**May 14th, 2019 LaFayette Town Board Meeting Minutes**

Minutes of the Town Board Meeting held by the LaFayette Town Board on May 14, 2019 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: Daniel Fitzpatrick, Supervisor

Melanie Palmer, Councilor

Carole Dwyer, Councilor

William McConnell, Councilor

Absent: Steve Zajac, Councilor

Recording Secretary: Jackie Bush Roorda, Town Clerk

Budget Officer: Tom Chartrand

Attorney: Jeff Brown

Others Present: Ralph Lamson, Code Enforcement Officer

John Greeley, Highway Superintendent

Don Moody, Michelle Pritchard, Nancy White, Allan Sustore

John Mueller, Herb & Rosemary Brodt, Steve & Kathy Pitoniak

1. Supervisor Fitzpatrick called the meeting to order at 6:30 PM and welcomed all in attendance. Supervisor Fitzpatrick led the pledge to the U.S. Flag.

2. The Town Clerk, Jackie Roorda took the Roll.

3. Town Board Minutes of April 9th, 2019 Regular Meeting.

R-65-19 Councilor McConnell moved and Palmer seconded the motion to accept the April 9, 2019 regular Meeting Minutes as submitted by Town Clerk Jackie Roorda. Motion carried 4 - 0.

Daniel Fitzpatrick Supervisor Voted Yes

Melanie Palmer Councilor Voted Yes

Carole Dwyer Councilor Voted Yes

William McConnell Councilor Voted Yes

4. COMMUNICATIONS

1. NYS DEC SPDES Permit for Stormwater Discharges

R-66-19 Councilor Palmer moved and Dwyer seconded the motion authorizing Supervisor Fitzpatrick to execute the New York State Department of Conservation SPDES Permit for Stormwater Discharges from MS4’s Environmental engineering services for 2019. Motion carried 4 - 0.

Daniel Fitzpatrick Supervisor Voted Yes

Melanie Palmer Councilor Voted Yes

Carole Dwyer Councilor Voted Yes

William McConnell Councilor Voted Yes

1. Annual Audit of Justice Court records for fiscal year ending December 31, 2019.

R-67-19 Councilor McConnell moved and Palmer seconded the motion to accept the 2019 Audit of the Town of LaFayette Justice Court finances and records for fiscal year 2019 as provided by David Lamson, CPA. Motion carried 4 - 0.

Daniel Fitzpatrick Supervisor Voted Yes

Melanie Palmer Councilor Voted Yes

Carole Dwyer Councilor Voted Yes

William McConnell Councilor Voted Yes

1. LaFayette Memorial Day Parade support request.

R-68-19 Councilor Dwyer moved and Supervisor Fitzpatrick seconded the motion to support the LaFayette VFW Memorial Day Parade Committee in its request for a monetary donation to assist with the 2019 Memorial Day Parade and Festivities. Motion carried 4 - 0.

Daniel Fitzpatrick Supervisor Voted Yes

Melanie Palmer Councilor Voted Yes

Carole Dwyer Councilor Voted Yes

William McConnell Councilor Voted Yes

1. Michelle Pritchard, approached the Town Board requesting its permission to hold a softball tournament at Stafford Park, (rental fees waived) to raise money for a scholarship fund for one or more deserving high school graduates, on behalf of lifelong resident and LaFayette High School graduate, Jeff Manley who recently passed. She advised that a committee has been formed and it is already working on the details. The softball teams will pay an entry fee, there will be raffles and 50/50 ticket sales to raise the scholarship moneys. It is their hope to establish this as an annual event.

R-69-19 Councilor McConnell moved and Supervisor Fitzpatrick seconded the motion to waive the rental fees at Stafford Park in September, 2019 for the purpose of a Scholarship Fund Raising Softball Tournament in Memory of Jeffrey Manley. Motion carried 4 - 0.

Daniel Fitzpatrick Supervisor Voted Yes

Melanie Palmer Councilor Voted Yes

Carole Dwyer Councilor Voted Yes

William McConnell Councilor Voted Yes

Supervisor Fitzpatrick wished Michelle the best of luck with this worthy endeavor.

1. Justice Court list of items to be scraped:

HP LJ P1102w (2)

Brothers MFC J690DW w/ink cartridges

Overhead Projector

Typewriter

R-70-19 Councilor McConnell moved and Supervisor Fitzpatrick seconded the motion to approve the above list of Justice Court items to be moved to scrap. Motion carried 4 - 0.

Daniel Fitzpatrick Supervisor Voted Yes

Melanie Palmer Councilor Voted Yes

Carole Dwyer Councilor Voted Yes

William McConnell Councilor Voted Yes

6. REPORTS

1. Departmental

1. Town Supervisor

a. 1. Town Supervisor’s Monthly report was provided by Budget Officer Tom Chartrand. Tom went through the highlights of the April, 2019 report.

b. Tom Chartrand advised there are no transfers and the SOTS refund, 1st half of snow plowing money, sale of truck and $1,500.00 developer fees have been received.

2. Town Attorney

1. Solar Law- Attorney Jeff Brown advised that there are a couple minor changes that need to be made which were identified by Code Enforcement Officer, Ralph Lamson regarding the February 2014 New York State Unified Solar Permit procedure for small scale solar systems;
2. Increasing the amount of rated capacity allowed from 15kw to 25 kw
3. Increasing the application fee from $40.00 to $50.00

Supervisor Fitzpatrick advised that these changes will qualify the Town of LaFayette for grant moneys which were discussed in March.

R-71-19 Councilor McConnell moved and Palmer seconded the motion to approve increasing the amount of rated capacity allowed from 15kw to 25 kw and increasing the application fee from $40.00 to $50.00 for the 2014 Unified Solar permit procedure for small scale solar systems. Motion carried 4 - 0.

Daniel Fitzpatrick Supervisor Voted Yes

Melanie Palmer Councilor Voted Yes

Carole Dwyer Councilor Voted Yes

William McConnell Councilor Voted Yes

b. Attorney Brown advised that he could not reach agreement of the terms pf an MOU with Suite-Kote. He is recommending instead to send a letter to the company’s attorney reiterating the requirements previously submitted by Code Enforcement Officer, Ralph Lamson that the millings must be removed by November 1, 2019, restricting the hours of operation and reserving the right to take legal action or if the requirements are violated or if any public health or safety issues or concerns arise from the piles.

c. Carly Solar Farms Update – Attorney Brown advised that the negotiations regarding a pilot agreement are taking place, and the school and county feel comfortable with the terms of $4,000 - $5,000 per year for 15 -20 years. The school would get the bulk of the tax money and the County would get a little less than the Town. This goes before the Planning Board for SEQR and then the ZBA to authorize the specific use permit before the final pilot agreement is approved.

d. Charter Agreement with Spectrum renewal – Attorney Brown reported that he is negotiating and working on getting the best terms for our residents with regard to a renewal of our agreement with Spectrum. Time is not of the essence at this point as the existing agreement can remain in place, and he will keep the Town Board advised of any updates.

e. Attorney Brown advised that we have already received a significant number of documents from the Town’s previous attorney and a lot more are forthcoming, It has been a very good turnover process considering the numerous years of documents from many years of representation.

f. McDonald’s has approached the ZBA regarding additional signs and higher elevated signs. The Planning Board reviewed and have no problems with their proposals. It will be finalized at the Zoning Board of Appeals meeting later this month.

g. Attorney Brown advised that he is continuing to coordinate with the Town Supervisor and SAVE I-81 organization about the potential for a lawsuit and will keep the Town Board appraised of any updates that come along.

3. Highway Superintendent

Earth Days: Over 100 tires and many bags of trash were picked up as well. Thank you to all the organizations and volunteers that made the event a success and thank you to OCRRA for accepting the tires and trash.

Annual Town Clean-up Days: Thank you Sue Marzo for getting all the information out regarding the when, where and what details for clean-up days. Over a tractor trailer and a half of “E-waste” was taken in. The highway hauled over 50 loads of household trash to The Ley Creek transfer site. All the refrigerant has been recycled out of the air conditioners and refrigerators and they will be hauled to Ley Creek tomorrow. Thank you to Deputy Robson and the highway guys for doing a great job despite enduring a real wet and cold week.

Roads: All roads are marked and shim mix is made. The Highway crew will start paving ops in a week or so, weather permitting. Ditching and shoulder operations will continue.

Equipment: All equipment is active ready and the paver is being checked out.

Parks: The water is overflowing and full of debris at Vinegar Hill Sports Complex. A conversation regarding filling in the pond/pool and possibly tearing down the pavilion should take place.

Greeley also reported that he has been talking with C & S Engineers regarding plans for the ventilation problem at the Highway garage when pressure washing the trucks as there are diesel fumes and mist problems that need to be solved.

4. Town Clerk

a. Monthly Report and payment to Supervisor’s Account were in the packet for Town Board review*.*

b. Town Clerk Jackie Roorda advised that the May 11th shredding, medication drop off and Rescue Mission donations that took place at the Town Hall went really well and several residents commented on what a great service this is and such a convenience. Roorda advised that the amount of residents participating increases every year and thanked the Town Board for its support for this annual event.

c. Roorda gave a brief summary regarding the 2019 annual NYS Town Clerk Conference she recently attended. She advised that the courses offered are always interesting however networking with town clerks across New York State is one of the best aspects of the conference. She also advised that NYS DEC announced that there will be a completely new vender handling the hunting/fishing licensing program next year. She if hopeful that it will not be as disastrous as the last time and the transition will be much smoother.

4. Building and Code Enforcement – Code Enforcement Officer Ralph Lamson provided the report for building permits issued to date for 2019.

6. Justice Court -

a. Justices Monthly report for 2019 March

110 - total cases for Judge Perrin; $11,257.00 was taken in for the month of March, 2019.

140 - total cases for Judge Shute; $13,393.00 was taken in for the month of March 2019.

b. Justice Court February & March, 2019 audit/checklist reports were available for the Town Board’s review.

7. OPEN COMMUNICATIONS

John Mueller of Webb Road went through a timeline of events that have taken place with regard to the millings piles stored on Route 20, adjacent to his Webb Road property. He expressed his frustration with the fact that he feels his concerns have not been addressed properly. He advised that the piles are getting bigger, trees that he planted 15 years ago are starting to die due to the run off of the piles, it looks like a pug mill is going to be used meaning more material will be brought in to process the millings. He wants to know what the Town Board plans to do about this and are they going to stop the possible processing of materials on agricultural/residential property?

Supervisor Fitzpatrick commented that the Board had not been informed of the pug mill.

Code Enforcement Officer Ralph Lamson said it is his understanding that they have to process the millings on site to remove them.

Attorney Jeff Brown reiterated that he will be sending a letter to SuiteKote advising that the millings piles need to be out of that location by November 1st, 2019, as was previously agreed upon.

8. Motion to audit and pay bills.

General Fund 14293-14340 $ 60,632.86

Highway Fund 14341-14363 $ 41,053.37

Special District 14378-14379 $ 551.18

Trust & Agency 14381-14381 $ 1,605.00

R- 72 -19 Councilor Palmer moved and McConnell seconded the motion to audit and pay the above listed bills. Motion carried 4 - 0.

Daniel Fitzpatrick Supervisor Voted Yes

Melanie Palmer Councilor Voted Yes

Carole Dwyer Councilor Voted Yes

William McConnell Councilor Voted Yes

9. Motion to adjourn.

R-73-19 Councilor Dwyer moved McConnell and seconded the motion to adjourn the meeting. Motion carried 5 - 0.

Daniel Fitzpatrick Supervisor Voted Yes

Melanie Palmer Councilor Voted Yes

Carole Dwyer Councilor Voted Yes

William McConnell Councilor Voted Yes

The Town Board Meeting was adjourned at 6:58 p.m.

Respectfully submitted,

Jacqueline G. Roorda, Town Clerk