

October 22nd, 2012 LaFayette Town Board Meeting Minutes

Minutes of the Town Board Regular Meeting held by the LaFayette Town Board on October 22, 2012 at 6:30 p.m. in the Meeting Room of the LaFayette Commons Office Building at 2577 Route 11 in the Town of LaFayette.

Present: Adrian Shute, Supervisor
William McConnell, Councilman
Jerry Doolittle, Councilman
Andrew Ohstrom, Councilman
Steve Zajac, Councilman

Recording Secretary: Jacqueline Roorda, Town Clerk

Others Present: Kevin Gilligan, Town Attorney
Thomas Chartrand, Town Bookkeeper
Laura Horian
Ralph Lamson

1. Supervisor Shute called the meeting to order at 6:36 p.m.
2. The Town Clerk took the Roll. All Present.
3. Pledge to our U. S. Flag led by Town Councilman Zajac.
4. **Councilman Doolittle moved and Ohstrom seconded the motion to accept September 10th, 2012 Town Board Meeting Minutes as submitted by Town Clerk, Jackie Roorda.**

The vote was as follows:

Supervisor Shute	Voted	Yes
Councilman McConnell	Voted	Yes
Councilman Ohstrom	Voted	Yes
Councilman Doolittle	Voted	Yes
Councilman Zajac	Voted	Yes

Motion carried.

5. NEW BUSINESS

Supervisor Shute announced he was going to jump ahead to New Business and was pleased to introduce Laura L. Horian, whom the Town Board met with recently regarding her replacing Pat Keefe as Information Officer. Ms. Horian thanked the Board and advised that she recently had a two hour meeting with Pat Keefe who enlightened her on the way she has conquered the job of Information Officer and getting the Community Letter published. Ms. Horian advised that they had discussed the moving the months the

newsletter is delivered to February, May, August and November as it would coincide with regular events in a timelier manner. She advised that the Recreation Director, Regina Reinschmidt had commented that it will work better with the Community Council Programs. She also will be checking on printing cost comparisons as she realizes Quartier Printing's price was reduced as Pat Keefe was a previous employee of theirs. Jackie will get a copy of the Procurement Policy to Laura to help her understand the Professional Services requirements for the Town. Laura advised that it may be cost effective to change the format of the Newsletter. She will advise when she has more details.

Councilman McConnell moved and Doolittle seconded the motion to appoint Laura Horian to the part-time position of Clerk I/Information Officer, at an annual salary of \$3,980.00, effective on today's date of October 22, 2012.

The vote was as follows:

Supervisor Shute	Voted	Yes
Councilman McConnell	Voted	Yes
Councilman Ohstrom	Voted	Yes
Councilman Doolittle	Voted	Yes
Councilman Zajac	Voted	Yes

Motion carried.

Councilman McConnell moved and Ohstrom seconded the motion to change the date of the LaFayette Community Newsletter to the months of February, May, August and November.

The vote was as follows:

Supervisor Shute	Voted	Yes
Councilman McConnell	Voted	Yes
Councilman Ohstrom	Voted	Yes
Councilman Doolittle	Voted	Yes
Councilman Zajac	Voted	Yes

Motion carried.

6. PUBLIC HEARINGS

A. Local Law C-2012.

Councilman Zajac moved and Ohstrom seconded the motion to open the Public Hearing with regard to Amending Local Law 3-2009.

The vote was as follows:

Supervisor Shute	Voted	Yes
Councilman McConnell	Voted	Yes
Councilman Ohstrom	Voted	Yes
Councilman Doolittle	Voted	Yes
Councilman Zajac	Voted	Yes

Motion carried.

Supervisor Shute read the wording describing a new definition for the Cold War Veteran and removing the one (1) year service requirement. He then asked if there were any questions or comments. None were voiced.

Councilman McConnell moved and Doolittle seconded the motion to close the Public Hearing with regard to Amending Local Law 3-2009.

The vote was as follows:

Supervisor Shute	Voted	Yes
Councilman McConnell	Voted	Yes
Councilman Ohstrom	Voted	Yes
Councilman Doolittle	Voted	Yes
Councilman Zajac	Voted	Yes

Motion carried.

Councilman Doolittle moved and Zajac seconded the motion to adopt Local Law 3-2012 amending Local Law 3-2009 relating to an Exemption from Real Property Taxes for Cold War Veterans as authorized by Section 458-b of the New York State Real Property Tax Law, to Provide a New Definition for Cold War Veteran.

The vote was as follows:

Supervisor Shute	Voted	Yes
Councilman McConnell	Voted	Yes
Councilman Ohstrom	Voted	Yes
Councilman Doolittle	Voted	Yes
Councilman Zajac	Voted	Yes

Motion carried.

RESOLUTION LAFAYETTE TOWN BOARD

October 22, 2012

The following resolution was offered by Councilor Doolittle, who moved its adoption, seconded by Councilor Zajac to wit:

WHEREAS, pursuant to the provisions of the Municipal Home Rule Law, proposed Local Law C-2012, to Amending Local Law 3-2009 relating to an Exemption from Real Property Taxes for Cold War Veterans as Authorized by Section 458-b of the New York State Real Property Tax Law, to Provide a New Definition for Cold War

Veteran, was presented and introduced at a regular meeting of the Town Board of the Town of LaFayette held September 10, 2012; and

WHEREAS, a public hearing was held on said proposed Local Law No. C-2012 on October 22, 2012 by the Town Board of the Town of LaFayette and proof of publication of notice of such public hearing, as required by law, having been submitted and filed, and all persons desiring to be heard in connection with said proposed local law having been heard, and said proposed local law having been in the possession of the members of the Town Board of the Town of LaFayette in its final form in the manner required by Section 20 of the Municipal Home Rule of the State of New York; and

WHEREAS, at its September 10, 2012 meeting the Town Board determined that this proposed legislation is a Type II action for purposes of SEQR, thus concluding the environmental review process; and

WHEREAS, it is in the public interest to enact said Proposed Local Law No. C-2012.

NOW, THEREFORE, it is

RESOLVED AND DETERMINED, that the Town Board of the Town of LaFayette, Onondaga County, New York, does hereby enact Proposed Local Law No. C-2012 as Local Law No. 3-2012 as follows:

**TOWN OF LAFAYETTE
LOCAL LAW NO. 3-2012**

A Local Law Amending Local Law 3-2009 relating to an Exemption from Real Property Taxes for Cold War Veterans as Authorized by Section 458-b of the New York State Real Property Tax Law, to Provide a New Definition for Cold War Veteran

BE IT ENACTED by the Town Board of the Town of LaFayette that Local Law 3-2009 is hereby amended to change the definition of “Cold War Veteran”, so that it shall read in full as follows:

“Cold War Veteran. A person, male or female, who served on active duty in the United States Armed Forces during the time period from September 2, 1945 to December 26, 1991, was discharged or released therefrom under honorable conditions.”

Effective Date.

This Local Law shall take effect upon its filing with the New York Secretary of State.

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

William McConnell	Councilman	Voted	Yes
Steven Zajac	Councilman	Voted	Yes
Gerry Doolittle	Councilman	Voted	Yes
Andrew Ohstrom	Councilman	Voted	Yes
Adrian Shute	Supervisor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

DATED: October 22, 2012

B. Proposed Town of LaFayette Comprehensive Plan

Councilman McConnell moved and Ohstrom seconded the motion to open the Public Hearing with regard to the proposed LaFayette Comprehensive Plan.

The vote was as follows:

Supervisor Shute	Voted	Yes
Councilman McConnell	Voted	Yes
Councilman Ohstrom	Voted	Yes
Councilman Doolittle	Voted	Yes
Councilman Zajac	Voted	Yes

Motion carried.

Supervisor Shute advised the steering committee spent a lot of time and effort working on putting together the Comprehensive Plan and investigations into all aspects of how this plan benefits our Town and asked if there were any questions or discussions regarding this. Councilman Ohstrom suggested having the Steering Committee recognized at the Organizational Meeting, and all Board Members commented that would be a perfect time to do so. Councilman Doolittle questioned when this can be officially adopted. Per Attorney Gilligan, the County meets October 26th, 2012 and they will probably approve it at that meeting. Councilman McConnell advised Attorney Wendy Reese is working with Rich Cunningham at Thoma Development to get SEQR and all finalizing documents.

7. COMMUNICATIONS

A. Time Warner Cable Renewal Letter - Supervisor Shute questioned “is this when we should ask about getting cable service to the two roads, Eager Road and Markland Road, that do not yet have service?” Attorney Gilligan remarked that he will need a copy of the contract.

8. SPECIAL REPORTS

9. REPORTS

A. Departmental

1. Assessors

2. Building & Zoning Code Enforcement

Supervisor Shute advised Ralph Lamson, Code Enforcer reported to him that according to the HSBC, the property located at 601 Route 20 recently deemed unsafe, has not yet foreclosed and there is talk of the bank walking away. Lamson is having difficulty locating the property owner. Attorney Gilligan advised that the property owner and the bank will need to be served, setting a specific time frame, and the need to follow the proper rules or the County may not allow the cost of tearing it down to it to go on the tax bills. Shute advised that Lamson will be attending the meeting shortly and this can be discussed further.

3. Dog Control

4. Highway Superintendent, John Greeley

a. Highway Superintendent Greeley submitted a written report.

1. Equipment: The snow plows are 90% complete with the exception of some minor paint restoration on wings.

Paver – Broom and Roller have been “winterized” and put away for the season.

2. Roads: Shimming – Ditching – and cutting shoulder ops are almost complete for the season. Will cut more shoulders as the weather permits...

Roadside mowing ops finished for the season. Will continue to brush-hog banks as weather permits.

Brush P/U is finished for the season.
Park mowing ops finished for the season – weather permitting...

5. Justice Court
 - a. Monthly written report for the month of September, 2012 in the amount of \$19,154.00 turned over to the Town of LaFayette. Total cases 308.
6. Library Director
 - a. Written Report and Library Board of Trustees Minutes submitted.
7. Recreation Director
 - a. Written Report submitted by Regina Reinschmidt.
8. Tax Collector
9. Town Clerk
 - a. Monthly report submitted by Town Clerk, Jackie Roorda
 - b. Roorda requested a motion from the Town Board to remove the seasonal dumpsters and port-a john removed or inactivated for winter months.

Councilman Ohstrom moved and Doolittle seconded motion authorizing Town Clerk Roorda to contact respective companies to have the seasonal dumpsters removed and port-a-johns removed so they off the billing statements for the winter months.

The vote was as follows:

Supervisor Shute	Voted	Yes
Councilman McConnell	Voted	Yes
Councilman Ohstrom	Voted	Yes
Councilman Doolittle	Voted	Yes
Councilman Zajac	Voted	Yes

Motion carried.

10. Town Supervisor
 - a. Monthly Report submitted.
 - b. Budget Officer, Tom Chartrand advised that money needs to be transferred from surplus to the Library Fund in the amount of \$10,000.00, for equipment.

Councilman Doolittle moved and Ohstrom seconded motion authorizing Budget Officer Tom Chartrand to transfer \$10,000.00 from surplus account to the Library Fund.

The vote was as follows:

Supervisor Shute	Voted	Yes
Councilman McConnell	Voted	Yes
Councilman Ohstrom	Voted	Yes

Councilman Doolittle	Voted	Yes
Councilman Zajac	Voted	Yes

Motion carried.

Chartrand also advised that he sent letters to employees enrolled in health, dental and optical insurance regarding the new rates effective in 2013 with the breakdown of the deductions.

B. Committees

1. Community Development
2. Emergency Response
3. Employee Policies and Benefits
4. Environmental and Conservation Advisory Board
 - a. Councilman Doolittle advised that on November 13th, 2012 there will be hydrofracking meeting at the Town Hall at 7:00 p.m.
5. Highway
6. Physical Plant
 - a. Councilman Doolittle advised that Bill Sutliff, Physical Plant Deputy is plugging away at the list of repairs, one being the fence at the end of the tennis court to keep the balls in has been completed.
 - b. Councilman Doolittle brought in samples for the roof shingles for the Board to make a decision on the color in order to get the roof done before winter.
 - c. Councilman Doolittle reported that he questioned Dave Knapp to inquire if the Apple Festival Committee would consider donating money towards playground equipment for Bailey Park. Knapp will get back to Doolittle with an answer at a later date.
 - d. Councilman Doolittle further advised that the signs for the parks are painted and the frames to hold them will be two posts without a roof like structure.
 - e. Councilman Doolittle reported the loose tiles that have lifted in the entry way of the Town Hall need to be repaired before someone trips or gets hurt. He has been investigating options. Clerk Roorda advised that Vince Maher had previously told her he has matching tiles that the Town can have. Doolittle will check with Dennis or Vince Maher regarding obtaining those tiles.
 - f. Town Clerk Jackie Roorda questioned if the benches at the Town Hall could be painted as they were not done at time the building was painted. Councilman Doolittle will check with Bill Sutliff regarding painting the benches.

- 7. Recreation and Youth
- 8. Safety
- 9. School District Liaisons
 - a. Supervisor Shute advised that the LaFayette School Paper apologized for the error in omitting Cinco de Mayo and the Month of the Military Child from the 2012-13 calendar.
- 10. Service Awards
- 11. SOTS & OCRRA
- 12. SPEDES

9. LITIGATION & OTHER LEGAL MATTERS

A. Attorney Gilligan brought an example of the Town of Onondaga's new Code Book for the Board to view and consider updating the LaFayette Book. Supervisor Shute suggested waiting until the zoning changes are in effect as the new books are quite expensive to print, however the benefits are that they are loose leaf and any future changes are easily and inexpensively changed or added.

B. Gilligan also advised that the Hydrofracking Moratorium expires in February. The Moratorium does not block hydrofracking, it simply puts the matter on hold until a decision is made. Councilman Ohstrom advised that the committee has been actively meeting on a monthly basis. Gilligan suggested introducing the legislature at December meeting and passing the decision in January. Councilman Doolittle advised a Public Informational Meeting will be held November 13th, 2012 in hopes of getting opinions from the public as to if they are in favor or against hydrofracking and if the Town should pass legislation to ban hydrofracking.

10. UNFINISHED BUSINESS & ACTIVE PROJECTS

11. NEW BUSINESS

12. Suggestions for improvements and positive contributions.

13. Executive Session.

Supervisor Shute asked for motion to enter into executive session to discuss a personnel matter and a property purchase/sale matter; to include the Budget Officer and Attorney.

Councilman Doolittle moved and Ohstrom seconded motion to enter into Executive Session to discuss a personnel matter and a property purchase/sale matter.

The vote was as follows:

Supervisor Shute	Voted	Yes
Councilman McConnell	Voted	Yes
Councilman Ohstrom	Voted	Yes
Councilman Doolittle	Voted	Yes
Councilman Zajac	Voted	Yes

Motion carried.

Executive Session began at 7:20. p.m.

Executive Session closed and Supervisor Shute called the regular Town Board Meeting back to order at 8:30 p.m.

Councilman Doolittle moved and Ohstrom seconded motion authorizing Budget

The vote was as follows:

Supervisor Shute	Voted	Yes
Councilman McConnell	Voted	Yes
Councilman Ohstrom	Voted	Yes
Councilman Doolittle	Voted	Yes
Councilman Zajac	Voted	Yes

Motion carried.

RESOLUTION LAFAYETTE TOWN BOARD

October 22, 2012

The following resolution was offered by Councilor McConnell, who moved and Councilor Zajac who seconded a motion authorizing Supervisor Shute and Councilor Ohstrom to attend and participate, on behalf of the Town of LaFayette, the Onondaga County Real Estate Live Public Auction to be held on October 30, 2012; and further authorizing Supervisor Shute to bid on and initiate the certified check necessary to secure the property owned by Eleni Gazotis located on Route 11 North, not to exceed the amount as discussed in Executive Session.

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

William McConnell	Councilman	Voted	Yes
Steven Zajac	Councilman	Voted	Yes
Gerry Doolittle	Councilman	Voted	Yes
Andrew Ohstrom	Councilman	Voted	Yes
Adrian Shute	Supervisor	Voted	Yes

Resolution passed.

DATED: October 22, 2012

14. Motion to audit and pay bills.

Councilman Zajac moved and Ohstrom seconded the motion to audit and pay bills. Motion carried 5-0.

General Fund	2395-2410	\$17,619.33
Highway Fund	2318-2394	\$76,666.84
Special District		
Trust & Agency		
Comm. Dev. & Capital Fund		

Councilman McConnell moved and Zajac seconded the motion to adjourn the meeting. Motion carried 5-0.

The Regular Town Board Meeting was adjourned at 8:47 PM.

Respectfully submitted,

Jacqueline Roorda
Town Clerk