

September 27, 2010 Town Board Meeting Minutes

Minutes of the Town Board Meeting held by the LaFayette Town Board on September 27, 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

Absent: 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
Ralph Lamson, CEO
Marshall Taylor, Assessor
Shawn Adam, Assessor Chair.
Bill Turner, Assessor

1. Supervisor Shute called the meeting to order at 6:37 p.m.
2. The Town Clerk took the Roll. Councilman Doolittle absent, all else present.
3. Pledge to our U. S. Flag led by Town Councilor Andy Ohstrom.
4. Motion to accept prior meeting minutes.

- **Councilmen Knapp moved and Ohstrom seconded the motion to accept the July 12, 2010 Town Board Meeting Minutes as submitted. Voting was as follows:**

Supervisor Shute	Voted	Yes
Councilman Knapp	Voted	Yes
Councilman McConnell	Voted	Abstained
Councilman Ohstrom	Voted	Yes
Councilman Doolittle	Voted	Absent

Motion carried.

- **Councilmen Ohstrom moved and Knapp seconded the motion to accept the August 31, 2010 Town Board Meeting Minutes as submitted. Voting was as follows:**

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

Motion carried.

- **Councilmen McConnell moved and Ohstrom seconded the motion to accept the September 13, 2010 Town Board and Public Hearing Meeting Minutes 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	Absent

Motion carried.

5. PUBLIC HEARINGS.

6. COMMUNICATIONS.

A. Residents. (Please sign in and give your name before you speak).

B. Other.

Supervisor Shute said he received a letter right before the Meeting. It was a letter complimenting the work of the Deputy Highway Superintendent and his crew from Margie Doyle.

7. SPECIAL REPORTS.

8. REPORTS.

A. Departmental

1. Assessors

- a) Discussion on consolidation of Assessor positions.

Supervisor Shute said the Board is going to discuss the idea of consolidating these three positions. The state has been pushing for some time to go from three elected Assessors to one appointed Assessor. He opened this up for discussion.

Marshall Taylor said if this is a response to budget issues, what's the budget saving plan? The letter sent to them didn't discuss what the plan was.

Supervisor Shute said the budget as it stands for Assessors and Assessor Clerk is about \$47,000. We are just starting the budget season so the Board hasn't had any work sessions yet. His plan was that this could be cut by about \$20,000 by going to one appointed Assessor.

Marshall Taylor doesn't know how he is coming up with this conclusion. Was research done?

Supervisor Shute said Tom Chartrand provided the information for this. This is based on what our actual spending is.

Councilman Knapp said along with some information from what other towns spend.

September 27, 2010 Town Board Meeting Minutes

Marshall Taylor asked if any research had been done on how they came up with \$20,000 savings.

Councilman Ohstrom said it could be on reducing the hours.

Councilman Knapp said we are in the neighborhood of \$45,000 now. Pompey pays about \$30,000 to their appointed Assessor and they have a lot more parcels than we do. Fabius pays about \$20,000 to their Assessor. Based on this, they kind of got the going rate of what an Assessor is paid. The \$20,000 is based on what the surrounding towns of similar size pay their Assessors.

Supervisor Shute said we are still under discussion here. We are not at the point where we are able to make a decision. They are looking for some feedback.

Councilman McConnell said over the past 3 years it has been under consideration or recommendation to go to one appointed Assessor. Once we go with one Assessor we can never go back to three which is why it's always been there for consideration but no decision was made. He is looking at the concept of going from three to one Assessor and what the savings would be.

Marshall Taylor said it depends on what kind of service you want to provide.

Councilman McConnell asked the three Assessors what they thought of the concept of going from three to one Assessor.

Marshall Taylor said if the concept is going to be like Fabius with one person in the office for 4 hours a week, he doesn't like the concept.

Councilman McConnell asked what their opinion is of having one Assessor for the Town of LaFayette. What would this mean to them?

Marshall Taylor said if it stays the way it is with the same amount of service, he doesn't think you can do it. It depends on what you are considering for hours. You could say you would save money by cutting the Assessor's salaries by 50%.

Councilman McConnell asked what the Assessor's hours are now.

Marshall Taylor said he takes calls 7 days a week whether he's in the office, at home or at Tully.

Councilman McConnell asked Bill Turner and Shawn Adam what their hours are.

Shawn Adam said they too take calls nights and weekends. He takes emails and calls at the university too. The Clerk position covers the bulk of the hours.

Bill Turner said if we went from 3 Assessors to 1 Assessor, what would be the loss of hours?

Marshall Taylor said the Town Board can set the salaries or hours any way they want to.

Councilman McConnell said if we went from three to one, we wouldn't get the office hours we do now but the person could still take the calls at home.

Supervisor Shute said each Assessor doesn't have hours. It's the Clerk that has the hours.

Marshall Taylor said as Clerk he has the set hours but anything done in the office takes three votes.

Councilman McConnell asked in reality how many hours a week Bill Turner and Shawn Adam put in.

Bill Turner said he thinks it varies from week to week. They are compelled by the State of New York to be certified. He is taking an online course now.

Shawn Adam said he is done with his basic certification. There is an advanced certification he wants to go for.

Councilman McConnell said if we keep the three Assessors, we will have to do a reval in the near future.

Marshall Taylor thinks we should have done one last year.

Councilman McConnell said the staff we have could do the reval without using an outside contractor.

Marshall Taylor said it's a tremendous amount of work. Could we do the work? Yes, but the amount of work required wouldn't allow them to get the work done in the time-frame required.

Councilman McConnell asked how much the state allows for funding this.

Marshall Taylor said if you spend \$75,000, you get \$12,500 back. They don't give you enough money back. To do a full data collection, it would cost between \$60,000 and \$80,000.

Councilman McConnell asked what the majority of the citizens of LaFayette would think of going from three paid staff to one.

Marshall Taylor said he doesn't know. No one has ever come in and said one way or the other.

Shawn Adam thinks the three of them represent a cross representation of the town. He thinks having 3 different people represents a good cross section of the town.

Councilman Ohstrom said if each parcel in LaFayette needs one hour per year, it would be 48 hours a week.

Councilman Knapp said a lot of the parcels are vacant land too.

Supervisor Shute said we have about 1,400 residences.

Marshall Taylor said he thinks you need to take the number of parcels and divide it into the number of hours a week worked. They see each parcel every year.

Councilman Ohstrom asked if they take an hour for each parcel.

Marshall Taylor said no. They drive all the roads in the town. Data collection for a parcel takes about ½ hour.

Councilman Ohstrom asked if this is every year. Let's say each parcel takes about 30 minutes. You also have Grievance Night.

Councilman McConnell said what he has heard tonight depends on what type of service we wish to provide and the diversity of 3 different people. He also heard the training involved takes time. He asked if it's correct that in the county, only Otisco and LaFayette still have 3 Assessors.

Kevin Gilligan said that is correct.

Marshall Taylor said if the Town Board comes up with a plan or something they would like the Assessors to respond to, please send it to them and they will be happy to respond.

2. Building & Zoning Code Enforcement

Ralph Lamson said Building Permits are up a little over last year. He's getting a lot more calls about people thinking about doing things. Hopefully that is a good sign. New Building Codes are coming out. He attended a class on these last week. One code is if your front door is 300' off the road, your driveway must be big enough for a fire truck to drive down it.

Supervisor Shute asked if there is a difference of what you need for a Building Permit for agricultural as opposed to a regular residence.

Ralph Lamson said agricultural Building Permits are free.

3. **Dog Control**

Supervisor Shute said he got a call from our new Dog Control Officer. He wanted to clear up what our town fines are for not licensing your dog.

Kevin Gilligan thinks one area that will become effective the first of the year will be fines, fees, etc.

Councilman Knapp confirmed as it stands right now if someone's dog gets loose and our Dog Control Officer picks it up, the owner comes and gets the dog and must go to court for not licensing the dog and is charged a fine by the Ag. & Markets guidelines.

Kevin Gilligan said that is correct.

Supervisor Shute said the new Dog Control Officer would like to run an ad in the paper reminding everyone that their dogs must be licensed.

Councilman Knapp thinks it's a good idea and he could introduce himself as the new Dog Control Officer and let folks know how they can contact him.

Councilman Ohstrom thinks the Town Board really needs to determine by January how we want to handle the dog licensing.

Councilman Knapp would recommend putting the same notice in the Town Newsletter in January.

4. **Highway Superintendent:**

John Greeley said they worked on Colton Rd. They are going to do a little more oiling and stoning. They worked on the creamery road. They will continue to repair the plow trucks. They will service the loader and winterize the two dump trucks. The guys want to thank Supervisor Shute and the Optimist Club for inviting them to the picnic. It's the first time anything like that was ever done.

Supervisor Shute said actually that was done entirely by the Optimist Club.

a) **Accept bid for Wheeled Excavator.**

Supervisor Shute asked John Greeley for his recommendations on the bids.

John Greeley thinks based on his conversations with Kevin Gilligan and the paperwork he sent Kevin Gilligan, it comes down to a couple of different machines. At the end of the day the machine that would fit the Town of LaFayette's needs would probably be the Volvo. They are offering a 2011 vs. a 2010. Some of the safety features are important.

Supervisor Shute said basically we had two Duson machines. One had a shorter arm which was thrown out.

John Greeley said that one didn't suit our needs.

Supervisor Shute said it came down to the Volvo and the other Duson. There was an \$880 difference in price and John Greeley is recommending the Volvo due to the year and the extra safety features as well as the longer arm.

John Greeley said on the Volvo machine you can do all your testings from the ground. On the Duson you have to climb up on the back of the machine to check the oil, etc. There are two buckets with the Volvo and only one with the Duson.

Supervisor Shute asked Kevin Gilligan if he is satisfied with this.

Kevin Gilligan thinks there have been enough reasons defining why the lowest and second lowest bids were not accepted. Having to climb up on the loader to do maintenance on the back of the machine is a safety concern. He thinks at least for the \$162,000 bid the length of the boom is a serious concern so you are not pulling the vehicle into the ditch.

Supervisor Shute said the low bid is nonresponsive because in the specs we require a 8'6" boom and they don't comply.

Tom Chartrand thinks the bucket issue is the larger issue because if we have to go out and purchase another bucket, the cost could be considerable.

John Greeley thinks having a 2011 machine is also an advantage.

Councilman Knapp said he travels for work all over the state and sees construction equipment everywhere doing work and he sees a lot of Caterpillars and Volvo's. He has never seen a Duson out there. Almost all of them are Volvos and Cats.

Kevin Gilligan said the Caterpillar is being refused as it's \$20,000 more.

Supervisor Shute said and it didn't have the rollover protection which OSHA wants.

Kevin Gilligan confirmed the Board is waiving the delivery time because the Volvo is showing a delivery time of 90-120 days and we required 60-90 days.

John Greeley said he spoke to them on the phone and was advised they will have one in their yard by November. He thinks getting the thumb on it and the computerized controllers for the brushhog and certain other attachments we use may take a little time. We will have to get them the specifications for setting the machine up specifically for our tailored needs.

Kevin Gilligan asked if there are any other difference between the Duson and Volvo that are important to the Highway Dept.

Councilman Knapp asked about the thumb.

John Greeley said the thumb would obstruct the vision and he felt this was another safety issue.

Supervisor Shute asked Tom Chartrand about payment for this. HSBC doesn't do 5-year leases or bond notes.

Councilman Ohstrom asked about seeing if we could pay part of it this year and the balance in January.

Tom Chartrand would suggest putting the purchase of the roadside mowing machine off for another year and using the \$62,300 to pay off the bond anticipation note in one year for this machine.

Councilman McConnell agreed with this.

Discussion took place regarding the actual delivery date of the loader and the payment.

Tom Chartrand said we need a Permissive Referendum to tap the money in the Reserve Account. He asked John Greeley about using all the money in his budget this year for roads and equipment.

John Greeley said he knows he won't use it all.

Tom Chartrand said you could just do a transfer and then you wouldn't be required to have a Permissive Referendum and could reduce the amount going into the Reserve next year. He can prepare a transfer sheet for the next meeting on Wednesday.

John Greeley will get an invoice.

Councilmen Knapp moved and Ohstrom seconded the motion to accept the bid from Vantage Equipment in the amount of \$166,014 with the serial number on the machine to be provided by the Deputy Highway Superintendent authorizing a 10% downpayment

with a balance payable by January 14, 2011 and authorizing placing the order. We recognize we are not taking the lowest bid nor the second lowest bid and we have discussed why earlier in the meeting. Voting was as follows:

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

Motion carried.

5. Justice Court

6. Library Director

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

7. Recreation Director

a) A written report for 9/27/10 was submitted.

8. Ropes Course

9. Tax Collector

10. Town Clerk

a) **Local Law Guidance for 2011.**

Councilman Knapp moved and McConnell seconded the motion authorizing Kevin Gilligan to draft a local ordinance for Dog Licensing for 2011. Motion carried.

Supervisor Shute said we have discussed upping fees for non-residents for usage of the pavilion and Community Center. He would suggest \$250 for usage.

Councilman McConnell would agree. He thinks residents deserve first choice.

Councilman Ohstrom would suggest \$250 for a full day and \$150 for a half day.

Supervisor Shute asked about a \$150 usage fee and \$100 deposit.

Discussion took place regarding different usage fees and deposit fees for the facilities.

Councilmen Ohstrom moved and Knapp seconded the motion to raise Usage Fees for Non-Residents and For-Profit Agencies to \$200 and an additional \$100 Deposit. All Deposits will be refundable if the facility is cleaned up and no damages are incurred following the next Town Board Meeting after the event. Motion carried.

11. Town Supervisor

B. Committee.

1) Community Development.

a) **Steering Committee for Comprehensive Plan.**

Supervisor Shute said he has 10 out of 12 people confirmed for the Committee. The first meeting should be October 27th at 7:00 p.m. at the Community Center.

2) **Emergency Response.**

Supervisor Shute asked about the radios.

John Greeley said they met last week and will commence training next week. One other member of the Highway Dept. along with Dan Sawkins and another person from the School Transportation Dept. will be trained.

3) **Employee Policies & Benefits.**

Councilman Ohstrom said the Committee will be having a meeting this Friday at 3:15 p.m.

4) **Environmental & Conservation Advisory Board.**

5) **Highway**

6) **Physical Plant**

a) **National Grid Energy Audit**

Supervisor Shute said he met with a gentleman from National Grid and they walked through the building to look at the lighting. He will come back with what he figures the savings on power would be for replacing the lighting. If we follow his recommendation, National Grid will pay 70% of it and the remaining 30% they will finance for 0% interest for 24 months. He seemed to think in this building the savings would be substantial.

Supervisor Shute said we received a quote on fixing the foundation of the Community Center for \$2,500 from Rick Warner Construction.

Kevin Gilligan said we would use the Incidental Contract for him.

Councilmen Knapp moved and McConnell seconded the motion to accept the bid from Rick Warner Construction Company conditional on getting the confirmation of insurance and meeting the prevailing wage requirements. Motion carried.

7) **Recreation & Youth**

8) **Safety.**

9) **School District Liaisons.**

10) **Service Awards.**

11) **SOTS & OCRRA Liaison.**

12) **SPDES**

Councilman McConnell said it seems the SPDES Report didn't arrive. He and Mary Jo will send another copy of this out tomorrow. It was to be sent out the next day after the May meeting so he isn't sure of its location. They have to receive this by the 10th of October.

Councilman Ohstrom would recommend sending it Registered Mail.

9. LITIGATION & OTHER LEGAL MATTERS.

A. Other.

10. UNFINISHED BUSINESS & ACTIVE PROJECTS.

11. NEW BUSINESS.

A. Rx zoning classification – Comprehensive Plan.

B. Other.

12. Suggestions for improvement and positive contributions.

13. Councilmen Knapp moved and Ohstrom seconded the Motion for the Board to go into Executive Session to discuss a personnel matter and to include the Town Attorney, Acting Highway Superintendent and Code Enforcement Officer. Motion carried.

The Town Board went into Executive Session at 8:28 p.m. and the Regular Town Board Meeting was called back to order by Supervisor Shute at 9:12 p.m.

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

**GENERAL FUND
HIGHWAY DEPT.**

**# 6496 – 6506
#6507 = 6512**

Motion carried.

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

The Town Board Meeting adjourned at 9:13 p.m.

Respectfully submitted,

Mary Jo Kelly
Town Clerk

Adopted 10/25/10