

January 12th, 2016 LaFayette Town Board Meeting Minutes

Minutes of the Town Board Meeting held by the LaFayette Town Board on January 12, 2016 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: Andrew Ohstrom, Councilor
Steve Zajac, Councilor
Melanie Palmer, Councilor
Kerry Evans, Councilor

Recording Secretary: Jacqueline G. Roorda, Town Clerk

Others Present: Kevin Gilligan, Town Attorney
Thomas Chartrand, Budget Officer
Ralph Lamson, Bldg & Code Enforcer
John Greeley, Highway Superintendent

1. Supervisor Ohstrom called the meeting to order at 6:30 PM and welcomed all in attendance.
2. Pledge to our U.S. Flag was led by Supervisor Ohstrom.
3. The Town Clerk, Jackie Roorda took the Roll. Councilor Daniel absent.
4. Town Board Minutes of December 14th, 2015 Regular Meeting.

Supervisor Ohstrom moved and Palmer seconded the motion to accept the minutes of December 14th, 2015 meeting as submitted by Town Clerk, Jackie Roorda. Motion carried 3 – 0, 1 abstention.

Andrew Ohstrom	Supervisor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Kerry Evans	Councilor	Abstained	

5. PUBLIC HEARINGS – None

6. COMMUNICATIONS

A. OCRRA Agreement

1. OCRRA Solid Waste Management System Agreement for 2016

Councilor Zajac moved and Palmer seconded the motion authorizing the Supervisor to execute the one year Hauler-OCRRA Agreement for Use of OCRRA Waste Management System, for 2016. Motion carried 4 - 0.

Andrew Ohstrom	Supervisor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Kerry Evans	Councilor	Voted	Yes

2. 2016 OCRRA Hauler Agreement Renewal

Supervisor Ohstrom moved and Zajac seconded the motion authorizing the Highway Deputy Superintendent to execute the 2016 OCRRA Hauler & Municipal Registration Renewal Agreement with the completed list and information of the Highway Department trucks involved. Motion carried 4 - 0.

Andrew Ohstrom	Supervisor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Kerry Evans	Councilor	Voted	Yes

B. Onondaga County Ag & Farmland Protection Board Eight Year Review.

Supervisor Ohstrom moved and Palmer seconded the motion to accept the Eight Year Review and Recertification of Agricultural District 4 Farmland as presented by the Onondaga County Farmland Protection Board. Motion carried 4 - 0.

Andrew Ohstrom	Supervisor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Kerry Evans	Councilor	Voted	Yes

C. Association of Towns 2016 Certificate of Designation...

Supervisor Ohstrom moved and Evans seconded the motion to designate and appoint Councilor Douglas Daniel as Voting Delegate and Councilor Melanie Palmer as Alternate Voting Delegate to attend The Annual Business Session of the Association of Towns and the State of New York to be held on February 17, 2016 and to cast the vote of the Town of LaFayette, pursuant to Section 6 of Article III of the Constitution and Bylaws of the Association of Towns. Motion carried 4 - 0.

Andrew Ohstrom	Supervisor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Kerry Evans	Councilor	Voted	Yes

D. Onondaga County Board of Elections Polling Place Agreement.

Councilor Palmer moved and Evans seconded the motion authorizing the Supervisor to execute the Polling Place Agreement between Onondaga County Board of Elections and the Town of LaFayette wherein permission is given for the LaFayette Commons Office Building to be used as a polling place for the years 2016 through 2020. Motion carried 4 - 0.

Andrew Ohstrom	Supervisor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Kerry Evans	Councilor	Voted	Yes

E. LaFayette Veterinary Clinic 2016 Emergency Animal Services Agreement.

Councilor Zajac moved and Palmer seconded the motion authorizing the Supervisor to execute the 2016 Emergency Veterinary Services Agreement between the Town of LaFayette and the LaFayette Veterinary Clinic for a maximum of \$250.00 per animal, per visit. Motion carried 4 - 0.

Andrew Ohstrom	Supervisor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Kerry Evans	Councilor	Voted	Yes

F. Liquor License Waiver, the Kart Lounge

Supervisor Ohstrom moved and Palmer seconded the motion approving issuing a waiver with regard to the advance notice requirement in the application for a liquor license for the Kart Lounge Tavern/Cocktail Lounge. Motion carried 4 – 0.

Andrew Ohstrom	Supervisor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Kerry Evans	Councilor	Voted	Yes

G. UPS Fund Raising Event for United Way

Supervisor Ohstrom moved and Evans seconded the motion authorizing UPS to have use of Stafford Park with Pavilion 1 for a fund raising event supporting the United Way, and to waive the rental fees. This event will be held on September 25, 2016 and to waive rental fees. Motion carried 4 – 0.

Andrew Ohstrom	Supervisor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Kerry Evans	Councilor	Voted	Yes

7. SPECIAL REPORTS

8. REPORTS

A. Departmental

1. Town Supervisor

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

The report is light month. We only have the statement of receipts and disbursements as most of the vouchers that you will be signing go against the 2015 report.

General Fund has good news in that Court fines and Mortgage tax exceeded the budget.

There were no transfers this month.

2. Highway Superintendent's written report – Superintendent Greeley read his written report.

Equipment: All snow plows are active ready.

Working on Park pathway snow plow, which should be done this week.

Roads: Performed snow and ice ops 3 times since last meeting.

* 1000 tons of salt ordered – 515 tons delivered currently.

• Submit speed limit request for Smokey Hollow, Greeley advised that he is requesting a speed limit reduction to 30mph and that the County is backing him and advised him that they do not need a petition from the residents on that road. He requested the Board sign the petition that he had Attorney Gilligan prepared. Gilligan will prepare a new resolution with the speed limit included therein.

Supervisor Ohstrom moved and Zajac seconded the motion endorsing the letter to the Onondaga County Commissioner of Highways requesting the Department of Transportation to establish a 30 mph maximum speed limit on Smokey Hollow Road. Motion carried 4 - 0.

Andrew Ohstrom	Supervisor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Kerry Evans	Councilor	Voted	Yes

Highway Superintendent Greeley requested the Board approve the resolution that he recently requested Attorney Gilligan prepare in Support of Legislation to amend the Electronic Equipment Recycling and Reuse Act.

**TOWN OF LAFAYETTE
TOWN BOARD RESOLUTION**

JANUARY 12, 2016

**SUPPORT OF LEGISLATION TO AMEND THE
ELECTRONIC EQUIPMENT RECYCLING AND REUSE ACT**

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

WHEREAS, the main reasons for the adoption of the New York State Electronic Equipment Recycling and Reuse Act (Act) was to assist local governments with managing the fast growing end-of-life electronics waste stream by relying on electronics manufacturers to fund a recycling infrastructure and relieve municipalities from the recycling and end-of-life management costs, and;

WHEREAS, the Act has succeeded in significantly increasing electronics recovery and recycling in the state, but unfortunately the collection infrastructure is rapidly shrinking as governments and other collectors are faced with mounting fees in the absence of consistent manufacturer funding and limited markets for cathode ray tubes (CRTs), and;

WHEREAS, the consequence, specifically following the January 2015 Statewide Electronics Disposal Ban, is significant as a growing number of municipalities such as LaFayette are faced with bearing more of the financial responsibility for continued e-scrap collection in their communities, and;

WHEREAS, the Act requires and the state relies on electronics manufacturers to fund e-scrap recycling programs that are effective, continuous and reasonably convenient to all consumers across the state, and;

WHEREAS, once manufacturers meet their performance standard (goal), which in a number of cases is midway through the year, they no longer provide financial support to continue their programs, thus shifting management costs to unsuspecting and cash strapped local governments, and;

WHEREAS, the issue is exacerbated by the fact that electronics currently sold today are much lighter than the obsolete CRT devices that make up about 70% of the weight of e- scrap generated, which are very cost intensive to responsibly manage. As a result, many local governments across the state have grappled with the burden to fund or cease e-scrap collection, which has been particularly difficult in rural communities such as LaFayette that do not benefit from retail collectors or economies of scale.

NOW, THEREFORE BE IT RESOLVED, the Town of LaFayette Town Board urges the NYSDEC and policy makers to adopt the following Proposed Statutory Changes to the Act

to provide for year round, convenient, no-cost collection of electronics, consistent with the Act's original legislative intent, and thereby stabilize and improve New York's electronics recycling system.

1. Strengthen the Performance Goals

- 1.1. Eliminate Business-to-Business material from the performance standard formula.
- 1.2. Direct the Department of Environmental Conservation (DEC) to set performance requirements based on two years prior data to the subject year.

2. Strengthen the Convenience Standards

- 2.1. Clarify that manufacturers are required to provide year-round, consistent support for collection sites included in their plans, regardless of whether their performance target has been met.
- 2.2. Clarify that the convenience requirements for a geographic area shall be considered achieved if one manufacturer provides year-round support for collection that meet the requirements, provided that the collection site does not charge consumers a fee, or limit types of incoming e-scrap without providing other free collection accommodations for any e-scrap for which limitations are imposed.
- 2.3. Establish in any county of 60,000 people or less, five (5) collection events per year can be considered to meet the convenience requirements.
- 2.4. Set a standard for items that weigh greater than 20 pounds that mail back programs alone do not constitute convenient collection from consumers.
- 2.5. Clarify that manufacturers are required to report to DEC when collection sites included in their electronic waste acceptance program (as provided in annual reports) cease collections or begin to charge for any CED as "material changes" to their programs.

3. Strengthen the Obligation to Provide Free Collection

- 3.1. Include provisions prohibiting manufacturers or their representatives from charging municipalities for e-scrap management.
- 3.2. Allow recyclers to petition DEC for mediation/arbitration if manufacturers do not cover the full cost of recycling.

4. Strengthen Public Outreach and Reporting Requirements

- 3.3. Delineate clear responsibilities for outreach and education including that manufacturers be required to implement outreach and education programs, in collaboration with their collection partners, and in cooperation with the DEC; such programs should be submitted to DEC for approval as a part of the annual reporting process.
- 3.4. Require that manufacturer annual reports provide the same information from out-of-state recyclers managing materials collected in New York as required from in-state recyclers.
- 3.5. Require e-scrap recyclers operating in the state to obtain third party certifications.

and;

BE IT FURTHER RESOLVED, that a copy of this Resolution and a letter signed by Supervisor Andrew Ohstrom be sent to Senator Valesky, Assembly member Finch, Governor Andrew Cuomo and NYSDEC Commissioner Basil Seggos.

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

The foregoing resolution was thereupon declared duly adopted.

DATED: January 12, 2016

Kerry Evans	Councilor	Voted	Yes
Douglas Daniel	Councilor	Voted	Excused
Steven J. Zajac	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Andrew Ohstrom	Supervisor	Voted	Yes

Greeley requested a Highway Committee meeting to address 2016 Highway Plan. This will be scheduled.

- 3. Assessor
- 4. Building and Code Enforcement
- 5. Dog Control
- 6. Justice Court - 157 - total cases for Judge Perrin; \$13,923.00 was taken in for the month of November, 2015.
178 - total cases for Judge Shute; \$17,307.68.00 was taken in for the month of November, 2015.

Audit reports completed by David Lamson, for November 2015, were present for review.

7. Library

8. Recreation & Youth

9. Parks and Recreation

10. Town Clerk

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

b. Roorda advised that General Codes has sent a Codification portfolio for review and input by May 13, 2016.

B. Committees

1. Agricultural Committee

2. Community Development

3. Emergency Response

4. Employee Policies and Procedures – Supervisor Ohstrom introduced Joe Campbell of Reagan Agency who gave a brief presentation regarding the Worker's Compensation Plan and Cyber Liability Insurance coverage and why it is necessary especially for Municipalities to protect the tax payers privacy. Mr. Campbell handed out pamphlets and outlines to assist with his presentation. Discussions included; increased insurance expenses due to the new highway garage, new trucks recently purchased and the fuel facility pollution liability. Comp Alliance is a good alternative for Worker's Compensation as they are more proactive. We need to cancel PERMA midterm giving 30 days' notice. This year's policy will be March 1, 2016 – Jan., 2017 and next year the policy term will be January 2017 through January 2018, which is good for budgeting. Tom Chartrand commented that billing is based on budget and that Greeley needs to be more vigilant on budget matters. He advised that currently it is budgeted for \$36,000 and the two new highway trucks; \$700,000 of new equipment increased the amount. Supervisor Ohstrom asked what other Towns are with Comp Alliance and Campbell advised that the Town and Village of Tully, Fabius and Spafford have Comp Alliance as their carrier for Worker's Comp provider. Chartrand asked is the Cyber liability insurance covers file cabinets. Campbell advised that it covers everything in and on top of file cabinets, desks, etc. and is especially important regarding Court records.

Supervisor Ohstrom moved and Zajac seconded the motion to accept the insurance proposal with additional cyber liability, property casualty, pollution liability and workers compensation, as presented by Reagan Companies. Motion carried 4 - 0.

Andrew Ohstrom	Supervisor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Kerry Evans	Councilor	Voted	Yes

Councilor Zajac moved and Palmer seconded the motion authorizing Supervisor Ohstrom to sign any paperwork necessary for Reagan Companies for the Town of LaFayette Insurance Policies for coverage, as presented by Joe Campbell of Reagan Companies. Motion carried 4 - 0.

Andrew Ohstrom	Supervisor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Kerry Evans	Councilor	Voted	Yes

5. Environmental and Conservation Advisory Board – there will be an update at next month’s meeting regarding recent environmental testing done.

6. Highway

7. Physical Plant

8. Recreation and Youth - LCC will meet this Thursday.

9. Safety

10. School Liaisons

11. Service Awards

12. SOTS and OCRRA

13. SPDES

9. LITIGATION & OTHER LEGAL MATTERS

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.

General Fund	8484-8573	\$119,667.72
Highway Fund	8489-8517	\$ 63,063.67
Special District	8491, 8492.8499	\$ 39,098.77
Cap. Development Fund	8500	\$ 72.00

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

Andrew Ohstrom	Supervisor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Kerry Evans	Councilor	Voted	Yes

15. Motion to adjourn.

Supervisor Ohstrom moved Palmer and seconded the motion to adjourn the meeting. Motion carried 4 - 0.

Andrew Ohstrom	Supervisor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Kerry Evans	Councilor	Voted	Yes

The Town Board Meeting was adjourned at 7:50 p.m.

Respectfully submitted,
Jacqueline G. Roorda, Town Clerk