

June 12th, 2018 LaFayette Town Board Meeting Minutes

Minutes of the Town Board Meeting held by the LaFayette Town Board on June 12th, 2018 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: Daniel Fitzpatrick, Supervisor
Steve Zajac, Councilor
Melanie Palmer, Councilor
Carole Dwyer, Councilor
Michael Johnson, Councilor

Recording Secretary: Jackie Bush Roorda, Town Clerk

Attorney: Kevin Gilligan
Budget Officer: Tom Chartrand

Others Present:

David Knapp, County Legislator
Ralph Lamson, Bldg. & Code Enforcer
Dave Prince, Parks & Rec, LCC, Library
John Greeley, Highway Superintendent
Mark Chambers, C & S Companies
Kristin Colburn, Deputy Town Clerk

1. Supervisor Fitzpatrick called the meeting to order at 7:00 PM and welcomed all in attendance.
2. Pledge to our U.S. Flag was led by Supervisor Fitzpatrick.
3. The Town Clerk, Jackie Roorda took the Roll. All Town Board members present.
4. The Town Board Minutes of May 8th, 2018. – A brief discussion regarding necessity of the Town Clerk listing all who attend meetings. Per Attorney Gilligan, it is at the discretion of the Clerk.

Councilor Palmer moved and Zajac seconded the motion to accept the April 10th, 2018 Meeting Minutes as submitted by Town Clerk Jackie Bush Roorda. Motion carried 5 – 0.

Daniel Fitzpatrick	Supervisor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
Michael Johnson	Councilor	Voted	Yes

5. COMMUNICATIONS

A. Introduction Site Plan Review/Manure Storage Facilities

Discussion:

Resolution to introduce this Site Plan Review local law and schedule a public hearing at the next Town Board meeting on July 10, 2018 at 7:00PM.

Determination of Type 2 Action.

Law mirroring Sandy Creek's and approved by Ag & Markets

Law requirement for applicant to be required to turn in paperwork/information to the Town so the public can be aware that they are building a manure lagoon.

Penalties: \$500.00 fine (penalties on fines) and possible 15 days in jail for noncompliance being at Judge's discretion and threat of jail as a means of leverage and good tool for the judge to get violators attention.

Dave Knapp advised that Soil & Water have a new policy reinforcing that the landowner has to come to the Town to inform them of proposed manure pit construction.

TOWN OF LAFAYETTE TOWN BOARD RESOLUTION June 12, 2018

Councilor Dwyer introduced proposed Local Law No. C-2018, "A Local Law to Amend the 1970 Zoning Ordinance of the Town of LaFayette to Add Provisions Governing Site Plan Review for Manure Storage Facilities Associated with Concentrated Animal Feeding Operations (CAFOs) and to Repeal Local Law No. 2-2017 which Related to the Same Subject Matter", and made the following motion, which was seconded by Supervisor Fitzpatrick:

WHEREAS, proposed Local Law No. C-2018 has been introduced and will be considered for enactment pursuant to the provisions of the Municipal Home Rule Law; and

WHEREAS, the Town Board has considered the adoption of said Local Law, has considered the criteria contained in 6 N.Y.C.R.R. Part 617.7 and has compared the

impacts which may be reasonably expected to result from the adoption of said Local Law against said criteria;

NOW, THEREFORE, it is

RESOLVED AND DETERMINED, that no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a local law in the Town of LaFayette, such that there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQR) with respect to the proposed enactment of said Local Law, with the result that the Town Board shall act as lead agency in this matter; and it is further

RESOLVED AND DETERMINED, that the enactment of said Local Law is a Type II action for purposes of environmental review under SEQR and will have no adverse environmental impact as said Local Law merely provides the Town of LaFayette limited controlled site review over Concentrated Animal Feeding Operation (CAFO), without the authority to disapprove CAFOs, thus concluding the SEQR review process; and it is further

RESOLVED, that the Town Board shall conduct a public hearing as to the enactment of proposed Local Law No. C-2018 at the Town Hall located at 2577 Route 11 in the Town on July 10, 2018 at 7:00 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard.

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

Daniel Fitzpatrick	Supervisor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes

Michael Johnson

Councilor

Voted

Yes

The foregoing resolution was thereupon declared duly adopted.

DATED: June 12, 2018

B. Purchase of the property and home at 2873 US Route 11 North. Supervisor Fitzpatrick advised that the original offer for the purchase price is \$98,500.00 was turned down by the estate, who is now asking \$111,600. A group associated with the LaFayette Optimist Club has offered to donate the \$13,100 difference to secure the Town acquiring this property.

Points discussed:

- Increasing purchase offer to the \$111,600
- Depositing donated \$13,100 into an escrow account with Budget Officer
- Value of the property?
- Group of citizens donating the \$13,100 confident that property is worth that amount, feeling this is a valuable asset to the Town
- Funds sitting for 12 years in a reserve account earmarked for property acquisition Updating. Comptroller prefers not holding funds, would rather clean balance on accounts.
- Cannot co-own property with Optimist Club
- Property will be deeded to Town of LaFayette only
- Contingent upon signed agreement
- Addendum adjusted and sent back to sellers
- Added costs/expenses: Attorney fees, environmental audit, filing fees (most incurred by seller), taxes adjustment at closing
- Future possibility of making property part of the park
- Possible grant money in future to reimburse Town

Attorney Gilligan advised he will be forwarding an Affidavit for Town Clerk Jackie Roorda to execute and keep on file confirming the 30 day permissive referendum period has run without any challenges.

Supervisor Fitzpatrick asked if there was any questions or concerns with this matter. None were voiced. Attorney Gilligan advised that no further action is needed at this time.

C. Phase I Environmental Site Assessments for the Puttkamer & Oliver Properties by C & S Companies.

Councilor Johnson moved and Zajac seconded the motion authorizing Supervisor Fitzpatrick to sign the agreement with C & S Companies to complete

the Phase I Environmental Site Assessments for both the Puttkamer & Oliver Properties. Motion carried 5 – 0.

Daniel Fitzpatrick	Supervisor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
Michael Johnson	Councilor	Voted	Yes

D. Resolution supporting participation in the CNY Stormwater Coalition and Education Compliance Assistance Program for 2018.

Attorney Gilligan advised that this is an annual agreement that the Town has entered in since 2011, with O'Brien & Gere. Every town and village in Onondaga County participate as well. This satisfies all the requirements and obligations for MS4 with regard to Onondaga Lake. Code Enforcement Officer Ralph Lamson advised that they do all of the work involved making sure inspections are also done. Dave Knapp added that this is a very economical move and saves the Town thousands of dollars as they take care of every requirement necessary.

Councilor Johnson moved and Fitzpatrick seconded the motion to support the Town of LaFayette's participation in the CNY Stormwater Coalition and Education Compliance Assistance Program for 2018, as submitted by O'Brien & Gere Engineers, Inc. Motion carried 5 – 0.

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

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, Town of LaFayette

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", had 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 TOWN BOARD OF TOWN OF LAFAYETTE

1. That, DANIEL FITZPATRICK, TOWN SUPERVISOR 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 to 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 (1) certified copy of the Resolution will be prepared and sent to the Board upon adoption.
4. That this Resolution take effect immediately.

Daniel Fitzpatrick	Supervisor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
Michael Johnson	Councilor	Voted	Yes

E. Letter of intent to participate in the Onondaga County Multi-Jurisdiction Hazard Mitigation Plan.

Supervisor Fitzpatrick advised that the Association of Towns selected him as the Supervisor to serve on the committee and he will be reporting all the Towns input to the County regarding the hazard mitigation plan. He asked if there were any comments or questions and none were voiced.

Councilor Palmer moved and Zajac seconded the motion to authorize Supervisor Fitzpatrick to sign the letter of intent for the Town of LaFayette to participate in the Onondaga County Multi-Jurisdiction Hazard Mitigation Plan. Motion carried 5 – 0.

Daniel Fitzpatrick	Supervisor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes

Carole Dwyer
Michael Johnson

Councilor
Councilor

Voted
Voted

Yes
Yes

6. OPEN COMMUNICATIONS FROM THE PUBLIC

Dave Knapp again thanked the Town Board for their support for the June 2nd Community Day event. He added that the weather cooperated and it was a wonderful summer evening for the fireworks display that the Optimist Club sponsored. As always, attendance was great at this totally free event, hundreds of residents came out. Andy Ohstrom and his family cooked over 1,000 hotdogs, Shute's Water Systems handed out ice-cream; Oliver's Campers provided many cases of bottled water. This is a completely free celebration for the Town of LaFayette's residents. Many are involved in making this a wonderful annual event. He also advised that Town Clerk Jackie Roorda received an email from the Smythe family who recently moved to LaFayette after residing in Pompey for most of their lives wherein they complimented the Community Day Event.

Knapp gave a brief update regarding the town's restore New York Grant application advising that we are hoping that by the end of the month we may have some answers and that folks from New York State have been looking at the property.

Lastly, Knapp discussed the proposed high voltage Power Line expansion that will go from Binghamton to Sentinel Heights, dissecting the entire Town of LaFayette, and involving 89 property owners in LaFayette. A few may even lose their homes.

This is a huge deal which also involves residents in Tully, Fabius, and Onondaga as well.

He sent 121 invitations to property owners involved for an informative meeting that took place on Saturday at the Town Hall. It was well attended.

Supervisor Fitzpatrick has been talking with NYSEG attempting to schedule a similar meeting with them and the residents to discuss their plans and our concerns.

NYSEG representatives have already contacted residents starting in Broome County and are headed north negotiating contracts which seem one sided and there is a need to educate the public so negotiations may take place to protect land owners.

The difference with National Grid (formerly NiMo) is they purchase the land their lines are on, therefore they maintain the property and pay taxes for it. NYSEG is proposing easements; they pay a onetime amount for use of the land and the property owner still pays the taxes and has liability for it.

Another concern is that NYSEG is claiming that this will be backup for power for us, however if a natural disaster occurs taking out the National Grid lines, it will most likely take out the new lines as well as they are running parallel with one another.

Upstate New York generates twice as much power as we need as we have the nuclear plants, Niagara Falls, etc. The power from these extremely high powered new lines will be shipped downstate.

Knapp left a large map illustrating the proposed path of the new power lines along with a list of all the property owners who will be in the lines path and advised that as more information becomes available, it will be passed on to the public.

7. REPORTS

A. Departmental

1. Town Supervisor's Monthly report was previously provided by Budget Officer Tom Chartrand. He advised that it has been a quiet month; general spending it at 35%, highway at 41% and library at 43%, pretty much where we are supposed to be. There is one transfer for the library as they are changing from contracting their cleaning services out to a staff member doing their cleaning.

Councilor Dwyer moved and Fitzpatrick seconded the motion to approve the transfer of appropriations as listed below. Motion carried 5 – 0.

Daniel Fitzpatrick	Supervisor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
Michael Johnson	Councilor	Voted	Yes

LIBRARY FUND

To:

L1620.1	Library Cleaning	Personal Services	<u>\$4,200.00</u>
		TOTAL	<u>\$4,200.00</u>

From:

L1620.4	Library Cleaning	Contractual	<u>\$4,200.00</u>
		TOTAL	<u>\$4,200.00</u>

Chartrand also advised that on October 10, 2018 the bond for the recent purchase of two new highway truck needs to be renewed. There is a balance of \$127,000 outstanding and we are budgeted to pay \$63,000 leaving a balance of \$64,000. Last year Tom Chartrand investigated all the banking information and Gilligan coordinated the paperwork. If the Town Board agrees he and Attorney Gilligan will proceed forward in the same process as last year. The Town Board requested they do so.

2. Highway written report submitted and read by John Greeley.

Equipment: The 1981 Clark Grader will be re-listed on Auctions International for 30 days, better pictures will be taken, and I ask the Board to lower the reserve to \$7,000.

• The Roller and Paver are ready for service.

Roads: Mowing operations started and will continue throughout the summer.

- Ditching and shouldering operations are also being done on roads that will be surfaced treated.
- Paving and shimming will begin tomorrow also.

Updated POA: I have updated the “plan of action” for the Scour Critical bridge on Clark Hollow Road. It will need to be added to the Town's EOP (emergency operations plan). I also highlighted some bullet points of our Town's EOP for everyone to review. After last year’s July storms, I think it’s extremely important to be prepared just in case. I'm also willing to help in any way to get all Departments together for a practice drill to include the Fire department, County – State Authorities and all parties involved including local Law enforcement. A smooth collaboration in the event of a disaster will benefit the Town and all its residents.

Parks: Thank you Dave Prince and the Optimist Club for keeping the Parks beautiful. Residents are calling and commenting on how nice they look.

2018 Highway School: Deputy Robson and I completed Highway School on June 4th and 5th. Topics included: Tools for pavement preservation, what new and seasoned Highway Supers need to know, Preparing for emergencies, Traffic control devices just to name a few. Once again, I thank the Board for allowing us to attend. It’s a tremendous opportunity to gain knowledge, network and learn different techniques from other Highway guys.

Discussion took place regarding relisting the 1981 grader and decreasing the reserve amount by \$3,000 to make it \$5,000 and list it for 30 days, as John stated in his written report above.

Tom Chartrand advised that once the Town Board agrees on a reserve amount, John can accept the bid. John advised that he was already offered \$5,100 and feels that he will probably get quite a bit more.

Councilor Johnson moved and Dwyer seconded the motion to decrease the reserve amount to \$5,000 for the 1981 Clark grader and to get better pictures for Auctions International and list for 30 days Motion carried 5 – 0.

Daniel Fitzpatrick	Supervisor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
Michael Johnson	Councilor	Voted	Yes

3. Town Clerk

a. Monthly Report for May, 2018 and payment to Supervisor’s Account were in packet for Town Board review.

b. Town Clerk, Jackie Roorda advised the May 12th, 2018 shredding, Rescue Mission drop off and expired medication drop off to be held at the Town Hall was a huge success. Two huge bags of unused, expired or no longer needed medications were collected and taken by the Onondaga County Sheriff’s Department for destruction; a truckload of donated clothing and items were picked up the next day by

Rescue Mission and the amount of shredding surpassed all other years. It was a four hour continuous flow of traffic at the Town Hall and many residents commented of what a great event and thanked the Town Board and Clerk for sponsoring it.

4. Building and Code Enforcement – Code Enforcement Officer Ralph Lamson provided the report for building permits issued so far for 2018. He also advised that an appearance ticket is issued for the property owner at 3384 Route 11 however, her mailbox in LaFayette has been closed and they have no forwarding address.

5. Justice Court

a. Justices Monthly report for April 2018

82 - Total cases for Judge Perrin; \$5,372.00 was taken in for the month of April, 2018.

105 - Total cases for Judge Shute; \$7,604.00.00 was taken in for the month of April, 2018.

b. The March 2018 checklist for the monthly review/audit of the Justice Court records for Justice Perrin and Justice Shute were in packets for the Town Board's review. Supervisor Fitzpatrick asked if there are any comments, questions or concerns regarding these and none were spoken.

6. Library - Dave Prince reported there is a list of weekly events for the library, which includes Adult Summer Reading Bingo,

He also advised that the 3 day New York State Empire Pass for County Parks is now available, however if you are late on returning the pass, the fines will be \$5.00 per day and the pass will be shut off..

7. LCC/Parks & Rec – Dave Prince – Dave Prince advised that he is arranging for a port-a-potty for LaFayette Beach as the restrooms have not operating for the past two years due to a UV filter problem. Councilor Zajac advised that he will try to get a UV filter on Friday.

Prince reported that baseball ends tomorrow and lacrosse is underway for the next six weeks. Ultimate Goal will have a one week soccer camp in July and a one day all sports camp as well. The swim program is maxed out as there are 16 Town of LaFayette registered to attend.

B. Committees - No committee reports were presented.

8. NEW BUSINESS

A. Attorney Gilligan advised that he received communication regarding residents Larry & Joanne Smith who are interested in purchasing a small piece of unused land that their property borders on three sides. It is basically a paper street off Winacre Drive which is owned by the Town. Superintendent Greeley advised that the highway

department does not have any use for the property and it is not of any value to the Town. Smiths have offered \$600.00 and will reimburse the Town for any costs involved with transferring the property into their names. Assessor Shawn Adam feels this is a fair value for the property, no appraisal would be necessary. Town Board approval is needed. Update will take place at the July meeting.

9. LEGAL MATTERS

A. Gilligan asked the Town Board if there was any direction or timeframe regarding the sale of the former Ropes Course property which was discussed during the May meeting. After a brief discussion it was decided that if anyone is interested in buying the property, they will need to submit a written purchase offer to the Town Board for their consideration at the next Town Board meeting on July 10th.

9. Motion to audit and pay bills.

General Fund	12721-12776	\$ 60,351.77
Highway Fund	12777-12790	\$ 76,709.84
Special District	12803-12805	\$ 19,885.13
Trust & Agency	12806-12807	\$ 516.50

Councilor Zajac moved and Fitzpatrick seconded the motion to audit and pay the above listed bills. Motion carried 5 - 0.

Daniel Fitzpatrick	Supervisor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
Michael Johnson	Councilor	Voted	Yes

10. Motion to adjourn.

Councilor Dwyer moved Fitzpatrick and seconded the motion to adjourn the meeting. Motion carried 5 - 0.

Daniel Fitzpatrick	Supervisor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
Michael Johnson	Councilor	Voted	Yes

The Town Board Meeting was adjourned at 8:25 p.m.

Respectfully submitted,
Jacqueline Bush Roorda, LaFayette Town Clerk