#### August 9, 2022 LaFayette Town Board Meeting Minutes

Minutes of the Regular Town Board Meeting held by the LaFayette Town Board on August 9<sup>th</sup>, 2022 at 6:30 p.m. at LaFayette Town Hall and live on Facebook.

Present: William McConnell, Town Supervisor

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

Recording Secretary: Jackie Bush Roorda, Town Clerk

Attorney: Jeff Brown Budget Officer: Tom Chartrand

Others Present: Mark Distler, Deputy Town Supervisor

Ralph Lamson, Bldg. & Codes Sue Marzo, Information Officer Jessica Rice, Library Director Dave Knapp, County Legislator And several other residents

- 1. Supervisor McConnell called the meeting to order at 6:30 PM
- 2. Town Clerk, Jackie Bush Roorda took the Roll. All Town Board members were present.
- 3. The Pledge of Allegiance was led by Councilor Palmer.
- 4. Regular Meeting Minutes of June 14, 2022.
- R-128-22 Councilor Marzo moved and Palmer seconded the motion to accept the regular meeting minutes of June 14, 2022, as submitted by Town Clerk Jackie Bush Roorda. Motion carried 5-0.

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

- 5. Regular Meeting Minutes of July 12, 2022
- R-129-22 Councilor Palmer moved and Zajac seconded the motion to accept the regular meeting minutes of July 12, 2022, as submitted by Town Clerk Jackie Bush Roorda. Motion carried 5-0.

William McConnell	Supervisor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes

Jerry Marzo	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes

#### 6. Communications

A. Resolution amending what Town actions need to be sent to County Planning Attorney Jeff Brown advised that Onondaga County has agreed to limit the types of actions that need to come before the County Planning Board. The below actions are no longer required to be sent to them; however, we still have flexibility to send specific actions if we are looking for their input. Attorney Brown and CEO Ralph Lamson advised that they recommend this action be approved.

Area Variances	Subdivisions	Special Permits & Site Plan Review	Zoning Actions
Front, Side or Rear yard set backs	Creation of up to 3 parcels	Co-locations of telecommunication equipment/ accessories on existing towers	Administration & Fees
Any Building Heights	Combination of lots	Façade or interior/exterior commercial bldg. modifications	Interpretations of language
Residential accessory structures	Lot Line Adjustments	Change of tenant in a commercial or mixed-use bldg	
Reduction of the # of parking spaces		Residential Accessory Structures On Premises signs	

R-130-22 Councilor Palmer moved and Dwyer seconded the motion to authorize Supervisor McConnell to sign the agreement with Onondaga County for the purpose of waiving Onondaga County Planning Board referrals where there is no inter-community or county-wide impact.

Motion carried 5-0.

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

B. IRS mileage rate increase for the remainder of 2022 - Budget Officer Tom Chartrand advised that the IRS has increased the mileage rate from \$0.585/per mile to \$0.625 per mile. Per Tom Chartrand we do not have any mileage

vouchers for this meeting so we can set that rate effective August 9, 2022 through the end of 2022.

R-131-22 Councilor Marzo moved and Palmer seconded the motion to authorize the increase the Town of LaFayette mileage rate from \$0.585 to \$0.625 effective August 9, 2022 through the remainder of 2022.

Motion carried 5-0.

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

- C. Zoning map error and correction regarding two properties on US Route 11 N Ralph Lamson, Zoning Officer advised that it was brought to his attention that 2 properties on the east side of US Route 11 N (Currently Vista Builders & Woods Automotive) are zoned incorrectly as they are long standing businesses. Attorney Jeff Brown advised that we will need a Local Law introduced in September to amend the Zoning map followed by a public hearing in October. Councilor Dwyer inquired if we should have the Assessor review the map to see if there are any other errors. Lamson did not think that was necessary.
- R-132-22 Councilor Marzo moved and Zajac seconded the motion to authorize Attorney Jeff Brown to draft a Local Law with the supporting documentation including SEQR amending the Town of LaFayette Zoning map to correct the errors on tax map # 022.-04-13.1 & 022.-04-13.9 from residential to business district formally introduced at the September 13, 2022 Town Board Meeting. Motion carried 5-0.

William McConnell	Supervisor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes
Carole Dwver	Councilor	Voted	Yes

D. Update on Grand Opening of Dog Park - Legislator Dave Knapp gave a brief update on the dog park advising that the grand opening was a success. The ribbon cutting was done by County Executive Ryan McMahon, Deputy Town Supervisor Mark Distler, his dog and himself. It was covered by news Channels 3, 5, 9 and Spectrum news. We are hoping to have permanent benches delivered in September. In the future the Optimist club is looking to run a water source to the dog park and he will be checking with the Boy Scouts about building obstacles for the dogs as well as possible trees from Cooperative Extension. Councilor Marzo and Deputy Town Supervisor Distler have designed a plan for the location of the trees. Legislator Knapp also gave recognition to

Parks Coordinator, Dave Prince, for keeping our park pristine and Mike Johnson for his hard work in the implementation of the new dog park.

- E. American Rescue Plan Act (ARPA) Local Fiscal Recovery Funds Budget Officer Tom Chartrand advised that the funds have been received so any projects we have coming up we have to set up criteria for why we are using these funds and what the benefit is. We have \$360,716.47 available to obligate by the end of 2024 and use by the end of 2026. We need to be sure that any projects are applicable to the allowable parameters and set up the criteria for why we are using the funds and what the benefit is.
- 6. Communication from the Public
- 7. REPORTS
  - A. Departmental:
  - 1. Town Supervisor Report
    - a. Budget Officer Tom Chartrand reported that: the Justice Court fines are up \$10K; tower rents are also up about \$3k due to the addition of DISH Network and he anticipates being up \$20K year to date; Our NYCLASS interest is well over 1% which makes all of our interest-bearing budget lines fully funded. As previously mentioned, we received the 1st installment of our mortgage tax of 10% over but the rates are dropping. We received a small insurance refund and we also received our reimbursement from Onondaga County for the dog park grant. The Highway Department fund has a surplus of \$27k from the sale of equipment that Superintendent Robson may want to move into the equipment fund.
    - b. Capital Development Fund has received \$85k for the engineering on the Senior Center we had made a loan from the General fund to cover those costs so that fund is whole again.
    - c. The General Fund spending is at 46% without SOTS; revenue at 108%; Highway spending is at 55% and revenue at 97%; Library spending is at 57% and revenue is at 100%.
    - d. Potential dates for budget meetings suggested as 9/20/22 at 5:30pm; 10/4/22 @ 5:30pm; if necessary final meeting on 10/25 TBD.
    - e. Councilor Zajac inquired as to the number of years remaining on the Highway Bond? Budget Officer Chartrand advised 14 years are left.

## R-133-22 Councilor Dwyer moved and Palmer seconded the motion to accept the Supervisor's monthly report as submitted by Budget Officer, Tom Chartrand. Motion carried 5-0

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

R-134-22 Councilor Palmer moved and Dwyer seconded the motion that a positive audit of the July bank reconciliation of the Supervisor's account was completed by Councilor Palmer and was deemed appropriate. Motion carried 5 - 0.

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

R-135-22 Councilor Marzo moved and Palmer seconded the motion to authorize Town Clerk Jackie Roorda to publish the budget workshop dates for Tuesday, September 20, 2022 at 5:30 PM and Tuesday October 4, 2022 at 5:30 pm to the media. Motion carried 5 - 0.

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

Supervisor McConnell advised the Town Board and individuals in attendance that he was going to ask for an executive session at the very end of the meeting to discuss matters leading to the hiring of an individual / or firm to take over the bookkeeping duties effective January 1, 2023. He will ask residents to leave so that they can use the meeting room.

#### 2. Attorney -

- a. Attorney Jeff Brown advised the Town Board that according to recently adopted New York State Legislation, municipalities are allowed to have Town Board members participate in meetings remotely, but we are no longer allowed to have fully remote meetings. The Town is required to have a local law / policy to regulate it. We will still need to have a quorum present in person. Attorney Brown will draft a Local Law for introduction at the September 13, 2022 Town Board meeting.
- b. Drumm Road He has been approached by an attorney representing an individual looking to buy land on this road. Attorney Brown confirmed with Superintendent Robson that this is a road that has long been maintained by the Town but never formally dedicated. The attorney has requested that the Town Board pass a resolution stating that the Highway Department will continue to make

repairs and remove snow as they that the resolution be worded so putting in a new road or something. have in the past. Councilor Zajac voiced concern if something huge happens, the Town is not stuck

# R-136-22 Councilor Marzo moved and Palmer seconded the motion that Drumm Road is a non-dedicated road located within the Town of LaFayette is maintained by the Town Highway Department including repairs and snow removal and the Town of LaFayette will continue to maintain it at this time. Motion carried 5 - 0.

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

3. Highway Superintendent - Steve Robson written report

<u>Roads</u>: First phase of asphalt paving, shimming and surface treatments (stone and oil) is complete. Road side mowing will continue through the summer months.

Miscellaneous repairs and general maintenance to our roads, ditches and culverts will continue through the summer months.

<u>Highway Business:</u> I would like to ask the Town Board for a resolution to have the Supervisor sign our semi-annual service agreement with D&W Industrial to maintain our air compressor.

Completion of the FEMA Form 90-91 for Category B has been approved and signed. The Town of LaFayette will be reimbursed for labor and equipment used during Disaster 4625-NY for the sum of \$4,920.27 for category B. Category A & C are still pending approval and award.

Near the end of this month Don Skinner and I with be interviewing potential candidates to replace our open MEO position. This position became open when Arthur Gabriel retired January 25, 2022.

## R-137-22 Councilor Zajac moved and Marzo seconded the motion to authorize Supervisor McConnell to sign the semiannual service agreement with D&W Industrial to maintain the Air Compressor at the Highway Department Motion carried 5 - 0.

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

#### 4. Town Clerk

a. Town Clerk Jackie Roorda advised that the June 2022 report was in the Board's meeting packet for their review.

- b. Hunting License sales started on August 1
- 5. Building and Zoning Code Enforcement
  - a. July report was available in packet for Town Board review.
  - b. The Planning Board received an application from Rite Aid to put a pharmacy in the building under the new dentist and it will be going before the Planning Board next week.

#### 6. Justice Court

a. July 2022 Justice Reports

Judge Perrin had 78 cases and turned over \$8,389.00 to the Town of LaFayette for July 2022.

Judge Shute had 104 cases and turned over \$12,514.00 to the Town of LaFayette for July 2022.

b. JCAP Grant Application 2022-2023 - To replace the chairs on the Town Board/ Justice Court bench.

R-138-22 Councilor Palmer moved and Dwyer seconded the motion that the Board of the Town of LaFayette authorizes the Town of LaFayette Town Court to apply for a JCAP grant in the 2022-2023 grant cycle up to \$30,000. Motion carried 5 - 0.

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

- 7. Library Director Jessica Rice's written report is on file in the Town Clerk's office. Jessica added to her report that they are going to look at possible putting in a patio for reading but she is going to look for State funds for that project.
- 8. LCC Secretary Kim Tingley submitted a written report which is on file in the Town Clerk's office. Supervisor McConnell advised that he has been in touch with Josh Groth in regards to the Vinegar Hill lacrosse box which is need of repair due to high usage, weeds and lack of rain. He proved an estimate of \$1500 to use pesticides and fertilizer. Dave Prince advised that no monies from this year's budget were used for the resurfacing /painting of the basketball court. Superintendent Robson inquired if this project will affect the funding for the repairs the well casing that collapsed earlier this year? The estimate for those materials was \$2500. Budget Officer Tom Chartrand advised that if we are going to do both, we will need to transfer funds to cover the cost from the Contingency budget which is in good shape
- R-139-22 Councilor Zajac moved and Palmer seconded the motion to accept the estimate of \$1500 from JG Lawn & Snow, LLC to repair the lawn at the Vinegar Hill lacrosse box. Motion carried 5 0.

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

- 9. Dog Control -No written report submitted
- 10. LaFayette Fire Department No written report submitted, Sean Doolittle verbally reported that not much is going on since it is their quiet time.
- B. Committee Reports -
  - 1. LACC Written report of LACC activities between July 7, 2022 and August 4, 2022, is on file in the Town Clerk's office. Deputy Supervisor Mark Distler gave a presentation on two projects that he is looking for approval on.
    - a. The Memorial Tree & Bench program:
      - Developed by LACC & Optimists
      - Provides Town residents opportunity to sponsor in memory of loved ones
      - Ready for roll-out to Town
      - Asking for comments & suggestions before roll-out
      - Recommending approval of posting program on Town website
    - b. Program Responsibilities:
      - Town Clerk receives sponsorship request, forwards to LACC
      - LACC coordinates sponsorship with residents & Optimists
      - Optimists order, install & maintain trees/benches and all financial with go through the Optimists
    - c. Roll-Out Approach:
      - Post program description & attachments on Town Website
      - Post announcements with link on Town Facebook & website
      - Program announcement in Town newsletter
      - Signage at Park, referring to Town website or call Town Clerk
- R-140-22 Councilor Dwyer moved and Marzo seconded the motion to approving the posting of the Memorial Tree & Bench Program sponsorships for Stafford Park on the website, Facebook, etc. Motion carried 5 0.

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

- d. **Community Solar**: Three recommendations: (1) Approve 1<sup>st</sup> step to subscribe Town's electricity accounts to solar; (2) Approve Resolution for benchmarking program (3) Approve community campaign.
- e. Community Solar Subscription: (1) \$3,800/yr. estimated savings (2) No cost to town (3) Cancel at any time w/out notice or penalty (4) Recommendation approve next step; Select Solar project & get contract for legal review; Eventually approve resolution to enter into contract (5) LACC will manage subscription set up.
- R-141-22 Councilor Marzo moved and Zajac seconded the motion to allow LACC to move forward with the Community Solar subscription for the Town's electric accounts at the Sentinel Heights Solar Farm after Attorney Jeff Brown's approval. Motion carried 5 0.

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

- f. NYSERDA Clean Energy Community (CEC): (1) Help NYS communities save money by reducing energy (2) Incentivize communities by earning grants (up to \$100K) when completing certain actions Energy Code Enforcement Training (DONE); Unified Solar Permit (DONE) Benchmarking and Community Campaign (RECOMMENDED)
- g. Benchmarking: (1) Establishes baseline of Town's carbon footprint-Energy usage input into USEPA database and Town-owned buildings 1k sf (2) Designation as CEC and \$5k grant - After Community solar subscription shows >10% carbon reduction (3) No cost to Town - LACC will manage date input with CNYRPDB & National Grid; LACC will manage required reporting.
- R- 142-22 Councilor Marzo moved and Councilor Zajac seconded the motion to approve the suggested resolution to allow LACC to enter the energy usage into a database, maintain energy records, submit an annual report to the Town Board and make the annual report available on the Town of LaFayette website. Motion carried 5-0

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

h. Community Solar Campaign: (1) Postcard or letter sent to Town's National Grid account holders encouraging them to subscribe (2) No cost to Town, PowerMarket will cover all costs (3) No responsibilities for Town,

PowerMarket will do it all, LACC will manage (4) Benefits to Town - Earn CEC points for additional grants if 10 residents subscribe; (5) Recommendation is to approve the first step to develop a marketing plan for Town Board approval and scoping document for NYSERDA approval

R-143-22 Supervisor McConnell moved and Marzo seconded the motion to approve the first step to develop a marketing plan, scoping and encouraging residents to participate for NYSERTA approval, with LACC overseeing and Town Board review before submitting.

Motion carried 5 – 0.

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

- 2. LCDC Written Presentations is on file in the Town Clerk's Office Deputy Mark Distler presented to the Town Board:
  - i. NY Main Street Grant Application: (1) Submitted on time (2) Expect to hear in October 2022 (3) Grant \$302,598 (4) Town: \$117, 377
  - j. Restore NY Grant Application: (1) Released 7/15, Due 10/11, Intent to apply due by 8/11 (2) Target \$2M, Town Match #200k (3) Application fee \$500 (4) LDC setup required \$5k (5) PAL newspaper notice (late August) (6) Public hearing about PAL & Restore NY at Sept. meeting

Discussions included: Interest of developers, meeting with developers and getting their input, building usage (apartments, daycare, meeting rooms, store fronts); overcoming the issues with parking and septic concerns; retaining an expert assistant and need to form a Local Development Corporation (LDC) to to sell the property; approval of \$5,000 for Harris Beach (expert attorneys in LDC's) to create the LDC; forming a Committee/Board of Directors (Town Board Members in the committee or a portion of them, community members); urgency/deadlines for submitting the grant applications on time, need to set Public hearing in September, etc.

#### Questions/comments/concerns

With no septic and the parking issues, the idea of apartments, daycare center is not realistic; spending \$5,000 to form LDC without knowing if septic issues are resolvable or even if a developer is interested in the renovation of the old hotel; shutting down the LDC if grants aren't awarded; throwing away money on a "dream project" when other projects in the Town that we need to focus grant monies toward; previously the Town Board promoted the grant application process at no cost to the tax payor which is not the case now; meeting with another interested developer who is knowledgeable in septic designs; reasons for non-disclosure; and LDC not necessary if the building is razed.

Supervisor McConnell advised that this would need Town Board approval at this time to move forward and meet deadlines.

R-144-22 Supervisor McConnell moved and Marzo seconded the motion to move forward on the application and the formation of a LDC at the cost of \$5,000. Motion denied 2 - 3.

William McConnell	Supervisor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	No
Jerry Marzo	Councilor	Voted	No
Carole Dwyer	Councilor	Voted	No

Supervisor McConnell advised that with this decision, the Town Board has shut this project down.

- 3. CPIC (Comprehensive Plan Implementation Committee) -. Written Report is on file with Town Clerk's Office
- 10. Motion to audit & pay bills

General Fund	19677-19707	\$ 29,949.18
Highway Fund	19708-19722	\$ 94,421.85
Special Water District	19723-19724	\$45,916.19
Capital Development Fund	19725	\$ 21,299.48

R-145-22 Councilor Palmer moved and Marzo seconded the motion to audit and pay the above listed bills. Motion carried 5 - 0.

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

R-146-22 Supervisor McConnell moved and Marzo seconded the motion to move to Executive Session to include the Town Board Members, Attorney and Budget Officer to discuss matters leading the hiring of a new bookkeeper. Motion carried 5 - 0.

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

## R-147-22 Counselor Marzo moved and Palmer seconded the motion to move out of Executive Session at 8:35 and return to the regular meeting. Motion carried 5 - 0.

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

11. Motion to adjourn.

### R-148-22 Councilor Marzo moved and Palmer seconded the motion to adjourn. Motion carried 5-0

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

The Town Board Meeting was adjourned at 8:36 p.m.

Respectfully submitted,

Jackie Roorda Town Clerk