

March 16th, 2017 LaFayette Town Board Meeting Minutes

Minutes of the Town Board Meeting held by the LaFayette Town Board on March 16, 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
John Greeley, Hwy Superintendent
Martin Ossenberg, Rosemary & Herb Brodt,
Steven Pitonick, Rick Markoff, Joe Heath
Lisa Shenandoah-Kurtz, Karen Doster,
Walt & Lorrie Tanner, Renata & Tom MacMackin,
William Putzer, Kim Scott

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 Daniel.
3. The Town Clerk, Jackie Roorda took the Roll. All present.
4. Town Board Minutes of February 14th, 2017 Regular Meeting.

Supervisor Ohstrom moved and Palmer seconded the motion to accept the February 14th, 2017 regular meeting minutes as reviewed and submitted by Town Clerk, Jackie Roorda. Motion carried 4 in favor; 1 abstained.

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

5. PUBLIC HEARINGS – None

6. COMMUNICATIONS

A. Mass Gathering Permit – Carol Watson Greenhouse and Landscaping

Supervisor Ohstrom moved and Palmer seconded the motion authorizing the Mass Gathering Permit for Carol Watson Greenhouse for the Annual Fundraising event to be held on April 8 and 9th, 2017. This permit is pending the submittal of Certificate of Liability and insurance policy endorsements naming Town of LaFayette as additional insured. Motion carried 5 - 0.

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

B. Security Quotes for Town Hall for Panic Buttons/Cameras.

Supervisor Ohstrom advised that per an insurance evaluation and risk assessment review of the Town Hall, one of the important recommendations was the installation of panic buttons and security cameras in the building for the Justice Court and Town Clerk's Office. Quotes from Time Warner Security, Eastern Security and ADT Security with several different options and levels of security were reviewed. It was decided to limit the quotes the basics of 3 panic buttons, 2 cameras, minimum of 6 TB hard drive with recording for (1) one month, purchase and installation costs with prevailing wage, payment upon completion, no sales tax and monthly monitoring fees. Town Clerk Jackie Roorda will reach out to the three companies for new quotes and this will be tabled until the April Town Board Meeting.

C. Michael Grimm Services, Inc. Proposal – Supervisor Ohstrom advised that Michael Grimm continues to donate several services to the Town and keeps his costs to the Town for services rendered at a minimal rate and the deposit term may be omitted as we have done this in past years.

Supervisor Ohstrom moved and Evans seconded the motion to approve the contract with Michael Grimm Services, Inc. minus the deposit terms, for Services for 2017. Motion carried 5-0.

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

D. Amendment Onondaga County Contract #15205/Sherriff's Department

Councilor Daniel moved and Palmer seconded the motion authorizing Supervisor Ohstrom to sign the Amendment #11, of Contract # 15205 between the County of Onondaga Sheriff’s Department and the Town of LaFayette extending the Contract through December 31st, 2017 and the compensation wherein LaFayette will pay to Onondaga County \$77.14 for each hour of service provided in 2017. Motion carried 5 - 0.

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

7. OPEN COMMUNICATIONS FROM THE PUBLIC

Kimberly Scott, on behalf of concerned residents on Markland, Naughton, Webb, US Rte. 20, Amidon, Summer Ridge and Thunder Roads, submitted to the Town Board members a list of 25 remaining questions regarding the Proposed Satellite 2.4 Million Gallon Manure Pit on Markland Road. She also presented a letter from the concerned residents explaining their concerns which included a list of items they feel the Town Board can take on their behalf. Supervisor Ohstrom again advised that the Board will review both items and compare the list that the Town was already sending to Ag and Markets with the list just provided to ensure all questions are addressed.

Joe Heath, General Counsel for the Onondaga Nation and Tully resident advised that he attended the informational meeting the Town Board held the previous week regarding the manure pit and expressed the concerns the Onondaga Nation have as Onondaga Creek/ Kennedy Creek & Hemlock Creek (aka Little Creek) He further explained the Nation uses this water as ceremonial water use and the concern that may be jeopardized by the proposed Markland Road Manure Storage Pit. He also advised another concern the Nation has is they were told that an archeological and cultural studies were not completed as previously told. He handed the Board Members, Clerk and Attorney copies of the Local Law that the Town of Homer passed in 2015 requiring Site Plan Review and approval prior to the construction of certain manure storage facilities. He advised that Homer had a very similar situation as LaFayette and that there are several steps the Town Board can take and look at options to prevent the building of this manure storage facility. This Local Law was passed in Homer two years ago and to date has not been challenged. Mr. Health further discussed several different resources that the Town Board may research with regard to Manure Pit Storage Facilities and presented a paper titled “Beware of Manure Pit Hazards” by Howard J. Doss, Howard L. Person & William McLeod of Michigan State University Extension; The Wasting of Rural New York State/Factory Farms & Public Health by Citizens’ Environmental Coalition & Sierra Club, Albany, NY. These resources address air pollution and dangerous gases that can be omitted and harmful to the neighbors.

Martin Ossenberg, resident introduced himself, advised that he is in opposition to this Manure Storage Pit and said that he did not need to speak, but presented a one page paper to the Board for their review with regard to this matter.

Steve Pitonick, resident addressed the issues with SEQR; SEQR review; looking at a Type II action; agency accountability; Section 17.5C18, etc. Discussions took place regarding a cultural resource; archeological review; significant ground disturbance and its effects; and things that can be done to modify; a timelines; etc.

Supervisor Ohstrom thanked those in attendance, advised that all their questions, concerns, ideas, and paperwork will be looked at and taken into consideration by the Town Board as they move forward. The first action is to request a Site Plan Review by NYS Dept. of Agriculture and Markets, crosscheck the questions the Supervisor included in his letter to NYS Ag & Markets (cc: to Senator David Valesky and Assemblyman Gary Finch) with the questions received from the concerned residents and with the approval of the Town Board, he is mailing this letter the following day. Councilor Daniel asked Attorney Joe Heath if the Town of LaFayette passed a Local Law tonight that is similar to the Town of Homer's, would that stop the project on Markland Road. Mr. Heath replied that the Law would affect future projects, however would not have an effect on current projects. Supervisor Ohstrom advised that although he cannot necessarily give a timeframe, they will review the Town of Homer Local Law and any other materials presented. He then asked if there were any other questions or comments from the Board or those in attendance. None were voiced.

Councilor Palmer moved and Evans seconded the motion authorizing Supervisor Ohstrom to send his letter requesting a Site Plan Review for the Manure Storage System Project at the end of Markland Road with the attached list of formal questions and requests attached; to Mr. Geoff Palmer, Director of Intergovernmental Affairs at NYS Dept. of Ag & Markets and copied to NYS Senator David Valesky and Assemblyman Gary Finch. Motion carried 5 - 0.

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

8. REPORTS

A. Departmental

1. Town Supervisor

a. Budget Officer Tom Chartrand submitted the Monthly Financial Report for February 2017. Chartrand reported that Tax Collector, Kitty Rienhardt paid the entire amount of the taxes due the Town and advised that she was the first tax collector, in the Towns he budgets for, to collect the full amount of taxes due. Supervisor Ohstrom complimented Kitty on the amazing job she continues to do, going above and beyond.

b. Transfer of Appropriations

Supervisor Ohstrom moved and Palmer seconded the motion to authorize and allocate the Transfer of Appropriations as discussed and listed below. Motion granted 5 – 0.

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

GENERAL FUND

To:				
	A1910.4	Insurance	Contractual	4,000.00
			TOTAL	<u>4,000.00</u>
				=====
From:				
	A1990.4	Contingent	Contractual	4,000.00
			TOTAL	<u>4,000.00</u>
				=====

c. Supervisor Ohstrom moved and Evans seconded the motion to authorizing the Town Clerk to put a notice in the paper advising the updated Annual Financial Report for the Town of LaFayette and SOTS for the fiscal year ending in 2016 is on file in the Town Clerks office for review. Motion granted 5 – 0.

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

2. Highway Superintendent John Greeley’s written and verbal report:

Equipment: The 1999 International is currently unavailable for snow plow ops. The Fabco transfer case needs major repair. The rear end bearing is also bad/worn out (see attached estimate for transfer case repair only). In my opinion, the truck has lived a useful life. 17 years of plowing and over 80,000 miles. It is my suggestion that the Town replace the truck in 2017.

Current bill paid for towing and assessment:	\$1,895.67
Estimation to fix rear end:	\$3,500.00
Estimation to repair Fabco Transfer case:	<u>\$6,094.36</u>

Total Costs: **\$11,490.03**

Truck currently valued at \$7,000.00

Attached is County Contract price to replace truck and plow equip.

Would need Town Board approval to Initiate Purchase

Supervisor Ohstrom commented that when the town recently purchased the two new trucks the highway equipment would be in order and back on track financially and follow the 5 year equipment plan. Greeley advised that with the estimate to repair the truck being over \$11,000, he recommends replacing it and recommends purchasing a new plow truck at County Contract. He further advised that they are using the 10 wheeler dump truck as a backup as when they purchased it they had it outfitted with a plow and sander.

Snow and Ice Ops – Plowed snow 13 times since last meeting

Attached copy of balances (Currently in Winter Storm Mode)

Roads: 2017 284 Agreement is complete and ready for Town Board to sign & return.

3.17 miles of Surface treating and 5 turn-around repairs.

\$10,000.00 of Hot Asphalt mix

\$ 7,000.00 of Crusher Run

\$ 6,780.00 of HDPE Pipe

Plowed snow 41 times since last meeting. One third of the salt has been used and a lot of the sand has already been used. Sand is less expensive and the state will cover the sand with the shared services agreement.

Greeley had a lengthy report regarding a meeting he attended in Albany regarding “Local Roads Matter” Chips Money, Bridge Money, Consensus, I-81 Project, NYSDOT re-entertaining I-81 Bio duct & Bridge Project. Also discussion regarding Fire Dept. Shared Services, which Attorney Gilligan advised that the Town cannot enter into with the LaFayette Fire Department as it is Private, Local and incorporated entity or we would have to make it part of the Town’s compensation.

Supervisor Ohstrom moved and Palmer seconded the motion for the Town of LaFayette to enter into the 2017 284 Agreement Provision per Highway Law for local road repairs. Motion Granted 5 – 0.

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

Extended discussion continued regarding the cost of a new truck, including moving money from General Funds to Highway, using cell Tower funds, building funds, old highway capital improvement funds, environmental account, looking at grant money, etc. trying to figure where money if they decide to purchase a new truck could possibly come from.

Councilor Daniel suggested delaying this 30 days to get a better feel on the money the town can use, options to be considered, equipment budget and fear of finances.

Further discussions: purchasing cab & chassis now to avoid committing as much of the Town's current funds and possibly bond for the plow and sander equipment; benefit of ordering all at once; companies that outfit the truck; using cell tower undedicated funds; money in building fund; five year plan for highway equipment at \$65,000.00 per year; Equipment budget for 2018, etc. and the option to repair the current truck at \$11,490.00 verses purchasing a new truck at a cost of \$280,000.00. Councilor Zajac advised that he is in favor of purchasing a new truck. Supervisor Ohstrom commented that he is not ready to decide on this at this time and would like to move this to next month's meeting in order to look at the long-term financial aspect of purchasing a new truck. Councilor Zajac advised that it is his desire to move on this at this time. Councilors Palmer, Daniel, Evans agreed to hold until April meeting.

3. Town Clerk

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

b. Roorda advised that she received another statement from Comfort Windows regarding replacement windows in the Town Hall. Supervisor Ohstrom commented that

Councilor Zajac was not present at last month's meeting when this was discussed and asked his opinion on the windows. Zajac advised that it is just a vision thing, the seal between the windows is leaking, which allows gases to get between the panes that make them cloudy, however they are still energy efficient. After a very brief discussion, it was decided not to repair or replace the windows in the Town Hall at this time.

4. Building and Code Enforcement/SPDES

a. Building Permit - Code Enforcement Officer, Ralph Lamson advised building permits are approximately one month ahead of usual and things are running smooth with the new computer.

5. Justice Court - 105 - total cases for Judge Perrin; \$10,662.00.00 was taken in for the month of January, 2017.

150 - total cases for Judge Shute; \$13,012.00 was taken in for the month of December, 2016.

Supervisor Ohstrom moved and Evans seconded the motion to accept the audit reports completed by David Lamson for January 2017 for Justice Perrin and Shute. Motion Granted 5 – 0.

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

6. Library

a. Board of Trustee Minutes and Director's Report for January, 2017, were in the Town Board's meeting packet for their review.

b. Dave Prince advised that the second phase of the renovations of the Library are underway which includes a new office for Librarian Scott Kurshner; the old office wall has been knocked down to enlarge office area, part of the painting is done and part of the carpet has been installed and the rest will be completed after the shelving is done and new furniture is set. The only thing left to improve is the circular desk area to expand the working area away from the Public.

7. Parks and Rec –

a. Dave Prince advised that the path at the walking trail at Stafford Park has been easy to keep clear this winter.

b. He has purchased some parts and some have been ordered for mowing season.

c. National Grid contacted him with regard to needs to remove three ash trees at Vinegar Hill Park, and after speaking with the Supervisor, he gave approval to do so.

d. Aaron Stroup has requested approval for his Eagle Scout project requesting to plant flower beds, repair and paint signs, etc. at Stafford Park and also requested some funds to assist with this, LCC has agreed to help with the funds. The Board approved this project.

e. Dave Prince has been doing a lot of research with regard to AED training, forms, County Policy and Protocol, training approval programs quality assurance, etc. He is hoping he will have everything in place by the next Town Board Meeting as we are unable to use the AED until training is complete and signs are in place identifying their location.

8. Tax Receiver – Supervisor Ohstrom again publically complimented Tax Receiver, Kitty Rienhardt for turning over the entire amount of taxes due to the Town for 2017, along with all the extra steps she takes for the residents, even calling to remind residents of payments due and of star exemption applications

B. Committees

1. Agricultural Committee – Councilor Palmer advised already updated Markland Road project during Open Discussion Period.

2. Community Development

3. Emergency Response – there should be online training for the AEDs available in the future.

4. Employee Policies & Benefits

5. Environmental & Conservation Advisory Board

6. Highway

7. Recreation & Youth/LCC - Dave Prince advised that winter sport programs went well with some of the younger sports still going great; the skiing program is winding down; and Spring Sports are gearing up for sign ups; the swimming program agreement with the Town of Pompey needs to be entered into for 2017; tennis camp & soccer camp with Ultimate Goal will be last week in July. Also, they will be purchasing bulletin board signs for Stafford Park for LCC announcements.

8. Safety & Facility

9. School District Liaisons

10. Service Awards

11. SOTS & OCRRA Liaison

12. Solar

8. TOWN ATTORNEY/LITIGATION & OTHER LEGAL MATTERS

A. Summer Swim Program/ Agreement with the Town of Pompey

Supervisor Ohstrom moved and Evans seconded the motion approving of and authorizing Town Supervisor Ohstrom to sign the Inter-municipal Agreement between the Town of LaFayette and the Town of Pompey for the 2017 Summer Swim Program. Motion carried 5 - 0.

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

9. NEW BUSINESS

A. Manure Pit – Supervisor Ohstrom advised Attorney Gilligan to open a file with regard to Markland Road Manure Storage Project to include research of the Homer Local Law, Sandy Creek, Laconia, Watertown items; analysis on the items discussed earlier and report back. This will be a separate matter as far as legal expenses incurred with this matter.

10. EXECUTIVE SESSION – None required

11. Motion to audit and pay bills.

General Fund	10614-10651	\$ 45,422.21
Highway Fund	10652-10676	\$ 50,023.25
Special District	10613-10677	\$ 1,982.39

Supervisor Ohstrom moved and Daniel seconded the motion to audit and pay the above listed bills. Motion carried 5 - 0.

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

12. Motion to adjourn.

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

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

The Town Board Meeting was adjourned at 9:57 p.m.

Respectfully submitted,

Jacqueline G. Roorda, Town Clerk