

## August 8, 2023 LaFayette Town Board Meeting Minutes

Minutes of the regular Town Board Meeting held by the LaFayette Town Board on August 8th, 2023 at 6:30 p.m. at LaFayette Town Hall and live on Facebook.

Present: William McConnell, Supervisor  
Melanie Palmer, Councilor  
Jerry Marzo, Councilor  
Steve Zajac, Councilor

Absent: Carole Dwyer, Councilor

Recording Secretary: Kristin Colburn, Town Clerk

Attorney: Jeff Brown

Budget Officer: Marty Knapp

Others Present: Ralph Lamson, Bldg. & Code Enforcement  
Sue Marzo, Information Officer  
Mark Distler, Deputy Supervisor  
Tonya Farewell, Deputy Town Clerk  
Wendy Moltion, Library Board Trustee  
Jessica Rice, Library Director  
Geoffrey Miller, OCWA  
and several residents

1. Supervisor McConnell called the meeting to order at 6:30 pm and Town Clerk Kristin Colburn took the roll. Councilor Dwyer was absent; all other Board members were present. Pledge to our U.S. Flag led by Supervisor McConnell.
2. Town Clerk Kristin Colburn introduced the new Deputy Town Clerk Tonya Farewell and stated that she is doing a great job and picking up the duties quickly.
3. Motion to accept minutes of the Regular Town Board Meeting of July 11th 2023.

**R-131-23 Councilor Palmer moved and Councilor Marzo seconded the motion to accept the July 11th, 2023 Regular Meeting minutes as submitted by Town Clerk Kristin Colburn. Motion carried 3-0-1.**

<b>William McConnell</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>
<b>Steve Zajac</b>	<b>Councilor</b>	<b>Voted</b>	<b>Abstained</b>
<b>Melanie Palmer</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Jerry Marzo</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

### 1. COMMUNICATIONS -

A. B & L Water Survey - Jacqueline Novak and Chris Lawton of B&L gave an overview of the water survey recently conducted in parts of the Town. They presented following information:

- The area they surveyed was: Cardiff; South of Cardiff along Rte. 11A; Tully Farms Road; Hamlet of LaFayette; North of the Hamlet along Rte. 11; and LaFayette Schools; and other key stakeholders (e.g., Hidden Hills Manufactured home community)

- Water Issues Reported: 16% running out of water; 5% water contamination; 42% bad tasting or undrinkable water; 52% concerned about fire protection.
- 64% of homes surveys were in favor of public water; 31% not in favor; 5% unsure
- 49 % were in favor of public water with a fee of approximately \$85/mo; 44% were not; 6% unsure
- Recommendations: (1) conduct a targeted interest survey (door to door); (2) Complete an income survey (2021 median household income of LaFayette was appx \$88k); (3) focus on funding
- They also explained that if a home was located within the potential water district and the homeowner chose to not "hook up" they would still pay some fee.

Councilor Zajac inquired about the cost of getting the water to individual homes. It was explained by OCWA that those costs would vary between \$2k - \$10k depending on how far the home is from the main line. In addition to that cost to the homeowner, they would be responsible for hiring a plumber to install a line from the water main into the home.

B. C & S Community Center Update - Mark Chambers advised that we received 3 quotes for the current community center 1st floor flooring. The scope of work consisted of: removal and disposal of the existing hardwood floors; infilling 2 existing openings in the floor; prepping the subfloor for LVT ( ½" plywood, glued and screwed to subfloor); installing LVT per mfg. requirements (plank style, dark wood, color shall be approved by Town); installing rubber base molding around perimeter; approximate square footage of 1,500; Time for completion - 10 calendar days.

They received 3 quotes:	Gowing Construction	\$27,359
	HK Contracting	\$26,400
	Murfitt Contracting	\$21,500

Based on those quotes it is recommended that we go with Murfitt Contracting.

Mark explained that the next project would be repairing the front porch, and they would like to do the same process, and get it out for quotes.

**R-132-23 Councilor Palmer moved and Councilor Marzo seconded the motion to accept the quote of \$21,500 from Murfitt Contracting for the replacement of the hardwood floors on the 1st floor of the Community Center. Motion carried 4-0.**

<b>William McConnell</b>	<b>Supervisor</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>Jerry Marzo</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

**R-133-23 Councilor Marzo moved and Councilor Palmer seconded the motion to allow C & S Engineers to receive quotes on the porch project at the LaFayette Community Center. Motion carried 4-0.**

<b>William McConnell</b>	<b>Supervisor</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>Jerry Marzo</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

C. LaFayette Fire Dept. Facilities Update - Ashlie Carrier gave a slide presentation of the recently renovated Fire Department with photo's which can be viewed at [www.townoflafayette.com](http://www.townoflafayette.com) and expressed the department's thanks to the Town Board for all their continued support.

D. General Code Update Estimate - Town Clerk Colburn advised that this agenda item needs to be tabled as Attorney Brown brought to her attention that there was missing information to be added to the estimate.

E. Association of Towns (2024 Estimated Dues) - Supervisor McConnell advised that this is just informational for the upcoming budget meetings.

2. COMMUNICATONS FROM THE PUBLIC - Resident Dale Shinneman spoke of an experience she recently had in the Adirondacks where a fire dept had a few camper "hook-ups" for people to use overnight and they would ask for a donation in lieu of payment. She thought it was an idea for our Town that could be of use in the future.

3. REPORTS

A. Departmental

1. Town Supervisor

a. July Monthly report - Budget Officer Knapp advised that the General Fund remains consistent with where it was in July. The General Fund revenue is at 93% and we received approximately half of the mortgage tax equaling \$40k and expect another \$40k. The highway budget is in good shape with spending only at about 60%.

**R-134-23 Councilor Palmer moved and Councilor Marzo seconded the motion to approve the Supervisor's monthly report as submitted by Budget Officer Knapp. Motion carried 4-0.**

<b>William McConnell</b>	<b>Supervisor</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>Jerry Marzo</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

b. Audit of Supervisor's monthly report

**R-135-23 Councilor Marzo moved and Councilor Palmer seconded the motion that a positive audit of the July 2023 bank reconciliation of the Supervisor's account as completed by Supervisor McConnell appropriate. Motion carried 4- 0**

<b>William McConnell</b>	<b>Supervisor</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>Jerry Marzo</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
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c. Highway Plow Truck Financing  
 Budget Officer Knapp advised that we are working with Paul Riechel at Bond, Schoeneck & King on a plan to create a Bond Anticipation Note, not to exceed \$320k over a period of 5 years to cover the cost of a new plow truck. The plan is to have this vehicle paid for and potentially traded in 3 years, so there would not be the cost of a long-term note. Legal fees for the BAN would be approximately \$3k.

**R-136-23 Councilor Palmer moved and Councilor Marzo seconded the motion to approve Town of LaFayette’s engagement with Bond, Schoeneck & King for the purpose of the BAN (Bond Anticipation Note). Motion carried 4- 0**

<b>William McConnell</b>	<b>Supervisor</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>Jerry Marzo</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

**R-137-23 Councilor Marzo moved and Councilor Palmer seconded the motion to determine that the purchase of the highway truck constitutes a Type II action under the SEQR act and no further action is required. Motion carried 4- 0**

<b>William McConnell</b>	<b>Supervisor</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>Jerry Marzo</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

**R-138-23 Councilor Marzo moved and Councilor Palmer seconded the motion to proceed with the BAN (Bond Anticipation Note) not to exceed \$320k for the purchase of a new highway plow truck. Motion carried 4- 0**

<b>William McConnell</b>	<b>Supervisor</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>Jerry Marzo</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

d. Budget Meeting Dates were set as follows: 9/12/23 at 5 pm; 9/18/23 at 5:30 pm; 9/25/23 at 5:30 pm and potentially 10/2/23 at 5:30 pm

**R-139-23 Councilor Marzo moved and Councilor Palmer seconded the motion to authorize Town Clerk Kristin Colburn to publish the budget workshop dates for Tuesday, September 12, 2023 at 5:00 PM, Monday, September 18, 2023 at 5:30 pm, Monday, September 25, 2023 at 5:30 pm and Monday, October 2, 2023 at 5:30 pm to the media. Motion carried 4 - 0.**

<b>William McConnell</b>	<b>Supervisor</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>

**Jerry Marzo**

**Councilor**

**Voted**

**Yes**

2. Attorney - Attorney Jeff Brown advised that he is preparing a local law with regards to noxious animal odors for the September meeting. Codes officer Ralph Lamson expressed concern over how and what this would consist of given the subjective nature of odors. Attorney Brown said that he would consider laws of other already approved laws to create something to fit the Town.

3. Highway Superintendent's Report August 2023

Roads: The second round of surface treatments (oil & stone) has been pushed back to August 21st. Miscellaneous repairs and general maintenance of Town roads, ditches and culverts will continue through the summer months.

Highway Business: Superintendent Robson would like to ask the Town Board for a resolution to have the Supervisor sign the D&W service agreement. This agreement has been reviewed by Attorney Brown and he had no issues with it.

Equipment: Since no sealed bids were received on August 1st Superintendent Robson has since placed the Volvo EW180C on Auctions International with a reserve of \$65,000 (same as the trade-in value). The auction will close on August 9th at 5:55 pm ET one day after the Town Board meeting. If the highest bid exceeds \$65,000.00, Superintendent Robson asked the Town Board to approve the sale of the highest bid. The Town Board was comfortable with this approach. Delivery of the 2023 Volvo EWR130E: New York State OGS Contract #PC69437 for the amount of \$208,000.00 (rubber-tired excavator) is now August 14, 2023.

**R-140-23 Councilor Zajac moved and Councilor Marzo seconded the motion to authorize Supervisor McConnell to sign the annual service agreement with D&W Industrial to maintain the Generator at the Highway Department Motion carried 4 - 0.**

**William McConnell**

**Supervisor**

**Voted**

**Yes**

**Steve Zajac**

**Councilor**

**Voted**

**Yes**

**Melanie Palmer**

**Councilor**

**Voted**

**Yes**

**Jerry Marzo**

**Councilor**

**Voted**

**Yes**

Councilor Palmer advised that with regard to our town roads, the Agricultural Committee consisting of herself, Supervisor McConnell, Floyd "Bud" Fisher, Highway Superintendent Steve Robson and Mark Chambers have meet with the objective of getting Markland Road up to the heavy highway road status due to all the farm equipment utilizing that road for farm land access. A letter is being drafted to send on to Assemblyman John Lemondes for support.

4. Town Clerk

a. Monthly report for July 2023 in packet for your review

5. Building & Zoning Code Enforcement/SPDES -

a. July 2023 Building Permit Report submitted

b. CEO Ralph Lamson advised that his department is due in court next week with regards to the property at 3209 US Route 11 N, with the overgrown lawn. Depending on the outcome of court, they may come back the Town Board to obtain authorization to have someone go in and mow.

6. Justice Court

July 2023 Justice Reports:

Judge Perrin had 127 cases and turned over \$13,563.00 to the Town of LaFayette for July 2023.

Judge Shute had 123 cases and turned over \$9,758.00 to the Town of LaFayette for July 2023.

7. Library Director submitted by Jessica Rice is on file with Town Clerk's office. Library Board Trustee Wendy Moltion informed the Town Board and residents of the printing, copy, scanning capabilities available to residents at the library and of the vast number of puzzles that are available for use.

8. LCC Report submitted by Hillary Bevins on file with Town Clerk's Office

9. LaFayette Fire / Ambulance Department - Chief Sean Doolittle of the Fire Dept. reported that there were 39 fire/rescue calls in July including a mutual aid call with Nedrow for a serious accident. He also advised that the boot drive went well and thanked everyone who donated. Ashlie Carrier of the Ambulance Dept reported that they had 41 calls including 6 mutual aid calls. They have also hired a new EMT.

B. Committee Reports

1. Community Development - Deputy Supervisor Mark Distler

a. Cross Roads Project Update- Deputy Supervisor Distler provided a revised schedule for the Cross Roads project decision (see below):

August	TB finishes park costs; TB approves cost to taxpayer calculations
September	TB approves community survey design; Town develops survey launch logistics
October	Town conducts community survey
November	TB reviews survey results
December	TB makes decision to raze or rehabilitate

If rehabilitation is selected by the Town Board as the preferred option, it will be predicated on the condition that the Town can form a Local Development Corporation to purchase the properties and then negotiate a sale and development agreement that accepts no costs to the Town taxpayers both through the construction and operation of the rehabilitated building. If it cannot, the Town Board will reconsider its decision.

Deputy Supervisor Distler then reviewed the costs to taxpayers, provided below, asking for Town Board input and questions.

<b>Cost To Taxpayer Calculations - For Town Board Review</b>		
	<u>Raze/Park</u>	<u>Rehab/Restaurant-Inn</u>
<b>ONE-TIME COST (RELIEF)</b>		
Estimated Cost to Build	\$435,000 - \$704,000	\$5,872,370
Covered by Grants or Other Funding Sources	<u>\$302,238</u>	<u>\$5,872,370</u>
Net Cost to Town Taxpayers	\$132,760 - \$401,760	\$0
Other Estimated Costs (Relief)		
LDC Costs	\$0	\$7,000
Closing Costs	\$0	\$5,000
Sell Price	\$0	(12,000 - 150,000)
One-time Cost (Relief) to Taxpayers	<b>\$132,760 - \$401,760</b>	<b>(\$0 - \$138,000)</b>
One-time Cost (Relief) to Taxpayers /\$100k Assessed	<b>\$40 - \$120</b>	<b>(\$0 - \$41)</b>

<b>Cost To Town Taxpayer Calculations - For Town Board Review</b>		
	<u>Raze/Park</u>	<u>Rehab/Restaurant-Inn</u>
<b>OPERATING COST (RELIEF) - per year</b>		
Routine Maintenance	<b>\$2,000</b>	\$0
Repairs/Replacements	<b>\$1,500</b>	\$0
Town property tax payment (income)	N/A	(\$3,000 - \$3,500)
School property tax payment (income)	N/A	(\$10,650 - \$13,500)
1 <sup>st</sup> Year Cost (Relief) to Town Taxpayers	<b>\$3,500</b>	<b>(\$13,650 - \$17,400)</b>
1 <sup>st</sup> Year Cost (Relief) to Town Taxpayers /\$100k Assessed	<b>\$1</b>	<b>(\$4 - \$5)</b>

Deputy Supervisor Distler explained that the costs in red were subject to change and that input from the Town Engineer was received just prior to the meeting that will change these costs.

Councilor Zajac wanted clarification on the historical designation. He had concern what if we get the historical designation and the project "flops", and then restricts what the Town can do with the building after that. Deputy Supervisor Distler said he would ask the experts to get an answer to that concern.

Deputy Supervisor asked for Town Board approval to proceed with the design of a community survey that will use the revised cost to taxpayers. Without a vote, the Town Board provided consent and expect to review a draft survey for discussion and eventual approval for release.

2. LACC Report submitted by Mark Distler, Chair, on file with Town Clerk's office. He requested the appointment of Craig Archer, currently an auxiliary member, to a 2-year appointment to the board.

**R-141-23      Councilor Marzo moved and Supervisor McConnell seconded the motion to appoint Craig Archer as the new member of the LACC Board.      Motion Carried 4-0**

<b>William McConnell</b>	<b>Supervisor</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>Jerry Marzo</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

3. Safety & Facility Maintenance-

a. Facilities - Town Councilor Jerry Marzo provide a brief overview advising that no issues have been found at any of the Town owned properties.

10. Executive Session - Supervisor McConnell advised that the Town Board will move into Executive Session to discuss matters leading to the appointment of a particular individual.

**R-142-23      Supervisor McConnell moved and Councilor Palmer seconded the motion to move into executive session at 8:12 pm to discuss matters leading to the appointment of the new Assessor.      Motion carried 4 - 0**

<b>William McConnell</b>	<b>Supervisor</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>Jerry Marzo</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

**R-143-23      Councilor Marzo moved and Councilor Palmer seconded the motion to move out of executive session at 8:52 pm.      Motion carried 4 - 0**

<b>William McConnell</b>	<b>Supervisor</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>Jerry Marzo</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

**R-144-23      Councilor Zajac moved and Councilor Palmer seconded the motion to appoint Richard Maxwell as Assessor for the Town of LaFayette effective September 1, 2023 at the rate of no greater than \$10/parcel.      Motion carried 4 - 0.**

<b>William McConnell</b>	<b>Supervisor</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>Jerry Marzo</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

11. New Business - No new business to discuss

12. Audit & Pay Bills



<u>Fund</u>	<u>Check #'s</u>	<u>Total</u>
General Fund	20990-21018; 21023-21024; 21031-21033	\$45,095.75
Highway Fund	21021-21022; 21025-21030; 21034-21044	\$25,359.49
Four Corners Rehab Fund	21045	\$22,800.00
Cardiff Water Dist.	21020	\$4,176.60
LaFayette Fire Dept.	21019	\$576.00
Trust & Agency		\$244.30

**R-145-23 Supervisor McConnell moved and Councilor Palmer seconded the motion to audit and pay the above listed bills. Motion carried 4 - 0.**

<b>William McConnell</b>	<b>Supervisor</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>Jerry Marzo</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

13. Motion to adjourn

**R-146-23 Supervisor McConnell moved and Councilor Marzo seconded the motion to adjourn. Motion carried 4-0**

<b>William McConnell</b>	<b>Supervisor</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>Jerry Marzo</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

The Town Board Meeting was adjourned at 8:55 p.m.

Respectfully submitted,

Kristin Colburn  
Town Clerk