a budget meeting next month. He asked if there's any date set for the public hearing yet.

Tom Chartrand believes the Thursday after Election Day is when the public hearing has been held in the past.

Mike Shafer said that would be the 5th of November.

Supervisor Scammell said we can meet any time to discuss the budget with the L.F.D.

Mike Shafer suggested Wednesday, July 15th at 6:30. The Board was in agreement with this. They will meet at the L.F.D.

Kevin Gilligan said a Notice of Special Meeting must be posted.

Councilor's Shute moved and Bailey seconded the motion to hold a Special Meeting at the L.F.D on Route 11 at 6:30 p.m. on July 15, 2009 to discuss their budget. Motion carried.

John Harper said he received a call from Councilor McConnell regarding Robert Paige's Service Award Bob Paige joined the L.F.D. in November of 1999 and was active that month and also 12/99. He was active in the years 2000, 20001, 2002, 2003 until it appears he went into the military. It appears in military years 2003, 2004, 2005, 2006 and 2007 partial. He returned here in 2007 and moved out in 2008. Greg Hoxie believes in 2003 and 2007 he was given the award due to active plus military. He was active from return in 2007 through 12/07. John believes Bob is vested even though he no longer lives in the Town of LaFayette.

Councilor Bailey asked his current status.

John Harper said he has resigned until he can find a place back in LaFayette to live.

John Harper said he has been in touch with Karen Quinn and Chuck McCarthy at Senator De Francisco's Office regarding the \$50,000 they were promised. They have lost the interest on this now.

Councilor Bailey asked if anyone has spoken to the Comptroller's Office.

John Harper believes Karen Quinn has talked to them. That is where it's being held up. He spoke to Chuck McCarthy who said he was going to make some calls to see if he could get it moving along. He hasn't heard anything back from him.

- **Other.**

B. Syracuse Metropolitan Transportation Council: ARRA funding opportunities.

C. Mr. Barry Schwartz: Collateral Source Legislation Progress Report.

D. LaFayette After Prom Party: Thank you.

E. NYS Governor Paterson: Farmland Preservation.

F. NYS Governor Paterson: \$432M Economic Recovery Funds for Clean Water Infrastructure.

G. Paul Legnetto: Outfall Inspection and Illicit Discharge Detection and Elimination.

H. NYS Senator John DeFrancisco: Collateral Source Legislation.

I. NYS Association of Towns/Pete Paul: Consolidation of Fire Districts.

J. NYS Association of Towns: Planning and Zoning Summer Schools.

K. NYS Senator John DeFrancisco: “Seal the Deal.”

L. Other.

7. **SPECIAL REPORTS.**

- **LOSAP Audit Report.**

8. **REPORTS.**

A. DEPARTMENTAL (4th Monday).

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

- **Cold War veteran’s exemptions – impact estimate.**
- **Grievance Day.**

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

a. 3448 Route 11 – court and cleanup.

b. 3448 Route 11 – cleanup.

Supervisor Scammell asked the status of the Robert Shute property.

Mary Jo said Ralph Lamson did another inspection and said there was no change.

Kevin Gilligan said it’s in court and there will be a trial. The judge said if it wasn’t cleaned up in two weeks, he would be setting a trial date.

Councilor Shute asked what the trial would accomplish.

Kevin Gilligan said they can find him guilty and authorize the town to go in and finish cleaning up. They can fine him.

Councilor Bailey asked if at this stage of the procedure doesn’t the town still reserve the right to go in with a contractor and do the cleanup regardless of what’s going on with a trial?

Kevin Gilligan said that is correct.

Councilor Bailey said if the town goes in and remedies the situation, it would still need to be adjudicated in court. He would encourage Ralph Lamson to follow the plan we discussed in the spring to clean up the property and let the legal action take place in the Town of Otisco regarding fines, etc.

Supervisor Scammell would agree. This has gone on for a very long time.

- 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.**

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

Leon Cook said they picked up the last of the brush and now there's some more out for them to pick up.

They put in some crossover pipes and cleaned the shoulders on Markland Rd. They mowed the parks last month 4 times and he thinks the grass is starting to slow down a little now. The roadside mowing has been done south and the Jamesville area and the roads going off of Apulia Road as far as Big Bend. His part-time guy mows our fields which takes two days and the last two days he mows roadside. It looks like we will be getting our roadside mowing caught up.

Leon Cook gave the following report for Clean-Up Days:

OCRRA charged \$67/ton.	27.99 ton = \$1,875.33
Johnny-on-the-spot rental	\$95.00
Cost to pump refrigerators and freezers	\$1,020.95
Tires taken to K & S Tires in Williamstown	\$791.00
Money taken in for residents for tires	\$413.50
Money we will receive for steel	\$2,098.14
Total cost for Clean-Up Days	\$1,270.64

If you figure in the labor and equipment used, it would be \$39,711. This all comes out of the Highway Budget. When we look at \$1,270.64 it looks real good but when you figure the cost to the town overall, it's much higher.

Supervisor Scammell confirmed it costs us about \$40,000 for Cleanup Days. What equipment is used?

Leon Cook said the grader, etc.

Leon said they are kind of disappointed in the new truck they got. On the truck we traded in, we got about 8 miles per gallon. The new truck is down to 4 miles/gallon because of the filter system on the exhaust. It's burning way more fuel just to burn up the excess gas that comes out of the exhaust. It will be the same for any truck you buy from now on.

Supervisor Scammell asked if it depends on the type of work you are doing with the truck.

Leon Cook said if you just drive over the road, you get 4 miles/gallon.

Leon said he called the place we take our metal to and it will be another couple of weeks before we get a check from them.

Supervisor Scammell asked what kind of check he thought we would get.

Leon said one for \$2,098.14.

Leon said we should be getting a check pretty soon from the county auction. It will come to Supervisor Scammell's attention. They said it would take 30 days but it's taken more than that.

5) Justice Court: Malcolm Knapp & Maureen Perrin.

- **Monthly report.**

6) Library Director: Scott Kushner.

- **Monthly report.**

7) Recreation Director: Regina Reinschmidt.

a. Monthly report.

Regina Reinschmidt said baseball and softball will be finishing up next week. On June 20th they will be hosting the boys all-star

Girls instructional lacrosse started last week and the boys start next week. They are working on the last details for tennis and track for the summer. They are looking into continuing yoga through the summer. The firemen are working on the beach tonight and they are hoping to open the last week in June.

Councilor McConnell asked when she can get him the SARP survey data so he can get it to the school.

Regina Reinschmidt said probably by the end of the week.

Councilor Bailey asked how the buildings are at the beach.

Regina said good. There hasn't been any problem.

b. Beach capacity sign.

8) Ropes Course: Sandy Smith.

a. Access maintenance/easements (BM).

b. Trail maintenance (KC & JC).

c. Director's certification.

d. Course Usage Fees.

Supervisor Scammell said there is information in the packets on this.

The Board returned to the LOSAP Audit.

Councilor McConnell said the audit took two days. Everything was accountable. All the information was accurate from Tom Chartrand. It's a very thin report for the cost.

Councilor McConnell received a letter from Senator DeFrancisco regarding the audit cost. Senator DeFrancisco is introducing a bill to amend the General Municipal Law to provide that for a service award program in which fifty or fewer firefighters participate the audit may be obtained from the chief fiscal officer. The Bill number is S5736.

Councilor McConnell said he will look into the Robert Paige matter and review the information John Harper submitted tonight.

9) Tax Collector: Mary Doster.

10) Town Clerk: Mary Jo Kelly.

- **Monthly report – May.**
A written report was submitted.

11) Town Supervisor: Greg Scammell.

- **Monthly report – May.**
A written report was submitted.

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.**
- b. **Mass shelter response.**
- c. **Multi-Jurisdictional Hazard Mitigation Plan.**

Councilor Bailey has begun working on this. He will pass the information onto the

Board.

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. **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. Completed.

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.

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

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

Supervisor Scammell said the representative called him about this.

Councilor McConnell said a gentleman came into the office last week while he was in and expressed an interest in submitting a proposal. He thinks if the Board is serious about replacing the copier, we could just put out an RFP of what we are looking for.

Mary Jo Kelly will work up something of what we need so we can put it out for bid. She will check to see when the current Service Contract expires with Xerox.

h. Stafford Park pole.

i. Stafford Park – tennis courts/bikes sign.

Supervisor Scammell asked Leon Cook if he put this sign up.

Leon Cook said no.

Supervisor Scammell asked if he could get a sign like this.

Leon Cook said yes.

Supervisor Scammell asked if he could get a price on this for the Town Board.

Leon Cook said he'll get it.

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).

This can be removed from the agenda until we hear something more about it.

b. Community Center inspection.

c. Box Lacrosse inspection.

d. Concession Building & Ballfields 1-6 inspection.

Supervisor Scammell noted some inspections have been performed.

Councilor Shute said one of our Physical Plant Deputies is working on the items that need to be fixed and they will be doing a reinspection on them.

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.**
- b. Legislative relief appeal.**

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.**

This has been completed and can be removed from the agenda.

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.**

This can be removed from the agenda until we hear from them again.

9. LITIGATION & OTHER LEGAL MATTERS.

A. Onondaga Nation Land/Land Rights Claim.

B. Pending zoning issues list.

C. LFD/JFD contract.

Supervisor Scammell said as far as he knows the boundaries in the contract are the same boundaries that 911 has.

Councilor Bailey asked if the Board could go into Executive Session at the upcoming Special Meeting with the L.F.D.

Kevin Gilligan said no.

Councilor Shute believes everyone should go to this meeting that can attend from the Town Board.

Councilor Shute said as far as the ISO ratings, we have what we have. The ratings will not change unless we have fire hydrants in the town.

Supervisor Scammell said we have never had the hydrants.

Councilor Shute thinks ISO has changed their standards to a higher level.

Mary Jo asked if Otisco, Spafford, etc. will have changed ratings.

Councilor Shute if this company goes around and evaluates them, they will.

Councilor McConnell asked if in his opinion there is no combating this without having water through the town.

Councilor Shute said that is his understanding.

Councilor McConnell said in a rural community there is no way to get a better rating then. He asked how often the company comes around to do the ratings.

Councilor Shute said ADHOC. There is a system in place where you can appeal and have them come back out and do it again if you change something. Jamesville’s rating went from 5 to 4.

D. Other.

9. UNFINISHED BUSINESS & ACTIVE PROJECTS.

A. Community Development Grant app - 2008.

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

B. Community Development Grant app – 2009, submitted.

C. Stimulus projects.

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

Councilor McConnell said he and Greg Sgromo worked on a prototype that can be given at the Central LaFayette Water District Informational Meeting. He scheduled the LGI room at the high school for June 23rd from 7:00 p.m. to 9:00 p.m. He will send a letter to the Town Board tomorrow for them to review and comment on. If it's O.K., we can put it on LaFayette letterhead to mail out to those residents that would be in the district.

Mary Jo asked if they want it in the Pennywise and Scottsman too.

Councilor McConnell said yes.

Councilor's McConnell moved and Bailey seconded the motion to hold a Central LaFayette Water District Informational Meeting in the LGI room at the LaFayette Jr.-Sr. High School on June 23, 2009 from 7:00 p.m. to 9:00 p.m. Motion carried.

Mary Jo asked if folks would be told the cost difference to bring it over Route 81. Could the district be put up to vote on as an "A" and "B". One could be taking it over Route 81 and the other stopping at Grimshaw? The minimum cost to take it over Route 81 would be estimated at \$200,000 for the residents in the district. This is if they don't hit rock. Would the property owners on the other side of Route 81 be willing to sign something stating they would pay whatever it costs to take the water over Route 81?

Councilor Shute said if we do this as a district and as an add on, would it just be the people within the district voting?

Kevin isn't sure. It would be a vote on whether to absorb the cost district wide.

Councilor McConnell will get the point in the presentation verifying what Mary Jo brought up. He asked the Board to review the presentation material for the Informational Meeting and make any suggestions, additions or corrections and get back to him by the end of the week.

Supervisor Scammell asked when he would like to get the letter out by.

Councilor McConnell said Wednesday.

2) LaFayette Hamlet Sewer District.

Councilor McConnell said he sent some options to the Board to review on this from Ryan Fisher at Fisher Civil Engineering.

Option 1: Conduct a general feasibility study and provide a letter report to the Town. The anticipated effort for this work would be \$3,000 and the scope would include:

- Develop the design wastewater flows and loads from the sewer district based on the proposed geographic area provided by the Town.

- Develop a preliminary design and sizing of a wetlands treatment system to treat wastewater from the proposed district and needed land area for the system.
 - Prepare a preliminary sewer collection system layout to convey wastewater to an identified treatment site.
 - Develop a preliminary project cost estimate and calculate user costs.
 - Prepare a letter report summarizing the results of the study for review by the Town.
- Councilor McConnell said this would allow us to go ahead and source grant funding.

Option 2: Utilize USDA Rural Developments Pre-Development Planning Grant (PPG) program to receive a 50% grant match on the preparation of engineering report. The engineering report is more extensive and must meet Rural Developments guideline for a Preliminary Engineering Report (PER). If you intend to apply for any project funding from Rural Development a PER is required and this option allows for you to get 50% of it paid for.

Councilor McConnell said a defined area and a survey of income is required for this.

Councilor Shute thinks the Hamlet area is a little over \$54,000 for the average income.

Councilor McConnell said \$40,447 is the cut-off. You will have to do an income survey at some point. If you go with Option 1, you don't need an income survey to get on the list. He recommends using Fisher Civil Engineering and Option 1 for the sewer district. There is money earmarked that could be used for this.

Supervisor Scammell said if we go with Option 1, we would have something to present to the people in the sewer district.

Councilor McConnell said exactly and you can go on the PED list to be considered for grants down the road.

Supervisor Scammell asked what Tom Chartrand said was left that could be used for this.

Councilor McConnell believes it was \$2,880. He believes Option 1 is the best one to go with. He thinks to go with the USDA option the income levels are too high.

Councilor Bailey asked if the income levels are for business too.

Councilor McConnell said only for households.

Councilor Shute said he is nervous about the long-term recurring costs however we may owe it to the people in the Hamlet to at least get them the information.

The Board was in favor of getting the information and providing the information to the people in the district.

Supervisor Scammell said we will put the information forward and let the people decide whether they can afford it or not. He believes we owe it to the people to find the information out about this and maybe to act on it.

Councilor's McConnell moved and Bailey seconded the motion to allocate \$3,000 to cover the feasibility study and a report letter to the town for the sewer district. Motion carried.

3) Highway Garage.

4) LaFayette Beach Renewal.

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

Councilor Shute said he met with the people on this and he advised them the town really needed to see what the library came back with regarding how much space they need as we would be acting as an add-on to that. He thinks Scott is having a meeting this Thursday. He will be attending that meeting.

6) Winacre Drive.

Leon Cook said under the stimulus projects, the Webster Road bridge can be added. A letter has been sent to Senator DeFrancisco for \$50,000 for the bridge repair.

D. For TB review.

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

E. Cardiff Cemetery Restoration. In process.

Supervisor Scammell said the restoration process has begun. The low spots will be filled in and some of the stones fixed.

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.

12. Suggestions for improvement and positive contributions.

Councilor Shute said on May 30th we held the first LaFayette Community Day and according to everyone it was a big success. There is no way to get the exact number that attended but he would say there were between 600 and 700 people. There were a lot of people who contributed. Everybody had a great time. He heard over and over people saying they couldn't believe everything was free. People were having a great time. The fireworks were outstanding. The Optimist Club has already said they want to pay for the fireworks again next year. He has had a number of people stop in to his office to see if they can help next year.

Supervisor Scammell thanked him for all his work on this.

The Town Board agreed.

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

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

HIGHWAY FUND	#3901 - 3913
GENERAL FUND	#3914 – 3958
SPECIAL DISTRICT FUND	#3959, 3981
TRUST & AGENCY FUND	#3960 - 3961

Motion carried.

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

The Town Board meeting adjourned at 7:45 p.m.

Respectfully submitted,

Mary Jo Kelly
Town Clerk

Adopted 7/6/09