May 11th, 2021 LaFayette Town Board Meeting Minutes

Minutes of the Regular Town Board Meeting held by the LaFayette Town Board on May 11th, 2021 at 6:30 p.m. at LaFayette Town Hall and live on Facebook.

Present: William McConnell, Supervisor

Melanie Palmer, Councilor Carole Dwyer, Councilor Jerry Marzo, Councilor Steve Zajac, Councilor

Recording Secretary: Jackie Bush Roorda, Town Clerk

Attorney: Jeff Brown Budget Officer: Tom Chartrand

Absent:

Others Present: Ralph Lamson, Bldg. & Code Enforcement

Dave Knapp, Onondaga County Legislature Chair Mark Chambers & Jeff Palin Town Engineers,

Kelly Wypych, Herb & Rosemary Brodt, Stan Czuba, Steve & Kathy Pitoniak, Matt Mallory, Residents

and other residents via Facebook live

- 1. Supervisor McConnell called the meeting to order at 6:30 PM and welcomed everyone in attendance.
- 2. The Town Clerk, Jackie Roorda took the Roll.
- 3. The Pledge of Allegiance was led by Councilor Palmer.
- 4. Town Board Minutes of April 13th, 2021 Regular Town Board Meeting.

R-103-2021 Councilor Palmer moved and Marzo seconded the motion to accept the April 13thth, 2021 Regular Town Board Meeting minutes, as submitted by Town Clerk Jackie Roorda. Motion carried 4-0.

William McConnell	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes

Supervisor McConnell made the announcement that there will not be a Memorial Day parade this year, however he invited all to attend the ceremony at the LaFayette Cemetery to honor those who have fallen for our Country. Also, the VFW will be hosting a drive through chicken barbeque beginning at 10:30 am and appreciates the support of the community.

5. PUBLIC HEARINGS

A. Public Hearing Continued - Local Law #2-2021 to create a new Chapter 132 (Constables) of the Code of the Town of LaFayette establishing the powers and duties of Constables within the Town.

Supervisor McConnell reported the Board kept the Public Hearing open from the April 13th, 2021 Town Board Meeting and are investigating the Constable position including financial details; NYS legal portions, independent contractor/hourly rate vs. part-time employee. They have been working with Matt Mallory who came to the Board offering his services. He also advised that there is a need for a constable during Justice Court on Wednesday evenings for approximately one and a half hours. He asked if there were any comments from the Board or anyone attending. None were voiced.

R-104-21 Supervisor McConnell moved and Marzo seconded the motion to close the Public Hearing with regard to Local Law No.2-2021 to create a new Chapter 132 (Constables) of the Code of the Town of LaFayette. Motion carried 4-0.

William McConnell	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes

- B. Local Law No. 3-2021 to opt out of Real Property Tax Law Section 487 exemption
- R-105-21 Councilor Palmer moved and Dwyer seconded the motion to open the Public Hearing with regard to Local Law No.3-2021 to opt out of Real Property Tax Law § 487 exemption in the Town of LaFayette.

 Motion carried 4-0.

William McConnell	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes

Supervisor McConnell advised that he has been doing some investigation regarding this and options for a PILOT program. Attorney Jeff Brown advised the opt out option is for the financial side of solar farms in order to set the taxes/PILOT. Under current law, the Town is automatically opted in. The opting out gives the Town more leverage. Developers of solar farms are forced to approach the Town and we can set some financial parameters. It still Allows for solar in the Town but gives us a little more leverage.

Discussions regarding the potential location restrictions for solar farms took place. Jeff Brown said this is certainly something the Town Board can look at. Mark Chambers advised the factors relevant to solar farms sitting, the grid (National Grid/NYSTERTA) being adjacent to the site, circuitry of the system and amount of land.

Resident Steve Pitoniak questioned if there any restrictions in the Town of where solar farms may be located. Attorney Brown advised the current zoning has restrictions on where solar farms may be located.

No other comments were voiced.

R-106-21 Councilor Palmer moved and Dwyer seconded the motion to close the Public Hearing with regard to Local Law No.3-2021 to opt out of Real Property Tax Law § 487 exemption in the Town of LaFayette.

Motion carried 4-0.

William McConnell	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes

- COMMUNICATIONS 6.
 - A. Consideration Local Law 2-2021 "Tabled"
 - B. Consideration Local Law 3-2021
- R-107-21 Councilor Palmer moved and Dwyer seconded the motion in regard to Local Law No. 3-2021 to opt out of Real Property Tax Law § 487 exemption in the Town of LaFayette. Motion carried 4-0.

William McConnell	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes

C. MS4 Municipal Compliance Certification form of 2021

Town Engineer, Mark Chambers of C&S Companies advised the MS4 report coincides with the Central New York Stormwater Coalition. The County Coalition does a lot of the legwork then it goes to a more localized item and touches on things such as our highway ditch digging, street cleaning etc. Supervisor McConnell advised that this is due June 5, 2021 and asked if there were any questions to regarding this report.

R-108-21 Councilor Palmer moved and Marzo seconded the motion to authorize the Supervisor to execute the MS4 Municipal Compliance Certification Form for the Town of LaFayette and submit to the Department of **Environmental Conservation.** Motion carried 4-0.

William McConnell	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes

D. Opting out of allowing retail marijuana sales?

Attorney Jeff Brown advised that the new state law allows the Town of LaFayette to opt out of retail sales of marijuana. This won't go into effect until next spring. Adopting a local law would prevent dispensaries selling marijuana to be placed in our Town. Villages are

allowed to put this out to public consideration via a mandatory referendum, Towns do not have that option. Rather it is subject to a Town law, to a permissive referendum. If the Town were to pass the law it would not go into effect for 45 days giving anyone opposed to the law 45 day to get enough signatures to put it on for a mandatory referendum. He advised he can draft the Local Law, subject to a public hearing in order to get the residence opinions on dispensaries being allowed in the Town of LaFayette. A resident commented that the 4% revenue would benefit the Town greatly.

Discussions regarding timeframe in order to have a public hearing, to get it on the ballot for the November 2021 election and to have the local law sent to the Board of Elections took place. Supervisor McConnell requested attorney Brown to draft local law No. 4-2021.

R-109-21 Councilor Dwyer moved and Marzo seconded the motion to move forward with drafting the Local Law to opt out allowing dispensaries for selling marijuana in the Town of LaFayette.

Motion carried 4-0.

William McConnell	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes

E. 2022 Community Project Funding Appropriations process.

Supervisor McConnell advised that we applied to the FY 2021 or 2022 Community Funding Appropriations for funds for the Cardiff/Route 11A water project. He was recently advised that FY Community Funding will not be moving forward with our funding request for the Cardiff/Rt.11A water project. County Legislature Chair Dave Knapp reported that he spoke with Representative Katko who advised that at this time they are working on bigger dollar projects. Knapp advised that there will be a lot of other grant options for the Town to pursue for the water district monies.

F. 2021 Sheriff's County Contract # 15205 Amendment #15

Supervisor McConnell advised that this is a continuation of our contract with Onondaga County Sheriff's Department. It is possible that we may use the Sheriffs for security during court. We also utilize them for traffic control at Community Day and other Town events, etc.

R-110-21 Councilor Palmer moved and Dwyer seconded the motion authorizing Supervisor McConnell to sign Amendment #15 of the 2021 Sheriff's contract # 15205 between the County of Onondaga and Town of LaFayette which extends Sheriff services through December 31 2021. Motion carried 4-0.

William McConnell	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes

G. Update Senior Center: Gordian Building Knowledge – Smith Group

Supervisor McConnell advised that the Smith group will be attending our June 8 meeting to do us short presentation regarding the possibility of Gordian working with Town community/senior center construction. He advised that the LaFayette High School has used the group, along with the Town of Vestal and Town of Greece New York. There are three types of cooperative purchasing's commodity vs. labor vs. material. The Smith Group acts as the general contractor, working with cooperative group of contractors and claims to get projects completed on time and on budget, reduces administrative burdens and costs and time associated with bidding etc. we will know more after the presentation at our June meeting.

Supervisor McConnell also reported that the power is off at the Puttkamer Property and natural gas will be off within two weeks. The fire department has been utilizing the building for training. The highway department will handle the demolition of the building and tree removal will begin. There is grant money left to cover some of these costs.

Dave Knapp gave a brief update regarding financing and grant applications. He should have a good idea if the \$150,000 community development grant application is awarded before our June 8th meeting.

Attorney Jeff Brown is friends with the Town of Greece Supervisor and he offered to reach out to him to get a better understanding on the Gordian Building Knowledge – Smith Group and how they worked with their town. Town Engineer Jeff Palin advised that C & S has worked with the Smith Group and they have been successful. We would still need an architect. Supervisor McConnell will send the link to the Board members and Zoom call prior to the next meeting so everyone has a better understanding of how the Smith Group may be utilized for the Sr. Center.

H. CRAFT FAIR -

Supervisor McConnell advised that Janice Meyers has obtained the necessary insurance, made arrangements for parking for the venders, etc. for the June 12th, 2021 Craft Fair at Stafford Park. However, she is having difficulty finding affordable traffic control and is requesting the Town Board waive the requirement for traffic control. Councilor Marzo advised that during the fishing derby recently held in the same location he did a traffic analysis and doesn't feel traffic control will be necessary as the Town Board previously required.

R-111-21

Councilor Marzo moved and Palmer seconded the motion to waive the requirement for the applicant to supply traffic control during the June 12^{th} , 2021 Craft Fair to at Stafford Park. Motion carried 4 - 0.

William McConnell	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes

I. NE Towers. Quote to inspect the Groth Road Tower

Supervisor McConnell advised that this inspection needs to be done on a regular basis and apologized as he just received the contract. Attorney Brown will review the contract for any legalities and advise the Town Board if there are any concerns, however there could be a motion approving, subject to Attorney approval.

R-112-21 Councilor Dwyer moved and Marzo seconded the motion authorizing Supervisor McConnell to execute the contract with NE Towers, with prevailing wage for a total cost of \$4,980, subject to the approval of Town Attorney Jeff Brown. Motion carried 4 – 0.

William McConnell	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes

J. Verizon National Programmatic Letter

Supervisor McConnell advised that Ken Saverin, President of Crescendo (CCT) advised that Verizon needs to do an upgrade and extensive work to redesign their mounts on the Groth Road Tower. Verizon requested that Supervisor McConnell sign the letter stating that the tower is still in compliance.

R-113-21 Councilor Marzo moved and Palmer seconded the motion authorizing Supervisor McConnell to sign the letter along with Ken Saverin, President of CCT-3 to Verizon acknowledging that the Groth Road Tower is still in compliance. Motion carried 4 – 0.

William McConnell	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes

COMMUNICATION FROM THE PUBLIC

Steve Pitoniak requested clarification on the earlier discussion in the meeting about the Cardiff water district. He was advised that there will be more grant opportunities for the Town to apply for in the future for the Cardiff water district.

Matt Mallory gave a brief update regarding constables for the Town and is still waiting to hear back from Steven Russell. He mentioned the possibility of pulling funds from the Sheriff's contract. Supervisor McConnell advised him that the public hearing was closed earlier in the meeting and the matter has been tabled until more information is available.

A. Departmental

- 1. Town Supervisor Report
- a. Budget Officer Tom Chartrand advised that Councilor Palmer did a positive review of the bank reconciliation of the Supervisor accounts.

R-114-21 Councilor Palmer moved and Supervisor McConnell seconded the motion that a positive audit of the bank reconciliation of the Supervisor's account was completed by Councilor Palmer and was appropriate. Motion carried 4 – 0.

William McConnell	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes

- b. Budget Officer Chartrand submitted the April, 2021 Monthly Financial Report, and advising that the Town is on target with the budget due to the following; Court fines improving each month, receipt of reimbursement on the funds spent on the tennis courts last fall (those funds are in surplus), and receipt of tax collector penalty funds, this is the money collected from taxes paid after the January 31, 2021 deadline, of a little over \$9k. General Fund spending is at 20%, revenue is at 94%; Highway spending is at 26%, revenue is at 84% and library spending is at 29%, revenue is at 99%.
- c. Chartrand offered up a brief explanation of the transfers to make it simpler to identify the different project/ grant monies.

TRANSFER OF APPROPRIATIONS

GENERAL FUND

To:

	A35810.2	Dog Control	Equipment	\$70,000.00
	A7110.2	Parks	Equipment	\$16,617.00
	A8020.2	Planning	Equipment	<u>\$42,500.00</u>
			TOTAL	\$129,117.00
From:				<u> </u>
	A599	Surplus	2021Hamlet Planning Grant County	\$35,000.00
	A599	Surplus	2021 Dog Park Grant County	\$50,000.00
	A599	Surplus	2021 Parks Grant Balance to Spend	\$16,617.00
	A599	Surplus	2020 Parks Grant	\$20,000.00
	A1460.4	Records Mgmt	Contractual	\$ 7,500.00
			TOTAL	\$129,117.00

R-115-21 Councilor Palmer moved and Dwyer seconded the motion authorizing the transfer of appropriations as listed above. Motion carried 4 – 0.

William McConnell	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes

- c. Supervisor McConnell inquired as to the revenue that the cell tower brings in annually. Chartrand advised that we get approximately \$25k. McConnell advised that DISH network is also looking to add an antenna to our tower which could potentially increase the revenue.
- d. Supervisor McConnell brought up the purchase and donation of land for the Town's dog park from Sheffield LLC (Stephen Sheffield, DDS). Legislature Chair Knapp and Supervisor McConnell met with Dr. Sheffield and have negotiated a deal for the purchase of a portion of the property to meet the needs of the dog park.
- R-116-21 Councilor Marzo moved and Dwyer seconded the motion authorizing the Supervisor to execute the purchase agreement of the dog park land in the amount \$15,000, subject to attorney approval.

 Motion carried 4 0.

William McConnell	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes

- 2. Attorney Jeff Brown advised he had no additional comments.
- 3. Highway Superintendent Steve Robson <u>Highway Superintendent Report Roads:</u> Snow and Ice Operations were preformed 4 times since the last Town Board Meeting. Repair to our shoulders, ditching and sweeping operations are complete. Brush pick-up started April 12th and was completed April 29th. Town Clean Up (Dump Days) ended May 8th and will be completed by May 13th. Road shimming and cross over pipe replacement will start May 17th.

Grants: Final application of the Bridge and Culvert Grant will be submitted May 19th.

Equipment: Items surplused last month will be listed approximately the third week of May with Auction International. 2021 Road Side Mower tentative delivery is still the beginning of July and 2021 CV515 (Truck #2) tentative delivery is September.

4. Town Clerk

- a. Jackie Roorda advised that April 2021 Town Clerk report was in the Board's meeting packet for their review.
- b. Roorda also advised the Board that as always, the annual shredding and medication drop off day was very successful and residents appreciate these services provided.
- 5. Building and Zoning Code Enforcement April Report for all building permits was provided to the Board by Ralph Lamson, Code Enforcement Officer. Lamson also advised that with the courts now open he will have a few cases that will be going before the judge.
- 6. Justice Court

a. April 2021 Justices Reports.

Judge Perrin had 126 cases and turned over \$12,867.00 to the Town of LaFayette for April, 2021.

Judge Shute had 155 cases and turned over \$12,729.00 to the Town of LaFayette for April, 2021

7. <u>Library</u> Director April 2021 Board of Trustee Minutes & Directors Reports were included in packet for review.

Day to Day Operations Continue

Physical library is open – appointments no longer required, although social distancing practices remain in place for computers, browsing, etc. Materials are no longer being quarantined when returned.

- 8. <u>LCC</u> Baseball/softball/tee-ball season underway as of May 3 Winter sports wrestling, basketball, and volleyball considering conducting these programs outside during the summer. Adult programs remain on hold.
- Parks Park maintenance and mowing are on-going
 Bathrooms are open and are being cleaned daily.
 Flower Boxes respondents have had their boxes placed out. Follow-up with non-respondents. Unclaimed boxes being allocated to interested parties on waiting list
- FIRE DEPARTMENT REPORT May 11, 2021
 I apologize for not being at the meeting, but I had to attend a EMT refresher class.
 - 1. We have voted in two new members.

2. Calls: 30 Ambulance calls6 Calls were canceled14 LaFayette transport calls6 LaFayette provided BLS

4 were Public Assists 8 Mutual Aid Ambulance calls to surrounding 6

Fire calls in our district districts

2 Mutual Aid Fire Calls to surrounding districts

- Sean Doolittle, Fire Chief

- B. Committee Reports:
 - 1. LACC (LaFayette Advisory Conservation Commission)

Submitted by: Mark Distler, LACC Chair May 6, 2021

1. Membership Development - Four new LACC members were appointed by the Town Board on 4/13/21, Carole Dwyer, Amy Roe, Kelly Wypych, and Larkin Podsiedlik. In response to the town newsletter article, one resident notified chair Distler of their interest in membership. After an interview Chair Distler recommended for town board appointment: Keith Terrell – 1 year appointment: Professional background: Software Engineer, home remodeling contractor; Relevant expertise: Lifelong LaFayette Resident, environmentally conscious.

As reported last month, Dave Amidon (teacher) and Jeremy Belfield (superintendent) identified two students to fil the two open student membership positions. Both students will be recommended for membership appointment at the Town Board's June meeting.

2. Activities – The LACC met for the first time since re-organizing on April 27. Work has begun on the two special projects and three members continue their work to support the Comprehensive Plan update by providing their written input on the 2012 Action Plan Matrix.

R-117-21 Supervisor McConnell moved and Councilor Dwyer seconded the motion to appoint Keith Terrell to the LaFayette Advisory Conservation Commission. Motion carried 4 – 0.

William McConnell	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes

- 8. NEW BUSINESS none
- 9. OPEN COMMUNICATION FROM THE PUBLIC

County Legislature Chair Dave Knapp informed the Board and public that there is potential good news from Washington with regard to the Stimulus package. The County is slated to get \$90 million and per the Town Schedule, the Town of LaFayette appears to be eligible to get \$500k. Originally, municipalities were going to have to show losses to get/use that money but it is now looking like they are going to make it available for infrastructure type projects (i.e., public water, roads, etc.)

10. Motion to audit and pay bills.

General Fund	17509-17549	\$ 46,479.93
Highway Fund	17550-17568	\$ 52,429.25
Special District	17581	\$ 89.17

R-118-21 Councilor Palmer moved and Dwyer seconded the motion to audit and pay the above listed bills. Motion carried 4 - 0.

William McConnell	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes

11. Motion to Adjourn

R-119-21 Councilor Palmer moved Supervisor McConnell and seconded the motion to adjourn. Motion carried 4 - 0.

William McConnell	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes

The meeting was adjourned at 7:30 p.m., however, it was immediately re-convened as Supervisor McConnell realized that a matter was omitted in the meeting.

R-120-21 Supervisor McConnell moved Palmer and seconded the motion to Reopen the meeting to discuss a matter that had been omitted from the agenda. Motion carried 4 - 0.

William McConnell	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes

Supervisor McConnell advised resident and LaFayette Fire Department President; John Harper had to build an addition to make his home handicap accessible. Discussion regarding waiving the increased assessment on his residence so long as he resides in his home, took place.

R-121--21 Supervisor McConnell moved and Marzo seconded the motion to suspend any increase in the assessed value for the addition to make John Harper's home handicap accessible so long as he resides there. Motion carried 4 - 0.

William McConnell	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes

R-122-21 Councilor Palmer moved and Supervisor McConnell seconded the motion to re-adjourn. Motion carried 4 - 0.

William McConnell	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes

The meeting was officially readjourned at 7:42 p.m.

Respectfully submitted.

Jacqueline G. Roorda Town Clerk