

Minutes of the Regular Town Board Meeting held by the La Fayette Town Board on August 24, 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: Supervisor Gregory Scammell,
David Knapp, Councilman
Thomas Bailey, Councilman
Adrian Shute, Councilman

Absent: William Mc Connell, Councilman (Via cell phone)

Recording Secretary: Mary Jo Kelly, Town Clerk

Others Present: Thomas Chartrand, Bookkeeper
Kevin Gilligan, Town Attorney
Leon Cook, Highway Superintendent
Greg Sgromo, Town Engineer
Jim Moore, D.C.O.
Doug Scholes, Dep. D.C.O.
Don Maines
Matt Dodge
Scott Kushner, Lib. Dir.
Jim Nakas, Plan. Bd. Chair.

1. Supervisor Scammell called the Town Board Meeting to order at 6:38 p.m.
2. The Town Clerk took the Roll. Councilor McConnell absent. All else present.
3. Pledge to our U. S. Flag led by Town Councilor Dave Knapp.
4. **Councilmen Shute moved and Knapp seconded the motion to accept prior Meeting Minutes of July 13, 2009 as submitted by the Town Clerk. Voting was as follows:**

Supervisor Scammell	Yes
Councilor Knapp	Yes
Councilor Bailey	Abstain
Councilor Shute	Yes

Motion carried.

Councilmen Knapp moved and Shute seconded the motion to accept the Town Board Public Hearing Meeting Minutes of August 3, 2009 as submitted by the Town Clerk. Motion passed.

Councilmen Shute moved and Knapp seconded the motion to accept the August 17, 2009, Special Town Board/Planning Board Meeting Minutes as submitted by the Town Clerk. Voting was as follows:

Supervisor Scammell	Yes
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**Councilor Knapp
Councilor Bailey
Councilor Shute**

**Yes
Abstain
Yes**

Motion carried.

5. **PUBLIC HEARINGS.**

- None.

6. **COMMUNICATIONS.**

A. RESIDENTS.

- **Don Manes: Central LaFayette Water District.**

Don Maines was present. He had sent a letter to the Board which Supervisor Scammell read as follows:

“It’s time for the truth!

Matthew or I have asked at both meetings for the amount of units our businesses will be billed. Mr. McConnell, Mr. Shute, Town Lawyer and Engineer could not give us an exact number. To come up with a cost amount for each unit, you had to have a specific number each house and business would be charged. Why can you not answer us? Are you not prepared or not telling the truth? Mr. McConnell, you told me that you had all the facts and figures anybody needed yet you couldn’t come up with any answers.

Mr. McConnell why did you not take the time to find out the cost of the present water system used in the school and other tax free users versus the public water system? You stated it would probably save money but where are the facts? Facts tell the truth! Since the tax payers will be paying for the schools, fire department, town buildings, town garage, and library and whatever else, how much more will the tax payer be burdened?

You say that there is grant money. Have you applied for any grant money that would offset its cost or do the citizens have to guess at that too?

You also stated that this would be paid for in 20-38 years. Who pulls the cost for maintenance, water main breaks and upkeep in future years? How much will this cost the tax payer?

Being in business for over 40 years taught me to present facts and not to presume anything you should do the same.

It’s simple all we need to know before the vote is:

1. How many units will Green Thumb Markets and Sweeties be charged?
2. What will be our increase in taxes?
3. What is the exact charge for boxes, hookups, pressure gauges, regulators, etc.?
4. Do you have the names on all deeds in the water district for an honest vote?

In these hard times, it is most important to present all facts accurately to all the citizens in the Town of LaFayette. This is LaFayette’s future and you owe us this courtesy. I propose you table this until you present the citizens with the truth and true facts...”

Don Maines said he wrote this letter after reviewing the report.

Matt Dodge said many people asked the amount of pressure that would be going to their home. Looking through the report, the water authority does not guarantee any pressure. It’s estimated 160 units and he got a number of 2-5 units for his business. It seems there are a lot of

variables. They are just trying to get some answers. Someone asked him what the unit assessments would be for home businesses. Does anybody have any facts on what the school spends now on water and what it will be if this goes through? This will affect everyone in and out of the district on your school assessments. It was said that this water district could change our fire insurance. Has anyone looked up to see what it would be? These are numbers they have been trying to get during the last two meetings and have not gotten.

Don Maines said Mr. McConnell did get in touch with him and he was told not to worry about it as there was a greenhouse in the other water district that was only charged one unit so that is what he would be assessed at. Is this an appeasement or is it the truth?

Matt Dodge said he asked Mr. McConnell for a copy of the law regarding the voting which he hasn't gotten.

Don Maines said during his conversation with Bill McConnell over the phone, he asked him about the election law that the town is using and was told the number of the law and told to look it up himself.

Supervisor Scammell thinks John Langey did send something earlier today about the election.

Kevin Gilligan said that letter had to do with two issues. One was for military people that would be absent and the other was for regular absentee ballots.

Councilor Knapp asked if we shouldn't have a copy of the law on file for people to see. He thinks this would be a good idea.

Matt Dodge said this will really affect everyone in the town because of the schools, fire house, town property, etc. that will be using water and everyone should know about this. We were also told this would increase our property value. What would this increase our property value to? We just don't want to be left in the dark anymore.

Supervisor Scammell said there might be some information from the Coye Road Water District but the other district is rather new.

Councilor Knapp said the Town does spend an enormous amount of money on water for this building and the library.

Don Maines asked if this would take into consideration that this would be at the expense of a few people for the facility used by a lot of people.

Councilor Knapp said he is just addressing the statement about what this would save as far as money. We have to test the water every day because it's a public building. He is not sure about the schools numbers.

Councilor Shute said we don't have access to the school or Fire Dept. numbers but they are both in favor of this.

Matt Dodge said it might be good to show people what the costs are now to do public water and what they would be for water if the district goes through.

Councilor McConnell said the school pays \$6,000/year now.

Greg Sgromo said at some point in time before the numbers get finalized for the unit assessments, they would sit down and decide the number of units that would be assessed.

Matt Dodge said this would be after the vote. He could pay between \$500 and \$2,500.

Greg Sgromo said the way it sounds, he might be assessed from 1 to 2 units.

Don Maines said they are using one well for the two businesses.

Greg Sgromo said the pressure is a minimum of 20# at the curb. From there it could go up. If you don't have enough pressure to be serviced, obviously you would not be charged or be in the district.

Matt Dodge confirmed it would be at least 20# at the curb.

Greg Sgromo said yes.

Matt Dodge said it's not in the contract.

Greg Sgromo said as far as the reduction of insurance, it depends on what they would rate the community at. It was brought up that this would save the entire town and not just the district.

Don Maines asked if any of the grant money will be gone after before the vote. Is there any idea of the amount before the vote?

Greg Sgromo said no. You must form the district first. They have applied for one grant that will not be determined until later this fall. During his presentation at the public hearing, he gave a cap on how much per year and for how many years.

Don Maines said he saw the time range of 20-38 years.

Greg Sgromo said for 20 years it comes out to be \$10,000 including interest. He thinks the majority of the population will spend this much on wells and pumps, etc. There's an analysis you have to do in your head. He can't do it for everybody. The school is very supportive of this.

Don Maines said you should get this information out to the taxpayers before the vote.

Greg Sgromo said this might be a question for the School Board. He would think they have done their own analysis and believe this to be a good thing for them.

Councilor McConnell said there is grant money available but you can't apply for it until you have a project.

Don Maines asked if Councilor McConnell would comment on the statement he made on the phone to him about the other greenhouse in the other water district that was only charged for one unit because they didn't hook up to the water.

Councilor McConnell said they discussed the option of hooking up to this or not.

Don Maines asked if they don't hook up to the water system, will they still be assessed for it?

Greg Sgromo said they would still be assessed for one unit.

Don Maines said if they don't hook up to it, they will only be assessed for one unit.

Greg Sgromo said correct.

Matt Dodge said as long as they know if they don't hook up to it they will only be assessed for one unit, it is easier to swallow.

Councilor Bailey asked how they arrived at the number of units assessed to the county beach in the Northeast LaFayette Water District.

Greg Sgromo said it depends on water usage. They put together a list that is based on industry standards for water usage. These can be amended at any time if they find out the usage is more or less than the units assessed to the property.

Matt Dodge asked if this is written down anywhere that if there's no hookup, there's no more than one unit assessed.

Councilor McConnell said he discussed the septic system with the group doing the study and they would like to do a presentation at the next Town Board Meeting on their findings.

Jim Nakas was present. He would like to comment on an email he received from Councilor McConnell. This was regarding the resolution for the Andor project. He had 4 points he wanted to make.

- 1) He would like to be sure to treat all applicants the same and equally. He doesn't believe we sign non-binding agreements for anyone else. He would like the Board

- to remember that all printed materials from Andor are essentially a sales brochure and nothing contained in them is a guarantee, including the possible job opportunities.
- 2) Any benefit to the town would be in the form of increased tax revenue and their own handout indicates that they expect property values to rise, which will increase the taxes on surrounding properties.
 - 3) What is the purpose of the proposed non-binding resolution? What does this accomplish? The exploration of the project concept can certainly move ahead without this. Why did Andor request this? What does a non-binding resolution do for them?
 - 4) Is the proposed submerged wetland, in lieu of a leach field, a subsurface treatment system using greywater or a constructed wetland? If it is the latter, there is no official New York State policy that I could find and one site stated that it is doubtful that the state or county health departments would approve them.

Having been on the Planning Board for quite some time, he has felt that every situation should be handled equally. We don't do a resolution for anyone else prior to submitting an application. He thinks we should avoid doing this. He would ask us all to remember all the printed material received from these people is certainly a sales pitch. He doesn't think we should sign any documents. He doesn't want someone coming to him a year from now stating he signed a document and now their application has been turned down.

Supervisor Scammell asked about the wetland subject.

Jim Nakas said it was in Bill McConnell's email.

Supervisor Scammell explained to the public what Jim Nakas was commenting on.

Jim Nakas said we are in the planning business. There's no need for this and he doesn't want it waved back at us down the road when they say you had no problem with it so why do you have a problem with it now.

Councilor Shute doesn't see it this way. He thinks they are saying if we are going to say no to them, they want to know now.

Jim Nakas said we can't say this. We need a plan showing water, drainage, etc., before we can make this decision.

Councilor Shute said he would disagree. If someone came before the Board requesting a truck stop, he could tell them right now he would not vote yes for it.

Jim Nakas said they told us the project would be between one hundred million and one hundred and fifty million dollars. The cost for the studies would be about one tenth of the total bill and they are complaining about spending this amount.

Councilor Shute said it's a big difference for a business.

Jim Nakas doesn't believe it's a lot for a business with a scope like this one.

Councilor Shute doesn't see any reason why we can't show our cooperation with them. He doesn't see a reason to be belligerent to them.

Jim Nakas said all he wants them to do is fill out an application like everyone else and we don't treat them any differently than anyone else and we sure don't support them without this.

Councilor Shute said they are just asking us what we think about the project.

Jim Nakas said they could come to the Planning Board to ask this without spending any money. Their attorney did say they wanted a commitment.

Councilor McConnell said regarding the submerged wetland discussed in his email, there is one currently installed in Minoa that we are looking into and it's what we may be looking

at for the Hamlet next month. He will show Jim the engineering they use on this. He spoke to Tom Blair today who is Andor's attorney and discussed some pros and cons of the project. Corporations of this size need to know you are willing to listen which is what they need so they can go ahead and do the legwork. They are just trying to find out if the town would like to host them so they can go forward with the studies. They are just looking to see if they have a future for this business possibly coming to LaFayette so they can go out and find the funding. He doesn't think we treat them any differently than any other applicant of this size and scope and being environmentally supportive.

Jim Nakas said you are treating them differently as they want us to sign a non-binding resolution. They are looking for a pre-application approval.

Councilor Bailey thinks the first thing they need to do is ask for a zone change. This is nothing different than what Mighty Mart went through a year ago.

Councilor Knapp said correct and they came to us with a concept to see if we were open to talking about it and we advised them we weren't so they didn't waste the money to go through the whole application process, the environmental study, etc.

Supervisor Scammell asked Councilor McConnell if he was talking about the wetlands regarding the Andor project or the Hamlet in his email.

Councilor McConnell said he was talking about the Andor project. When he talked to Ms. Brown, he advised her to look at the one in Minoa as there is funding for this. He discussed this with her as it supports the green environment.

Supervisor Scammell asked Jim Nakas if his concern was that they might not be using this wetland.

Jim Nakas said they would have to supply a plan that would include this information which our Town Engineer would review and comment on.

Supervisor Scammell said we as a town do not know what kind of technology they will be using right now. He asked Kevin Gilligan if the town were to pass a resolution regarding this project, what does it mean? What would we be committing to?

Kevin Gilligan said he drafted an alternative resolution to the one Mr. Blair presented. He read the resolution to the Board. He thinks they are asking for the same information as what the Town Board gave the Mighty Mart.

Jim Nakas said it seems offensive that we are considering this. He may love or hate the project which would have no impact on how he votes. If they do everything required, it would have to be approved.

Kevin Gilligan said that is the difference between the Town Board and the Planning Board. The Town Board could just say no. Once the Town Board says yes, it will go to the Planning Board for their recommendations on the project. The Town Board has legislative authority to say they are or are not interested in the project. The applicant is just saying if the Board is not interested to tell them now before they spend their money.

Supervisor Scammell believes for a zone change they take a look at the request and refer it to the Planning Board to review. The Planning Board would do whatever the normal things are that they do to review the application and at some point they would make a recommendation for the Town Board. At that point, the Town Board has this information and the makes their decision. At some point the Town Board through its legislative authority makes the decision to grant or deny the zone change.

Jim Nakas said if the Town Board denied the zone change, that would be the end of it.

Supervisor Scammell said if the Planning Board wholeheartedly endorsed the project, the Town Board could still say no.

Kevin Gilligan said that is correct. It would be harder to justify though.

Councilor Knapp said or if the Planning Board were opposed to the project, the Town Board could grant the zone change anyway.

Kevin Gilligan said that would be difficult to justify too. They may end up needing some subdivision approval if they choose to sell some of the condo's which would be up to the Planning Board. He said there may be a PILOT too.

Councilor McConnell said he discussed this with Mr. Blair.

Supervisor Scammell asked when the PILOT would be discussed.

Kevin Gilligan thinks they might discuss it at the same time they are discussing their project with the Planning Board.

Councilor McConnell said Andor said until they find out whether the town is interested or not, they have no meetings set up for any funding with anyone. If we have interest, the research will start by them in looking for the investment options.

Supervisor Scammell said Andor is waiting for us to provide them with some feedback.

Councilor Bailey asked if there's any comments from the area residents.

Supervisor Scammell isn't sure the area residents know about the proposal. Prior to a week ago, not much of anybody knew.

Mike Appel and Paul Ellis were present from Community Council. They wished to discuss the transfer of the Beach. They would like to transfer the ownership from Community Council to the Town. They would like a commitment from the Town to take over this property. They will do the survey. This would be for both the Beach and the box lacrosse.

Councilor Knapp said Mike is in the insurance business and found a potential insurance problem with the property the way it is.

Mike Appel said since 1952 he doesn't know if there's an actual insurance policy for them. They would not be indemnified as volunteers. They have programs at the Beach and the box and liability-wise they are not comfortable. It's very expensive and hard to get insurance for them. They are hoping the Town would take consideration in taking over the transfer of this property to the Town.

Supervisor Scammell asked if they already have a survey.

Mike Appel said if they can get some kind of commitment, they would go forward with the survey.

Councilor Shute said the Town has some interest in this too. He has discussed this with Kevin Gilligan who thinks they are probably covered under the Town insurance but there is some gray area there. If the Town owned the property, it would clear up the gray areas.

Supervisor Scammell asked if there are other items besides the insurance that would be positive aspects of the change.

Mike Appel said nothing would change but the ownership. They would still run the programs.

Councilor Knapp asked Kevin Gilligan about the procedure to transfer this property to the Town.

Kevin Gilligan said the survey, abstract of title, capital gains, deed, etc. would be required.

Councilor Knapp asked if the surveyor can come up with these items.

Kevin Gilligan doesn't know who would have the abstract on this.

Councilor Knapp asked if this could be gotten downtown.

Kevin Gilligan said the abstract company can put one together for them.

Mike Appel said they have a deed dated 1952.

Kevin Gilligan thinks someone should check the law from their perspective to see if there's any problem with a small non-for-profit group deeding something to the Town. He doesn't think there is a problem but they should check with their accountant.

Councilor Knapp asked if they should get an attorney for this.

Kevin Gilligan said it won't cost much money from their side.

Councilor Shute asked what if they can't find an abstract.

Kevin Gilligan said they would have to create one. They would have to contact an abstract company downtown.

B. CNY Regional Planning & Development Board:MS4 Stormwater Compliance Assistance Program Work Scope Change.

Councilor Knapp asked Councilor McConnell about this.

Councilor McConnell said this will carry over to next year.

Councilor Knapp confirmed this is something we don't need to worry about at this point.

Councilor McConnell said that is correct.

C. National Grid: surcharges.

D. Syracuse Metropolitan Transportation Council: ARRA funding.

E. Tobacco-Free Onondaga County: Certificate of Recognition.

F. March of Dimes: Bikers for Babies.

G. NYS DEC: Notice of Receipt of Application, Central LaFayette Water District.

H. NYS Board of Real Property Services (ORPS): Final State Equalization Rate.

I. Tennessee Gas Pipeline: 2009 System Integrity Plan.

J. NYS Senator John DeFrancisco: State Assessment Fees in monthly utility bills.

K. NYS Senator John DeFrancisco: NYS \$2.1B Budget Shortfall.

Supervisor Scammell read the email from Senator DeFrancisco "A Budget Crisis that Could Rival California's" dated 8/5/2009.

Councilor Knapp confirmed this is in response to the National Grid surcharge.

L. Fisher Civil Engineering: Hamlet sewer study.

M. LaFayette Fire Department: 2010 contract.

N. NYS Unified Court System: audit copy.

The Board asked Mary Jo to get a copy of what was previously sent.

O. Project Orange: Determination and Findings.

Kevin Gilligan said he doesn't know why they notify us about this as it doesn't affect us. Supervisor Scammell would presume it's because of the Tennessee Gas Pipeline.

P. Town of Onondaga: Zoning Law Amendment.

Kevin Gilligan said this is just housekeeping. They redid their Comprehensive Plan a few years ago and this is just to comply with that.

Q. CNY RP&DB: Accomplishments.

R. Onondaga County DOT: Culvert replacement on Apulia Road.

Councilor Knapp said they are going to close Apulia Road by Colton Road until 9/11/09 while they replace the culvert and then they will move up to Weller Road and replace that culvert. He and Leon Cook got them in touch with the school so they could work out bus routes, etc.

S. NYS Department of Law, Assistant Attorney General Juanita Williams: introduction.

T. Jamesville Board of Fire Commissioners: 2010 contract.

U. 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.

- a. **3448 Route 11 – court and cleanup.**
- 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.

- **Public Access Leash Law – draft.**

Jim Moore said he is proposing a draft leash law. This would be for public property like the parks, etc. He thinks if we are going to have a leash law, we should have it town-wide.

Kevin Gilligan has given a copy to Nadine Bell along with the other leash law information they have done over the past few years and asked her to contact Jim Moore.

Jim Moore said once again, he thinks if we are going to have a leash law, it should be town-wide or it will be too hard to enforce.

Supervisor Scammell thinks the last time we had a public hearing for a leash law it was a vigorous turnout and the Board didn't act on it.

Jim Moore said he has had more people over the past few years that are positive for a leash law.

Kevin Gilligan said a town leash law is not subject to a public referendum and there's no way to call one on it. You would have to have a public hearing but it can't be subject to a mandatory vote.

Councilor Knapp asked about the surrounding towns and what they do.

Kevin Gilligan said the Town of Onondaga has a park restriction for dogs.

Councilor Knapp asked what the county does for Jamesville Beach.

Jim Moore said there is a leash law in the county parks.

Councilor Shute said it sounds like if Dog Control isn't in favor of this, maybe we could save Nadine the time of going through it.

Councilor Knapp said he is getting concerns about the park. He isn't getting town-wide concerns but is getting them regarding the parks. Personally, he would be interested in looking at something for the parks. He asked if we could talk about this again at the next meeting and maybe hold off having Nadine work on this until after that meeting.

Councilor Bailey said Item E says "The intent of this local law is to insure the welfare and safety of all citizens, and livestock (wild and domestic) and all visitors to the Town of LaFayette..." Do we have any documented proof over the last year or so where there have been incidents that would justify a town-wide ordinance?

Jim Moore said we have a lot of dangerous dogs in the town. He doesn't have this information for the parks. He only had one incident in the park from about 3 years ago.

Councilor McConnell asked if the concern is for the park or the town as a whole.

Jim Moore said the town as a whole.

Councilor McConnell asked what has driven his interest for a town-wide ordinance rather than just for public property.

Jim Moore said for example, on West Shore Manor there are a bunch of residents who are terrified of some dogs that are running loose in that area. There is nothing we can do about it as there is no leash law in the Town of LaFayette.

Councilor Knapp asked if there is a middle ground where you can require people to keep their dogs on their own property.

Jim Moore said the dog can be within a fence, invisible fence, owners command, etc. It would be good if our dog control ordinance said "aggressive" dog.

Kevin Gilligan asked how he would prove a dog is aggressive. You can prove a dangerous dog but how would you prove an aggressive dog? How would you prove your case?

Jim Moore asked for an interpretation of intimidating vs. aggressive.

Kevin Gilligan said how are you going to prove that? He thinks the difficult thing would be to try to define the aggressive dog.

Jim Moore said a dangerous dog is a civil case whereas an aggressive dog or dog bite is a misdemeanor.

Kevin Gilligan asked if the Board wanted this on hold or wanted him to look into the aggressive dog.

The Board was in favor of the Town Attorney looking into the aggressive dog description.

Jim Moore thinks we need something to make irresponsible dog owners accountable.

Kevin Gilligan said they will take a look at the aggressive dog aspect.

4) Highway Superintendent: Leon Cook.

Leon Cook said they did a lot of different roads. They leveled them and shimmed them. The roads they worked on were Chase, Amidon and Dodge. The rain storm we had almost washed the pipe out on Dodge Rd. They had to blacktop over 300' to hold this and keep it from washing out. They also worked on Maple Grove. He reported on the oil and stone at an earlier meeting. They oiled and stoned McConnell, Newell Hill, Cascade and Palmer Roads. The last bunch of roads they worked on were Bull Hill, Smokey Hollow, Palladino and Walburger.

Councilor Knapp asked about the price for oil and stone.

Leon Cook said it's less than last year. They did a total of 5.74 miles. Since the price of oil was down, they've done almost 7 miles. They have mowed the roadside completely twice and they will be starting around for a third time.

Councilor Knapp said he's had a lot of compliments about how our roadsides are compared to the state and county roads.

Leon Cook said they have mowed the 40 acres of fields 6 times. They spent two days picking up brush from trees that had blown down.

The gate at the dump was really old and got real bad. It looks like someone backed into it when they were trying to turn around. Whatever happened, the gate got destroyed. Our plow equipment and pipes are all stored over there during the summer. He wanted to get the gate replaced immediately. He purchased a gate as he didn't want to wait until the next meeting for approval as it was important to get it up right away.

Supervisor Scammell asked how much it cost.

Leon Cook said around \$300. This should come out of the General Fund.

They have a truck that has to have the front hitch completely taken off and redone. He got the following four estimates:

Wayne's Welding Inc.	\$3,500.00
STS Truck Equipment & Trailer Sales	\$4,500.00
Transportation Repair Service Inc.	\$5,880.00
Tracey Road Equipment of Syracuse	\$1,820.56

He would recommend going with the lowest estimate of \$1,820.56 from Tracey Road Equipment.

Councilor's Bailey moved and Knapp seconded the motion to accept the estimate from Tracey Road Equipment of Syracuse in the amount of \$1,820.56 to repair the front hitch on the truck. Motion carried.

Councilor Knapp asked how the parks are doing.

Jim Moore said it's been pretty calm but folks seem to be staying a little after sunset. They still need the lights fixed on the flag and in the ladies room.

Councilor Shute will give him Phil DeSaw's number.

Leon Cook said there was as much trash on the outside of the dumpster at the park as there was on the inside. If this happens a few times a year, we may have to put in a bigger dumpster.

Councilor Knapp asked to have Jamie Manley keep a mental note if this happens again.

5) Justice Court: Malcolm Knapp & Maureen Perrin.

a. Monthly report - July.

A written report was submitted.

b. Ventilation and temperature control.

6) Library Director: Scott Kushner.

• Monthly report – March.

A written report was submitted.

Scott Kushner was present and wished to discuss the building project. He will get the Board a copy of the final report the consultant did. The final report stated they would need an additional 15,000 square feet. This isn't going to happen. What they have now is approximately 11,000 square feet. He was going to try to apply for construction grants and he ran into Councilor Shute a few weeks ago and there was discussion about possibly purchasing the building next door.

Councilor Shute said what happened was he had gone to the library meetings and Vince Maher was in his office one day and he mentioned the expansion to him. Vince asked how much the project would cost and said to tell them he would sell them the building next door for half of that. He thought they had left it that the trustees were coming up with the final report of what they needed.

Scott Kushner asked if Vince Maher approached the Town to buy the building.

Councilor Shute said Vince said it was available.

Scott Kushner said this put a wrench in him applying for the state grants. This would change the whole nature of the project. The original agreement between the Town and the Library for this building would have to be looked at to see how it would change if they are going to purchase a new building

Councilor Knapp asked if it's easier or harder to get funding for renovation rather than new construction.

Scott Kushner isn't sure if there is a gauge for this. He doesn't know if the construction grants include purchasing a building. He is asking if this discussion could be put on the table officially.

Supervisor Scammell said we would have to get a general idea of what the total cost to add on to this building for the Town as well as the library would be and the cost to purchase the building next door and what it would cost to rehab it and the grants available to offset the above items.

Scott Kushner thinks it would be easier for the Library to stay here and have the Town purchase the building next door. This is all just speculation right now.

Councilor Shute said the library is getting a lot of use and it's crowded. He thinks there's a good reason why we are discussing this. There's a problem we need to solve here.

Supervisor Scammell said they would have to see if the upstairs could hold the weight to make the project feasible.

Scott Kushner would rather keep the collection downstairs and perhaps move the computers and offices upstairs as well as the community area.

Councilor Shute thinks when you take it to the people, the library is much more palatable than a new Town Hall Building.

Councilor Knapp thinks we need to get a number from Vince Maher.

Supervisor Scammell said we need the general number for the cost to expand here and the cost to purchase the building next door.

Scott Kushner said he came here tonight to just formally get this on the table.

Councilor Shute will talk to Vince Maher before the next meeting.

Scott Kushner said he will get the figures for renovation and new construction.

Councilor Shute asked Kevin Gilligan when this all comes together and a certain amount of money needs to be spent, who is paying for it? Would we be funding the library to pay for it?

Kevin Gilligan asked how the library gets funded now.

Tom Chartrand said the same people that pay the Highway Fund and General Fund pay the Library Fund.

Councilor Knapp said if the library was able to get some grant money to buy this building from the Town, we could use that money to buy the building next door.

Councilor Shute asked if we were to purchase the building next door, would it be a referendum?

Tom Chartrand said if you bond for it, yes.

Kevin Gilligan said if the bonding would go beyond 5 years, you would be subject to a Permissive Referendum.

Supervisor Scammell said the next meeting will be on the second Monday of September.

7) Recreation Director: Regina Reinschmidt.

a. Monthly report. – July.

A written report was submitted.

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. (3)

A letter was received from Jim Clarke requesting the course usage fee be waived for the Syracuse Police SWAT (Recon) Team.

Councilor's Knapp moved and Shute seconded the motion to waive the Ropes Course usage fees for the Syracuse Police SWAT (Recon) Team on August 27, 2009. Motion carried.

9) Tax Collector: Mary Doster.

10) Town Clerk: Mary Jo Kelly.

- Monthly report – July.

A written report was submitted.

11) Town Supervisor: Greg Scammell.

a. Transfers.

Councilor's Knapp moved and Shute seconded the motion to approve the following budget transfers:

HIGHWAY FUND

To:

DA9950.0	Transfer to Reserve	Intrafund Transfer	<u>\$6,800.00</u>
		TOTAL	\$6,800.00

From:

DA599	Surplus	Sale of Equipment	<u>\$6,800.00</u>
		TOTAL	\$6,800.00

GENERAL FUND

To:

A5010.4	Supt. Of Highways	Contractual	\$ 100.00
A8989.4	Water Systems	Contractual	\$2,200.00
A9040.8	Workers Compensation	Employee Benefits	<u>\$ 700.00</u>
		TOTAL	\$3,000.00

From:

A1990.4	Contingent	Contractual	<u>\$3,000.00</u>
		TOTAL	\$3,000.00

Motion carried.

b. Monthly reports – July.

A written report was submitted.

Thomas Chartrand asked about scheduling dates for the Budget Meetings and Work Sessions.

Councilmen Bailey moved and Knapp seconded the Motion to schedule the following Budget Meetings, Budget Work Sessions and Public Hearings:

September 14, 2009	5:30 p.m.	Budget Meeting with LaFayette Fire Dept.
September 22, 2009	5:30 pm.	Budget Meeting with Highway Dept. and Library
September 28, 2009	5:30 p.m.	Budget Meeting with Small groups, Community Council and Jamesville Fire Dist.
September 30, 2009	5:30 p.m.	Budget Work Session
October 15, 2009	5:30 p.m.	Budget Work Session if needed.
November 11, 2009	6:00 p.m.	Public Hearings for 2010 Budget, LaFayette Fire District, Jamesville Fire District, Northeast LaFayette Smokey Hollow Water District, Coye

**Road Water District, West Shore Lighting
District, Drainage Districts and
S.O.T.S. Trash District.**

Motion carried.

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 said he would like to put an order in for a Sheriff for the Apple Run. Councilor Knapp said the Apple Festival split the cost with the Town for this last year and he felt confident they would again this year.

Councilor’s Knapp moved and Shute seconded the motion to hire one Sheriff for the Apple Run from 8:30 a.m. to 11:30 a.m. on October 11, 2009 and to split the cost with the Apple Festival. Motion carried.

- 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).**

Leon Cook said he got in touch with the real estate company regarding the old Booher Lumber property. They want \$250,000. It’s \$25,000 an acre. He will go look at the property and talk to the owner a little more before the next meeting. The owner wants to sell the 10 acres

on the south end of the property but Councilor McConnell thought it would be better to have the property on the north side.

Tom Rezsnyak inspected the Community Center. There is stuff getting put in the storeroom. We don't know who is bringing the stuff in there. He would recommend putting a padlock on that door and only giving the Supervisor a key.

It was decided to have Leon Cook put a padlock on the storage room and give the key to the Supervisor. He will clean the storage room out this week.

8) Insurance (Adrian Shute & Bill McConnell).

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

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

Councilor Knapp said he talked to Fred Groth about the light on the northeast corner of the Town Offices for the ramp which he will be taking care of.

- Programmable thermostats. Completed.**
- Fire & smoke alarms at Town Offices (1st & 2nd floor) & Community Center. Code requirements (Rick Storrier/DK).**
- Town offices - Loose clapboards – estimate needed (DK).**
- Community Center basement flooding – masonry pointing, window blocking, backfilling and trenching.**
- Community Center fencing and steps.**
This has been completed.
- Community Center phone jack and wall extension for Regina.**

Councilor Knapp said Fred Groth will be calling Regina on this.

g. Copier: RFP (MJ).

Mary Jo submitted some spec's were submitted. She noted the Service Agreement doesn't run out until June 2010 and was told it would cost \$300 - \$600 to get out of this Agreement prior to that date.

Discussion took place on whether to replace the copier now or wait until 2010.

Mary Jo will send out some letters to get estimates for June 2010 when the service contract runs out.

- Stafford Park pole.**
- Stafford Park – tennis courts/bikes sign (LC).**
- Town offices carpeting – clean or replace?**

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. Community Center inspection.**
- b. Box lacrosse inspection.**
- c. Concession building & ballfields 1-6 inspection.**

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

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

- **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).

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.**

9. **LITIGATION & OTHER LEGAL MATTERS.**

A. **ONONDAGA NATION LAND/LAND RIGHTS CLAIM.**

B. **PENDING ZONING ISSUES LIST.**

C. **LFD/JFD CONTRACT.**

D. **OTHER.**

10. **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.

Kevin Gilligan said if the Board is going to proceed tonight, there are 3 resolutions to consider. One is the SEQR, another is to establish the water district and the third is to establish a referendum vote.

Councilor Knapp confirmed 11/3/09 is Election Day. We would do the voting in a separate room and post signs at the various voting poles to let folks know the voting for the district would be in the Town Office Building. He thinks this might encourage turnout.

Councilor Shute agreed.

Supervisor Scammell said it would make more sense to him.

Councilor Knapp agreed with what Cindy Heckerman said at the public hearing that everyone in the district should have the opportunity to be heard and he believes the only way to do this is to let people vote.

Councilor Shute agreed.

Councilor Bailey believes the way it's structured now, it seems like a fair process.

The Board reviewed the long SEQR.

**TOWN OF LAFAYETTE TOWN BOARD
SEQRA RESOLUTION AND NEGATIVE DECLARATION**

DATED August 24, 2009

**IN THE MATTER OF THE ESTABLISHMENT OF
THE CENTRAL LAFAYETTE WATER DISTRICT IN THE
TOWN OF LAFAYETTE, ONONDAGA COUNTY, NEW YORK
(Pursuant to Town Law Article 12-A)**

Councilman Knapp moved and Councilman Shute seconded the following Resolution:

WHEREAS, a map, plan and report dated July 2009 have been prepared by Dunn & Sgromo Engineers, PLLC, competent engineers licensed by the State of New York, in such manner and in such detail as has heretofore been determined by the Town Board of the Town of LaFayette, New York, relating to the establishment of a proposed Water District, to be known and designated as the Central LaFayette Water District, Town of LaFayette; and

WHEREAS, such map, plan and report have been duly filed in the office of the Town Clerk of the Town of LaFayette, New York; and

WHEREAS, the boundaries of the proposed district are set forth in Schedule A, attached hereto and made a part hereof; and

WHEREAS, the improvements proposed consist of the construction and installation of approximately 25,000 l.f. of 12" water mains, 10,000 l.f. of 10" water mains, 30,000 l.f. of 8" water mains, including land or rights in land, tanks, pumps and pump systems, original equipment, machinery, valves, furnishings, fittings, connections, fill, services, hydrants, appurtenances and related site work (the "water improvements"), as more particularly shown and described in the map, plan and report, as prepared by Dunn & Sgromo Engineers; and

WHEREAS, Volume 6 N.Y.C.R.R., Sections 617.3 and 617 of the Regulations relating to Article 8 of the New York Environmental Conservation Law of New York (SEQRA), requires that as early as possible after submission of a completed application, an involved agency shall make a determination whether a given action is subject to the aforementioned law; and

WHEREAS, on July 13, 2009 the Town of LaFayette Town Board (the "Board") declared itself to be lead agency, identified involved agencies for and determined this application to be an unlisted action for purposes of SEQR review; and

WHEREAS, the Board circulated lead agency notices to all involved agencies on or about July 23, 2009 and no objections or environmental comments were received by the Board, and the Board hereby confirms that it shall act as lead agency for purposes of environmental review of this application; and

WHEREAS, the applicant has completed and submitted a Long Form Environmental Assessment Form and the same have been reviewed and considered by the Board; and

WHEREAS, the Board has considered and discussed fully the potential environmental impacts of the proposed action.

NOW, THEREFORE, BE IT RESOLVED, that the Town of LaFayette Town Board hereby determines the proposed action will not have a significant adverse effect on the environment and this resolution hereby adopts the Negative Declaration attached hereto for purposes of Article 8 of the Environmental Conservation Law, Volume 6 of the N.Y.C.R.R. Part 617 et seq. for the reasons contained herein and in the appended Attachment "A"; and

BE IT FURTHER RESOLVED, that the Town’s legal counsel, distribute and publish the attached Negative Declaration pursuant to the requirements of 6 N.Y.C.R.R., Part 617.

Upon a canvass of the Town Board, the votes of its members upon the Resolution were as follows:

William McConnell	Councilman	Voted	Absent
Thomas Bailey	Councilman	Voted	Yes
Adrian Shute	Councilman	Voted	Yes
David Knapp	Councilman	Voted	Yes
Gregory Scammell	Supervisor	Voted	No

The foregoing Resolution was thereupon declared duly adopted

SCHEDULE A

Beginning at a point at the intersection of the northerly boundary of the Town of LaFayette with a point 300 feet east of the Sentinel Heights Road right-of-way;

- **Then south, 300 feet east of the Sentinel Heights Road boundary to its intersection with a point 300 feet north of the Commune Road right-of-way;**
- **Then east along this line approximately 550 feet;**
- **Then south to a point on the line 300 feet south of the Commune Road right-of-way;**
- **Then west along this line to its intersection with a point 300 feet east of the New York State Route 11 right-of-way;**
- **Then south along this line to its intersection with a line 300 feet north of the New York State Route 20 right-of-way in the Hamlet of LaFayette;**
- **Then east along this line to its intersection with the line 300 feet north of the LaFayette Road right-of-way;**
- **Then northeast along this line to a point at the northeast corner of tax parcel 20-04-08.0;**
- **Then southeast along the northeast line of tax parcel 20-04-08.0 to the centerline of LaFayette Road;**
- **Then southwest along the centerline of LaFayette Road approximately 110 feet to its intersection with the southerly property line of tax parcel 09-01-26.0;**
- **Then southeast along the southerly property line of tax parcel 09-01-26.0 to a point 300 feet from the LaFayette Road right-of-way;**
- **Then southwest along this line to a point 300 feet north of the Dodge Road right-of-way;**
- **Then east along the line 300 feet north of the Dodge Road right-of-way to a point on the extension of a line 300 feet east of the easterly New York State Route 20 right-of-way;**

- Then south along this line to its intersection with the westerly boundary of the railroad tracks (tax parcel 10-02-12.0) owned by Onondaga County Industrial, once the New York Susquehanna and Western Railway;
- Then south along the western railway boundary, approximately 370 feet to a point on the easterly extension of a line 130 feet south of and parallel to the southern lot line of tax parcel 14-03-50.0;
- Then west along this line to a point 300 feet west of the westerly Ashburn Drive right-of-way;
- Then north along this line to the southerly line of tax parcel 14-06-04.0;
- Then west to the southwest corner of tax parcel 14-06-04.0;
- Then north along the westerly property line to tax parcels 14-06-04.0, 1-06-03.0, and 14-06-02.0 to the northwest corner of the tax parcel 14-06-02.0, said point also being on the southerly property line of tax parcel 17-05-05.0;
- Then west along the southerly line of tax parcels 17-05-05.0 and 17-05-06.0, a distance of approximately 350 feet west of the Ashburn Drive right-of-way to a point on the southerly line of tax parcel 17-05-06.0;
- Then perpendicular to the southerly line of tax parcel 17-05-06.0 heading north, a distance of approximately 500 feet;
- Then perpendicular to this line, heading east to a point at the northwest corner of tax parcel 17-04-09.9;
- Then along the northern line of tax parcel 17-04-09.9 to its intersection with the southerly extension of tax parcel 17-04-11.1;
- Then north along the westerly line of tax parcel 17-04-11.1 to where this line extended intersects the southerly line of tax parcel 17-04-10.0;
- Then easterly along the southerly line of tax parcel 17-04-10.0 to a point 300 feet west of the westerly right-of-way of New York State Route 20;
- Then along an arc following a line 300 feet from the westerly and southerly New York State Route 20 right-of-way to a point on the extension of the westerly line of tax parcel 18-02-18.0 and 300 feet south of the New York State Route 20 right-of-way;
- Then diagonally from said point southwest to a point on the southerly line of tax parcel 18-02-04.0, said point being 300 feet east of the easterly right-of-way of New York State Route 11;
- Then southerly along this line 300 feet from the New York State Route 11 right-of-way to a point on the southerly line of tax parcel 17-04-06.1;
- Then west along the southerly line of tax parcel 17-04-06.1 to the centerline of New York State Route 11;
- Then south along the centerline of New York State Route 11 approximately 160 feet to the southerly line of tax parcel 17-03-15.0;

- Then west along the southerly line of tax parcels 17-03-15.0 and 17-03-14.0 to a point 300 feet from the westerly right-of-way of New York State Route 11;
- Then north along this line approximately 1,880 feet to a point at the southwest corner of tax parcel 18-01-07.1;
- Then diagonally from that point, northwest to a point at the southwest corner of tax parcel 18-01-01.1, said point also being on the easterly right-of-way of New York State Route 81;
- Then northerly along the easterly right-of-way of New York State Route 81 approximately 1,000 feet to a point, 650 feet north of the northerly right-of-way of New York State Route 20;
- Then east along the line 650 feet north of the northerly right-of-way of New York State Route 20 to a point on the west line of tax parcel 19-01-06.2;
- Then north along this line to its intersection with the southerly right-of-way line of the New York State Route 81 off ramp;
- Then diagonally northwest to a point at the northwest corner of tax parcel 20-05-10.2, said point being 300 feet west of the westerly right-of-way of New York State Route 11;
- Then northwest along this line approximately 3,150 feet to its intersection with the southerly line of tax parcel 20-05-01.0;
- Then west along the southerly line of tax parcel 20-05-01.0 to the southwest corner of this lot, said point being on the easterly line of the New York State Route 81 right-of-way;
- Then northwest along the New York State Route 81 right-of-way to its intersection with the westerly line of the Onondaga Nation Territory and north along this westerly line to its intersection with the north line of the Town of LaFayette;
- Then east along the north line of the Town of LaFayette approximately 575 feet to its intersection with the eastern right-of-way line of McClary Road;
- Then diagonally southeast from this point a distance of approximately 4,800 feet to the intersection with the north line of tax parcel 24-03-52.0, said point being 300 feet east along this line from the easterly right-of-way of New York State Route 11;
- Then northeast along the north line of tax parcel 24-03-52.0 and its extension to its intersection with the west line of tax parcel 25-02-05.0;
- Then southeast along the west line of tax parcel 25-02-05.0 approximately 1,990 feet to the northwest corner of tax parcel 24-03-53.0;
- Then east along the north line of tax parcel 24-03-53.0 a distance of approximately 180 feet to a point on the line 300 feet west of the west right-of-way line of Sentinel Heights Road. Then north along the line 300 feet west of the west right-of-way line of Sentinel Heights Road to the north boundary of the Town of LaFayette;

- Then east along the north boundary of the Town of LaFayette to a point 300 feet east of the east right-of-way line of Sentinel Heights Road, said point being the point of beginning.

ATTACHMENT "A"

REASONS SUPPORTING THE NEGATIVE DECLARATION FOR THE ESTABLISHMENT OF THE CENTRAL LAFAYETTE WATER DISTRICT IN THE TOWN OF LAFAYETTE, ONONDAGA COUNTY, NEW YORK (Pursuant to Town Law Article 12-A):

1. **Air, Water, Noise, Waste, Erosion, Drainage, Site Disturbance Effects:** The Project will not create any adverse change in the existing air quality, water quality or noise levels, nor in solid waste production, nor create potential for erosion, nor promote flooding or drainage problems. The Project will produce a minimal disturbance of soil and vegetation, with minimal storm run-off. Rather, the project will provide a positive impact on water supply and quality, as well as fire prevention and response. Any such impacts will be temporary in nature and will only be associated with the construction portion of the project.
2. **Aesthetics, Agriculture, Archeology, History, Natural or Cultural Resource, Community or Neighborhood Character:** The Project will not adversely affect agricultural, archeological, historical, natural, or cultural resources. The Project involves provision of a service which must be located as and where necessary to provide potable water to the affected areas. However, most construction is anticipated to occur within existing public road rights-of-way.
3. **Vegetation, fish, Wildlife, Significant, Habitats, Threatened or Endangered Species:** No such plant or animal life has been identified nor will they be adversely affected by the Project.
4. **Community Plans, Use of Land or Natural Resources:** The Project is not adverse to official community plans and goals and will have no adverse effects on land-use or the use of natural resources by or in the community. In fact, the Town's future plans support the introduction of public water in the area.
5. **Growth, Subsequent Development, etc.:** The Project will not induce any significant or adverse growth or subsequent development. While some development may occur because of the introduction of a more stable water supply, it is not anticipated to be in such numbers as to threaten the environment. Any additional growth in the form of new projects will be reviewed under local land use laws.
6. **Long Term, Short Term, Cumulative, or Other Effects:** The Project will not have any significant adverse long term, short term, cumulative, or other environmental effects.

Critical Environmental Area: The Project will not have an impact on any Critical Environmental Area as designated in 6 N.Y.C.R.R., Subdivision 617.14(g).

Supervisor Scammell said he voted no on this Resolution as he just received the documents tonight.

Discussion took place regarding the establishment of the water district.

Councilor Shute isn't sure we should limit this to 20 years.

Councilor Knapp thinks it's an awful wide swing to leave it wide open.

Councilor McConnell said at the public hearing he discussed the 20 years as a maximum.

To say 20 years would give most of the folks a time-frame and it seemed it was the most agreeable option to the public.

Councilor Knapp asked from the standpoint of funding, do most places offer a 20-year time-frame?

Councilor Shute asked what if the optimal funding is for 26 years? We have eliminated that option if we go with the 20 years.

Kevin Gilligan said that is correct. You would not be able to go out further.

Supervisor Scammell said from his perspective, none of that is the issue. Someone will be voting on this and trying to decide if this is something that is good for them. \$500 a year for 20 years is different than \$500 for 38 years.

Councilor Shute said however, \$300 for 26 years may be better for them too.

Councilor Bailey asked if a favorable modification arose down the road, could this be amended or modified?

Kevin Gilligan said it would have to go back before the voters.

Councilor McConnell said his own opinion is he is for the 20 years at a certain dollar amount. He couldn't support anything past 20 years. He thinks keeping it at 20 years would allow it to stand on its own merit. If he were at this Meeting tonight and it was proposed to go anywhere beyond 20 years, he would vote against it.

Councilor Shute said 20 years might increase the chances of this going through but then you have to find a way to keep it at \$500 per year or less over 20 years.

Councilor McConnell agrees and thinks it will be a significant challenge to receive the grant money whether it's 20 or 26 years.

Councilor Shute said he views it to be the Town Board's job to try to make the smartest choice for this and if it eliminates all but one option you take away that choice.

Councilor McConnell understands but thinks keeping it at the 20 years would regain the residents confidence.

**ESTABLISHMENT OF THE CENTRAL LAFAYETTE
WATER DISTRICT IN THE TOWN OF LAFAYETTE,
IN THE COUNTY OF ONONDAGA, NEW YORK
Pursuant to Town law Article 12-A**

**ORDER ESTABLISHING
WATER DISTRICT SUBJECT TO**

A MANDATORY REFERENDUM

The following resolution was moved by Councilor Bailey, seconded by Councilor Knapp.

WHEREAS, previous hereto a map, plan and report dated July 2009 have been prepared by Dunn & Sgromo Engineers, PLLC, competent engineers licensed by the State of New York, in such manner and in such detail as has heretofore been determined by the Town Board of the Town of LaFayette, New York, relating to the establishment of a proposed Water District, to be known and designated as the Central LaFayette Water District, Town of LaFayette; and

WHEREAS, the improvements proposed consist of the construction and installation of approximately 25,000 l.f. of 12" water mains, 10,000 l.f. of 10" water mains, 30,000 l.f. of 8" water mains, including land or rights in land, tanks, pumps and pump systems, original equipment, machinery, valves, furnishings, fittings, connections, fill, services, hydrants, appurtenances and related site work (the "water improvements"); and

WHEREAS, an order was duly adopted by this Town Board on July 15, 2009, reciting the filing of said map, plan and report, the improvements proposed, the boundaries of the proposed district, the maximum amount proposed to be expended for construction of the improvements, the proposed method of financing, the fact that the map, plan and report describing the same were on file in the Town Clerk's Office for public inspection, the estimated cost of the District to the "typical property" and stating all other matters required by law to be stated, and specifying August 3, 2009 as the date, at 7:00 p.m. on said day as the time, at the LaFayette High School Auditorium located on Route 11 North, LaFayette, New York as the place where this Town Board would meet and consider said map, plan and report, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law; and

WHEREAS, such order was duly published and posted as required by law; and

WHEREAS, a hearing on said matter was duly held by said Town Board on August 3, 2009 at 7:00 p.m. on said day, in the LaFayette High School Auditorium located on Route 11 North, LaFayette, New York at which all interested persons desiring to be heard were heard, including those in favor of, and those opposed to, the establishment of said LaFayette Central Water District; and

WHEREAS, following review of the Long Environmental Assessment Form submitted and after due deliberation thereon, the Town Board acting in the role of the Lead Agency issued a Negative Declaration including a determination that the proposed action is an Unlisted Action pursuant to the provisions of Article 8 of the New York Environmental Conservation Law; now, therefore, upon the evidence adduced at such public hearing, be it

RESOLVED, ORDERED AND DETERMINED:

- a. That the notice of hearing was published and posted as required by law, and is otherwise sufficient;**
- b. That all property and property owners within the propose district are benefitted thereby;**
- c. That all property and property owners benefitted are included within the limits of the proposed district;**

d. That it is in the public interest to establish said district; and be it further

RESOLVED, ORDERED AND DETERMINED, that the establishment of the proposed district as set forth in said map, plan and report, be approved; that the water system herein above referred to shall be constructed as set forth in said Order Calling a Public Hearing at a cost not to exceed \$5.7 million which cost will be financed as more particularly described in the financing plan on file with the Town of LaFayette Town Clerk (but such approval is specifically conditioned upon the Town obtaining low interest financing and grants that will achieve a unit cost not to exceed \$500 for a financing period not to exceed 20 years), and the assessment levy and collection of special assessments upon the several lots and parcels of land within the District, which the Town Board shall determine and specify to be especially benefitted thereby so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, to pay the principal of and interest on said financing and indebtedness, as well as operation and maintenance charges as shown in said plan; and that said District shall be designated and known as the Central LaFayette Water District in the Town of LaFayette situated wholly outside of any incorporated village or city, and shall be bounded and described as set forth in Schedule "A" attached hereto and made a part hereof; and it is further

RESOLVED, ORDERED AND DETERMINED, that within ten (10) days after the adoption of the resolution and order, the Town Clerk shall record with the Clerk of the County of Onondaga and file with the Office of the State Comptroller copies of this Order, certified by the Town Clerk; and it is

FURTHER RESOLVED, that this order is subject to a referendum as provided in Section 209-e of the Town Law, which referendum is hereby determined to be a mandatory referendum, all pursuant to further action of the Board calling for such Referendum (Special Town Election) as to be held on the November 3, 2009 biennial elections to be held in the Town.

The question of the foregoing Resolution was duly put to a vote and, upon roll call, the vote was as follows:

William McConnell	Councilman	Voted	Absent
Thomas Bailey	Councilman	Voted	Yes
Adrian Shute	Councilman	Voted	Yes
David Knapp	Councilman	Voted	Yes
Gregory Scammell	Supervisor	Voted	No

The foregoing Resolution was thereupon declared duly adopted.

SCHEDULE "A"

Beginning at a point at the intersection of the northerly boundary of the Town of LaFayette with a point 300 feet east of the Sentinel Heights Road right-of-way;

- Then south, 300 feet east of the Sentinel Heights Road boundary to its intersection with a point 300 feet north of the Commune Road right-of-way;
- Then east along this line approximately 550 feet;
- Then south to a point on the line 300 feet south of the Commune Road right-of-way;
- Then west along this line to its intersection with a point 300 feet east of the New York State Route 11 right-of-way;

- Then south along this line to its intersection with a line 300 feet north of the New York State Route 20 right-of-way in the Hamlet of LaFayette;
- Then east along this line to its intersection with the line 300 feet north of the LaFayette Road right-of-way;
- Then northeast along this line to a point at the northeast corner of tax parcel 20-04-08.0;
- Then southeast along the northeast line of tax parcel 20-04-08.0 to the centerline of LaFayette Road;
- Then southwest along the centerline of LaFayette Road approximately 110 feet to its intersection with the southerly property line of tax parcel 09-01-26.0;
- Then southeast along the southerly property line of tax parcel 09-01-26.0 to a point 300 feet from the LaFayette Road right-of-way;
- Then southwest along this line to a point 300 feet north of the Dodge Road right-of-way;
- Then east along the line 300 feet north of the Dodge Road right-of-way to a point on the extension of a line 300 feet east of the easterly New York State Route 20 right-of-way;
- Then south along this line to its intersection with the westerly boundary of the railroad tracks (tax parcel 10-02-12.0) owned by Onondaga County Industrial, once the New York Susquehanna and Western Railway;
- Then south along the western railway boundary, approximately 370 feet to a point on the easterly extension of a line 130 feet south of and parallel to the southern lot line of tax parcel 14-03-50.0;
- Then west along this line to a point 300 feet west of the westerly Ashburn Drive right-of-way;
- Then north along this line to the southerly line of tax parcel 14-06-04.0;
- Then west to the southwest corner of tax parcel 14-06-04.0;
- Then north along the westerly property line to tax parcels 14-06-04.0, 1-06-03.0, and 14-06-02.0 to the northwest corner of the tax parcel 14-06-02.0, said point also being on the southerly property line of tax parcel 17-05-05.0;
- Then west along the southerly line of tax parcels 17-05-05.0 and 17-05-06.0, a distance of approximately 350 feet west of the Ashburn Drive right-of-way to a point on the southerly line of tax parcel 17-05-06.0;
- Then perpendicular to the southerly line of tax parcel 17-05-06.0 heading north, a distance of approximately 500 feet;
- Then perpendicular to this line, heading east to a point at the northwest corner of tax parcel 17-04-09.9;
- Then along the northern line of tax parcel 17-04-09.9 to its intersection with the southerly extension of tax parcel 17-04-11.1;

- Then north along the westerly line of tax parcel 17-04-11.1 to where this line extended intersects the southerly line of tax parcel 17-04-10.0;
- Then easterly along the southerly line of tax parcel 17-04-10.0 to a point 300 feet west of the westerly right-of-way of New York State Route 20;
- Then along an arc following a line 300 feet from the westerly and southerly New York State Route 20 right-of-way to a point on the extension of the westerly line of tax parcel 18-02-18.0 and 300 feet south of the New York State Route 20 right-of-way;
- Then diagonally from said point southwest to a point on the southerly line of tax parcel 18-02-04.0, said point being 300 feet east of the easterly right-of-way of New York State Route 11;
- Then southerly along this line 300 feet from the New York State Route 11 right-of-way to a point on the southerly line of tax parcel 17-04-06.1;
- Then west along the southerly line of tax parcel 17-04-06.1 to the centerline of New York State Route 11;
- Then south along the centerline of New York State Route 11 approximately 160 feet to the southerly line of tax parcel 17-03-15.0;
- Then west along the southerly line of tax parcels 17-03-15.0 and 17-03-14.0 to a point 300 feet from the westerly right-of-way of New York State Route 11;
- Then north along this line approximately 1,880 feet to a point at the southwest corner of tax parcel 18-01-07.1;
- Then diagonally from that point, northwest to a point at the southwest corner of tax parcel 18-01-01.1, said point also being on the easterly right-of-way of New York State Route 81;
- Then northerly along the easterly right-of-way of New York State Route 81 approximately 1,000 feet to a point, 650 feet north of the northerly right-of-way of New York State Route 20;
- Then east along the line 650 feet north of the northerly right-of-way of New York State Route 20 to a point on the west line of tax parcel 19-01-06.2;
- Then north along this line to its intersection with the southerly right-of-way line of the New York State Route 81 off ramp;
- Then diagonally northwest to a point at the northwest corner of tax parcel 20-05-10.2, said point being 300 feet west of the westerly right-of-way of New York State Route 11;
- Then northwest along this line approximately 3,150 feet to its intersection with the southerly line of tax parcel 20-05-01.0;
- Then west along the southerly line of tax parcel 20-05-01.0 to the southwest corner of this lot, said point being on the easterly line of the New York State Route 81 right-of-way;

- Then northwest along the New York State Route 81 right-of-way to its intersection with the westerly line of the Onondaga Nation Territory and north along this westerly line to its intersection with the north line of the Town of LaFayette;
- Then east along the north line of the Town of LaFayette approximately 575 feet to its intersection with the eastern right-of-way line of McClary Road;
- Then diagonally southeast from this point a distance of approximately 4,800 feet to the intersection with the north line of tax parcel 24-03-52.0, said point being 300 feet east along this line from the easterly right-of-way of New York State Route 11;
- Then northeast along the north line of tax parcel 24-03-52.0 and its extension to its intersection with the west line of tax parcel 25-02-05.0;
- Then southeast along the west line of tax parcel 25-02-05.0 approximately 1,990 feet to the northwest corner of tax parcel 24-03-53.0;
- Then east along the north line of tax parcel 24-03-53.0 a distance of approximately 180 feet to a point on the line 300 feet west of the west right-of-way line of Sentinel Heights Road. Then north along the line 300 feet west of the west right-of-way line of Sentinel Heights Road to the north boundary of the Town of LaFayette;
- Then east along the north boundary of the Town of LaFayette to a point 300 feet east of the east right-of-way line of Sentinel Heights Road, said point being the point of beginning.

Supervisor Scammell said he voted no because if we had the details for this we would know what the numbers are. One of the reasons we are stuck is we don't know the details.

Councilor Knapp asked what he meant.

Supervisor Scammell said in the Northeast LaFayette Water District people knew what it was going to cost them prior to voting. They knew if the numbers were acceptable to them or not.

Councilor Knapp thinks the law we are following precludes us from doing this. We could be 6 months down the road and we still wouldn't know any more because we couldn't know any more under the law.

Supervisor Scammell said we were further down the line when the Northeast LaFayette Water District had to vote.

Councilor Knapp said Greg Sgromo sat here tonight and said we really can't get any more detailed until we have a project.

**ESTABLISHMENT OF THE CENTRAL LAFAYETTE
WATER DISTRICT IN THE TOWN OF LAFAYETTE,
IN THE COUNTY OF ONONDGA, NEW YORK**

Pursuant to Town Law Article 12-A

**RESOLUTION FOR THE ESTABLISHMENT OF THE
CALLING FOR A REFERENDUM VOTE (SPECIAL TOWN
ELECTION) TO BE HELD NOVEMBER 3, 2009**

**AND MAKING CERTAIN OTHER DETERMINATIONS IN
CONNECTION THEREWITH**

The following resolution was moved by Councilor Knapp, seconded by Councilor Bailey.

WHEREAS, previous hereto a map, plan and report dated July 2009 have been prepared by Dunn & Sgromo Engineers, PLLC, competent engineers licensed by the State of New York, in such manner and in such detail as has heretofore been determined by the Town Board of the Town of LaFayette, New York, relating to the establishment of a proposed Water District, to be known and designated as the Central LaFayette Water District, Town of LaFayette; and

WHEREAS, the improvements proposed consist of the construction and installation of approximately 25,000 l.f. of 12" water mains, 10,000 l.f. of 10" water mains, 30,000 l.f. of 8" water mains, including land or rights in land, tanks, pumps and pump systems, original equipment, machinery, valves, furnishings, fittings, connections, fill, services, hydrants, appurtenances and related site work (the "water improvements"); and

WHEREAS, the Town Board of the Town of LaFayette (the "Town Board" and "Town," respectively), in the County of Onondaga, New York, duly adopted this 24th day of August, 2009, a resolution, subject to a mandatory referendum approving the establishment of the Central LaFayette Water District pursuant to Town Law Article 12-a (the "District"), in the Town and for the construction of improvements in connection therewith; and

WHEREAS, it is now incumbent upon the Town Board to call for a referendum (special election) to consider the adoption of said approval resolution establishing the Central LaFayette Water District;

WHEREAS, the Town Board finds it appropriate to include in the proposition for the mandatory referendum the specific limitation that the district improvements be contracted for and constructed if, and only if, the financing of said district improvements be accomplished by the combination of actual costs, grants and financing resulting in an annual unit charge of \$500 per unit (or less), excluding water use, meter installation fee and individual private water hook-up service and individual plumbing services based upon a financing plan not to exceed 20 years.

THEREFORE, BE IT RESOLVED, ORDERED AND DETERMINED:

a. That a Referendum (Special Town Election) of the Town of LaFayette will be held on November 3, 2009, being the date of the biennial election for the Town of LaFayette, between the hours of 6:00 a.m. and 9:00 p.m. to enable the voters then present to cast their votes, at which Special Town Election the proposition contained in the notice hereinafter set forth shall be submitted to the owners of taxable real property situate in the proposed District and must be approved by the affirmative vote of a majority of such owners of taxable real property voting on such proposition. The polling place for said Special Town Election shall be the Town Hall at 2577 Route 11, LaFayette, New York.

b. That the Town Clerk is hereby authorized and directed to publish at least once in the Post Standard, a newspaper published in Syracuse, New York, in the County of Onondaga, hereby designated the official newspaper of the Town for such publication, and to post on the signboard of the Town maintained pursuant to subdivision 6 of section 30 of the Town Law, and to provide written notice to each owner in said District, notice that the

Town Board will submit the proposition for the approval or disapproval of the resolution as hereinabove referred to, said publication, posting and mailing to be at least ten (10) days before such Special Town Election. Said notice shall be in substantially the following form:

**TOWN OF LAFAYETTE, NEW YORK
NOTICE OF SPECIAL TOWN ELECTION NOVEMBER 3, 2009
(MANDATORY REFERENDUM)**

**IN THE MATTER OF THE
ESTABLISHMENT OF THE CENTRAL LAFAYETTE WATER DISTRICT IN THE
TOWN OF LAFAYETTE, IN THE COUNTY OF ONONDAGA, NEW YORK**

Pursuant to Town Law Article 12-A

NOTICE IS HEREBY GIVEN that a Special Town Election will be held on November 3, 2009, and the polls shall remain open from 6:00 a.m. and 9:00 p.m. at the following polling place:

Polling Place

**Town Hall
2577 Route 11
LaFayette, New York**

At said Referendum (Special Town Election) the following proposition is to be voted upon:

“Shall the Resolution and Order establishing the Central LaFayette Water District in the Town of LaFayette, in the County of Onondaga, New York adopted on August 24, 2009 by the Town of LaFayette Town Board be approved upon the limitation that the maximum amount proposed to be expended for the construction of the Central LaFayette Water District shall not exceed Five Million Seven Hundred Thousand (\$5,700,000) Dollars and the construction shall not occur nor shall debt be issued or collected unless the combination of actual costs, grants and financing results in an annual unit charge of \$500 per unit (or less) excluding the cost of the water use per unit, meter installation fee and individual private water hook-up services and plumbing services, all financed for a period not to exceed 20 years.”

An abstract of such resolution concisely stating the purpose and effect thereof, is as follows:

“The purpose and effect of the Resolution and Order establishing the Central LaFayette Water District is to construct and install approximately 25,000 l.f. of 12” water mains, 10,000 l.f. of 10” water mains, 30,000 l.f. of 8” water mains, including land or rights in land, tanks, pumps and pump systems, original equipment, machinery, valves, furnishings, fittings, connections, fill, services, hydrants, appurtenances and related site work , to make available and provide water service to those properties located in said district which is

located as more particularly described in the attached Schedule “A.” The maximum amount to be expended for the construction of the water improvements is estimated to be \$5,700,000. The financing plan includes the Town’s procurement of a combination of long-term, low interest financing and available grants to finance the cost and the assessment, levy and collection of special assessments from the several lots and parcels of land within the District (for a period not to exceed 20 years), which the Town Board has determined to be benefitted thereby, all as described in the Financing Plan for said District on file with the Town of LaFayette Clerk. The estimated cost of the district to the typical property will be \$500. A negative declaration has been previously adopted with regard to the action.”

c. The following persons whose names are included on the list of election inspectors previously designated for general election purposes pursuant to the Election Law are hereby appointed to act as Election Inspectors at such Special Town Election and to perform all duties and undertakings in relation thereto, as prescribed by the Town Law and the Election Law:

To Be Designated by Town Clerk

Election Inspectors
 Mary Jo Kelly, Town Clerk
 Mary Doster, Tax Collector
 Bettye Knapp, Alt. Inspector

d. That those qualified to vote in such Special Town Election are the owners of taxable real property situate in the proposed Central LaFayette Water District (which is bounded and described in the attached Schedule “A”) as shown upon the latest completed assessment roll of the Town, all pursuant to Town Law § 209-e.

e. This resolution shall take effect immediately.

The foregoing resolution was duly put to a vote and, upon roll call, the vote was as follows:

William McConnell	Councilman	Voted	Absent
Thomas Bailey	Councilman	Voted	Yes
Adrian Shute	Councilman	Voted	Yes
David Knapp	Councilman	Voted	Yes
Gregory Scammell	Supervisor	Voted	No

The foregoing Resolution was thereupon declared duly adopted.

SCHEDULE “A”

Beginning at a point at the intersection of the northerly boundary of the Town of LaFayette with a point 300 feet east of the Sentinel Heights Road right-of-way;

- Then south, 300 feet east of the Sentinel Heights Road boundary to its intersection with a point 300 feet north of the Commane Road right-of-way;
- Then east along this line approximately 550 feet;
- Then south to a point on the line 300 feet south of the Commane Road right-of-way;
- Then west along this line to its intersection with a point 300 feet east of the New York State Route 11 right-of-way;

- Then south along this line to its intersection with a line 300 feet north of the New York State Route 20 right-of-way in the Hamlet of LaFayette;
- Then east along this line to its intersection with the line 300 feet north of the LaFayette Road right-of-way;
- Then northeast along this line to a point at the northeast corner of tax parcel 20-04-08.0;
- Then southeast along the northeast line of tax parcel 20-04-08.0 to the centerline of LaFayette Road;
- Then southwest along the centerline of LaFayette Road approximately 110 feet to its intersection with the southerly property line of tax parcel 09-01-26.0;
- Then southeast along the southerly property line of tax parcel 09-01-26.0 to a point 300 feet from the LaFayette Road right-of-way;
- Then southwest along this line to a point 300 feet north of the Dodge Road right-of-way;
- Then east along the line 300 feet north of the Dodge Road right-of-way to a point on the extension of a line 300 feet east of the easterly New York State Route 20 right-of-way;
- Then south along this line to its intersection with the westerly boundary of the railroad tracks (tax parcel 10-02-12.0) owned by Onondaga County Industrial, once the New York Susquehanna and Western Railway;
- Then south along the western railway boundary, approximately 370 feet to a point on the easterly extension of a line 130 feet south of and parallel to the southern lot line of tax parcel 14-03-50.0;
- Then west along this line to a point 300 feet west of the westerly Ashburn Drive right-of-way;
- Then north along this line to the southerly line of tax parcel 14-06-04.0;
- Then west to the southwest corner of tax parcel 14-06-04.0;
- Then north along the westerly property line to tax parcels 14-06-04.0, 1-06-03.0, and 14-06-02.0 to the northwest corner of the tax parcel 14-06-02.0, said point also being on the southerly property line of tax parcel 17-05-05.0;
- Then west along the southerly line of tax parcels 17-05-05.0 and 17-05-06.0, a distance of approximately 350 feet west of the Ashburn Drive right-of-way to a point on the southerly line of tax parcel 17-05-06.0;
- Then perpendicular to the southerly line of tax parcel 17-05-06.0 heading north, a distance of approximately 500 feet;
- Then perpendicular to this line, heading east to a point at the northwest corner of tax parcel 17-04-09.9;
- Then along the northern line of tax parcel 17-04-09.9 to its intersection with the southerly extension of tax parcel 17-04-11.1;

- Then north along the westerly line of tax parcel 17-04-11.1 to where this line extended intersects the southerly line of tax parcel 17-04-10.0;
- Then easterly along the southerly line of tax parcel 17-04-10.0 to a point 300 feet west of the westerly right-of-way of New York State Route 20;
- Then along an arc following a line 300 feet from the westerly and southerly New York State Route 20 right-of-way to a point on the extension of the westerly line of tax parcel 18-02-18.0 and 300 feet south of the New York State Route 20 right-of-way;
- Then diagonally from said point southwest to a point on the southerly line of tax parcel 18-02-04.0, said point being 300 feet east of the easterly right-of-way of New York State Route 11;
- Then southerly along this line 300 feet from the New York State Route 11 right-of-way to a point on the southerly line of tax parcel 17-04-06.1;
- Then west along the southerly line of tax parcel 17-04-06.1 to the centerline of New York State Route 11;
- Then south along the centerline of New York State Route 11 approximately 160 feet to the southerly line of tax parcel 17-03-15.0;
- Then west along the southerly line of tax parcels 17-03-15.0 and 17-03-14.0 to a point 300 feet from the westerly right-of-way of New York State Route 11;
- Then north along this line approximately 1,880 feet to a point at the southwest corner of tax parcel 18-01-07.1;
- Then diagonally from that point, northwest to a point at the southwest corner of tax parcel 18-01-01.1, said point also being on the easterly right-of-way of New York State Route 81;
- Then northerly along the easterly right-of-way of New York State Route 81 approximately 1,000 feet to a point, 650 feet north of the northerly right-of-way of New York State Route 20;
- Then east along the line 650 feet north of the northerly right-of-way of New York State Route 20 to a point on the west line of tax parcel 19-01-06.2;
- Then north along this line to its intersection with the southerly right-of-way line of the New York State Route 81 off ramp;
- Then diagonally northwest to a point at the northwest corner of tax parcel 20-05-10.2, said point being 300 feet west of the westerly right-of-way of New York State Route 11;
- Then northwest along this line approximately 3,150 feet to its intersection with the southerly line of tax parcel 20-05-01.0;
- Then west along the southerly line of tax parcel 20-05-01.0 to the southwest corner of this lot, said point being on the easterly line of the New York State Route 81 right-of-way;

- Then northwest along the New York State Route 81 right-of-way to its intersection with the westerly line of the Onondaga Nation Territory and north along this westerly line to its intersection with the north line of the Town of LaFayette;
- Then east along the north line of the Town of LaFayette approximately 575 feet to its intersection with the eastern right-of-way line of McClary Road;
- Then diagonally southeast from this point a distance of approximately 4,800 feet to the intersection with the north line of tax parcel 24-03-52.0, said point being 300 feet east along this line from the easterly right-of-way of New York State Route 11;
- Then northeast along the north line of tax parcel 24-03-52.0 and its extension to its intersection with the west line of tax parcel 25-02-05.0;
- Then southeast along the west line of tax parcel 25-02-05.0 approximately 1,990 feet to the northwest corner of tax parcel 24-03-53.0;
- Then east along the north line of tax parcel 24-03-53.0 a distance of approximately 180 feet to a point on the line 300 feet west of the west right-of-way line of Sentinel Heights Road. Then north along the line 300 feet west of the west right-of-way line of Sentinel Heights Road to the north boundary of the Town of LaFayette;
- Then east along the north boundary of the Town of LaFayette to a point 300 feet east of the east right-of-way line of Sentinel Heights Road, said point being the point of beginning.

Supervisor Scammell said he voted no for the same reasons he stated earlier. He's hard pressed to tell the people in the Tully Valley area that we can get water to Route 81 and not to them. He doesn't believe we have set out the boundaries. The last time we voted for boundaries, we found them to be incorrect. He believes the people that live in the Hamlet area should have concurrent information regarding a sewer district so they can decide if they want both, one or the other or neither.

- 2) LaFayette Hamlet Sewer District.
- 3) Highway Garage.
- 4) LaFayette Beach Renewal.
- 5) LaFayette Public Library/Town Offices (SK, AS & GS).
- 6) Winacre Drive.
- 7) Webster Road Bridge.

D. FOR TB REVIEW.

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

Councilor Knapp said this in good shape now. He thinks the situation has been worked out.

E. CARDIFF CEMETERY RESTORATION. In process.

Supervisor Scammell said the work has been completed. We are just waiting for the grant funding.

11. NEW BUSINESS.

A. RX ZONING CLASSIFICATION – COMPREHENSIVE PLAN.

B. STAFFORD PARK - FLAG POLE (DK).

**C. FIRE DEPARTMENT CONTRACT – DISTRICT BOUNDARY (SETTLED),
PRELIMINARY BUDGET, ATTORNEY FEEDBACK.**

This can be removed from agenda.

**D. TOBACCO FREE PROPOSAL (SIGNS, POSTERS, FACILITIES USAGE),
RESOLUTION TO ONCO (MJ).**

This can be removed from agenda.

E. TWC/VERIZON FRANCHISE (DK).

F. ANDOR, RESIDENTIAL LIFESTYLE SPA AND WELLNESS COMMUNITY.

Councilor Knapp is much more comfortable tonight after listening to Kevin Gilligan earlier in the meeting. He can understand where Jim Nakas is coming from though.

Councilor Shute thinks this is a chance for us to start off a project with a tone of cooperation rather than an adversarial tone. He would much rather work with the people so the project is what we want it to be too.

Supervisor Scammell would agree. He thinks it starts the town off in the right direction. In his discussions with Andor he has never felt they look at this as a preapproval.

Councilor Knapp said Mighty Mart came to us and asked if this was something the Town was looking for. The Town Board said no and they were happy for our input prior to spending money on the studies.

**TOWN OF LAFAYETTE
Resolution – Town Board August 24, 2009**

WHEREAS, Andor Projects, L.L.C. (“Andor”) has approached the Town of LaFayette to explore the potential location of a multi-faceted resort spa wellness community within the Town, and

WHEREAS, Andor’s project has not yet commenced necessary site engineering study and analysis and to date remains in the “concept” stage, with no application having been prepared or submitted to the Town of LaFayette, and

WHEREAS, the Town of LaFayette Town Board and Planning Board met in joint session on August 17, 2009 to receive a conceptual presentation of the proposed Andor project and concept and have been requested by Andor to review Andor’s resort spa wellness community project to consider their initial reaction to its suitability and desirability in the Town of LaFayette, now therefore be it,

RESOLVED that the Town Board of the Town of LaFayette has conceptually considered the prospect of locating a mixed-use resort spa wellness community off of Eager Road in the Town of LaFayette and finds that it is worthy of further consideration, subject to a full application and a great deal more study, analysis, discussion and public input.

This resolution was duly put to a vote and, upon roll call, the vote was as follows:

Town Board

William McConnell	Councilor	Voted	Absent
Adrian Shute	Councilor	Voted	Yes
Thomas Bailey	Councilor	Voted	Yes
David Knapp	Councilor	Voted	Yes
Gregory Scammell	Supervisor	Voted	Yes

Motion carried.

G. OTHER.

Councilor Knapp submitted the application for the LaFayette Apple Festival Mass Gathering Permit. It's the same as last year.

Councilor's Shute moved and Bailey seconded the motion granting the Public Assembly Permit for the LaFayette Apple Festival on October 10th and 11th and to waive the fees. Motion carried.

Kevin Gilligan sent the Board revisions to the Building Code for the Town Board's consideration perhaps at the next meeting. They are routine changes and required by New York State. The other towns and villages are either in the process of adopting these or have already adopted them.

Councilor Knapp said he and Mary Jo have been talking. Ever since T.V. changed to digital our office is pretty much blind as to what's going on in the outside world. She did some research about getting some very basic cable T.V. in the office so we have the ability to plug in a T.V.

Tom Chartrand said Pompey has Dish Network through their office and they pay \$391 once a year.

Mary Jo will look into this before the next meeting.

12. Suggestions for improvement and positive contributions.

13. Executive session (if needed). Highway storage contract, budget negotiations.

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

GENERAL FUND	# 4251 – 4352
HIGHWAY FUND	# 4353 - 4378

Motion carried.

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

The Town Board Meeting adjourned at 11:02 p.m.

Respectfully submitted,
Mary Jo Kelly
Town Clerk
Adopted 9/14/09