# July 12th, 2016 LaFayette Town Board Meeting Minutes

Minutes of the Town Board Meeting held by the LaFayette Town Board on July 12th, 2016 at 7:00 p.m. (Vouchers 6:00-7:00 pm) in the Meeting Room of the LaFayette Commons Office Building at 2577 Route 11 in the Town of LaFayette.

Present: Andrew Ohstrom, Supervisor

Steve Zajac, Councilor Doug Daniel, Councilor, Melanie Palmer, Councilor Kerry Evans, Councilor

Recording Secretary: Jacqueline G. Roorda, Town Clerk

Others Present: Kevin Gilligan, Town Attorney

Thomas Chartrand, Budget Officer John Greeley, Highway Superintendent Dave Prince, Parks & Rec. and Library Dave Knapp, Onon. County Legislator

- 1. Supervisor Ohstrom called the meeting to order at 7:00 PM and welcomed all in attendance.
- 2. The Town Clerk, Jackie Roorda took the Roll. All Present.
- 3. Pledge to our U.S. Flag was led by Councilor Daniel.
- 4. Town Board Minutes of June 14th, 2016 Regular Meeting.

Councilor Palmer moved and Evans seconded the motion to accept the minutes of June 14th, 2016 regular meeting as submitted by Town Clerk, Jackie Roorda.

Motion carried 5-0.

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

# 5. COMMUNICATIONS

A. Paul Swimm, Zone Change

# **TOWN OF LAFAYETTE**

# RESOLUTION TOWN BOARD MEETING July 12, 2016

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

WHEREAS, pursuant to the provisions of the Town Law, a proposed ordinance, titled "Amending Article I, Section 'C' of the 1970 Zoning Ordinance of the Town of LaFayette to amend the Zoning Map and Change the Zoning District Classification of Certain Specified Properties from Agricultural-Residential (AR) District to Business (B) District", was presented and introduced at a regular meeting of the Town Board of the Town of LaFayette held on May 10, 2016; and

WHEREAS, a public hearing was held on such proposed ordinance on the 14th day of June, 2016 by the Town Board of the Town of LaFayette and proof of publication of notice of such public hearing, as required by law, having been submitted and filed, and all persons desiring to be heard in connection with said proposed ordinance having been heard, and said proposed ordinance having been in the possession of the members of the Town Board of the Town of LaFayette in the manner required by law; and

WHEREAS, this proposed Ordinance was referred to the Onondaga County Planning Board; and

WHEREAS, by resolution dated June 29, 2016, the County Planning Board determined that this application will have no significant adverse inter-community or county-wide implications; and

WHEREAS, the Town Planning Board reviewed this proposed zone change at its April 19, 2016 meeting and by letter from its Chairman to Supervisor Ohstrom dated April 26, 2016, unanimously recommended approval of the proposed zone change.

WHEREAS, at its May 10, 2016 meeting, the Town Board determined that this is a Type I action, held that there are no other involved agencies and that the Town Board would assume lead agency status with respect to the zone change for purposes of SEQR; and

**WHEREAS**, it is in the public interest to adopt said proposed Ordinance.

NOW, THEREFORE, it is

**RESOLVED AND DETERMINED,** that this Board ratifies and adopts the findings and recommendations of the Town's Planning Board on April 18, 2016, as herein related; and it is further

RESOLVED AND DETERMINED, noting page 54 of the Town's Comprehensive Plan, this proposed zone change is situated on Route 11, which could promote and encourage the retention and expansion of businesses that provide goods and services needed by Town residents and that are consistent with the Town's character, while fitting nicely among other commercial uses in this area; and it is further

**RESOLVED AND DETERMINED**, that this Board finds that no environmental impact statement is needed for this action and hereby renders a negative declaration pursuant to SEQR, for the following reasons:

- Subject 32± acre parcel, including owner's residential structure, located between two parcels zoned Business. On the west side of Route 11 it is zoned industrial.
- 2) Subject parcel is currently zoned Agricultural Residential.
- Owner wants his land to be zoned consistent with adjacent neighbors.
- 4) Subject parcel is only parcel not zoned "business" in this general area of NYS Route 11, in the Town.
- 5) By rezoning the subject parcel, there would be a connectivity between this parcel and those surrounding it.
- The proposal is consistent with the Town's 2012 Comprehensive

  Plan which encouraged increasing the number and variety of businesses throughout the Town.
- 7) The proposed zone change was unanimously supported by the Town of LaFayette Planning Board.
- 8) The proposal was duly sent to the Onondaga County Planning Agency for its review pursuant to GML 239.
- 9) The County Planning Board determined that this application would have no inter-community or County-wide impact.
- Proposed use is in character with existing nearby uses owner proposes to use property for material storage in connection with his landscaping business. Property immediately adjacent to subject property is also used as a landscaping business.

11) A companion application for controlled site approval has been submitted by the owner with respect to the details of the proposed business operation;

and it is further

**RESOLVED**, that the Town Board of the Town of LaFayette, Onondaga County, New York, does hereby adopt the proposed Ordinance as follows:

#### **ORDINANCE**

Amending Article I, Section "C" of the 1970 zoning Ordinance of the Town of LaFayette to Amend the Zoning Map and Change the Zoning District Classification of Certain Specified Properties from Agricultural-Residential (AR) District to Business (B) District.

**BE IT ORDAINED**, that Article I, Section "C" of the 1970 Zoning Ordinance of the Town of LaFayette is hereby amended to revise the "Town of LaFayette, Zoning Map" and change the zoning classification of the so-called Swimm Property at 2733 Route 11, North, tax map number 20-04-17.0, consisting of 32 ± acres from Agricultural-Residential (AR) to Business District (B). (See description attached hereto as Schedule "A").

**Effective Date:** This Ordinance shall take effect as provided in Section 265 of the New York Town Law.

# **SCHEDULE "A"**

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of LaFayette,
County of Onondaga and State of New York, being part of Lot No. 59 of said Town
(originally Pompey), bounded and described as follows: Beginning at a point in the

centerline of New York State Route #11 a distance of 547.17 feet from the northeast corner of lands of Morris Clapp, now or formerly, as measured along said centerline of New York State Route #11, said point of beginning being the southwest corner of that portion of lands conveyed by John I. Long to William Moltion by warranty deed dated October 27, 1952 and recorded in Onondaga County Clerk's Office October 29, 1952 in Book 1593 of Deeds at Page 363 lying east of said centerline of New York State Route #11; running thence North 17° 39' 16" West along said centerline 252.17 feet to a point; thence North 16° 33' 22" West along said centerline 450.00 feet to a point; thence South 87° 00' 00" East along a tree and fence line 2252.60 feet to a point in the east line of Military Lot No. 59; thence South 03° 00' 00" West along said east line of Military Lot No. 59 and along a tree and fence line 660.00 feet to a point; thence North 87° 00' 00" West along tree and fence line remains 2013.02 feet to the centerline of New York State Route #11 and place of beginning.

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

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

The foregoing resolution was thereupon declared duly adopted.

**DATED: July 12, 2016** 

B. National Flood Insurance Program (NFIP) Insurance Rate Map for Onondaga County.

A proposed Local Law amending existing language of Local Law 1 of 1987 regarding Flood Damage Prevention was available for the Town Boards' review. Attorney Gilligan advised that every municipality is doing the same and we are waiting to hear from the State and then may proceed to adopt the new Flood Maps and Local Law.

- C. Fuel Tank removal at Old Highway Garage Councilor Daniel had previously given three different quotes for the removal of the tanks however asked to hold on any action at this time. Daniel asked Attorney Gilligan if there was any reason or need to move quickly on this. Gilligan replied no, and that it will be a good idea to coordinate with the engineers. Budget Officer, Tom Chartrand advised that while reviewing the quotes, he noticed that the low quote did not include prevailing wage and cautioned to be sure all quotes include prevailing wage.
- D. Onondaga County Sheriff's Contract Budget Officer Tom Chartrand advised that this is simply an extension/amendment to our contract with them and a motion authorizing the Supervisor to execute is all that is needed.

Councilor Evans moved and Palmer seconded the motion authorizing Supervisor Ohstrom to sign the Enhanced Police Services contract amendment for 2016. Motion carried 5-0.

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

Councilor Daniel advised he is going to be speaking with the State Police regarding options for hourly rates, etc. for Special Projects or events in order to do a comparison and perhaps savings for the Town.

- E. Department of Transportation Route 11A speed reduction Supervisor Ohstrom advised that we finally received approval for reducing the speed limit near Bailey Park in Cardiff. Town Clerk Jackie Roorda reported that she initially sent the request forms, letter and petition in July of 2015 and has called the DOT several times to inquire if this had been processed. She was advised by Theresa Lipke, who actually conducts the field studies, that there are numerous pending requests and limited staff to complete the studies, therefore it is an extremely long process.
- 6. OPEN COMMUNICATIONS FROM THE PUBLIC Supervisor Obstrom asked if there is anyone in attendance who would like to speak. No one desired to speak.

#### 7. REPORTS

# A. Departmental

# 1. Town Supervisor

- a. Budget Officer Tom Chartrand reviewed the Supervisor's Monthly Report and advised that the Justice Court fines are picking up and expenditures are good at this time.
- b. Tom then reviewed the transfers of appropriations that are necessary this month.

Supervisor Ohstrom moved and Evans seconded the motion to authorize and allocate the Transfer of Appropriations as listed below.

Motion granted 5 – 0.

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

# GENERAL FUND

То:	A1910.4 A7210.1 A8160.4	Insurance Youth Program Refuse & Garbage	Contractual Personal Services Contractual	\$ 500.00 \$1,000.00 \$2,000.00
			TOTAL	\$3,500.00
From:	A1990.4	Contingent Youth Program	Contractual Equipment	\$2,500.00 \$1,000.00
			TOTAL	<u>\$3,500.00</u>

c. Tom also advised that the Standard Work Day and Reporting Resolution for Elected and Appointed Officials needs to be completed and Town Clerk Jackie Roorda will post and return to NYS Retirement.

Supervisor Ohstrom moved and Palmer seconded the resolution that the Town of LaFayette hereby established the standard work days for Elected and Appointed Officials and will report the officials to the New York State and Local Retirement System based on time keeping system records or their record of activities. Town Clerk, Jackie Roorda will post and report as required. Motion carried 5-0.

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

2. <u>Highway</u> - Highway Superintendent Greeley gave a verbal report of the month's activities.

<u>Roads:</u> Brush pick up complete. There is free mulch at the Highway Garage for residents to pick up. Ditches and shoulder mowing ops are done. Surface treating will start tomorrow. Upcoming projects are Orchard Lane and Flying Fish Lane. <u>Wild Parsnip</u> - The State notified us that there is an outbreak of wild parsnip and some has been located in the creek bed at Stafford Park. They will be handling and treating this matter per the State's recommendations.

# 3. Town Clerk

- a. Town Clerk Jackie Roorda advised that the Town Clerk's monthly report for June 2016 was included in the Town Board's packet for the Board's review.
- b. Roorda also advised that the Zoning Ordinance Committee has completed the initial phase of the updating and rewriting of the LaFayette Zoning Ordinances. Kelly Green relocated back to Missouri on June 28<sup>th</sup> and is in the process of typing a draft which she will email it to the members of the committee for review. We will have a meeting on July 26<sup>th</sup>, via skype to go over the draft and will most likely hold another meeting in August to continue reviewing the draft, as well. After the committee is satisfied with the final draft, Kelly will prepare it for the Town Board and Attorney's review.

Roorda advised that Anita Minerd is interested in replacing Member Kelly Green on the Zoning Board of Appeals. Jackie further advised that Anita is a retired nurse and was on the Committee for the drafting of the Town of LaFayette Comprehensive Plan. She will be attending the next Town Board Meeting on August 9<sup>th</sup>, 2016 to be appointed.

Town Clerk, Jackie reported that the Log Cabin Restaurant has dropped off their Renewal Liquor License that was approved by the State to have on file in the Town Clerk's Office.

#### 5. Justice Court

a. May Justice Court reports - Supervisor Ohstrom advised that the May 2016 Justice Court reports are in their packets.

146 - Total cases for Judge Shute:

\$12,358.00 was taken in for the month of May, 2016. 98 - Total cases for Judge Perrin; \$9,259.00 was taken in for the month of May, 2016.

# 6. Library

Dave Prince advised that the Phyllis Olmstead, Board Member and Secretary has resigned and they will be filling the position as interim.

Supervisor Ohstrom advised that at the first Budget Workshop they found three Library items that need to be addressed: 1) Book Budget is at 83%; Postage at 98% and Janitorial at 75%. He wanted to make sure the Library Board is aware.

# 7. Parks and Rec

Dave Prince advised that they have been directed to remove the wild parsnip in the creek bed at Stafford Park. They have been pulling it out by the roots and then bagging. Due to the dry summer the grass is not growing much, just the weeds are. His summer employee, Zack Thrasher is working out well.

# B. Committee

- 1. Agricultural Committee Councilor Palmer reported that she chaired an informational meeting on July 6 regarding the pending Markland Road Manure Storage tank. Present at the meeting were Dave and Mike Griswald the property owners; Doug Fisher of Soil and Water, Matt Brower of Ag and Markets; Supervisor Ohstrom; County Legislator Dave Knapp; Town Clerk Jackie Bush Roorda; Highway Superintendent John Greeley. Discussions took place and informational handouts were reviewed. Supervisor Ohstrom thanked Palmer for organizing and heading up the meeting. He also advised that the Town of LaFayette has no authority in the matter; it is in the hands of Ag and Markets. Ohstrom also commented that the meeting was very educational and will serve to help the Town Officials communicate with the Public and alleviate rumors. Roorda commented that she was glad to be a part of the meeting and had no knowledge prior to the meeting that there were numerous similar manure storage tanks already existing and without negative effects on the surrounding property owners. She is glad to be more informed as residents contact the Town Clerks office with their concerns and she will be able to give more educated answers to their questions.
- 2. <u>Employee policies and benefits</u>. Supervisor Ohstrom reported that he is still working on and reviewing each employee description as a part of Phase 2 of the new policy on hiring employees. He also said that he will be meeting with the Reagan Group to discuss Insurance.

- 3. Recreation and Youth/LCC Liaison Prince reported that baseball is done; lacrosse is going well; soccer camp has 22 signed up and 0 have signed up for tennis camp. Zumba is Wednesdays at Stafford Park and is free.
- 4. <u>Safety Committee</u> The committee will be meeting the first Tuesday in August.
  - 5. SOTS and OCRRA
- 6. <u>SPDES</u> Resolution Supporting CNY Stormwater Coalition Staff Services, etc.

Councilor Daniels moved and Palmer seconded the motion authorizing Supervisor Ohstrom to sign the Water Environment Protection (WEP) release and Stormwater Coalition for Membership and Compliance agreement for 2017.. Motion carried 5-0.

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

Supervisor Ohstrom moved and Palmer seconded the motion appointing Ralph Lamson and Nick Kirby as the municipal representatives for the Town of LaFayette on the Central New York Stormwater Coalition. Motion carried 5-0.

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

Resolution Supporting Participation in the CNY Stormwater Coalition Staff Services and Education Compliance Assistance Program

Counselor Daniel moved and Palmer seconded a Resolution authorizing the items listed below pursuant to requirements of the New York State Pollutant Discharge Elimination System Municipal Separate Storm Sewer System General Permit.

WHEREAS, the Town of LaFayette (Legal Name of Municipality)

herein called the "Municipality", after thorough consideration of the various aspects of the problem and consideration of available information, has hereby determined that certain work, as described in Attachment A, herein called the "Project", is

desirable, is in the public interest, and is required in order to implement the Project; and

WHEREAS, the Central New York Regional Planning & Development Board, herein called the "Board", has provided program planning and implementation assistance pertaining to the requirements of the New York State Pollutant Discharge Elimination System (SPDES) Stormwater Phase II General Permit for Municipal Separate Storm Sewer System (MS4) operators since 2002, and

WHEREAS, the Board has proposed staff and education assistance services in support of sustaining the CNY Stormwater Coalition and to provide a regional public education, outreach and training compliance program to reduce municipal staff burdens, ensure consistency, provide widespread priority audience targeting the most efficient use of limited municipal funds by distributing total program costs over a number of entities within a twelve month timeframe as outlined in Attachment B;

NOW, THEREFORE, BE IT RESOLVED BY the Town of LaFayette Town Board (Governing Body of Municipality)

- 1. That <u>Andrew Ohstrom, Supervisor</u> (Name and Title of Chief Elected Official) or such person's successor in office is the representative authorized to act in behalf of the Municipality's governing body in all matters related the Project;
- 2. That the Municipality agrees that it will fund its portion of the program cost in the amount of \$3,600, and that those funds will be made available to the Board upon receipt of Invoice.
  - 3. That one (I) certified copy of this Resolution will be prepared and sent to the Board upon adoption.
  - 4. That this Resolution take effect immediately.

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

The foregoing resolution was thereupon

declared duly adopted. DATED: July 12, 2016

- 10. Town Attorney/Litigation & Other Legal Matters.
- 1. Feher Rubbish Service Agreement Councilor Daniel advised that he has been dealing with Feher Rubbish and Syracuse Haulers regarding contracts with the Town. Discussion took place regarding 24month contract vs. 60 months; automatic renewals; increased cost of tipping fees; and language in the contract stating the Town being held harmless on any liability issues. Councilor Daniel and Attorney Gilligan will continue to negotiate to ensure the terms of the contract are met.

Councilor Daniel moved and Palmer seconded the motion authorizing Supervisor Ohstrom to sign the contract with either Feher Rubbish or Syracuse Haulers once the negotiations are completed and the terms discussed above are incorporated in the contract. Motion carried 5-0.

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

# 11. New Business

- 1. Supervisor Ohstrom has been researching new grant money "Restore New York" which looks to be a good fit for the old corner hotel and the old highway garage project. Rich Cunningham of Thoma Development is presenting working on the Grant application. Member Daniel advised that he is going to put a hold on the research of the tank removal at the old highway garage as the new information regarding this possible grant may be a solution to the tank removal matter.
- 2. BAN on the new Highway Plow Trucks Budget Officer Tom Chartrand will check with some local banks regarding the renewal of the BAN.

Councilor Evans moved and Daniel seconded the motion authorizing Supervisor Ohstrom to proceed with renewing the BAN after prior research with local banks and if unsatisfied with those results to pursue a bond sales company. Motion carried 5-0.

Andrew Ohstrom	Supervisor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Doug Daniel	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes

Kerry Evans Councilor Voted Yes

- 3. County Legislator Dave Knapp spoke regarding the following matters.
- a. NYS Grant for Parks Dave Knapp advised that there is a New York State Grant application that is due at the end of the month. The grant is for park improvements and is not income dependent.
- b. Marriage Officiant Knapp advised that he has been approached by residents requesting he officiate their wedding and questioned if the Town Board is able to appoint him by resolution as a marriage officiant. Attorney Gilligan will research this and get back to the Town Board.
- c. Electronic speed detector Knapp advised that he has persuaded the County to allow the usage of an electronic speed detector that can be rotated around Town notifying drivers of the speed they are traveling.
- d. National Grid Another thing Knapp advised that he has been working on with National Grid is the possibility of bringing gas to a few residents on Old Coye Road.
- 12. Motion to audit and pay bills.

General Fund	9397-9440	\$221,947.93
Highway Fund	9441-9457	\$ 43,881.26
Special District	9459	\$ 79.68
Trust & Agency	9460	\$ 384.00
Cap.Development Fund	9461	\$ 104.00

Councilor Palmer moved and Evans seconded the motion to audit and pay the above listed bills.

Motion carried 5 - 0.

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

**9.** Motion to adjourn.

Supervisor Ohstrom moved Palmer and seconded the motion to adjourn the meeting.

Motion carried 5 - 0.

Andrew Ohstrom	Supervisor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Doug Daniel	Councilor	Voted	Yes

Melanie Palmer	Councilor	Voted	Yes
Kerry Evans	Councilor	Voted	Yes

The Town Board Meeting was adjourned at 8:10 p.m.

Respectfully submitted,

Jacqueline G. Roorda Town Clerk