

September 13, 2010 – Town Board Meeting and Public Hearing Minutes

Minutes of the Town Board Meeting held by the LaFayette Town Board on September 13, 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
William McConnell, Councilman
Andrew Ohstrom, Councilman

Absent: David Knapp, Councilman
Jerry Doolittle, Councilman

Recording Secretary: Mary Jo Kelly, Town Clerk

Others Present: Kevin Gilligan, Town Attorney
John Greeley, Deputy Highway Supervisor
Thomas Chartrand, Town Bookkeeper
Jim & Anne Nakas
Bob & Ruth Drumm
Mike Strong – Eastern Copy
Dave Dwyer – Eastern Copy

1. Supervisor Shute called the meeting to order at 6:34 p.m.
2. The Town Clerk took the Roll. Councilmen Knapp and Doolittle absent. All else present.
3. Pledge to our U. S. Flag led by Town Councilor Bill McConnell.
4. Motion to accept prior meeting minutes.
 - **Councilmen McConnell moved and Ohstrom seconded the motion to adopt the August 9, 2010 Town Board Meeting Minutes as submitted by the Dep. Town Clerk. Motion passed.**
 - **Councilmen Ohstrom moved and McConnell seconded the motion to adopt the August 24, 2010 Special Town Board Meeting Minutes as submitted by the Town Clerk. Motion passed.**
5. **PUBLIC HEARINGS.** Amending 1970 Zoning Map and Adopting New Map.

This is to adopt a new Zoning Map for the Town of LaFayette. There have been no zoning changes on the map. The new map is done according to tax map number so there is no question as to what parcel is in what zoning district.

Anne Nakas noted further down on the agenda there is an indication of changing some zoning.

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Supervisor Shute said it will be a comprehensive study. It will be a process that takes a couple of years and both the Planning Board and the Zoning Board of Appeals will be represented on this. The Board hasn't talked about any practical application of it at all yet. He asked for any further questions or comments on the new Zoning Map. There were none.

Councilmen McConnell moved and Ohstrom seconded the motion to close the Public Hearing. Motion passed.

Supervisor Shute said the Town received 4 bids for the wheeled excavator. The Board will not be making a decision right now. They will have the Acting Highway Superintendent review the bids and come back to the Board with his recommendation.

| | | |
|---------|-------------------------------|-----------|
| Vantage | Volvo EW160C | \$166,014 |
| Cat | M316D | \$187,632 |
| Monroe | DX190W | \$162,717 |
| Monroe | DX190W (different horsepower) | \$165,189 |

Supervisor Shute said the bids will go to John Greeley to review and come back with a recommendation.

Kevin Gilligan would like copies of the information along with the bid bonds to be sent to him. He asked if there were alternate bids for the lease purchase approach.

Tom Chartrand said there was on the one he saw.

Two representatives were present from Eastern Copy.

Dave Dwyer said the business has been operating for 30 plus years. They are a subsidiary of Xerox. They aim to have any problems with a copier fixed and have it up and running within 4 hours of a service call.

Kevin Gilligan asked the total annual price.

Mike Strong and Dave Dwyer weren't sure on this.

Supervisor Shute said the Board will probably not make a determination on this tonight.

Mike Strong gave a presentation on the machines we have now in the Town Offices and Justice Court and what they are proposing.

Supervisor Shute said he handed out some information on the equalization rate. He got a copy of the list of sales they will be using for determining the next equalization rate. There were a number of homes that sold considerably above their assessed value.

6. COMMUNICATIONS.

A. Residents.

B. Proposed County Legislation re: abolition of fire protection districts and Town & Village governments.

Kevin Gilligan believes this has been withdrawn and will be resubmitted in a

revised form.

Jim Nakas asked if the proposal is to eliminate all fire departments in all small towns and all town and village governments.

Kevin Gilligan said under the proposal, basically there would be a county office of fire service and that office would operate the fire services all over the county. Every fire department would be accountable to them and not to the local municipalities.

Jim Nakas asked if they would send out the fire apparatus.

Kevin Gilligan said he doesn't think they have gotten that far yet. He thinks they would combine as many departments as they could. The 911 Center would still do the dispatching. The departments would never come to the town for their budgets, etc.

Supervisor Shute said there's been another proposal to do away with all town Planning Boards.

Kevin Gilligan said it has been proposed to put all planning decisions before the county. They are also discussing doing away with all town and village governments.

Tom Chartrand said there have been some cost evaluations done which have found the rural districts are more cost efficient per tax payer dollar than the city.

Supervisor Shute thinks the objective of all these things is to focus all development on the city of Syracuse and not on the outlying areas. He thinks it's scarier that maybe we can be told what we must allow rather than what we can't.

C. Letter from National Grid re: Pipeline Safety.

D. Notice from Dept. of Finance re: Delinquent Tax Parcels.

Supervisor Shute said at various times we have talked about the property on Route 11 just south of Stafford Park. He talked to Karen Carney at the Dept. of Finance who said we can either go to the tax auction and buy the parcel or we can buy the tax lien from the county and then the property owner would have to buy it from the town or the town could foreclose on the property.

Councilman Ohstrom thinks if we are going to send someone to the auction, we need to send them with a check for a certain percentage of the total cost which is required.

Kevin Gilligan asked about any environmental issues on the property.

Councilman Ohstrom said when he was at the Association of Towns Training he happened to find out about this property. At one point there had been an oil spill but it was all taken care of.

Kevin Gilligan said you might want to do a Phase 1 Environmental Study.

E. Letter from NYS Real Property re: Equalization Rate.

F. Letter from LaFayette Trail Riders re: Proposed Snowmobile Trail.

Councilmen McConnell moved and Ohstrom seconded the motion authorizing the Supervisor to sign the Proposed Snowmobile Trail consent form authorization. Motion passed.

G. Proposals for Copy Machines for Court/Town Offices.

Councilmen McConnell moved and Ohstrom seconded the motion to authorize the

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Supervisor to enter into a new lease for Court and Town Office copiers submitted by Paul Godzak of Zero Graphic Solution Inc. dated 8/26/2010 under state contract #A 072171400. Motion passed.

Supervisor Shute said they also advised they would bring these machines out for us to use a couple of weeks to be sure we like them.

H. Letter from Dept. of the Treasury – 2008 Audit.

I. Letter from Kevin Gilligan re: budget estimate for 2011.

J. Letter from U.S. Environmental Protection Agency re: Motor Vehicle Waste Disposal Well Requirements for Municipal Facilities.

Kevin Gilligan asked if we have any motor vehicle waste disposal wells.

John Greeley said no.

K. Letter from NYS Comptroller re: the Employer Contribution Stabilization program.

L. Letter from Dept. of Ag. & Markets re: dog licensing responsibilities.

M. Letter from Thoma Dev. Consultants re: Phase I of Comprehensive Plan proposal.

N. Other.

7. SPECIAL REPORTS.

8. REPORTS.

A. Departmental

1. Assessors

Supervisor Shute said he will let the Assessors know the Town Board will be discussing the consolidation of the three Assessor positions at the September 27th Town Board Meeting.

2. Building & Zoning Code Enforcement

3. Dog Control

4. Highway Superintendent:

a) Sealed Bid Openings for Wheeled Excavator.

Opened earlier in the meeting.

Supervisor Shute thanked both Councilman Ohstrom and John Greeley for their work at the park. He noted all the wood was donated by B & B Lumber.

A written report was submitted dated 9/13/2010.

5. Justice Court

a) **Written reports for July and August were submitted.**

b) **Letter from NYS Unified Court System.**

Councilmen McConnell moved and Ohstrom seconded the motion that the Justice Court records to date for 2010 have been examined by the Town Board and approved. Motion carried.

6. Library Director

a) **A written report was submitted for June along with Board of Trustee Minutes.**

7. Recreation Director

8. Ropes Course

Councilman Ohstrom submitted a flyer for this. He did some streamlining for the pricing. They are looking at a per person price.

Councilman McConnell asked how many times the course was used this year.

Councilman Ohstrom thinks maybe 4 times. It's been a quiet year.

9. Tax Collector

10. Town Clerk

a) **A written report for August was submitted.**

b) **Dog Licensing Information and Recommendation were submitted.**

11. Town Supervisor

a) **A written report for July was submitted.**

B. Committee.

1) Community Development.

Councilman McConnell said they have embarked on the beginning of the Comprehensive Plan and there is a proposal from Thoma Development Consultants that the Board basically agreed to at the beginning of the year and we need to authorize the Supervisor to sign. The proposal is for review of existing planning documents and a kick-off meeting and two visioning sessions will be conducted. One session will have a general focus on various issues relative to the community and the second will focus on future land uses in the town. The total cost would be \$7,300 if we do all three things this fall. Tentatively the kick-off meeting is scheduled for October 27th at the Community Center and tentatively the public meetings will be November 3rd and 16th at the LGI room at the High School.

Supervisor Shute said whether or not the grant comes through for this is how we will determine the budget for next year.

Councilman McConnell moved to authorize the Supervisor to sign the proposal from Thoma Development Consultants in the amount of \$7,300 to begin work on the 2010 Comprehensive Plan. Councilman Ohstrom seconded the motion. The motion passed.

a) Steering Committee for Comprehensive Plan.

Supervisor Shute said he has talked to 9 of the people now who have agreed to be on the committee. He still must get in touch with the remaining 3. He thinks the primary objective will be to listen to the people at the public meetings.

2) Emergency Response.

John Greeley said he is going to attend the communications meeting with the county on Wednesday at 1:00 p.m. with Dan Sawkins from the School Transportation Dept.

3) Employee Policies & Benefits.

Councilman Ohstrom would like to call an Employee Policy and Benefits Committee meeting to discuss the Employee Handbook and some policy changes. It was decided the meeting would be held Thursday, September 30, 2010 at 4:00 p.m. in the LaFayette Commons Office Building.

4) Environmental & Conservation Advisory Board.

5) Highway

6) Physical Plant

Councilman Doolittle submitted information regarding the Community Center foundation which needs repair. He advised “the northwest corner of the Community Center foundation wall is caving in. It will require digging out and a mason to rebuild the wall. It probably can be done re-using the same stones that are there, for appearance sake. It will involve driving equipment over a concrete septic tank so that factor, plus space restrictions will mean it has to be done by a small ‘Bobcat-like’ piece of equipment. I have Rick Warner and a mason he works with working up an estimate. This particular section of wall is enclosing a crawl space, so we can’t see much from the inside. We don’t know until digging how deep this wall goes and/or what kind of footer it is on. At any rate, once we have at least a guesstimate, we’ll know if it has to be bid out. In the meantime, if you have any suggestions of someone else you think I should call, please let me know.”

John Greeley said the Highway Dept. can take a look at it. He thinks they can probably fix it.

7) Recreation & Youth

8) Safety.

Councilman Doolittle scraped, primed and painted a strip from the front door out and down

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the steps with two coats of paint with sand added so people won't slip in winter conditions.

Supervisor Shute thanked Councilman Doolittle for taking care of this. One project the Safety Committee recommended was removing the light post at the tennis court at Stafford Park.

John Greeley said the post was rotted.

Supervisor Shute said it was replaced but when the old post came down, the light smashed.

John Greeley said that light was obsolete.

Supervisor Shute said we have a quote from Skyline Electric for \$437.76.

John Greeley asked if we really need a light as the park closes at dusk.

Supervisor Shute said Tom Rezsnyak said we need a safety light there.

Councilman Ohstrom will check the lighting at the park on his way home from the meeting tonight.

9) School District Liaisons.

10) Service Awards.

11) SOTS & OCRRA Liaison.

12) SPDES

Councilman McConnell received a letter from National Grid stating they have completed the primary work on the Tilden-Tully #24 Line Refurbishment Project. The project corridor has been temporarily stabilized and they will be reducing the frequency of the weekly SWPPP inspections to once per every 30 days. Inspections will continue until final stabilization is obtained.

9. LITIGATION & OTHER LEGAL MATTERS.

A. Other.

Kevin Gilligan asked the status of the pavilion bid.

Supervisor Shute said they accepted a bid and sent in the deposit and the drawings will be on their way. The voucher is before the Board tonight for the remainder. They did not do the payment up front.

Kevin Gilligan asked how much the bid was.

Supervisor Shute said \$24,495. Councilman Knapp got the O.K. from Community Development as only the one bid came in. He thinks when the pavilion kit comes in, we will have used up the Community Development Grants for last year and this year.

Kevin Gilligan asked the status of the Cold War Exemption.

Supervisor Shute said Councilman Knapp was doing the research on this. The Board felt this should be held over until the next meeting when Councilman Knapp will be in attendance.

Kevin Gilligan asked the status of the Town Office Building roof over the library.

Supervisor Shute said this has been completed.

10. UNFINISHED BUSINESS & ACTIVE PROJECTS.

A. Quotes for Copy Machines for Town Office and Justice Dept.

Discussed earlier in the meeting.

B. Other.

TOWN OF LAFAYETTE

RESOLUTION TOWN BOARD MEETING

September 13, 2010

The following resolution was offered by Councilman McConnell, who moved its adoption, seconded by Councilman Ohstrom, to wit:

WHEREAS, pursuant to the provisions of the Town Law, a proposed ordinance, "An Ordinance Amending Article I, Section "C" of the 1970 Zoning Ordinance of the Town of LaFayette, Entitled "Zoning Map", as Previously Amended, and Adopting a New Zoning Map for the Town of LaFayette", was presented and introduced at a regular meeting of the Town Board of the Town of LaFayette held on August 9, 2010; and

WHEREAS, a public hearing was held on such proposed ordinance on this 13th day of September, 2010 by the Town Board of the Town of LaFayette and proof of publication of notice of such public hearing, as required by law, having been submitted and filed, and all persons desiring to be heard in connection with said proposed ordinance having been heard, and said proposed ordinance having been in the possession of the members of the Town Board of the Town of LaFayette in the manner required by law; and

WHEREAS, this proposed Ordinance was referred to the Onondaga County Planning Agency for its review and comment and that agency has determined that the proposed action will have no significant adverse inter-community or county-wide implications; and

WHEREAS, this Board, acting as lead agency, determined that there are no other involved agencies and rendered a negative declaration for purposes of SEQR by resolution dated August 9, 2010; and

WHEREAS, pursuant to Section 265 of the New York Town Law, a copy of the proposed Ordinance, Notice of Public Hearing and a copy of the new Zoning Map for the Town of LaFayette was mailed to adjoining municipalities on August 13, 2010; and

WHEREAS, it is in the public interest to adopt said proposed Ordinance.

NOW, THEREFORE, it is

RESOLVED AND DETERMINED, that based upon a review of the proposed ordinance and the criteria set forth in 6 NYCRR, Section 617, and the environmental assessment

form submitted in support of the proposed ordinance, this Board finds that there are no identified adverse environmental impacts reasonably anticipated to result from adoption of the ordinance and the Board hereby renders a negative declaration for purposes of SEQR; and it is further

RESOLVED, that the Town Board of the Town of LaFayette, Onondaga County, New York, does hereby adopt the proposed Ordinance as follows:

ORDINANCE
Town of LaFayette

An Ordinance Amending Article I, Section “C” of the 1970 Zoning Ordinance of the Town of LaFayette, Entitled “Zoning Map”, as Previously Amended, and Adopting a New Zoning Map for the Town of LaFayette.

WHEREAS, the Town of LaFayette, in the County of Onondaga, State of New York, has caused its zoning regulations to be compiled in the “1970 Zoning Ordinance of the Town of LaFayette”(hereinafter “Ordinance”); and

WHEREAS, the Town Board of the Town of LaFayette has, from time to time, revised said Ordinance, amending the 1970 zoning map adopted therewith; and

WHEREAS, the Town Board of the Town of LaFayette wishes to adopt a new, revised zoning map for the Town, updating the zoning map with regard to changes that have taken place since the last formal amendments thereto in 2000 and adjusting the format to follow property lines based upon the Geographic Information Systems (GIS).

NOW, THEREFORE, Be it Ordained by the Town Board of the Town of LaFayette that the 1970 Zoning Ordinance shall be amended, as follows:

So that Article I, Section C of the Ordinance shall read as follows:

“Section C. Zoning Map.

1. The boundaries of the districts are established as shown on the map entitled “Town of LaFayette, Zoning Map”, which is hereby made a part of this Ordinance.
2. The Town Clerk shall certify and maintain the Zoning Map on file in her office, and any subsequent changes in district boundaries shall be promptly made on this Map with a notation thereon of such change, dated and signed by the Supervisor and attested by the Town Clerk.”

and so that

A new zoning map, setting forth the location of various zoning districts in the Town of LaFayette, entitled “Town of LaFayette, Zoning Map”, last updated in September 2009, prepared by the Syracuse-Onondaga County Planning Agency is hereby adopted by the Town Board, in and for the Town of LaFayette.

Effective Date. This Amendment and the new Zoning Map, as herein set forth, shall take effect as provided in Section 265 of the Town Law.

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

| | | |
|-------------------------------------|--------------|---------------|
| Supervisor Adrian Shute | Voted | Yes |
| Councilman David Knapp | Voted | Absent |
| Councilman William McConnell | Voted | Yes |
| Councilman Andrew Ohstrom | Voted | Yes |
| Councilman Jerry Doolittle | Voted | Absent |

The foregoing Resolution was thereupon declared duly adopted.

11. NEW BUSINESS.

A. Rx zoning classification – Comprehensive Plan.

B. Other.

Councilman Ohstrom said in the Newsletter there will be an article regarding the trail at Butternut Creek.

Rainer Brocke will be putting in information regarding hydrofracking. They had a meeting with Bill Kappell and there were probably 25 people there. He believes the only thing the town can do is educate people to read any agreements they might sign regarding this very carefully so they know exactly what they are signing.

Supervisor Shute said he has had a discussion with the Town Webmaster who has been having some difficulties changing jobs and he has moved. In their discussion, Supervisor Shute determined the current Webmaster doesn't have the time we need for updating the website and making some of the changes we discussed at the beginning of the year. Effective October 1, 2010, Mike Forte will no longer be the Town Webmaster. Supervisor Shute has talked to Bill Reagan who has done the website for Marcellus which is the information we gave Mike Forte of we wanted for our website. Bill said he could do the site for the town specifications for an amount which is significantly less than what we budget. The bid we got to do the site was \$1,200 of which Community Council and the Chamber of Commerce will pay \$400 as they will have little sections on the site. This would leave an \$800 charge to get the site set up and thereafter \$100/month to do the updates. He will even come out and take photos of the town to update the site.

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Councilmen McConnell moved and Ohstrom seconded the motion to replace the Website position which Mike Forte held effective October 1, 2010 with a contract with Bill Reagan and authorize the Supervisor to sign the contract. Motion carried.

12. There were no suggestions for improvement and positive contributions.

13. Executive session (if needed).

Councilmen McConnell moved and Ohstrom seconded the motion for the Board to go into Executive Session to discuss a contractual mater and to include the Town Attorney. Motion carried.

The Board went into Executive Session at 8:19 p.m. and Supervisor Shute called the Regular Town Board Meeting back to order at 8:34 p.m.

14. **Councilmen Ohstrom moved and McConnell seconded the motion to audit and pay the following bills.**

| | |
|---|----------------------|
| HIGHWAY FUND | #6421 – 6431 |
| GENERAL FUND | #6386 – 6420 |
| SPECIAL FUND | #6445 |
| TRUST & AGENCY FUND | #6446 – 6447 |
| COMMUNITY DEVELOPMENT & CAPITAL FUND | # 6448 - 6450 |

Motion passed.

15. **Councilmen McConnell moved and Ohstrom seconded the motion to adjourn. Motion passed.**

The Town Board Meeting adjourned at 8:35 p.m.

Respectfully submitted,

Mary Jo Kelly
Town Clerk

Adopted 9/27/10