

## December 10<sup>th</sup>, 2019 LaFayette Town Board Meeting Minutes

Minutes of the Town Board Meeting held by the LaFayette Town Board on December 10<sup>th</sup>, 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  
Steve Zajac, Councilor  
Melanie Palmer, Councilor  
Carole Dwyer, Councilor  
William McConnell, Councilor

Recording Secretary: Jackie Bush Roorda, Town Clerk  
Budget Officer: Tom Chartrand  
Attorney: Jeff Brown  
Bldg/Code Enforcement: Ralph Lamson

Others Present: David Prince  
Richard Walker, Heaven Elliott, John Mueller  
Joseph Fox, Layton Harris, Heaven Elliott,  
Steve & Kathy Pitoniak, Jazmyynn Crandall,  
Rosemary & Herbie Brodt, Jessica Battella,  
Jeanie Gleisner, Dennis Earle, James Baker  
Sean Doolittle

1. Supervisor Fitzpatrick called the meeting to order at 6:30 PM and welcomed all in attendance. Councilor Dwyer led the pledge to the U.S. Flag.
2. The Town Clerk, Jackie Roorda took the Roll.
3. Town Board Minutes of November 12<sup>th</sup>, 2019 Regular Meeting.

**R-155-19 Councilor McConnell moved and Palmer seconded the motion to accept the November 12<sup>th</sup>, 2019 Meeting Minutes as submitted by Town Clerk Jackie Roorda. Motion carried 5 – 0.**

<b>Daniel Fitzpatrick</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>
<b>Steve Zajac</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Melanie Palmer</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Carole Dwyer</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>William McConnell</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

### 4. COMMUNICATIONS

A. Assignment of Voting Delegate for 2020 Business Session Annual Meeting

**R-156-19 Councilor McConnell moved and Dwyer seconded the motion to designate Supervisor Fitzpatrick as delegate to assume voting**

responsibilities at the Annual Business Meeting of the Association of Towns to be held in New York City on February 16 -19, 2020. Motion carried 5 – 0.

<b>Daniel Fitzpatrick</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>
<b>Steve Zajac</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Melanie Palmer</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Carole Dwyer</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>William McConnell</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

Budget Officer Tom Chartrand suggested a motion authorizing payment for expenses incurred for the attendance of the Annual Association of Towns Conference. Supervisor Fitzpatrick advised that he will pay all costs himself and no funds need to come from the Town.

B. Emergency Veterinary Services Agreement between Town of LaFayette and LaFayette Veterinary Clinic. Supervisor Fitzpatrick asked if anyone had any questions regarding this. No one had any questions or comments.

**R-157-19 Councilor Zajac moved and McConnell seconded the motion to authorize Supervisor Fitzpatrick to execute the annual Agreement for emergency veterinary services to pay a maximum of \$250.00 per animal per visit between the Town of LaFayette and LaFayette Veterinary Clinic for the year 2020. Motion carried 5 – 0.**

<b>Daniel Fitzpatrick</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>
<b>Steve Zajac</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Melanie Palmer</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Carole Dwyer</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>William McConnell</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

C. Motion to schedule 2020 Organizational & Regular meeting for January 7<sup>th</sup>, 2020. Supervisor Fitzpatrick advised that the second Tuesday in January falls on the 14<sup>th</sup>, which would make the swearing in of elected officials and committee appoints late and suggested we move the meeting up a week. He asked the Board members if they have any conflicts or opinions regarding this. Everyone was in agreement.

Town Clerk Roorda said that the Open House/Refreshments will begin at 5:00 pm, the Organizational Meeting at 6:00 pm and regular Town Board meeting to follow directly after.

**R-158-19 Councilor Dwyer moved and Palmer seconded the motion to set the date and time of the Organizational Meeting for 2020 to take place on January 7, 2020 at 6:00 p.m., with the Town Board to follow, refreshments will be from 5:00 – 6:00 p.m. and authorizing the Town Clerk Roorda to post the notice of the meeting in the appropriate locations. Motion carried 5 - 0.**

<b>Daniel Fitzpatrick</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>
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<b>Steve Zajac</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Melanie Palmer</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Carole Dwyer</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>William McConnell</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

D. Amendment of LaFayette Fire Department Contracts. Attorney Jeff Brown advised that there was an issue regarding the insurance amount required for indemnification. He recently spoke with the LaFayette Fire Department insurance agent and is waiting for confirmation regarding their joint recommendation; therefore, the contracts should be acceptable. No action is necessary by the Town Board at this time.

E. RFP for copier in Town Clerk’s Office. Supervisor Fitzpatrick advised that after speaking with the Lessor of the copier, he was made aware that at we may purchase the copier at the cost of \$1.00 now that the lease term is expired. There is an issue with the Justice’s copier which was purchased. Therefore, he recommends the Town buy the copier now and after investigating other copiers, do an RFP at that time for the Town Clerk’s copier and give their copier to the Justice Court. Tom Chartrand suggested a motion to purchase the copier now that the lease is expired.

**R-159-19 Councilor Palmer moved and McConnell seconded the motion to purchase the Town Clerk’s Canon Copier for the sum of \$1.00 at this time and pursue an RFP at a later date. Motion carried 5 - 0.**

<b>Daniel Fitzpatrick</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>
<b>Steve Zajac</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Melanie Palmer</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Carole Dwyer</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>William McConnell</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

A. Departmental

1. Town Supervisor

a. Town Supervisor’s Monthly report was provided by Budget Officer Tom Chartrand. Tom reported it’s been a quiet month. Thankfully, Dave Knapp was able to secure additional funding in the amount of \$123,134.00 and we are waiting for the final CHIPS money. Chartrand advised that we received notice that the AIM funding that we usually receive in September will be coming in December. He also reported that there is a transfer of appropriations sheet that will need a motion for this month.

**R-160-19 Councilor Palmer moved and Supervisor McConnell seconded the motion to approve the transfer of appropriations as listed below. Motion carried 5 – 0.**

<b>Daniel Fitzpatrick</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>
<b>Steve Zajac</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Melanie Palmer</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Carole Dwyer</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

	<b>William McConnell</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>GENERAL FUND</b>				
To:				
	A5010.4	Supt. of Highways	Contractual	\$1,500.00
	A5132.4	Garage	Contractual	\$5,000.00
	A8160.4	Refuse & Garbage	Contractual	<u>500.00</u>
			TOTAL	<u>\$7,000.00</u>
From:				
	A1990.4	Contingent	Contractual	<u>\$7,000.00</u>
			TOTAL	<u>\$7,000.00</u>
<b>HIGHWAY FUND</b>				
To:				
	DA5112.2	Improvements	Capital Outlay	\$49,500.00
	DA5130.2	Machinery	Equipment	<u>\$150.00</u>
			TOTAL	<u>\$49,650.00</u>
From:				
	DA599	Surplus	Chips, Pave, NY & EWR	\$7,000.00
	DA5110.1	General Repairs	Personal Services	\$3,500.00
	DA5110.4	General Repairs	Contractual	\$39,000.00
	DA5130.4	Machinery	Contractual	<u>\$150.00</u>
			TOTAL	<u>\$49,650.00</u>

Tom Chartrand advised that there will be necessary transfers at the end of the year so a motion will need to be made allowing Budget Officer Chartrand to transfer funds for 2019 for invoices that come in January and February 2020.

**R-161-19 Councilor McConnell moved and Zajac seconded the motion to authorizing budget officer to make any necessary end of the year transfer of funds for 2019. Motion carried 5 - 0.**

<b>Daniel Fitzpatrick</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>
<b>Steve Zajac</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Melanie Palmer</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Carole Dwyer</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>William McConnell</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

2. Town Attorney – Attorney Jeff Brown advised that he has four items to talk about:

- a) He received two contracts from the Highway late today – One being from OCRAA regarding the hauling of trash. He would like to review the indemnification clause more thoroughly and will bring this back to the board at the January meeting.

b) This also came to him today, there is a discussion about the LaFayette Fire Dept. paying a surcharge on the use of fuel. He requested that Tom Chartrand elaborate on this. Tom explained that in the agreement we have a clause that says we will withhold he believed \$10k and the LaFayette Fire Dept. can use the Highway Dept. fuel for their vehicles and we will reduce that amount and transfer funds from the Special District fund for fire to the Highway fund for fuel being used. This cost includes not just the cost of fuel, but maintenance, permits, inspections etc...After discussion with John Greeley this equals out to \$0.25/gallon, which is a significant savings for the fire dept. as they are currently purchasing fuel from the local gas station. Attorney Brown advised that this will be an amendment to the contract.

**R-162-19 Councilor McConnell moved and Dwyer seconded the motion to approve the Gas agreement with the LaFayette Fire Dept. Motion carried 5 - 0.**

<b>Daniel Fitzpatrick</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>
<b>Steve Zajac</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Melanie Palmer</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Carole Dwyer</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>William McConnell</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

c) Attorney Brown advised that he has completed the review of the Zoning Code and has made some minor tweaks to make sure some of the language is appropriate and it is now being added to the codification where all of our other laws are. He has also added our most recent laws to date

d) Lastly, the ZBA has a very active agenda right now with three (3) solar projects that Ralph is working diligently on.

1. One on Sentinel Heights Road
2. One on Apulia / Weller Road intersection
3. One small individual project at Jamesville Grove.

3. Highway Superintendent – submitted his written report and read as follows.

**Roads:** The Department performed snow and ice ops 25 times since last meeting. Ditching ops has been suspended for the year...

**Equipment:** All plow trucks have been salt guarded, greased and are active ready for the next snow and ice event.

**Christmas tree recycling program:** All unwanted Christmas trees can be dropped off at the Highway Department and will be recycled for FREE mulch in the spring. (Look for “drop off” sign behind building.

Lastly, would like to thank Don Skinner for doing an outstanding job as interim Deputy while Steve Robson was out. Respectfully request to reappoint Steve Robson back to deputy position.

**R-163-19 Councilor McConnell moved and Zajac seconded the motion to re-appoint Steve Robson as Deputy Highway Superintendent. Motion carried 5 - 0.**

<b>Daniel Fitzpatrick</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>
<b>Steve Zajac</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Melanie Palmer</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Carole Dwyer</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>William McConnell</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

4. Town Clerk

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

b. Town Clerk Roorda advised every one of the Organization Meeting on January 7<sup>th</sup>, 2020, with refreshments from 5 PM- 6 PM, then the Organizational Meeting at 6 PM and Regular Meeting to follow. Roorda advised that anyone is invited to attend.

5. Building and Code Enforcement – Code Enforcement Officer Ralph Lamson submitted his written report for building permits, issued to date for 2019.

6. Justice Court -

a. Justices Monthly report for October 2019

107 - Total cases for Judge Perrin; \$8,185.00 was taken in for the month of October 2019.

105 - Total cases for Judge Shute; \$8,253.00 was taken in for the month of October, 2019.

b. 2019 September Audit/Review of Justice Court Records were distributed for review by the Town Board.

7. Library – September, October, & November 2019 Board of Trustees Minutes & Director's Report were available for the Town Board's review. They have digitized the High School yearbooks from 1920-2001 with funds received from a grant and are looking at another grant to digitize some of the town's historical papers with the assistance of Greg Titus and J. Roy Dodge.

8. Parks – One issue with the recent winds the porta potty did tip over. Trying to figure out a remedy to that if nothing we may just remove it.

The Mower/ Blower is ready to go, we just need to schedule delivery, if we take deliver by next week, we may have the invoice by the January meeting. The invoice will come directly from John Deere, not Cazenovia Equipment

9. LCC – 5<sup>th</sup>/ 6<sup>th</sup> boys & girls' basketball is underway; Wrestling was slightly delayed due to some renovations but is all set now. Some new mats have been ordered to supplement a shortage and the ski program is set to being the 1<sup>st</sup> Friday in January.

7. NEW BUSINESS – Spectrum/Time Warner work permit for Palmer road. Attorney Brown advised that he has reviewed the permit and it is a sound legal document and all looks good a couple things with their insurance certificates. This could be approved tonight contingent on his review.

**R-164-19 Councilor McConnell moved and Palmer seconded the motion to approve the work permit with Spectrum on Palmer road contingent on attorney review. Motion carried 5 - 0.**

<b>Daniel Fitzpatrick</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>
<b>Steve Zajac</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Melanie Palmer</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Carole Dwyer</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>William McConnell</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

8. OPEN COMMUNICATIONS –

A resident inquired about the Codification if the public will get to review it and how much time will there be to review before the town enacts it. Attorney Brown advised that it will require a Public Hearing and residents will have a few weeks to review it.

Resident Steve Pitoniak asked if there was anything new with regard to the Cardiff water situation. Supervisor Fitzpatrick stated that the only thing new is that Honeywell will be issuing a letter advising residents that they will not shut off water as long as they are willing to move forward with a water district.

Dave Prince added that with regard to the future renovations of the Tennis court that he and the Varsity Tennis coach would like to be included in the discussion. Supervisor Fitzpatrick advised that they will be included 100%.

9. Motion to audit and pay bills.

General Fund	15244-15288	\$ 16,186.13
Highway Fund	15289-15303	\$ 19,635.19
Special District	15304	\$ 100.82
Trust & Agency	15305	\$ 1,926.00

**R-165-19 Councilor McConnell moved and Dwyer seconded the motion to audit and pay the above listed bills. Motion carried 5 - 0.**

<b>Daniel Fitzpatrick</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>
<b>Steve Zajac</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Melanie Palmer</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Carole Dwyer</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>William McConnell</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

10. Motion to adjourn.

**R-166-19 Councilor Palmer moved McConnell and seconded the motion to adjourn the meeting. Motion carried 5 - 0.**

<b>Daniel Fitzpatrick</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>
<b>Steve Zajac</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Melanie Palmer</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Carole Dwyer</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>William McConnell</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

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

Respectfully submitted,

Jacqueline G. Roorda  
Town Clerk