

## June 13th, 2017 LaFayette Town Board Meeting Minutes

Minutes of the Town Board Meeting held by the LaFayette Town Board on May 9th, 2017 at 7:00 p.m. in the Meeting Room of the LaFayette Commons Office Building at 2577 Route 11 in the Town of LaFayette.

Present: Andrew Ohstrom, Supervisor  
Doug Daniel, Councilor  
Melanie Palmer, Councilor  
Kerry Evans, Councilor  
Steve Zajac, Councilor

Recording Secretary: Jacqueline G. Roorda, Town Clerk

Others Present: Kevin Gilligan, Town Attorney  
Thomas Chartrand, Budget Officer  
Ralph Lamson, Bldg. & Code Enforcer  
David Prince, LCC, Parks, Library  
Steve Robson, Deputy Hwy Superintendent  
And Several Residents.

1. Supervisor Ohstrom called the meeting to order at 7:00 PM and welcomed all in attendance.
2. Pledge to our U.S. Flag was led by Councilor Palmer.
3. The Town Clerk, Jackie Roorda took the Roll. All present.
4. Town Board Minutes of May 9<sup>th</sup>, 2017 Regular Meeting.

**Supervisor Ohstrom moved and Evans seconded the motion to accept the May 9<sup>th</sup>, 2017 regular meeting minutes as reviewed and submitted by Town Clerk, Jackie Roorda. Motion carried 5 -0.**

<b>Andrew Ohstrom</b>	<b>Supervisor</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>
<b>Kerry Evans</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Steve Zajac</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

### 5. PUBLIC HEARINGS

A. Local Law A-2017 - Supervisor Ohstrom asked Attorney Gilligan to give a brief summary of the proposed local law.

Gilligan explained that this basically extends the solar moratorium up to 6 months or sooner if the Town Board is ready to act on solar law on Free Standing Solar Panel Installations and provides more time to work on the regulations themselves so they are tailored to be incorporated into the Town's zoning ordinances.

Supervisor Ohstrom Opened the Public Hearing asking if anyone had any questions, comments or opinions regarding the extension of the Solar Moratorium. None were voiced. Supervisor Ohstrom then closed the Public Hearing.

**TOWN OF LAFAYETTE  
TOWN BOARD RESOLUTION**

**June 13, 2017**

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

**WHEREAS**, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law titled Local Law No. A-2017, "A Local Law Extending for an Additional Period of Six (6) Months the Moratorium on the Review and/or Issuance of Any and All Permits, Certificates, Licenses and Approvals for the Construction, Use or Operation of Free Standing Solar Panel Installations in the Town of LaFayette," was presented and introduced at a regular meeting of the Town Board of the Town of LaFayette held on May 9, 2017; and

**WHEREAS**, a public hearing was held on such proposed local law on June 13, 2017, 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 local law having been heard, and said proposed local law having been in the possession of the members of the Town Board of the Town of LaFayette in its final form in the manner required by Section 20 of the Municipal Home Rule Law of the State of New York; and

**WHEREAS**, Volume 6 N.Y.C.R.R., Section 617 of the Regulations relating to Article 8 of the New York State Environmental Conservation Law of New York (SEQRA), requires that as early as possible in the consideration of a proposed action, an involved agency shall make a determination whether a given action is subject to the aforementioned law; and

**WHEREAS**, on May 9, 2017 the Town Board declared itself lead agency and determined that the enactment of proposed Local Law No. A-2017 is a Type II action and therefore will have no significant effect on the environment, thus concluding environmental review under State Environmental Quality Review Act; and

**WHEREAS**, it is in the public interest to enact said Proposed Local Law No. A-2017.

**NOW, THEREFORE**, it is

**RESOLVED** that the Town Board of the Town of LaFayette, Onondaga County, New York, does hereby enact Proposed Local Law No. A-2017 as Local Law No. 1-2017 as follows:

**“TOWN OF LAFAYETTE  
LOCAL LAW NO. 1 FOR THE YEAR 2017**

**A LOCAL LAW EXTENDING FOR AN ADDITIONAL PERIOD OF SIX (6)  
MONTHS THE MORATORIUM ON THE REVIEW AND/OR ISSUANCE OF  
ANY AND ALL PERMITS, CERTIFICATES, LICENSES AND APPROVALS  
FOR THE CONSTRUCTION, USE OR OPERATION OF FREE STANDING SOLAR  
PANEL INSTALLATIONS IN THE TOWN OF LAFAYETTE**

Be it enacted by the Town of LaFayette Town Board, as follows:

**SECTION 1: LEGISLATIVE INTENT**

The Town of LaFayette presently has in effect a Town Zoning Law which has established regulations for building, construction and allowable uses within the town. The Town Board is of the opinion that a period of time is necessary to adequately review the current regulations concerning free standing solar panel installations, and to determine whether additional local regulations are necessary in order to preserve and protect health, safety and welfare of its residents. Such free standing solar panel installations can be both residential, commercial, large, obtrusive, and can and may pose a hazard and danger to residents by distraction, obstruction, and the power supply systems involved with such installations that may pose a risk. This moratorium will enable town officials to review and comprehensively address the issues involved with free standing solar

panel installations that are becoming increasingly popular in our rural community. The town recognizes the potential benefits and desirability of solar power and renewal energy sources, but determines time and research is necessary to determine how to properly regulate the installations. The Supervisor and Town Board deem this moratorium emergent and immediately necessary for the Town. This Local Law is enacted pursuant to the authority of the New York State Municipal Home Rule Law.

## SECTION 2: DEFINITIONS

Free Standing Solar Panels – A device or combination of devices, structure, or part of a device or structure that transforms direct solar energy into thermal, chemical, or electrical energy. Such devices or installations may be free standing or pole mounted.

For purposes of this moratorium the definition of Free Standing Solar Panels shall not include residential solar panel applications with a rated capacity of 12 kw or less so long as the power generated by said residential solar panels is principally used for the residential use for the property on which it is located.

Person - The term person shall include any individual, partnership, association, corporation, landowner, lessee or licensee.

## SECTION 3: MORATORIUM

- A. The Town Board hereby enacts a moratorium which shall prohibit the construction, erection or placement of Free Standing Solar Panels anywhere within the Town.
- B. For a period of six (6) months following the effective date of this Local Law, or sooner if the Town Board so determines by resolution that the intent and purpose of this law has been satisfied, the Town Board, the Town Planning Board, the Zoning Board of Appeals and the Code Enforcement Officer and all other officers and employees of the Town of LaFayette shall not accept, process, review or grant approval of any Building Permit, Site Plan, Use Variance, Area Variance or Specific/Special Permit applications or any other land use approval pursuant to the Zoning Law of the Town of LaFayette or any other laws of the Town, in connection with Free Standing Solar Panels within the Town of LaFayette, regardless of whether such applications have been submitted to the Town Board, Planning Board, Zoning Board of Appeals or Code Enforcement Officer prior to the effective date of this Local Law.
- C. This moratorium shall apply to all zoning districts and all real property within the Town.
- D. Free Standing Solar Panels that have been previously approved are expressly excluded from this moratorium.

E. This Local Law shall act as an extension to the moratorium adopted by the Town Board on November 10, 2016 and filed with the New York Department of State on November 10, 2016.

F. SECTION 4: RELIEF FROM PROVISIONS OF THIS LOCAL LAW

A. The Town Board reserves to itself the power to vary or adapt the strict application of the requirements of this Local Law in the case of unusual hardship which would deprive the owner of all reasonable use of the lands involved.

B. Application for relief shall be filed in triplicate with the Town Clerk together with a filing fee of \$250.00. The application shall specifically identify the property involved, recite the circumstances pursuant to which the relief is sought and the reasons for which the relief is claimed. Any costs, including expert consulting fees or attorneys' fees, incurred by the Town, shall be reimbursed to the Town by the Applicant. The Town Board shall apply Use Variance criteria as set forth in the New York State Town Law, Section 267-b (2) in reviewing any application for relief.

C. The Town Board may refer any applications for relief herein to the Town Planning Board for its advice and recommendations, but all decisions on granting or denying such relief shall be made by the Town Board solely, after determining whether or not the requested relief is compatible with any contemplated amendments to the Town Zoning Law. Unless completely satisfied that the proposed relief is compatible, the Town Board shall deny the application.

D. The Town Board shall conduct a public hearing on any request for relief within forty-five (45) days of receipt by the Town Clerk, and shall issue its final decision on requests for relief within thirty (30) days from the date of the public hearing.

SECTION 5: PENALTIES

Any person, who shall construct, reconstruct, relocate, enlarge or modify any site to be used for a free standing solar panel in violation of the provisions of this local law, shall be subject to:

A. A fine not to exceed One Thousand and 00/100 Dollars (\$1,000.00) or imprisonment for a term not to exceed fifteen (15) days, or both. Each day a violation continues shall be considered a new violation.

B. A civil action inclusive of injunctive relief in favor of the Town to cease any and all such actions which conflict with this local law and, if necessary, to remove any constructions, improvements, or related items or byproducts which may have taken place in violation of this local law.

SECTION 6: ENFORCEMENT

This local law shall be enforced by the Code Enforcement Officer of the Town of LaFayette or such other zoning enforcement individual(s) as designated by the Town Board. It shall be the duty of the enforcement individual(s) to advise the Town Board of all matters pertaining to the enforcement of this local law.

**SECTION 7: VALIDITY & SEVERABILITY**

If any section or part of this local law is declared invalid or unconstitutional, it shall not be held to invalidate or impair the validity, force or affect any other section of this local law.

**SECTION 8: EFFECTIVE DATE**

This local law shall take effect immediately upon enactment and shall remain in force and effect for a period of six (6) months from the date of enactment.

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

The foregoing resolution was thereupon declared duly adopted.

**DATED: June 13, 2017**

B. Local Law B-2017 Supervisor Ohstrom asked Attorney Gilligan to give a brief explanation of what this proposed local law intends to accomplish.

Gilligan advised that the proposed law is to amend the 1970 Zoning Ordinance of the Town of LaFayette to create site plan review regulations for liquid manure storage facilities. This followed the template that the Town of Homer enacted which so far the Department of Ag and Markets has not taken a position against.

Supervisor Ohstrom opened the Public Hearing advising if anyone had any questions or comments or opinions regarding this they could voice them at this time. One resident asked when this will be available to the Public to review. Attorney Gilligan advised that it has been available since the May meeting. It is basically the same as the Town of Homer example provided and saying that Site Plan Approval is required by the Town of LaFayette to approve or not approve liquid manure storage facilities.

Supervisor Ohstrom asked if anyone had anymore comments or questions. No one did therefore he closed the Public Hearing.

**RESOLUTION  
LAFAYETTE TOWN BOARD  
June 13, 2017**

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

**WHEREAS**, pursuant to the provisions of the Municipal Home Rule Law, proposed Local Law B-2017, "Amending the Town's Zoning Ordinance to Create Site Plan Review Regulations for Liquid Manure Storage Facilities relating to the proposed construction or expansion of Liquid Manure Storage (LMS) Facilities within the Town was presented and introduced at a regular meeting of the Town Board of the Town of LaFayette held May 9, 2017; and

**WHEREAS**, a public hearing was held to consider said proposed Local Law No. B-2017 on June 13, 2017 by the Town Board 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 local law having been heard, and said proposed local law having been in the possession of the members of the Town Board of the Town of LaFayette in its final form in the manner required by Section 20 of the Municipal Home Rule of the State of New York; and

**WHEREAS**, at its May 9, 2017 meeting the Town Board determined that this proposed legislation was a Type I action and upon further consideration is amending that SEQR classification to a Type II action based upon §617.5(c)(3) and (27), thus concluding the environmental review process; and

**WHEREAS**, it is in the public interest to enact said Proposed Local Law No. B-2017.

**NOW, THEREFORE,** it is

**RESOLVED AND DETERMINED,** that the Town Board of the Town of LaFayette, Onondaga County, New York, does hereby enact Proposed Local Law No. B-2017 as Local Law No. 2-2017 as follows:

**TOWN OF LAFAYETTE  
LOCAL LAW 2-2017**

**A LOCAL LAW TO AMEND THE 1970 ZONING  
ORDINANCE OF THE TOWN OF LAFAYETTE TO  
CREATE SITE PLAN REVIEW REGULATIONS FOR  
LIQUID MANURE STORAGE FACILITIES**

**Be it enacted** by the Town Board of the Town of LaFayette, as follows:

**SECTION 1. Legislative Intent and Findings.**

The purpose and intent of this Local Law is to amend the 1970 Zoning Ordinance of the Town of LaFayette to provide for site plan review regulations for the proposed construction or expansion of Liquid Manure Storage (LMS) Facilities within the Town, which Facilities have a manure storage area in excess of 100,000 cubic feet. The Town Board understands that from time-to-time, local farmers require the ability to store large quantities of manure in order to fertilize crops and carry out other farming operations in an efficient and economical manner. Nonetheless, the Town Board finds that LMS Facilities can be a potential threat to the health, safety and welfare of Town residents and the surrounding environment. The Town Board further finds that, despite the existence of State and Federal regulations, which set detailed performance standards for the construction and maintenance of such Facilities, some measure of local oversight is required in order to ensure the transparency of the process surrounding the permitting, construction and expansion of these Facilities, and to ensure that any adverse impact upon Town residents is minimized. The site plan regulations adopted by this Local Law seek to achieve these goals without placing unreasonable restrictions on farming operations.

**SECTION 2. Authority.**

The Town Board enact this Local law in order to protect the health, safety and welfare of its residents, pursuant to the New York State Constitution and Section 10 of the Municipal Home Rule Law.

**SECTION 3. Amendment of the 1970 Zoning Ordinance of the Town of LaFayette.**

To achieve the purpose and intent described in Section 1 of this Local Law, Article V (“Parking, Signs and Supplemental Regulations”) of the 1970 Zoning Ordinance of the Town of LaFayette is amended to add a new Section K, as follows:



## “SECTION K. LIQUID MANURE STORAGE FACILITIES

1. **Controlled Site Plan Review for Liquid Manure Storage (LMS) Facilities.** Any person, corporation or other entity which constructs, creates, or expands a Liquid Manure Storage (LMS) Facility with a capacity greater than 100,000 cubic feet must obtain Controlled Site approval from the Town Planning Board pursuant to the procedures set forth in Section B of Article III of this Zoning Ordinance prior to commencing construction. As it specifically pertains to the review of applications made pursuant to this Section, all references in Section B of Article III of this Zoning Ordinance to the requirements and regulations set forth in Section C of said Article shall hereby refer this Section.
2. **Required Submissions.** Applications for Controlled Site approval for proposed LMS Facilities shall include all of the following unless otherwise directed by the Planning Board:
  - a. A sketch of the parcel on a location map showing boundaries and dimensions of the parcel of land involved and identifying contiguous properties, locations of neighboring private wells, and easements, right-of ways and/or roadways.
  - b. Plans showing the existing geographical features of the site of the proposed LMS Facility including land and water areas, the approximate location of all existing structures on or immediately adjacent to the site, and the circulation of traffic including the means of ingress and egress.
  - c. A description of the farm operation and a narrative of the intended use of the proposed LMS Facility, as well as a description of the months, days, and hours of the day during which manure will be transported to, placed in, and drawn out of the LMS Facility. The narrative must also include anticipated changes in the existing topography and natural features of the parcel as a result of the LMS Facility construction. The narrative must further include the names, addresses and telephone numbers of the owner and operator (if different than the owner) of the farm operation, the engineer or engineering firm involved in the design and/or construction of the LMS Facility, other professionals involved (such as surveyors), and all State and Federal agency stakeholders responsible for the regulation and monitoring of the construction and subsequent maintenance of the LMS Facility.
  - d. One paper copy and one electronic copy of stamped engineering drawings of the proposed LMS Facility, which include dimensions and elevations.
  - e. The application form and application fee in an amount determined by Town Board resolution pursuant to Subsection 1 of Section B of Article III of this Zoning Ordinance.
  - f. Copies of all plans, applications, correspondence and any and all other submissions made by the applicant or his/her/its authorized agents, employees, designees or affiliates to any governmental agency or agencies involved in the approval, regulation, monitoring or maintenance of the proposed LMS Facility, and any and

all approvals, denials and/or responses received from said governmental agencies regarding said submissions.

3. **Setback Requirement.** All proposed LMS Facilities shall maintain a setback of 250 feet from all residential property lines, existing wells, water bodies, and public water supplies to the extent that such setback requirement is economically and environmentally feasible. It shall be the burden of the applicant to demonstrate economic and/or environmental infeasibility with regard to this setback requirement.
4. **Monitoring Wells.** The Planning Board may require a monitoring well or wells for any manure storage which is located within 1000 feet of a residence or water supply well.
5. **Screening and Fencing.** The Planning Board may require screening and fencing in a manner that is consistent with USDA standards which are incorporated in an approved conservation plan.
6. **Exemptions.** This Section shall not apply to storage of manure inside a barn.
7. **Public Hearing.** The Planning Board shall hold a properly noticed public hearing in accordance with Subsection 2 of Section B of Article III of this Zoning Ordinance on any application for Controlled Site approval submitted pursuant to this Section.
8. **Planning Board Action Subsequent to Public Hearing.** Pursuant to Subsection 2 of Section B of Article III of this Zoning Ordinance, within 60 days after the public hearing, the Planning Board shall make its decision upon the application and shall deliver a written report to the Code Enforcement Officer denying, approving, or approving the application with changes and conditions.
9. **Permitting.** Upon receipt of the Planning Board's approval of the applicant's application, or upon receipt from the applicant of amended plans reflecting compliance with the Planning Board's required conditions for approval, the Code Enforcement Officer shall issue a permit for the proposed LMS Facility.
10. **Severability.** If any clause, sentence, paragraph, or subsection of this Section shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, or subsection thereof directly involved in the controversy in which such judgment shall have been ordered."

#### **SECTION 4: Severability**

If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to

the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been ordered.

**SECTION 5: Effective Date**

This Local Law shall be effective upon filing with the office of the Secretary of State.

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

The foregoing resolution was thereupon declared duly adopted.

**DATED: June 13, 2017**

**6. COMMUNICATIONS**

A. Morezak Road Abandonment – Highway Supervisor Greeley strongly recommends the Town abandon Morezak Road and deed to resident Mark Schaub who plans to build his home on the property. Greeley advises to rebuild the road would cost \$30,000 to \$40,000. Ohstrom asked Attorney Gilligan the approximate cost for legal fees, etc.; Gilligan estimated \$4,000 - \$7,000 as a survey, means and bounds, abstract bring down, appraisal, etc. will have to be done. Schaub does not want to pay anything, therefore the Town will absorb the cost to waive Schaub’s costs. This will be subject to permissive referendum, neighboring land owners will need notification of the abandonment, and Assessor Shawn Adam has already determined that there are no “land-locked” properties involved.

**Supervisor Ohstrom moved and Zajac seconded the motion authorizing Attorney Gilligan, Costello, Cooney & Fearon at cost not to exceed \$7,000.00, to pursue the Morezak Road abandonment project, wherein the Town of LaFayette will deed the abandoned road to resident, Mark Schaub. Motion carried 5 - 0.**

<b>Andrew Ohstrom</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>
<b>Doug Daniel</b>	<b>Councilor</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>Kerry Evans</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

B. C & S Companies – Mark Chambers and Jeff Palin advised that in December 2016 bid process for the old highway building demolition, out of 5 bids Diversified Construction Services, Inc. was the lowest bidder at \$35,833.00 and has agreed to hold their price at that amount.

Supervisor Ohstrom introduced County Legislature Dave Knapp who advised that he was able to secure funds in the amount of \$35,833.00 from the Onondaga County infrastructure grant that Supervisor Ohstrom with the assistance of C & S Companies wrote requesting grant funds to cover the cost of the demolition of the old highway garage building.

**Councilor Daniel moved and Evans seconded the motion authorizing Supervisor Ohstrom to sign the EAF; the Town Board to proceed as Lead Agency; Onondaga County as an involved agency; and it has been established that this is an unlisted action with a negative SEQR declaration for the demolition of the old highway garage. Motion carried 5 - 0.**

<b>Andrew Ohstrom</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>
<b>Doug Daniel</b>	<b>Councilor</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>Kerry Evans</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

**Councilor Daniel moved and Evans seconded the motion authorizing Supervisor Ohstrom to execute the notice of award letter and contract to the low bidder, Diversified Construction Services, Inc. per the bid process on December 12, 2016, in the amount of \$35,833.00, and in accordance with the conditions stipulated in their bid to demolish the old highway garage. Motion carried 5 - 0.**

<b>Andrew Ohstrom</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>
<b>Doug Daniel</b>	<b>Councilor</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>Kerry Evans</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

Supervisor Ohstrom thanked Dave Knapp and Mark Chambers and Jeff Palin of C & S Companies, Inc. for all their expertise and assistance in helping with the Grant process

and advised that the money was already budgeted in 2016 however will be reimbursed to the Town at completion.

Jeff Palin advised that Matt Walker is still in the process of filing for funds for the rebuilding of the old highway garage for a different use for the Town. The particular grant is set up to help municipalities for the exact purpose however they will not know results until the first quarter of 2018.

**C. Contract with the Department of Transportation Control of Snow & Ice & Conflict of Interest Affidavit.**

Budget Officer, Tom Chartrand explained that it is basically the same contract and the few changes are for the price of salt and fuel. Dave Knapp advised that one of his first tasks as legislator was to review and improve this contract for the Municipalities. This is very lucrative for Towns after editing the severity factor LaFayette receives an extra \$30,000. He explained that the contract just expired and is up for renewal and there is a built in escalator for each year.

**Councilor Zajac moved and Daniel seconded the motion to enter into the Onondaga County Department of Transportation for snow and ice removal for 2017-18, pending the review by the Highway Superintendent of the mileage listed and authorize Supervisor Ohstrom to sign the Onondaga County Inter-municipal Agreement with the Town of LaFayette. Motion carried 5 - 0.**

<b>Andrew Ohstrom</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>
<b>Doug Daniel</b>	<b>Councilor</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>Kerry Evans</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

**D. Resolution Supporting Participation in the CNY Stormwater Coalition Staff Services & Education Compliance Assistance Program for 2018.**

Supervisor Ohstrom advised that this provides a great deal of resources especially for the zoning aspects and is very helpful in many other ways, as well.

**Supervisor Ohstrom moved and Evans seconded the motion supporting the Town of LaFayette's participation in the CNY Stormwater Coalition Staff Services & Education Compliance Assistance Program for 2018. Motion carried 5 - 0.**

<b>Andrew Ohstrom</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>
<b>Doug Daniel</b>	<b>Councilor</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>Kerry Evans</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

**E. Pitney Bowes Contract Renewal.** Town Clerk, Jackie Roorda advised that the postage machine contract is up for renewal in September with a slight increase of

approximately \$20.00 per quarter since the contract 51 months ago. Discussions included; 36 month vs. 5 year contracts; shopping for more quotes – Chartrand advised that there are only two prominent companies that he knows of, being Pitney Bowes and Houser (Ed & Ed, whom Tully uses). Supervisor Ohstrom asked Roorda to obtain quotes from the two companies for a 36 month contract for a postage meter and the Town Board will make a decision at the July meeting.

7. OPEN COMMUNICATIONS FROM THE PUBLIC

Supervisor Ohstrom asked if anyone in attendance would like to address any concerns with the Town Board.

Resident, Steve Pitoniak asked if the rumors that the farmer has agreed to move the “manure pit” further back on Markland Road. Supervisor Ohstrom advised that as already determined, the Town of LaFayette may be the last one to know if that is the case. Discussion included the residents contacting the farmer to ask any pertinent questions as the Town has no more authority than the residents in any Agriculture and Markets matters.

8. REPORTS

A. Departmental

1. Town Supervisor

a. Budget Officer Tom Chartrand submitted the Monthly Financial Report for May 2017.

b. Tom reported that the budget is in good shape as Justice Court revenues are increasing and we are receiving \$650.00 as cell tower monthly revenue from T-Mobile. Ohstrom advised that Crescendo contacted him to advised that they may have another entity interested in the cell tower at for a possible approximately 13,000.00. If this happens, the cell tower will be at its maximum capacity.

c. Verizon line at Vinegar Hill Park - Budget Officer Tom Chartrand advised that the land line at the park is no longer used or needed and requested it be disconnected. The Town Clerk will contact Verizon to request the landline at Vinegar Hill Park be disconnected as soon as possible.

**Supervisor Ohstrom moved and Evans seconded the motion for the Town Clerk’s Office to contact Verizon to have the telephone landline (315-677-9086) at Vinegar Hill Park disconnected, as it is no longer needed. Motion carried 5 - 0.**

<b>Andrew Ohstrom</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>
<b>Doug Daniel</b>	<b>Councilor</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>Kerry Evans</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

2. Highway – Highway Superintendent John Greeley’s written report was submitted and represented by Deputy Superintendent, Steve Robson.

**Equipment:** Presented are two proposals to purchase a new plow truck to replace the 1999 International. Using only a “back-up” truck to meet the Town’s snow removal needs for 2017-2018 could be detrimental if one truck breaks down. Additional, spending over \$10,000.00 to repair a truck that is valued at approximately \$5,000.00 is not recommended. It is the Highway Superintendents’ and Highway Committee’s recommendation to respectfully pick one of the two options – vote on it and move on with a plan. **Option #2 is the preferred option of the Highway Department.**

A very lengthy discussion took place regarding the following:

Repairing the previous truck vs. purchasing a new truck at this time; discrepancy in numbers presented as to value of the old truck and costs to repair it and information regarding bumper to bumper warranties; pros and cons of repairs/purchasing a another new truck at this time; no money in the highway budget for the purchase of another new truck; pushing the purchase to next year per previous long term highway equipment strategic plan; increase of highway equipment budget; avoidance of another Bond or BAN for purchasing highway equipment; moneys still owed on previous bond/BANs for equipment recently purchased; Onondaga County Contract truck options, looking at all 3 proposed trucks; where funds to purchase a new truck may come from and need to transfer money from general budget to highway equipment and within highway budget to highway equipment if it is decided to purchase at this time; looking at a better strategic plan for the highway equipment purchases; buying/ordering the cab and chassis now as it takes 5 months to build them then ordering the plow equipment package after the 2018 budget is approved; Town Board members responsibility to the resident tax payers to oversee and investigate spending of any tax money, etc.

Attorney Gilligan advised that this will need to be a roll call vote.

**Supervisor Ohstrom moved and Zajac seconded the motion for authorizing the transfer of \$127,000.00 from the Town’s General Fund (A1620.2) to the Highway equipment fund (DA5130.2) and \$44,000.00 (DA9950) from the Highway Inter-fuel fund to the Highway equipment fund (DA5130.2) and authorize the Highway Superintendent to order/purchase of the Western Star new cab and chassis under the Onondaga County Contract Number 78-23 in the amount of \$170,942.00.**

<b>Andrew Ohstrom</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>
<b>Doug Daniel</b>	<b>Councilor</b>	<b>Abstained</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>No</b>
<b>Kerry Evans</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

**Roll Call Vote: 3 in Favor; 1 Opposed & 1 Abstention. Motion passed.**

**Roads:** The Highway Department is currently continuing ditching and shouldering ops. Surface treating will be scheduled for July. Minor brush pick up occurred in the Jamesville area due to severe storms last week. Shimming will take place later in June.

**Town Clean Up Days:** In an effort to reduce costs, the highway department changed refrigerant remediation companies resulting in a reduction of costs to about \$1,500.00. Tire recycling costs are about the same as previous year. Steel recycling to be determined. Efforts will be made to resell excess wood chips.

In an effort to reduce fencing at the Highway garage, Carol Watson Green House will be planting "hedgerow shrubbery" along the Booher field side of property approximately 750 feet. Additional quotes were requested but not return quotes.

Respectfully request cost to be paid by building fund that was set aside for fence. Cost will be approximately \$8,570.00.

Discussion regarding Hedgerow shrubbery: Attorney Gilligan advised that three quotes are needed per the Town's Procurement Policy; Councilor Zajac commented that some of the spruce trees that line Stafford Park along Route 81 are dying and doesn't feel a hedgerow is a good plan. He then questioned what the estimate for fencing that section only was. Robson did not have that information with him.

Ask Town Attorney to discuss Morezak Road right away. (Already discussed)

**Lastly, would like to request an Executive Session with the Town Board to address a personnel matter.**

**EXECUTIVE SESSION.** At 8:30 pm Supervisor Ohstrom called an Executive Session to include the Town Board and Budget Officer and Deputy Highway Superintendent per the Highway Superintendent's written request.

At 8:47pm, Supervisor Ohstrom called the meeting back to order, advising that no actions were taken during the Executive Session.

3. Town Clerk

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

b. Roorda advised that Shredding Day was a huge success with a record number of residents showing up with large volumes of paperwork to be disposed of. She commented that many residents asked her to thank the Town Board for providing this service to them and hope that this annual event continues in the future.

c. Roorda reported to the Board that the security cameras and panic buttons in the Town Hall were installed on May 18th and a brief tutorial was given to those in the office. She also advised that the Justice Court Clerks are hoping to add another camera in the parking lot and a monitor in their offices. Roorda also advised that our



present Information Tech will be contacting our previous Tech and Eastern Security regarding the security with open monitor lines.

4. Assessor – Supervisor Ohstrom advised that Assessor Shawn Adam has not received a response from the Village of East Syracuse, regarding old County water system

5. Building and Code Enforcement/SPDES

a. Building Permit - Code Enforcement Officer, Ralph Lamson’s written report of all the building permits for the month.

6. Dog Control – No Report

7. Justice Court - 225 - Total cases for Judge Perrin; \$7,328.00 was taken in for the month of April, 2017.

224 - Total cases for Judge Shute; \$6,719.00 was taken in for the month of April, 2017.

Town Clerk, Roorda advised that Justice Court Clerk Carleen LaRonde submitted a letter to the Supervisor requesting approval to participate in the grant process for 2017-2018 in hopes to get funding for more security features such as an additional camera/monitor in the courtroom, revamping the bench, etc.

**Supervisor Ohstrom moved and Daniel seconded the motion approving Justice Court Clerk, Carleen LaRonde to participate in the Justice Court Assistance Program (JCAP) process for 2017-2018 on behalf of LaFayette Justice Court. Motion carried 5 - 0.**

<b>Andrew Ohstrom</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>
<b>Doug Daniel</b>	<b>Councilor</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>Kerry Evans</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

8. Library

a. Board of Trustee Minutes and Director’s Report for May, 2017, was in the Town Board’s meeting packet for their review. Prince reported the Children’s Section of the Library is complete; the ceiling above the reception desk is repaired and the only thing left in the renovations is the circulation desk, hoping to make it smaller.

9. Parks and Rec –

a. Prince advised that he has hired a high school student as a helper to assist with the Parks and Rec Department. He will have him get with Budget Officer Tom Chartrand to complete the necessary paperwork.

b. Prince advised that he has put a notice in the newsletter warning our residents of the wild parsnip which causes sensitivity and burning on contact is growing at the park.

Supervisor Ohstrom thanked Dave Prince for the excellent job he does and complimented him on how beautiful Stafford Park looked for Community Day.

B. Committees

1. Agricultural Committee
2. Community Development
3. Emergency Response
4. Employee Policies & Benefits – Supervisor Ohstrom advised that he is still in the process of updating the Employee Handbook and plans to complete that in the future.
5. Environmental & Conservation Advisory Board
6. Highway
7. Recreation & Youth/LCC – Prince advised that Baseball/Softball season is wrapping up, girls lacrosse is going well; 12 - 15 kids have signed up for the swim program; there will be a soccer camp at the end of July; tennis camp will be held again under Joe Fox and they are waiting on college and high school students to finish up so they are available to coach.
8. Safety & Facility
9. School District Liaisons – Ohstrom advised that depending on the budget, the school may be looking to build their own tennis courts.
10. Service Awards
11. SOTS & OCRRA Liaison
12. Solar – Gilligan reminded the Board Members that the draft of the Solar Law was patterned after the Towns of Sullivan, Sennett and a couple other Towns who have already completed this.

10. TOWN ATTORNEY/LITIGATION & OTHER LEGAL MATTERS

A. Attorney Gilligan advised that he already circulated the draft for the Town of LaFayette joining the Amicus in the Eastern Justice matter and if they have reviewed it and are in agreement, a resolution can be made at this time.

**Councilor Daniel moved and Evans seconded the motion authorizing the Supervisor to sign the Affirmation in Support of the Motion for the Town of LaFayette to join the Amicus in the Earth Justice matter, identifying Onondaga County as an involved agency; the Town of LaFayette as a lead organized basis; it is an unlisted Action under SEQR and based upon the EAF the Town of LaFayette Town Board is rendering a negative declaration and authorize the Supervisor to execute the EAF. Motion carried 5 - 0.**

<b>Andrew Ohstrom</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>
<b>Doug Daniel</b>	<b>Councilor</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>Kerry Evans</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

11. NEW BUSINESS

A. Supervisor Ohstrom advised that due to his impending residency outside the Town of LaFayette, he has officially hand delivered his letter of resignation effective June 30, 2017, to Town Clerk, Jackie Roorda.

Ohstrom advised that he has been on the Town Board since 2010 and thanked all those who have supported and assisted him as a Town Councilor and as Supervisor, throughout the years. He also said that he will continue to be available to assist with pending projects and intends on completing the Town Employee handbook updates to present to the Town Board. He will provide a list of the changes in the committee assignments, as well.

Councilor Daniel thanked Supervisor Ohstrom for his dedication and all that he has done for the Town of LaFayette, utilizing his numerous qualifications and expertise. The Town Board members all agreed and advised that they will be missing him as well.

12. EXECUTIVE SESSION – session was requested by the Highway Superintendent during Highway portion of the meeting.

13. Motion to audit and pay bills.

<b>General Fund</b>	<b>11003-11056</b>	<b>\$ 54,309.25</b>
<b>Highway Fund</b>	<b>11057-11069</b>	<b>\$ 47,414.67</b>
<b>Special District</b>	<b>11070-11072</b>	<b>\$ 10,184.16</b>
<b>Trust &amp; Agency</b>	<b>11073-11074</b>	<b>\$ 344.90</b>

**Councilor Evans moved and Palmer seconded the motion to audit and pay the above listed bills. Motion carried 5 - 0.**

<b>Andrew Ohstrom</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>
<b>Doug Daniel</b>	<b>Councilor</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>Kerry Evans</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

14. Motion to adjourn.

**Supervisor Ohstrom moved Zajac and seconded the motion to adjourn the meeting. Motion carried 5 - 0.**

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

**Melanie Palmer  
Kerry Evans**

**Councilor  
Councilor**

**Voted  
Voted**

**Yes  
Yes**

The Town Board Meeting was adjourned at 9:10 p.m.

Respectfully submitted,

Jacqueline G. Roorda, Town Clerk