

## December 14th, 2015 LaFayette Town Board Meeting Minutes

Minutes of the Town Board Meeting held by the LaFayette Town Board on December 14, 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

Others Present: Kevin Gilligan, Town Attorney  
Thomas Chartrand, Budget Officer  
Matt Walker, C & S Companies  
John Greeley, Highway Superintendent

1. Supervisor McConnell called the meeting to order at 6:30 PM and welcomed all in attendance.
2. Pledge to our U.S. Flag was led by Councilor Zajac.
3. The Town Clerk, Jackie Roorda took the Roll. All present.
4. Town Board Minutes of November 6<sup>th</sup>, 2015 Special Meeting and November 14<sup>th</sup>, 2015 Regular Meeting.

**Councilor Ohstrom moved and Palmer seconded the motion to accept the minutes of November 6th, 2015 Special meeting 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

**Supervisor McConnell moved and Ohstrom seconded the motion to accept the minutes of the November 14th, 2015 regular meeting as submitted by Town Clerk, Jackie Roorda. Motion carried 5 – 0.**

William McConnell	Supervisor	Voted	Yes
Andrew Ohstrom	Councilor	Voted	Yes

<b>Doug Daniel</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Melanie Palmer</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

5. PUBLIC HEARINGS – None

6. COMMUNICATIONS

A. C & S Work Plan for old highway garage – Discussion regarding the contamination found at the old highway garage took place. Matt Walker of C & S Companies has met with a drilling contractor from the Preble area who specializes in this problem. Mark proposes to drill seven wells that would be approximately 15 to 20 feet deep in the areas of concern. They may use augers to drill the holes, place the PVC pipes and screen to get samples for testing, without too much work. He explained this procedure would take approximately one week of time. The next steps would be to do a summarized report, present that report to DEC, and depending on DEC's recommendations, a proposed plan of action may be necessary. He further explained that it will be unlikely that all samples will be totally clean. Councilor Daniel asked if these are temporary wells will they be filled in after taking the samples, and if not, can we use expandable plugs to protect them? Mark replied we will keep them for now just in case we need more samples in the future and yes we could use expandable plugs. He also advised they would place cones on top of the wells to identify them and for safety precautions. This should all be completed by the end of January.

**Supervisor McConnell moved and Ohstrom seconded the motion to approve the C & S Companies work plan for the former Town of Lafayette highway garage (NYSDEC spill #15 – 05081) allocating funds of \$15,000 or less to C&S Companies to drill seven temporary wells for sampling as approved by New York State DEC. Motion carried 5 - 0.**

<b>William McConnell</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>
<b>Andrew Ohstrom</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Steve Zajac</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Doug Daniel</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Melanie Palmer</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

Councilor Ohstrom questioned what if the samples come back super dirty? Mark replied, if samples are super dirty, a meeting will need to be set up with DEC. This is already budgeted for. Most likely we will have to go to the SPILLS program for groundwater. Supervisor McConnell asked Matt to keep the Board posted after he contacts the Preble Company for their expertise and he thanked Matt for his presentation and continued efforts.

B. Municipal & Farmland Protection Plan - Supervisor McConnell advised that he recently received a letter from Richard A Ball, Commissioner of New York State Agricultural and Markets Committee commending the town board for its initiative and effort in developing our farmland protection plan. McConnell asked Budget Officer Tom

effort in developing our farmland protection plan. McConnell asked Budget Officer Tom Chartrand if the town had received any monies regarding this yet. Chartrand advised not at this point. Counselor Palmer advised the Town will follow protocol, there is no pressure, and the Committee is all set to follow along.

C. NYS DOT Highway Work Permit Application for Utility Work - Supervisor McConnell advised that Highway Superintendent John Greeley is responsible for completing the work permit application for utility work and highway work. Greeley agreed and will complete the application and get it to NYS DOT.

**Supervisor McConnell moved and Councilor Daniel seconded the motion approving and allowing Superintendent John Greeley to sign the New York State Department of Transportation highway work permit application for utility work. Motion carried 5 – 1.**

<b>William McConnell</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>
<b>Andrew Ohstrom</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Steve Zajac</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Doug Daniel</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Melanie Palmer</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

D. Association of Towns 2016 Training School and Annual Meeting. - Town Clerk Jackie Roorda advised that she completed the applications for the two board members and herself to attend the 2016 Annual Association of Towns meeting.

**Councilor Ohstrom moved and Zajac seconded the motion authorizing Councilor Doug Daniel, Councilor Melanie Palmer, and Town Clerk Jackie Roorda to attend the 2016 Association of Towns training school and annual meeting in February. Motion Carried 5 – 0.**

<b>William McConnell</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>
<b>Andrew Ohstrom</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Steve Zajac</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Doug Daniel</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Melanie Palmer</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

E. "Local Transportation Funding" Proposed Resolution. Highway Superintendent Greeley advised that most highway superintendents across to New York State are asking the state to increase state funding to reflect the critical needs of local roads and bridges and increase CHIPS funding in the 2016–17 State budget. Attorney Gilligan has drafted a Town Board resolution to be adopted which reflects this matter.

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

**WHEREAS**, a reliable transportation infrastructure is vital for the safety of New York's travelling public and its economy; and

**WHEREAS**, 85 percent of New York's roads and bridges are maintained by local governments; and

**WHEREAS**, despite well-timed and targeted preventative maintenance treatments, the age and conditions of many of our locally-owned transportation assets means that they are beyond preservation and in need of much more costly rehabilitation and reconstruction; and

**WHEREAS**, estimates by the State Comptroller, DOT and independent studies show a large portion of road mileage is deteriorating and many bridges in the state are rated structurally deficient and functionally obsolete; and

**WHEREAS**, the State Comptroller estimates that there will be \$89 billion in unmet local infrastructure needs over the next 20 years; and

**WHEREAS**, the New York State Association of Town Superintendents of Highways commissioned its own fifteen year analysis that indicates an annual funding gap of \$1.3 billion for the local system (excluding NYC) alone; and

**WHEREAS**, funding for our local system has been far short of what is needed and we've fallen further and further behind in maintaining the vast and aging transportation infrastructure over this long period with severe consequences for conditions ratings; and

**WHEREAS**, the New York State Consolidated Local Street and Highway Program (CHIPS) provides essential funding for every municipality in the state and is part of the New York State Department of Transportation (NYSDOT) capital program; and

**WHEREAS**, in the early 1990's the Governor and Legislature created the Dedicated Highway and Bridge Trust Fund (DHBTF) to pay for the NYSDOT capital program and the

Dedicated Mass Transit Trust Fund (DMTTF) to assist with the Metropolitan Transportation Authority (MTA) and other transit systems' capital programs; and

**WHEREAS**, when the DHBTF was created, it was agreed that the NYSDOT and MTA five-year capital programs would be similar in size and would be negotiated concurrently; and

**WHEREAS**, through 2005-09, both five-year capital programs were similar in size and adopted within months of each other; and

**WHEREAS**, in 2010 the Executive and Legislature broke traditional parity and enacted a five-year capital program for the MTA but not the DOT.

**NOW THEREFORE BE IT**

**RESOLVED**, that the Town of LaFayette calls upon the Governor and the State Legislature to make additional state funding and resources available at levels that accurately reflect the critical needs of local roads and bridges; and increase CHIPS funding in the 2016-17 state budget; and **BE IT FURTHER**

**RESOLVED**, that the Town of LaFayette calls upon the Governor, and members of the State Legislature to fully fund and submit a new NYSDOT five-year transportation capital plan; and **BE IT FURTHER**

**RESOLVED**, that the Town of LaFayette calls upon the Governor and members of the State Legislature to recognize the equality of roads, bridges and transit by restoring funding equality between the MTA AND NYSDOT five-year programs and by voting on the plans simultaneously.

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

<b>William McConnell</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>
<b>Andrew Ohstrom</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

<b>Steve Zajac</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Doug Daniel</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Melanie Palmer</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

The foregoing resolution was thereupon declared duly adopted.

**DATED: December 14, 2015**

F. LaFayette Fire Department 2016 Agreements / Annual contracts. Councilor Daniel advised that he is on the LaFayette Fire Department Board of Directors and will abstain from voting on this matter.

**Councilor Ohstrom moved and Palmer seconded the motion authorizing Supervisor McConnell to sign the 2016 Fire Protection Contract between LaFayette Fire Department and the Town of LaFayette. Motion carried 4 – 0, with 1 Abstention.**

<b>William McConnell</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>
<b>Andrew Ohstrom</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Steve Zajac</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Doug Daniel</b>	<b>Councilor</b>	<b>Abstained</b>	
<b>Melanie Palmer</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

G. Jamesville Fire District 2016 Agreements / Annual contracts

**Councilor Daniel moved and Palmer seconded the motion authorizing Supervisor McConnell to sign the 2016 Fire Protection Contract between Jamesville Fire District and the Town of LaFayette. Motion carried 5 – 0.**

<b>William McConnell</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>
<b>Andrew Ohstrom</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Steve Zajac</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Doug Daniel</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Melanie Palmer</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

7. SPECIAL REPORTS

8. REPORTS

A. Departmental

1. Town Supervisor

a. Budget Officer Tom Chartrand submitted the Monthly Financial Report, transfer sheet and advised of the following;

Fund Notes

General Fund

Revenues Strong month for the Court

Expenditures

A few overdrawn lines

Central Printing to cover last newsletter

Purchase of Land to cover the costs associated with the New Snow Plow Turnaround

Parks and Youth to reallocate within the department

Over all Expenditures at 85% of original budget as expected near the end of the year

Highway Fund

Revenues

Sale of Truck this amount was appropriated in the 2016 budget to pay down the New Truck BAN faster

Expenditures

Machinery Repair are now at 125% of original budget so an appropriation of the County Winter Severity Excess funds will be needed

Library Fund

Expenditures

The overall Spending is at 95% of the original budget and some line transfers are needed

**Supervisor McConnell moved and Ohstrom seconded the motion to approve the transfer of appropriations as listed below. Motion carried 5 - 0.**

<b>William McConnell</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>
<b>Andrew Ohstrom</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Steve Zajac</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Doug Daniel</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Melanie Palmer</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

Transfer of Appropriation

GENERAL FUND

To:

A1670.4	Central Printing	Contractual	4,000.00
A1940.2	Purchase of Land	Capital Outlay	4,500.00
A7110.4	Parks	Contractual	1,000.00
A7310.4	Youth Program	Contractual	2,000.00
A9050.8	Employee Benefits	Unemployment Insurance	1,000.00

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			TOTAL	12,500.00
				=====
From:	A1990.4	Contingent	Contractual	9,500.00
	A7110.1	Parks	Personal Services	1,000.00
	A7310.2	Youth Program	Equipment	2,000.00
			TOTAL	12,500.00
				=====

HIGHWAY

To:	DA5130.4	Machinery	Contractual	12,000.00
			TOTAL	12,000.00
				=====

From:	DA599 Surplus		County Winter Severity	12,000.00
			TOTAL	12,000.00
				=====

LIBRARY FUND

To:	L1620.1	Library Cleaning	Personal Services	400.00
	L7410.4	Library Materials (Books)	Contractual	600.00
	L7430.4	Library Operations (Supplies)	Contractual	500.00
	L7433.4	Library Operations (Postage)	Contractual	500.00
			TOTAL	2,000.00
				=====

From:	L7411.1	Library Operations (Staff)	Personal Services	2,000.00
			TOTAL	2,000.00
				=====

**Councilor Ohstrom moved and Daniel seconded the motion authorizing the Supervisor to make any end of the year transfers necessary in the budget in order to close out the year 2015. Motion carried 5 - 0.**

<b>William McConnell</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>
<b>Andrew Ohstrom</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Steve Zajac</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Doug Daniel</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Melanie Palmer</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

*At this time (7:00pm) Councilor Ohstrom had to exit the meeting for an appointment.*

2. Highway Superintendent's written report – Superintendent Greely advised he is ready to close the books on the new Highway Garage for 2015. There are just a few items that Diamond & Thiel are working on completed.

He also advised that the 2009 truck was hauling sand and the bolts on the fan blade went and took out the radiator. They had to tow it to dump the sand and then towed it to Stadium International for repairs at a cost of approximately \$6,000.00.

**Equipment:** New Truck # 5 2015 AWD Western Star arrived. Vehicle has been calibrated and is ready for service. Currently, all trucks are ready for winter service.

**Roads:** All road sand for 2015-16 seasons have been delivered. Approximately 2,243.0 tons are in stock at the State.

The Highway has sanded/plowed 2 times in the month of December. Salt for the 2015-16 seasons will be ordered late December and delivered in January 2016. Currently 90% of all Town signs have been replaced with HIP high intensity in compliance with Federal Standards. Work still in progress.

**Material Dome:** The Material Dome is complete.

3. Assessor

4. Building and Code Enforcement – Ralph Lamson presented the following report of 2015 Building Permits.

Solar Arrays	23	
Heating & Cooling	6	
Garage	14	
Remodel & Additions	14	
Houses	8	3255 LaFayette, 6759 Colton, 5947 Sturgen, 1980 Jamesville Terrace, 2913 Webb, 1950 North Road
Decks	11	
Pools	5	
Demolition	4	
Commercial Store	1	
TOTAL	96	

5. Dog Control

6. Justice Court - 150 - total cases for Judge Perrin; \$21,611.00 was taken in for the month of October, 2015.

247 - total cases for Judge Shute; \$21,611.00 was taken in for the month of October, 2015.

Audit reports done by David Lamson for January – October 2015, were present for review. Supervisor McConnell advised that a full audit will be done in January.

7. Library - October and November Board of Trustees Minutes and Directors reports were presented. No questions or comments were voiced.

8. Recreation Director. Report as submitted by Regina Reinschmidt, Rec. Director.

Declare scrap Please declare the following item scrap as per Tom Chartrand. He has updated the fixed assets and the item has been dropped in the waste box at the highway dept.

Dell 2004 xps T600r 2RGVK288810310426

Basketball 5<sup>th</sup> and 6<sup>th</sup> boys and girls have started. We have enough coaches and players for teams at each level (at the time of this newsletter—one is TBD) 2nd grade basketball is already planned so LCC can just administer come January. Adrian Shute will be the handling basketball duties. The league and the coaches have been made aware.

Wrestling program will begin in January. All is organized already for LCC, they know what they need to do in January to carry on.

Volleyball is over, great program! 47 girls, grades 3-6. The new volunteer worked out wonderfully and I completed the application process with her so she is all set to continue. Volleyball should run again in March.

LCC storage room since the addition of the exercise balls to the senior program, space became an issue for the class. Instead of the cleaning closet, they are using the LCC room and it is working out great. LCC has been made aware that that is where LCC files are kept. Dave and Julie have keys to be able to access paperwork and phone messages.

9. Parks and Recreation

10. Town Clerk

a. Monthly Report and payment to Supervisor's Account was reviewed.

b. Roorda advised that Michael Grimm submitted a voucher in the amount of \$525.00 for services of trimming and decorating the Town Christmas tree for the annual tree lighting ceremony. He is donating his services and the voucher is for bookkeeping purposes only. The Board thanks Michael for his generosity.

c. Roorda advised that as Secretary to the Planning Board and Zoning Board of Appeals, she has reached out to the members whose terms expire December 31, 2015 to inquire if they are interested in another term of office. Barb Lasky, Planning Board Member and Kelly Green, Zoning Zoning Board of Appeals Member advised they wish

to re-up their terms of office and are looking forward to another term serving. She also advised that Richard Stach's term on the Assessment Grievance Board of Review expired at the end of September, 2015 and he has agreed to another term on that Board.

d. Town Clerk Roorda thanked Town Supervisor Bill McConnell for his support and guidance which was appreciated and essential in her life changing role as Town Clerk. She especially thanked him for his many years of service as Town Board Councilor and as Supervisor and for all the great accomplishments he was instrumental in for the Town of LaFayette.

#### B. Committees

1. Agricultural Committee
  2. Community Development – Attorney Gilligan advised that the January meeting agenda should include the Proposed Community Development Plan and will be a Public Hearing scheduled for the February meeting.
  3. Emergency Response
  4. Employee Policies and Procedures
  5. Environmental and Conservation Advisory Board
  6. Highway
  7. Physical Plant
  8. Recreation and Youth - Supervisor McConnell thanked Councilor Zajac for all the work and effort he put forth at Vinegar Hill Park in getting all the matters completed. Zajac commented that hopefully, playground equipment would be a nice addition and may be added to the park in the future.
  9. Safety
  10. School Liaisons
  11. Service Awards
  12. SOTS and OCRRA
  13. SPDES
9. LITIGATION & OTHER LEGAL MATTERS – Supervisor McConnell asked Attorney Gilligan if there is any word on the lawsuit against the Town of LaFayette regarding an accident that happened in the Town of Pompey. Gilligan advised that our

insurance company and his law firm have already advised that the suit has no bearing on LaFayette and that the town has no responsibility over the area in question. The lawsuit is totally ridiculous.

- 10. UNFINISHED BUSINESS & ACTIVE
- 11. NEW BUSINESS
- 12. Suggestions for improvement and positive contributions.
- 13. Executive Session (not necessary)
- 14. Motion to audit and pay bills.

<b>General Fund</b>	<b>8279-8405</b>	<b>\$ 95,062.20</b>
<b>Highway Fund</b>	<b>8406-8428</b>	<b>\$ 37,353.06</b>
<b>Special District</b>	<b>8430-8421</b>	<b>\$ 285.59</b>
<b>Trust &amp; Agency</b>	<b>8432</b>	<b>\$ 120.00</b>
<b>Cap. Development Fund</b>	<b>8433-84-38</b>	<b>\$340,445.08</b>

**Councilor Zajac moved and Palmer seconded the motion to audit and pay the above listed bills. Motion carried 4 - 0.**

<b>William McConnell</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>
<b>Steve Zajac</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Doug Daniel</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Melanie Palmer</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

- 15. Motion to adjourn.

Attorney Kevin Gilligan thanked Supervisor McConnell for the opportunity and experience with working with him and complimented him on his motivation, energy put forth and the great job he has done for the Town of LaFayette.

Councilor Daniel also thanked Supervisor McConnell for taking him under his wing as Town Board Member saying it was a learning experience that he appreciates and thanks Bill for pouring his heart and soul into the Town of LaFayette.

McConnell voiced his appreciation for the compliments and advised that he will still be involved in a few committees and will always be available to assist, if needed.

**Supervisor McConnell moved Daniel and seconded the motion to adjourn the meeting. Motion carried 4 - 0.**

<b>William McConnell</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>
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**Steve Zajac**  
**Doug Daniel**  
**Melanie Palmer**

**Councilor**  
**Councilor**  
**Councilor**

**Voted**  
**Voted**  
**Voted**

**Yes**  
**Yes**  
**Yes**

The Town Board Meeting was adjourned at 7:20 p.m.

Respectfully submitted,

Jacqueline G. Roorda  
Town Clerk