

Minutes of the Town Board Meeting held by the LaFayette Town Board on February 8, 2010 at 6:30 p.m. in the Meeting Room of the LaFayette Commons Office Building at 2577 Route 11 in the Town of LaFayette

Present: Adrian Shute, Supervisor
David Knapp, Councilman
William McConnell, Councilman
Andrew Ohstrom, Councilman
Gerry Doolittle, Councilman

Recording Secretary: Mary Jo Kelly, Town Clerk

Others Present: Leon Cook, Highway Superintendent
Kevin Gilligan, Town Attorney
Tom Chartrand, Bookkeeper
Mike Skeele
James Nash
Debbie & John Mossotti
Bob Irwin
Shawn Curtis

1. Supervisor Shute called the meeting to order at 6:35 p.m.
2. The Town Clerk took the Roll. All present.
3. Pledge to our U. S. Flag led by Town Councilor Dave Knapp.
4. **Councilmen McConnell moved and Ohstrom seconded the motion to accept prior Town Board Meeting minutes of January 25, 2010 as submitted by the Town Clerk.**
Voting was as follows:

Supervisor Shute	Voted	Yes
Councilman Knapp	Voted	Abstain
Councilman McConnell	Voted	Yes
Councilman Ohstrom	Voted	Yes
Councilman Doolittle	Voted	Yes

Motion carried.

5. **PUBLIC HEARINGS. None.**
6. **COMMUNICATIONS.**

Mike Skeele was present to discuss his insurance proposal for the town. He reviewed the coverage and the areas in our policy that his company has bettered as well as the savings to the town.

Supervisor Shute asked what the process is for switching insurance companies if the Board should decide to do that.

Mike Skeele said he would need the application signed and the run loss done. There is also a subscribers agreement which must be filed.

Councilman McConnell asked how many agents he has in his office that the town would see the same faces of throughout the year.

Mike Skeele said he handles the municipal stuff. You would probably see his face for some time to come. He has a couple of brothers in the business and a staff of about 10 people. He makes himself available.

Supervisor Shute said we don't meet again for 2 weeks so will that be in line with all the paperwork required?

Mike Skeele said that is why he wanted to make his presentation as soon as possible. This shouldn't be a problem.

Councilman McConnell asked why the Community Center is rated so high.

Mike Skeele thinks they look at replacement cost and how it relates to value. You are looking at what it would cost to replace that building.

A. Residents.

Shawn Curtis was present. He is looking at a property on Barker Hill Road. He wondered what the Town's view is on rezoning this property to business. The property used to be a nursing home and he would like to remodel it for some apartments. If the Board is O.K. with changing the zoning, how many units would be acceptable?

Supervisor Shute confirmed in order to do anything with this property, a zone change would be required.

Kevin Gilligan said that is correct or the applicant could request a use variance which is very hard to obtain.

Councilman Doolittle said this could be considered spot zoning too.

Kevin Gilligan asked how many acres the property is.

Shawn Curtis said 7.97.

Kevin Gilligan said you are getting up there with the numbers so this might be O.K.

Shawn Curtis thinks it would be somewhere around 6-8 units. There is an onsite water holding tank.

Councilman Ohstrom said it was a nursing home for 45-50 years. It's been abandoned now for almost a year. There's a septic that must be pumped by truck.

Councilman McConnell asked if Shawn's intent is to make it into apartments.

Shawn Curtis said 6 would make it doable.

Councilman McConnell said he isn't directly familiar with the property. He doesn't have any reasons to say no. If it had 28 inpatients before and the neighbors didn't complain, it obviously worked before.

Councilman Ohstrom thinks it's tough to offer too much of an opinion as the concept is still vague. There's certainly a process you can work through. As a resident in the area, this would be a positive.

Councilman Knapp asked Kevin Gilligan what the first step would be.

Kevin Gilligan said he would make an application to this Board through Ralph Lamson and then it goes to the Planning Board for their input. They would supply their input back to this Board who would then hold a Public Hearing as this is a legislative act.

Councilman Ohstrom said Shawn Curtis is not the owner right now.

Kevin Gilligan said he can make the application as an equitable owner. He would probably want to be sure that the zoning could be changed before he bought it.

Supervisor Shute thinks changing the zoning for just one parcel in the middle of a neighborhood that is all A/R could be considered spot zoning. The applicant may be proposing this for one use that is allowable in a Business District but if he sells it in a couple of years, anything allowed in the Business District would be allowed here.

Councilman Doolittle said there may be folks who are opposed to an apartment building going in there but they just accepted the nursing home. People may be up in arms.

Supervisor Shute said there has been discussion on putting a moratorium on multi-unit housing in the town. He doesn't know if this will happen or not but the idea is out and. If this should happen, Shawn would have to have his application filed prior to that date.

Councilman Doolittle would recommend if he is going to pursue this, to put contingencies in the purchase offer that the following items must fall into place first, zoning, etc. It may take him some time to do this.

Bob Irwin was present to discuss a process he has for creating fertilizer. His interest is in keeping our taxes down and creating business if it makes sense to the community. He presented a proposal for converting bacteria into energy. He asked if there is money available with the new presidential situation to develop a new business. If a small operation could be set up in the Business District in LaFayette, would money be available? Is a business potential for LaFayette there? Is it wanted? He doesn't know.

Supervisor Shute said would the end product be a cleaner and friendlier smelling fertilizer? This would be used for fertilizer and to provide heating.

Bob Irwin said maybe we should just stay with the fertilizer. Manure's have different rating of value. This converts to money with Nitrogen being the most expensive. A blend of manure between the cow and poultry gives you a good product.

Supervisor Shute said the best we can hope for is to provide some kind of conduit to a state agency. The town cannot be involved in a private business.

B. Andrea King letter re: Beach Property.

C. Jamesville-DeWitt High School Operation Graduation letter.

Councilmen Knapp moved and McConnell seconded the motion to support the Jamesville-DeWitt Operation Graduation in the amount of \$100.00. Motion passed unanimously.

Councilman Knapp said he just received the request from the LaFayette After Prom Party.

Councilmen Knapp moved and Ohstrom seconded the motion to support the LaFayette After Prom Party in the same amount we have in the past not to exceed \$250. Motion passed unanimously.

D. Other.

7. SPECIAL REPORTS.

- **Mike Skeele – Insurance Quotes**

Discussed earlier in the meeting.

- **Bob Irwin – Clean Fertilizer**

Discussed earlier in the meeting.

8. REPORTS.

A. Departmental

1. Assessors

2. Building & Zoning Code Enforcement

- a) **3231 Webb Road. House in disrepair (spring cleanup).**
- b) **Oschner Road – junk.**

This can be removed from the agenda.

c) Other.

Councilmen McConnell moved and Knapp seconded the motion to waive the Building Permit fee for Nan and Larry Martin whose home burned down recently. Motion carried unanimously.

James Nash asked if there are plans for the B & B Lumber property.

Supervisor Shute said it's up for sale.

Councilman Doolittle said it's zoned Industrial.

Councilman Knapp said the Board discussed it for a potential Highway Dept. site down the road. He knows the owner has been trying to sell it for awhile.

Supervisor Shute has talked to a few people who have looked at the property and said the price is prohibitive at this point. He is concerned about the location being so close to our town parks.

Supervisor Shute said it's his understanding that James Nash would be willing to serve on the Zoning Board of Appeals.

James Nash said yes.

Councilman Doolittle would like to nominate James Nash for this position.

Councilman Knapp moved and Doolittle seconded the motion to appoint James Nash fill the position of Member to the Zoning Board of Appeals. Motion carried unanimously.

Mary Jo said she talked to the NYS Planning Federation regarding the required training for Zoning Board of Appeals and Planning Board Members. They advised for \$400 they will have one of their executives come out and do a 2 ½ to 3 hour training. It might be slightly more if they have to come for an evening training as they would have to stay overnight.

Councilmen McConnell moved and Knapp seconded the motion to go forward and make such arrangements for training of the Zoning Board of Appeals and Planning Board Members for an amount not to exceed \$600. Motion carried unanimously.

3. Dog Control: Jim Moore & Doug Scholes.

4. Highway Superintendent: Leon Cook.

Leon Cook said they got a break for a few days and didn't have to go out plowing and sanding. He went through the amount of salt we have used. He allotted 1,200 ton. We have to give the state 120 ton so he orders 1,320 every year. If the weather continues, he is going to run about 300 ton short. When the time comes that he is short, he will have to make it up to the state.

Kevin Gilligan said he is getting conflicting stories from the surveyor about the Beach property.

Leon Cook said someone from the surveyors office called the Highway Dept. John Greeley took the call. John thinks he will have no problem locating all the stakes.

Supervisor Shute said the surveyor has indicated he will have no problem coming back out if we need him to. He is in favor of paying the bill.

Leon Cook would agree with this.

Kevin Gilligan said the revised survey came in as well.

Councilman Knapp asked where we are on this matter.

Kevin Gilligan said we have everything we need so we can go forward with the transaction. The Board will have to do an Environmental Review and make a motion to accept the property on behalf of the town. He can have the Environmental Review ready by the next meeting.

5. Justice Court

6. Library Director

7. Recreation Director

8. Ropes Course

9. Tax Collector

10. Town Clerk

a. Written Report January 2010.

11. Town Supervisor

B. Committee.

1) Community Development.

Councilman McConnell said he gave the Board a letter inviting them to go to Hamilton, NY 2 weeks from today. The purpose is to see how they have revitalized their area.

Councilman Knapp asked if there would be a fee.

Councilman McConnell said the only fee is if the school provides 2 minivans then we would supply the gas.

2) Emergency Response.

3) Employee Policies & Benefits.

- a. **Information from Kevin Gilligan re: Elected and Appointed Officials and the Standard Work Day Reporting Resolution.**

Kevin Gilligan said Tom Chartrand could probably help us with this.

Councilman Knapp thinks we went through this with Tom and he had a list he used for this.

Kevin Gilligan said they do require some types of reporting for elected positions too.

4) Environmental & Conservation Advisory Board.

5) Highway

6) Physical Plant.

- a. **Town offices - Loose clapboards – estimate needed.**

- b. **Guidelines LaFayette Community Center and Parks Usage.**

Mary Jo said Ralph Lamson inspected the Community Center and said as long as some flash is put behind the stove, it should be O.K. to use the stove. The flash must come from the top of the stove to the vent and about 2 inches on either side of the stove.

Supervisor Shute will call Phil DeSaw on this.

Councilman Doolittle said in the original form, there were specific amounts of alcohol mentioned. Maybe this should be reworded.

It was suggested the wording “Alcohol use is permitted not to exceed the legal limit”.

The Dog Ordinance was discussed. It was decided to state “All Town Dog Regulations are in full effect at the Community Center and the Parks”.

A revised copy will be submitted at the next meeting.

Supervisor Shute said Greg Titus came to see him. Roy Dodge has an incredible amount of material about the town and he wants to turn it over to the town. He doesn't feel comfortable doing it if the records are going to be kept at the Community Center.

Councilman Knapp said we need fireproof safes too.

Supervisor Shute said one thing mentioned was taking a corner in the back of the Meeting Room and putting in a commercial fire door. An area of 6' or 8' by 10' would be big enough to handle this. Steve Zajac came in and is going to give us a quote. The other thing is the wall in the Town Clerk's Office that runs along where the fax machine and file cabinets are. He and Mary Jo talked about opening this up.

Councilman Doolittle suggested instead of taking the whole wall out to just take half of it off and you would still have the area for a work area.

Supervisor Shute asked Councilman Doolittle to get with Steve Zajac on the new proposal.

Councilman Doolittle will get the bids first and if we need more as the cost is over \$3,000, he will get more bids.

7) Recreation & Youth

8) Safety.

a. Workplace Violence Policy and Incident Report Sheet.

Supervisor Shute said this must be done tonight as the Highway Dept. is being inspected on Friday and we have to have this done by then and have all the employees sign off on receiving it.

Councilman Ohstrom said when he first went over the policy his thought was that it was extremely extensive. As he read through it, he became concerned that it's a policy that may be hard to live up to.

Mary Jo said her concern is to get something in place by Friday and the Board can then amend the policy as it wishes to. Tom Rezsnyak said this complies with all the state requirements. She would recommend any amendments be run by Tom Rezsnyak before being adopted.

Councilman Ohstrom would be in favor of adopting this policy tonight with the understanding he will have an amended one for the Board to consider.

Councilmen McConnell moved and Knapp seconded the motion to approve the Workplace Violence Policy and Incident Report Sheet for the Town of LaFayette. Motion passed unanimously.

9) School District liaisons.

10) Service Awards.

a. List of Qualifying Member and points earned.

Councilman McConnell said the letter he sent to Senator DeFrancisco's Office last year has not been acted on yet. He will be meeting with Assemblyman Stirpe this week.

11) SOTS & OCRRA Liaison.

12) SPDES

Councilman McConnell said Cicero was just inspected by NYSDEC. They received an excellent. Mark Parrish worked on this report and feels we are in good shape. The Annual Report will be coming up which Mark will put together for us.

9. LITIGATION & OTHER LEGAL MATTERS.

A. LaFayette Beach.

B. Other.

10. UNFINISHED BUSINESS & ACTIVE PROJECTS.

A. Community Development Grant app – 2008

B. Stimulus projects.

1) LaFayette Hamlet Sewer District.

• District area boundaries and size.

Councilman McConnell reviewed a letter he is proposing to send to Fisher Engineers.

Councilman Knapp doesn't think anything would go forward that doesn't take care of both byproducts. If we just treat the water and make the people still have to pump and maintain their septic tanks, they wouldn't be happy.

11. NEW BUSINESS.

A. Comprehensive Plan.

Supervisor Shute asked if the town would like to start the Comprehensive Plan this year. He spoke to Tom Chartrand who is comfortable with going forward.

Councilman McConnell said he would be in favor of spending the \$2,000 to do the grant research which would include the Ag. District of the Town.

Councilman Doolittle said if we enter into a contract and next year there is a big budget crisis, can you break the contract.

Supervisor Shute would think we will be approving each step individually.

Councilman Knapp would recommend setting it up in multiple phases.

Councilman Doolittle thinks it certainly helps to get started to get some ideas of where we are going.

Councilman McConnell asked if we wish to go ahead with the grant search process and then to move forward with this plan. He would have to get together with Bernie Thoma to get another document.

Councilman Ohstrom is anxious to move on this. He thinks it's a crucial document. He sees it as a reference and guiding point and a basis we can always go back to.

Councilmen McConnell moved and Doolittle seconded the motion to obligate the \$2,400 to begin the grant research for Ag. and Markets and work towards the Comprehensive Plan. Motion passed unanimously.

B. Public Hearing Community Development Grant 5-year plan

Councilman Knapp asked if we have an actual date the grant application is due back at Community Development.

Kevin Gilligan thinks it's the beginning of March.

Supervisor Shute asked if we need to get Thoma the updated 5-Year Plan.

Councilman McConnell said yes.

C. Computer Leases.

Councilman Knapp said they are all 4-year leases. He thinks in 2011 as these start to come up, we should look at buying rather than leasing.

The Board decided to let the moratorium run out on this subject.

D. Other.

Mary Jo advised we have received an application from Watson's Greenhouse to use the parking lot at Stafford for their Annual Celebration of the Senses to be held March 27 & 28. Kevin Gilligan noted the insurance is not in effect so she will contact them on this. She asked

what the Board wanted to do about the Business User Fee which is now in effect for all businesses in the town using Town Facilities.

Councilman McConnell would recommend making the policy consistent across the board and the charge is \$50 to use the parking lot. He would explain the policy to them.

The Board was in agreement with this.

Mary Jo will contact the applicant.

Councilman Knapp said one of the vacuums they use to clean the offices was in rough shape and needed a cleaning and a couple of belts. This bill wasn't in with the original pile of vouchers.

12. Suggestions for improvement and positive contributions.

Supervisor Shute said they raised about \$1,300 at Winter Fest.

Councilman Ohstrom congratulated Mary Jo on winning 1st place in the Chili Cook Off representing the Town.

Councilman Knapp said she won both the People's Choice and Chef's Choice Awards.

13. Executive session (if needed).

Supervisor Shute moved and Councilman Knapp seconded the motion for the Board to go into Executive Session to discuss a personnel matter and to include the Town Attorney. Motion passed unanimously.

The Board went into Executive Session at 8:49 p.m. and Supervisor Shute called the regular Town Board Meeting back to order at 9:05 p.m.

14. Councilmen Knapp moved and Doolittle seconded the motion to audit and pay the following bills:

HIGHWAY FUND	# 5251 - 5262
GENERAL FUND	#5263 – 5298
SPECIAL DISTRICT FUND	# 5299

Motion passed unanimously.

15. Councilmen McConnell moved and Knapp seconded the Motion to adjourn. Motion passed unanimously.

The Regular Town Board Meeting adjourned at 9:06 p.m.

Respectfully submitted,

Mary Jo Kelly
Town Clerk

Adopted 2/22/10