

January 12, 2015 LaFayette Town Board Meeting Minutes

Minutes of the Town Board Meeting held by the LaFayette Town Board on January 12, 2015 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: William McConnell Supervisor
Andrew Ohstrom, Councilor
Steve Zajac, Councilor
Doug Daniel, Councilor
Melanie Palmer, Councilor

Recording Secretary: Jacqueline G. Roorda, Town Clerk
Kristin Colburn, Deputy Town Clerk

Others Present: Kevin Gilligan, Town Attorney
Thomas Chartrand, Budget Officer
Ralph Lamson, Building & Code Officer
John Greeley, Highway Superintendent
Jeff Palin & Mark Chambers, C&S Companies
Chris Keenan, Chair ZBA
Steve Pitoniak, Environmental & Conservation
Jeanie Gleisner, Chair, Environmental & Conservation

1. Supervisor McConnell called the meeting to order at 6:30 p.m. and thanked everyone for coming.
2. The Town Clerk, Jackie Roorda took the Roll. All present.
3. Pledge to our U.S. Flag led by Supervisor McConnell.
4. Town Board Minutes of January 5th, 2015.

Councilor Ohstrom moved and Palmer seconded the motion to accept the January 5th, 2015 meeting minutes as submitted by Town Clerk Jackie Roorda. Motion carried 5-0.

William McConnell	Supervisor	Voted	Yes
Andrew Ohstrom	Councilor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Doug Daniel	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes

5. PUBLIC HEARINGS

A. Byrne Dairy continued to the February 9th, 2015 Regular Scheduled Town Board meeting.

NOTICE IS HEREBY GIVEN, that at the request of Sonbyrne Sales, Inc. (Byrne Dairy) there has been introduced by the Town of LaFayette Town Board, on December 9, 2013, a proposed Ordinance to amend Article I, Section "C" of the 1970 Zoning Ordinance of the Town of LaFayette and to Amend the Town of LaFayette Zoning Map to Change the Zoning Classification of the following Specified Property: 7.0 ± acres of land at the northwest corner of US Interstate Rte. 81 and NYS Rte. 20 (Portion of Tax Map No. 020.-06-01.2) in the Town of LaFayette, west of and adjacent to existing McDonald's Restaurant, from Hamlet (H) to Commercial Planned District (CPD). The full text of said Ordinance is on file at the Town Clerk's Office at the Town Hall located at 2577 Route 11, Town of LaFayette, New York for inspection by all interested persons during regular business hours.

NOTICE IS FURTHER GIVEN, that at its December 9, 2013 meeting, the Town Board determined that the NYSDEC, the NYSDOT and the Onondaga County Dept. of Health are involved agencies, that the Town Board will act as lead agency and that this is a Type I action for purposes of environmental review and the involved agencies have deferred to the Town of LaFayette Town Board to proceed as lead agency and on January 13, 2014, after due notice, the LaFayette Town Board held a public hearing to consider the referenced zone change, which public hearing was held open and continued through January 12, 2015, at the applicant's request.

NOTICE IS FURTHER GIVEN, that the Town Board has confirmed that it will act as lead agency for this application and has determined that the Town Board will continue the public hearing to consider the proposed Ordinance Amendment at the LaFayette Town Hall located at 2577 Route 11, Town of LaFayette, New York on February 9, 2015, at 6:30 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested will be heard.

6. COMMUNICATIONS

A. 2015 Ironman 70.3 Syracuse Event. Supervisor McConnell advised that Ken Johnson, Race Director is requesting a letter of support from the Town Board for the sixth consecutive year for the June 21st, 2015 event.

Councilor Ohstrom moved and Zajac seconded the motion approving the Town supporting the 2015 Ironman event and authorizing the Supervisor to sign a letter in support of this event. Motion carried 5-0.

William McConnell	Supervisor	Voted	Yes
Andrew Ohstrom	Councilor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Doug Daniel	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes

B. Supervisor McConnell advised that the application submitted by the Town for the Environmental Protection Fund Grant program has been denied. He also reported that there may not be many opportunities to receive grant monies as we have in the past.

C. Town of Dewitt Notice of Public Hearing regarding enactment of a Local Law— Supervisor McConnell advised that the copy of this communication was for information only.

D. 2015 Community Day – Councilor Ohstrom advised that the Annual Community Day is May 30th and hopefully, we will be holding an Open House for the new Highway Building that morning.

7. SPECIAL REPORTS

8. REPORTS

1. Jeff Palin of C & C Engineers handed out written reports and gave a brief summary of the Highway Garage Status Update including Bid Packages, Town Performed Work, Project Schedule and Project Budget. He advised that the amended completion date is March 18, 2015. Palin and Scott Chrysler of Diamond and Theil complemented the Highway crew on a job well done regarding all the site work they have completed. Crysler further advised that it has been great working with Mark Chambers and Jeff Palin of C&S Companies and the detail, great personal attention and efficiency they and the highway crew have displayed on such a large project was sincerely appreciated.

Supervisor McConnell moved and Zajac seconded the motion approving and accepting March 18, 2015 as the amended completion date of the Highway Garage Project. Motion carried 5-0.

William McConnell	Supervisor	Voted	Yes
Andrew Ohstrom	Councilor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Doug Daniel	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes

Highway Superintendent, John Greeley reported,

Equipment: The New Chevy Crew Truck will be delivered tomorrow. He would like to turn the old black crew truck over to Parks and Rec, however it needs a lot of mechanical work done which he is getting quotes for and would rather have outside mechanics do the work.

New Highway Site: The project is coming along great.

Snow and Ice Ops: plowed/treated the roads 11 times since last reported.

c. Bond Resolution The following resolution was offered by Counselor Ohstrom, who moved its adoption, seconded by Zajac, to-wit

A RESOLUTION AUTHORIZING THE PURCHASE OF SNOW FIGHTER TRUCKS, IN AND FOR THE TOWN OF LAFAYETTE, ONONDAGA COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$455,000, AND AUTHORIZING THE ISSUANCE \$455,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, have been performed and environmental review is being considered as part of this resolution; and

WHEREAS, it is now desired to authorize such capital project and it's financing; NOW, THEREFORE,

BE IT RESOLVED, by the Town Board of the Town of LaFayette, Onondaga County, New York, as follows:

Section 1. The purchase of Snow Fighter trucks, in and for the Town of LaFayette, Onondaga County, New York, including incidental equipment and expenses in connection therewith, is a Type II action for purposes of the State Environmental Quality Review Act (SEQRA) and is hereby authorized at a maximum estimated cost of \$455,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$455,000 bonds of said Town, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years, pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized **will not exceed five years.**

Section 4. The faith and credit of said Town of LaFayette, Onondaga County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property in said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor of said Town, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in

Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows: Motion passed 5 – 0.

William McConnell	Supervisor	Voted	Yes
Andrew Ohstrom	Councilor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Doug Daniel	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes

The resolution was there upon declared duly adopted.

d. Permissive Referendum

The following resolution was made by Councilor Daniel and seconded by Councilor Palmer.

WHEREAS, the Town of Lafayette Town Board, as part of its budget process in various years formed and funded an equipment reserve fund to defray the costs of future equipment purchases; and

WHEREAS, as of January 6, 2015 there is \$33,870 on deposit in this equipment reserve fund account; and

WHEREAS, several of the Town's snow plow trucks have reached their useful life and it has become necessary for the Town of Lafayette to replace them; and

WHEREAS, the funds in the subject account will be needed in connection with the purchase of two new plow trucks for the Town; and

WHEREAS, snow plow trucks have a period of probable usefulness of five years pursuant to paragraph (a) of Section 11 of the New York Local Finance Law.

NOW, THEREFORE, BE IT

RESOLVED AND DETERMINED, that the Town Board hereby authorizes the withdrawal of all monies on deposit in the equipment reserve fund account for the purchase of plow trucks, including any interest that may accrue between the date of this resolution and when payment is due for such trucks; and it is further

RESOLVED AND DETERMINED, that this resolution is passed, subject to a permissive referendum.

The question of the adoption of the foregoing order was duly put to a vote and,

upon roll call, the vote was as follows:

William McConnell	Supervisor	Voted	Yes
Andrew Ohstrom	Councilor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Doug Daniel	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

e. Old Highway Garage Hazardous Materials Sampling & Testing - Jeff Palin of C&S Companies advised that the first step is to go through the Building testing any suspicious materials in order to identify any materials that need to be disposed of at special landfills, etc. This would need to be done before any demolish or renovation can be started. This process is estimated at taking approximately one month. C&S Companies quote for this is \$4,500.

Councilor Ohstrom moved and Zajac seconded the motion approving C&S Companies to proceed with the Sampling and Testing of Hazardous Materials at the Old Highway Garage at the lump sum of \$4,500 as per their January 7th, 2015 proposal. Motion carried 5-0.

William McConnell	Supervisor	Voted	Yes
Andrew Ohstrom	Councilor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Doug Daniel	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes

f. C & S Companies Progress – Mark Chambers had previously emailed members of the Board the Minutes of the December 23rd Highway Garage Project. Supervisor McConnell asked if anyone had any questions or comments, none were voiced.

g. Fuel Station bids were reviewed and discussed.

Supervisor McConnell moved and Daniel seconded the motion awarding the Fuel Facility Contract at the Highway Garage Project to the low bidder, LaValley Bros. Construction. Inc., in the amount of \$148,832.00. Motion carried 5-0.

William McConnell	Supervisor	Voted	Yes
Andrew Ohstrom	Councilor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Doug Daniel	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes

2. Town Supervisor Monthly Report

a. Tom Chartrand advised that he cannot give the end of the year report until all the bills are in, however to date things are in good shape.

b. Tom briefly reviewed the expenditure line for the Highway Garage Project Abstract of Bills and Budget.

3. Assessor

4. Building, Zoning & Code Enforcement Ralph Lamson provided the 2014 Building Permit report and advised the total permits are similar to last year, despite starting the first half of the year slow. Nick Kirby, Deputy Building and Zoning Officer is in the process of entering Building and Codes data that will be efficient and beneficial for accessing records. Lamson also advised that the Town may need to develop a Local Law/Ordinance for property maintenance in order to enforce residents to keep grass mowed, bushes trimmed, etc. on their property. Attorney Gilligan will check into this.

5. Dog Control – Town Clerk Jackie Roorda advised that in March of 2014 the Town entered into a 12 month Emergency Veterinary Contract in 2014 and the contract with SPCA Dog Control & Animal Cruelty for 2015 is completed expires at the end of the year. She suggested renewing the Emergency Contract with LaFayette Veterinary Clinic effective the same for 2015.

Councilor Palmer moved and Daniel seconded the motion authorizing the Supervisor to execute the Emergency Veterinary Service Contract with the LaFayette Veterinary Clinic at a maximum \$250.00 limit per incident.

Motion carried 5-0.

William McConnell	Supervisor	Voted	Yes
Andrew Ohstrom	Councilor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Doug Daniel	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes

6. Justice Court -

a. Monthly Report – Total amount of money turned over to the Town of LaFayette for the month of November;

Judge Perrin:	\$13,655.50;	131 cases
Judge Shute:	\$17,075.00;	167 cases

b. Justice Court Record Review Audit.

Councilor Ohstrom moved and Zajac seconded the motion accepting the audit of Justice Maureen A. Perrin and Justice Adrian Shute as presented by David Lamson.
Motion carried 5-0.

William McConnell	Supervisor	Voted	Yes
Andrew Ohstrom	Councilor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Doug Daniel	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes

7. Library – The Library Board of Trustees November Minutes and Director’s Report were reviewed and no concerns were voiced.

8. Recreation-- written LCC Recreation report submitted by Rec Director Reinschmidt.

Basketball: continues to go well for 5th/6th boys and girls. Games began on Saturday and will be played with Tully, Fabius and OCS.

Ski registration: continued right up until the last day...many last minute joiners. Our Friday night program remains at Song Mtn. but with a season’s pass Labrador Mtn. is included as well. First bus and lesson night was last Friday.

Adult Programs: Hall walking is everyday 5-7pm at Grimshaw.

Tabata and Zumba resumed last week and have a good number. Yoga begins again tonight. The daytime/senior exercise has been meeting at the VFW while the Community Center is being worked on.

Wrestling: started last week and we had 25 excited participants the first night. Mark Chapman is again coaching.

9. Parks and Recreation

10. Tax Collector

11. Town Clerk

a. The Town Clerk’s December Monthly report and final Annual Report for 2014 were submitted. Roorda advised that she will have her 2015 receipt books available for the Town Board’s Audit in her office.

b. General Code – Roorda will provide a timeline for the codification project from General Code at the next Town Board Meeting.

B. Committees

1. Agricultural Committee – Councilor Palmer and Attorney Gilligan advised that the Ag and Protection Plan should be ready at the February Meeting. They will confirm with Rich Cunningham of Thoma Development.

2. Community Development – Supervisor McConnell commented that we will hopefully have some concrete ideas and answers regarding the Old Highway Garage to discuss at the February meeting.

3. Emergency Response – Supervisor McConnell and Councilor Daniel advised that the committee is making progress on the Emergency Response Plan.

4. Employee Policies and Benefits

5. Environmental and Conservation Advisory Board – Supervisor McConnell will forward the results of the hazardous materials study done at the Highway Garage to Member of the Board, Eileen Gilligan which will give us a better idea of what's in store for the future plan.

6. Highway

7. Physical Plant

a. Councilor Zajac advised that he has three estimates/quotes for the gas furnace needed at the Community Center; 1) \$4,200 Bush Heating; 2) \$3,400 Kurt's Heating; and 3) \$4,400 from Giarrosso Heating and Cooling. He also reported that three quotes are not needed for the structure repairs of the roof and kitchen ceiling as insurance deemed it an emergency and we will be receiving the insurance payment check in the near future. He also advised that Holger installed the roof two years ago and should be able to start the repairs on Wednesday, if the Board is ready to move forward with this.

Councilor Zajac moved and Ohstrom seconded the motion to accept the lowest bid of \$3,400 from Kurt's Heating and authorizing him to purchase and complete the installation of the 80,000 BTU gas furnace per his quote. Motion carried 5-0.

William McConnell	Supervisor	Voted	Yes
Andrew Ohstrom	Councilor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Doug Daniel	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes

Councilor Zajac moved and Ohstrom seconded the motion to contract Holger Kummrow, of HR Contracting to do all the structural repairs and renovations needed to correct the damages from the chimney falling incident.

Motion carried 5-0.

William McConnell	Supervisor	Voted	Yes
Andrew Ohstrom	Councilor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Doug Daniel	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes

Supervisor McConnell complimented and thanked Councilor Zajac for all his work and doing a great job with the Community Center and at LaFayette Beach.

8. Recreation and Youth

9. Safety

10. School Liaisons –Councilor Ohstrom advised that Jamesville Dewitt Safe Prom committee is asking for the Town Boards support for their after-prom activities “Safe Prom”, as we have done in the past.

Councilor Ohstrom moved and Palmer seconded the motion authorizing the support of the Jamesville Dewitt “Safe Prom” committee in the amount of \$200.00. Motion carried 5-0.

William McConnell	Supervisor	Voted	Yes
Andrew Ohstrom	Councilor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Doug Daniel	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes

11. Service Awards

12. SOTS and OCRRA Liaison

a. OCRRA/Town of LaFayette Hauler Agreement

Councilor Zajac moved and Ohstrom seconded the motion authorizing the Supervisor to sign the Agreement for Use of OCRRA Solid Waste Management System and the Town of LaFayette. Motion carried 5-0.

William McConnell	Supervisor	Voted	Yes
Andrew Ohstrom	Councilor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Doug Daniel	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes

b. Renewal Municipal Solid Waste (Trash) Delivery Agreement.

Councilor Ohstrom moved and Palmer seconded the motion authorizing the Supervisor to sign the Agreement for Use of OCRRA Solid Waste (Trash) Delivery Agreement and the Town of LaFayette. Motion carried 5-0.

William McConnell	Supervisor	Voted	Yes
Andrew Ohstrom	Councilor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes

Doug Daniel	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes

13. SPDES

14. LOSAP – Councilor Daniel advised that he has a meeting with members of the Fire Department and will report back with details regarding the Length of Service Awards.

9. LITIGATION & OTHER LEGAL MATTERS

10. UNFINISHED BUSINESS & ACTIVE PROJECTS – Councilor Zajac advised that the Beach Project is coming along nicely and should be completed soon.

11. NEW BUSINESS

A. Association of Towns Conference in New York City, February, 2015.

1. Association of Towns Resolutions

Councilor Daniel moved and Palmer seconded the motion approving the Association of Towns 2015 Resolutions as presented for the Association of Towns Conference in February, 2015. Motion carried 5-0.

William McConnell	Supervisor	Voted	Yes
Andrew Ohstrom	Councilor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Doug Daniel	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes

2. Designation of Delegate and Alternate Association of Towns, 2015.

Councilor Ohstrom moved and Zajac seconded the motion designating Councilor Daniel as Delegate and Councilor Palmer as alternate Delegate representing the Town of LaFayette at the Association of Towns Conference in New York City in February, 2015. Motion carried 5-0.

William McConnell	Supervisor	Voted	Yes
Andrew Ohstrom	Councilor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Doug Daniel	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes

B. Sheriff's Annual Contract Renewal.

Supervisor McConnell moved and Daniel seconded the motion authorizing the Supervisor to sign the 2015 Contract with the Onondaga County Sheriff's Office. Motion carried 5-0.

William McConnell	Supervisor	Voted	Yes
Andrew Ohstrom	Councilor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Doug Daniel	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes

C. DOT Annual Maintenance Permit

Councilor Ohstrom moved and Daniel seconded the motion authorizing the Supervisor to sign the New York State Department of Transportation Undertaking for the Town of LaFayette Highway Work Permit Application for Utility Work for 2015. Motion carried 5-0.

William McConnell	Supervisor	Voted	Yes
Andrew Ohstrom	Councilor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Doug Daniel	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes

12. Suggestions for improvement and positive contributions.

13. Executive Session

14. Motion to audit and pay bills.

General Fund	6565-6622	\$108,533.50
Highway Fund	6566-6635	\$190,458.09
Special District	6640-6642	\$ 38,656.67
Trust & Agency	6643	\$ 296.00
Cap. Development Fund	6644-6649	\$ 31,702.83

Councilman Zajac moved and Daniel seconded the motion to audit and pay the above listed bills. Motion carried 5-0.

William McConnell	Supervisor	Voted	Yes
Andrew Ohstrom	Councilor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Doug Daniel	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes

15. Motion to adjourn.

Supervisor McConnell moved Palmer and seconded the motion to adjourn the meeting. Motion carried 5-0.

The Town Board Meeting was adjourned at 8:10 p.m.

Respectfully submitted,

Jacqueline G. Roorda
Town Clerk