

October 10, 2023 LaFayette Town Board Meeting Minutes

Minutes of the regular Town Board Meeting held by the LaFayette Town Board on October 10th, 2023 at 6:30 p.m. at LaFayette Town Hall and live on Facebook.

Present: William McConnell, Supervisor
Melanie Palmer, Councilor
Jerry Marzo, Councilor
Carole Dwyer, Councilor

Absent: Steve Zajac, Councilor

Recording Secretary: Kristin Colburn, Town Clerk

Attorney: Jeff Brown

Budget Officer: Marty Knapp

Others Present: Ralph Lamson, Bldg. & Code Enforcement
Sue Marzo, Information Officer
David Prince, Parks Dept.
Daphne Reyburn, Library Board President
Sean Doolittle, LaFayette Fire Dept.
and several residents

1. Supervisor McConnell called the meeting to order at 6:30 pm and Town Clerk Kristin Colburn took the roll. Councilor Zajac absent, all other Board members present. Pledge to our U.S. Flag led by Councilor Melanie Palmer.

2. Motion to accept minutes of the Regular meeting on August 8, 2023 Minutes.

R- 166-23 Councilor Palmer moved and Councilor Marzo seconded the motion to accept the September 12th, 2023 Regular Meeting minutes as submitted by Town Clerk Kristin Colburn. Motion carried 4-0.

William McConnell	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes

3. Motion to accept minutes of the Regular meeting on September 18, 2023 Minutes.

R-167-23 Councilor Marzo moved and Councilor Palmer seconded the motion to accept the September 12th, 2023 Budget Meeting minutes as submitted by Supervisor William McConnell. Motion carried 4-0.

William McConnell	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes

4. PUBLIC HEARING

- A. SEQR - Local Law 4-2023 - Attorney Jeff Brown advised that SEQR is not required for this action and that the purpose of this is to amend the current law to include a focus on cats. This amendment does two things:
 - a) Adds expectations on the conditions for keeping dogs and cats. The premises shall be kept in a clean and sanitary condition. Owners need to provide adequate food, water and space. This allows us to deal with issues where hoarding may occur and the animals are not being maintained and given proper care.
 - b) Deals with dog and cat sanitation and references feces, excrement, and droppings cannot create offensive odors to individuals in the community.

R-168-23 Councilor Palmer moved and Councilor Dwyer seconded the motion to open the public hearing at 6:32pm for Local Law No. 4 Amending Chapter 137 (dogs) of the Code of the Town of LaFayette to change the title to read "Dog and Cat Control" and add new controls on cats and dogs. Motion carried 4-0.

William McConnell	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes

A resident inquired if the local veterinarian had been consulted with regard to this law. The Board advised that they had not.

R-169-23 Councilor Marzo moved and Councilor Dwyer seconded the motion to close the public hearing at 6:33 pm for Local Law No. 4 Amending Chapter 137 (dogs) of the Code of the Town of LaFayette to change the title to read "Dog and Cat Control" and add new controls on cats and dogs. Motion carried 4-0.

William McConnell	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes

1. COMMUNICATIONS

- A. Approval of Local Law 4-2023

R-170-23 Councilor Marzo moved and Councilor Palmer seconded the motion to approve Local Law 4-2023 for the Enhanced Cat/Dog Control Local Law. Motion carried 4 - 0.

William McConnell	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes

B. Introduction of Local Law 5-2023 (Tax Cap Override)

Attorney Brown explained that municipalities should pass a Local Law if there is any possibility that the local government will exceed the 2% tax cap limit. It is a preventative measure as the 2% tax cap is generally a challenge to meet.

R-171-23 Councilor Marzo moved and Palmer seconded the motion to set the public hearing for November 9, 2023 for Local Law 5-2023 to override the tax levy limit. Motion carried 4-0.

William McConnell	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes

C. NYS DOT Hamlet of LaFayette Road Project 2027 - Supervisor McConnell gave an update. The road project is confirmed to begin in the spring/summer of 2027. In the fall of 2026, the project will be put out for bids. And at the beginning of 2024 the Town of LaFayette will have an opportunity to be a part of the planning process with NYS DOT and give our insight as to what we would like to happen at the 4-corners/hamlet.

D. Postage Meter 18 mo. Lease extension - Town Clerk Kristin Colburn explained that this is a lease extension. The reason for the extension is the product they are promoting currently is the same exact product that we currently have. If we were to start a new lease, we would have the same thing but cost would be more. Our postage meter works fine, no need for new equipment especially if the cost would go up.

R- 172-23 Councilor Dwyer moved and Councilor Palmer seconded the motion approve the renewal of the Town Clerk postage meter. Motion approved 4 - 0.

William McConnell	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes

E. General Code Update Estimate to include 2022 & 2023 Local Laws - Town Clerk Kristin Colburn advised that we finally received an estimate to update our General Code with physical copies of the newest laws. Attorney Brown suggested seeing if they can provide a cost to include Local Law 4-2023 (dogs & cats) not to exceed \$3,500.00.

R-173-23 Councilor Marzo moved and Councilor Dwyer seconded the motion to approve the cost of the General Code update not to exceed \$3,500.00. Motion approved 4 -0.

William McConnell	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes

5. COMMUNICATONS FROM THE PUBLIC - 3 MINUTE LIMIT PER SPEAKER - Resident Steve Pitoniak voiced that he was appreciative that the Town Board has done such a good job of communicating the process of the Old Hotel project and that he is in favor having this be a success.

5. REPORTS

A. Departmental

1. Town Supervisor

a. September Monthly report

R-174-23 Councilor Marzo moved and Councilor Palmer seconded the motion to approve the Supervisor's monthly report as submitted by Budget Officer Knapp. Motion carried 4-0.

William McConnell	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes

b. Audit of Supervisor's monthly report by Councilor Palmer.

R-175-23 Councilor Marzo moved and Councilor Palmer seconded the motion that a positive audit of the September bank reconciliation of the Supervisor's account was completed by Councilor Palmer and was appropriate. Motion carried 4 - 0.

William McConnell	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes

2. Attorney - Nothing further to report

3. Highway Superintendent's Report October 2023

Roads: Miscellaneous repairs and general maintenance to our roads, ditches and culverts will continue through the fall months.

Our brush pile was ground into mulch last week and will be ready for the spring of 2024 to our LaFayette residents.

Highway Business: We have resumed meetings with our FEMA PDMG representative and mitigation expert for the 2021 Disaster 4625. We are anticipating completion of

the mitigation process in the next 6 months. I am anticipating approximately \$ 370,000.00 of mitigation funds (90% from FEMA and 10% State reimbursement).

I will be placing the 2015 Chevy Crew Truck on Auctions International with a reserve of \$ 7,000.00, next week with an extended listing time to get the most for the sale.

4. Town Clerk

a. Monthly report for September 2023

b. Update: Request to have former Town Clerk Jackie Roorda appointed as Deputy II should we require her assistance for a period of time.

R-176-23 **Supervisor McConnell moved and Councilor Palmer seconded the motion to appoint former Town Clerk Jackie Roorda as Deputy II as needed at the budgeted rate of pay set in the 2023 budget. Motion carried 4 - 0.**

William McConnell	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes

5. Building & Zoning Code Enforcement/SPDES

a. August 2023 Building Permit Report

b. Updates: The property at 3209 US Route 11 was brush hogged today and we should be getting an invoice for the Town to pay and to be added to the owner's property tax bill.

6. Justice Court

a. September 2023 Justice Reports

Judge Perrin had 171 cases and turned over \$16,101.00 to the Town of LaFayette for September 2023.

Judge Shute had 94 cases and turned over \$8,754.00 to the Town of LaFayette for September 2023.

7. Library Director report submitted by Jessica Rice. Daphne Reyburn, Library board president, gave a presentation reiterating the history of the library and the upgrades they are hoping to do with grants that they have applied for, including, automatic doors, an outdoor reading space, and an electronic sign.

8. LCC Report Submitted by Hillary Bevins

9. LaFayette Fire & Ambulance Department - Sean Doolittle reported that they had 14 fire/rescue calls for the month of September.

B. Committee Reports

1. Community Center Development - Councilor Dwyer had requested a definition of what the Right of Way at the 4 corners would look like and if that

would impact the Hotel project. Supervisor McConnell advised that he received verbal affirmation that it would not.

2. LACC (Mark Distler) written report on file with Town Clerk's office.

3. Safety & Facility Maintenance (Jerry Marzo) - Nothing new to report, but inquired if Amidon Construction had completed its work on the Town building. Supervisor McConnell advised that it has been.

10. NEW BUSINESS - Supervisor McConnell advised that we have two quotes for painting the entire Town building with 2 coats of paint. The lowest quote of \$8,550.00 was submitted by WRO Painting & Renovations, who is a single person doing this job so prevailing wage is not an issue. This project needs to be completed within 6 months to satisfy the warranty of the siding. Councilor Dwyer suggested that we get a contract for the services, which Supervisor McConnell & Attorney Jeff Brown will put together with Councilor Zajac's input.

R-177-23 Councilor Marzo moved and Councilor Dwyer seconded the motion to accept the quote of \$8,550.00 for the painting of the Town Hall. Motion carried 4 - 0.

William McConnell	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes

11. Motion to audit & pay bills

<u>Fund</u>	<u>Check #'s</u>	<u>Total</u>
General Fund	21122-21125, 21127-21130, 21132, 21133, 21136-21139, 21155-21180, 21184, 21190, 21193, 21199, 21204-21206	\$20,842.80
Highway Fund	21131, 21134, 21135, 21140, 21141, 21182, 21183, 21185-21189, 21191, 21192, 21194-21198, 21200-21203	\$181,804.25
Four Corners Rehab	21126	\$726.79
Library Fund	21142-21154	\$8,057.40
LaFayette Fire Dept	21181	\$576.00
Trust & Agency		\$1,488.66

R-178-23 Councilor Palmer moved and Councilor Dwyer seconded the motion to audit and pay the above listed bills. Motion carried 4 - 0.

William McConnell	Supervisor	Voted	Yes
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Melanie Palmer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes

12. Motion to adjourn

R-179-23 Councilor Palmer moved and Councilor Dwyer seconded the motion to adjourn. Motion carried 4-0

William McConnell	Supervisor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes

The Town Board Meeting was adjourned at 7:09 pm.

Respectfully submitted,

Kristin Colburn
Town Clerk