

## January 14, 2013 LaFayette Town Board Meeting Minutes

Minutes of the Town Board Regular Meeting held by the LaFayette Town Board on January 14<sup>th</sup>, 2013 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  
Ralph Lamson, Bldg. & Code Enforcer  
John Greeley, Highway Superintendent  
Kristin, Jay and Ian Colburn  
John & Doreen Verzosa

1. Supervisor Shute called the meeting to order at 6:30 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 December 10th, 2012 Town Board Meeting Minutes as amended and submitted by Town Clerk, Jackie Roorda.**

The vote was as follows:

<b>Supervisor Shute</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman McConnell</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman Ohstrom</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman Doolittle</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman Zajac</b>	<b>Voted</b>	<b>Yes</b>

**Motion carried.**

## 5. COMMUNICATIONS

A. Supervisor Shute introduced and welcomed Kristin Colburn as the new Deputy Town Clerk and advised that Noah LaRonde (not present) is the new Part-time Deputy Court Clerk.

B. Councilman Doolittle advised he has reserved his hotel and train ticket for the 2013 Association of Towns Training School and Annual Meeting and will be representing LaFayette Town Board. Supervisor Shute tabled the Association of Towns Information to February meeting to allow the Board members adequate time to review the information and will decide whether or not to Support the Resolutions of the Association of Towns.

## 6. PUBLIC HEARINGS

## 7. SPECIAL REPORTS

## 8. REPORTS

### A. Departmental

#### 1. Assessors

#### 2. Building & Zoning Code Enforcement

a. Ralph Lamson Building and Code Enforcer reported that there were 33 permits issued in 2012. He will have a more detailed report next meeting. Supervisor Shute questioned if building is down in neighboring towns, Ralph advised that Tully is about the same. Then Lamson advised that a complaint was issued against a landlord for apartments on Route 11A wherein there are electrical problems, no smoke detectors and sewage back-up, which all made the apartment unsafe. The tenants moved out and he will be meeting with the landlord tomorrow.

#### 3. Dog Control

4. Highway Superintendent, John Greeley took a few moments to honor Alfred Klaiber, Sr. who lost his battle with cancer. Al worked with the Highway Department and was a member of the LaFayette Fire Department for many years. The community will sorely miss him.

#### a. Highway Superintendent Greeley's report.

1. Roads: Snow and Ice Operations 26 times...
2. Equipment: Maintained plow trucks and make sure washed after use to avoid rust and damage from salt use.
3. 56 Christmas trees were taken to OCRRA in Jamesville.
4. Greeley advised that LaFayette and Pompey are working together plowing and salting Jamesville Grove. Supervisor Shute questioned ownership of the road, if selling lots. Attorney Gilligan advised that the Developer of Jamesville Grove needs to get the road easement and clear title for each real estate deal to the Attorneys in order to move forward.

5. Greeley advised that he has been chosen to be the Vice

President of the Onondaga County Highway Superintendents Association. Supervisor Shute and the Town Board congratulated him on that honor.

5. Justice Court

a. Monthly written report for the month of December, 2012 in the amount of \$12,628.75 turned over to the Town of LaFayette. Total cases; 141.

6. Library Director

a. Written Report submitted by R. Scott Kushner, Director and Minutes submitted by Secretary Phyllis Olmstead.

7. Recreation Director

8. Tax Collector

9. Town Clerk

a. Monthly report submitted by Town Clerk, Jackie Roorda.  
b. Roorda advised that she recently ordered file boxes and shelving to add to existing shelves in the Archives Room to move forward in organizing records and to meet with record retention requirements.

10. Town Supervisor monthly report submitted. Budget Officer Tom Chartrand advised that Sales Tax up \$22,000 and Mortgage Tax up \$20,000 which will help financial status and Workers Compensation and Health Insurance is all set.

**B. Committees**

1. Community Development

a. Councilman McConnell advised that he has four copies of the contract with Ag and Markets which need to be signed by the Supervisor with Town Clerk Notary and mailed.

**Councilman Ohstrom moved and McConnell seconded the motion authorizing Supervisor Shute to sign as acceptance of the terms of the contract with NYS Agriculture and Markets to engage in the grant award to develop a Municipal Agricultural and Farmland Protection Plan.**

The vote was as follows:

<b>Supervisor Shute</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman McConnell</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman Ohstrom</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman Doolittle</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman Zajac</b>	<b>Voted</b>	<b>Yes</b>

**Motion carried.**

b. Councilman Ohstrom advised we need to prioritize projects for the Five Year Plan. Supervisor Shute suggested at the Town Board meeting we hold a Public Hearing to do that.

**Councilman Ohstrom moved and McConnell seconded the motion to hold a Public Hearing on February 11<sup>th</sup>, 2013 to introduce, get recommendations and establish the projects for 5 Year Plan for Parks and Recreation for 2013.**

The vote was as follows:

<b>Supervisor Shute</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman McConnell</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman Ohstrom</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman Doolittle</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman Zajac</b>	<b>Voted</b>	<b>Yes</b>

**Motion carried.**

2. Emergency Response
3. Employee Policies and Benefits
4. Environmental and Conservation Advisory Board

5. Highway – Supervisor Shute advised that CNS has prepared and sent grant applications in as an effort to get Federal money to assist in the cost of building a new Highway Garage.

Tom Chartrand asked if the Town received a tax bill for newly purchased Route 11 property as we will be responsible for Town and County Tax bill. Supervisor Shute advised the no back taxes were disclosed at the time of purchase. The Town would be responsible for the 2013 taxes.

**Councilman Ohstrom moved and Doolittle seconded the motion authorizing Supervisor Shute to check with Tax Collector Kitty Rienhardt on the bill and pay any taxes associated with the Town Property next to Stafford Park.**

The vote was as follows:

<b>Supervisor Shute</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman McConnell</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman Ohstrom</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman Doolittle</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman Zajac</b>	<b>Voted</b>	<b>Yes</b>

**Motion carried.**

Attorney Kevin Gilligan advised we should apply for a tax exempt status. Supervisor Shute said he will check with Assessor Shawn Adam regarding a Tax Exemption.

6. Physical Plant – Councilman Doolittle advised that Community Center heating problems are being checked by Bush Heating.

He also advised that the Courtroom in the Town Hall still has been cold and has had Upstate Temperature Control here several times to fix the problem. Each time we are told it is thermostat related, new batteries, and then a new thermostat was installed and the problem still exists. There is a significant service bill each time and during the last

service call they locked the temperature at 72 degrees, which is not economical. It is very costly as the Court is closed Friday – Sunday and does not have to be that warm. After discussion it was determined that Councilman Doolittle should contact another company to have the thermostat checked.

Doolittle reported that he got some estimates for the floor in the Community Center. To replace the entire floor the cost is \$12,000.00; to repair the humps in the floor \$2,400 - \$3,000.

Doolittle next reported that after the last snowfall, the roof leaked into the area of the Library that had leaked before. It was discovered that the heat tape was not plugged in. Now that it is plugged in Scott Kurshner will keep an eye on it as the weather changes.

7. Recreation and Youth

Discussion regarding the creation of a new entry level position for a Parks and Recreation Leader ensued. Dave Prince has been interviewed for filling that position.

**Councilman Ohstrom moved and Zajac seconded the motion authorizing Supervisor Shute to submit to Civil Service for Dave Prince as Park and Recreation Leader for the Town of LaFayette.**

The vote was as follows:

<b>Supervisor Shute</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman McConnell</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman Ohstrom</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman Doolittle</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman Zajac</b>	<b>Voted</b>	<b>Yes</b>

**Motion carried.**

8. Safety

9. School District Liaisons

10. Service Awards-Councilman McConnell advised the Point accrual 2012 letter will need to be reviewed at the next meeting. There are a total of 10, no increase in post. He will speak with Greg Hoxie about this.

11. SOTS & OCRRA – There is a meeting scheduled for Thursday morning at 8 A.M. Supervisor Shute suggested that will be a good opportunity to discuss the several complaints from residents regarding trash being picked up late or not at all.

12. SPDES - Discussion regarding Stormwater/Onondaga Lake Water Shed for 2014 to eliminate phosphorus into Tully Valley Park. Mark Parrish of O'Brien and Gere advised it should be within the budget.

**Councilman McConnell moved and Zajac seconded the motion authorizing Supervisor Shute to sign the Contract contingent upon the Annual Report.**

The vote was as follows:

<b>Supervisor Shute</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman McConnell</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman Ohstrom</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman Doolittle</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman Zajac</b>	<b>Voted</b>	<b>Yes</b>

**Motion carried.**

9. LITIGATION & OTHER LEGAL MATTERS

A. The moratorium on hydrofracking expires next month. Attorney Gilligan advised that the Town can do a nine month renewal of the moratorium and are not allowed under State Law to do an Advisory Referendum.

**Councilman Doolittle moved and Ohstrom seconded the motion to schedule a Public Hearing on February 11<sup>th</sup>, 2013 to introduce a proposed local law, extending the moratorium on hydrofracking, type II action, for purposes of SEQR review.**

The vote was as follows:

<b>Supervisor Shute</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman McConnell</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman Ohstrom</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman Doolittle</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman Zajac</b>	<b>Voted</b>	<b>Yes</b>

**Motion carried.**

B. Supervisor Shute asked Attorney Gilligan if Contract with LaFayette and Jamesville Fire Departments are all set with the correct numbers. Gilligan advised they are and that we need two separate resolutions, one for LaFayette and one for Jamesville.

**Councilman Ohstrom moved and Doolittle seconded the motion to approve the Contract between LaFayette Fire Department and the Town of LaFayette and authorizing the signatures of the Town Board Members on the Contract.**

The vote was as follows:

<b>Supervisor Shute</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman McConnell</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman Ohstrom</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman Doolittle</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman Zajac</b>	<b>Voted</b>	<b>Yes</b>

**Motion carried.**

**Councilman Zajac moved and McConnell seconded the motion to approve the Contract between Jamesville Fire District and the Town of LaFayette and authorizing the signatures of the Town Board Members on the Contract.**

The vote was as follows:

<b>Supervisor Shute</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman McConnell</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman Ohstrom</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman Doolittle</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman Zajac</b>	<b>Voted</b>	<b>Yes</b>

**Motion carried.**

C. Attorney Kevin Gilligan advised that the contract for legal services for 2013 needs to be approved and executed, along with the Budget Officers' contract.

**Councilman Ohstrom moved and Zajac seconded the motion to approve and authorize Supervisor Shute to sign the Contract for Legal Services between Costello, Cooney and Fearon, PLLC and the Town of LaFayette for the year 2013.**

The vote was as follows:

<b>Supervisor Shute</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman McConnell</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman Ohstrom</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman Doolittle</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman Zajac</b>	<b>Voted</b>	<b>Yes</b>

**Motion carried.**

**Councilman Zajac moved and Ohstrom seconded the motion to approve and authorized Supervisor Shute to sign the Contract between Tom Chartrand Accounting and the Town of LaFayette for the year 2013.**

The vote was as follows:

<b>Supervisor Shute</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman McConnell</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman Ohstrom</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman Doolittle</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman Zajac</b>	<b>Voted</b>	<b>Yes</b>

**Motion carried.**

10. UNFINISHED BUSINESS & ACTIVE PROJECTS – Information Officer Laura Horian reported that inserting the Town Directory will increase the cost for the LaFayette Community Newsletter by approximately \$500.00 for the first edition in February. Supervisor Shute advised that the cost is already significantly higher as in prior years the copying cost was largely discounted however that discount is no longer in effect. Discussion whether to omit the Town Directory, offer the Directory to be picked up at the Town Hall and not mail with the Newsletter, the Procurement Policy for cost of greater than \$1,000.00, etc, took place. Laura advised that she already has two other price quotes for copying costs. Councilman Ohstrom complimented Laura on the great effort and accomplishment in taking over this endeavor that Pat Keefe has mastered for numerous years. McConnell advised that he is leaning toward keeping the Directory in the first mailed edition. Shute commented that

there are going to be several changes already, such as the format, the dates published and delivered and the new editor. It was already established that the cost was doubling and perhaps include the directory in this issue and in an effort to reduce costs not include it in the future.

**Councilman Ohstrom moved and McConnell seconded the motion to include the Directory with the publishing and delivery of the February 2013 newsletters.**

The vote was as follows:

<b>Supervisor Shute</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman McConnell</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman Ohstrom</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman Doolittle</b>	<b>Voted</b>	<b>No</b>
<b>Councilman Zajac</b>	<b>Voted</b>	<b>Yes</b>

**Motion passed, 4 yes and 1 no.**

11. NEW BUSINESS

A. Discussion regarding the Park fees of \$600.00 per lot that was inserted in the Jamesville Grove Subdivision took place. Supervisor Shute advised that the Town Board is allowed to set park fees which money would be spent on Town Parks. The Cohens paid those fees. Attorney Gilligan reported that the Jamesville Grove Section II was same as Section I with respect to the park fees the Planning Board put in, the Town Board has the power to waive that fee. Councilman McConnell questioned if the Planning Board minute reflect that the park fees should be in the Jamesville Grove Subdivision. Code Enforcer Ralph Lamson advised that he looked at both the Town Board and Planning Board minute and found no park fees initiated by either Board. Discussion regarding waiving the fees; the fact that these fees have never been imposed on any other subdivision; Jamesville Grove is not located near any Town Parks; assuming it is a Town Law, should it be eliminated?; and it is not fair to have some pay park fees and others not. Councilman McConnell suggested researching the Town Board Minutes to see if and when the Park Fees Law was adopted and if found possibly eliminate it.

**Councilman McConnell moved and Ohstrom seconded the motion to return the park fees that the Cohens paid for the Subdivision of Jamesville Grove.**

The vote was as follows:

<b>Supervisor Shute</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman McConnell</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman Ohstrom</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman Doolittle</b>	<b>Voted</b>	<b>Yes</b>
<b>Councilman Zajac</b>	<b>Voted</b>	<b>Yes</b>

**Motion carried.**

Budget Officer advised that the funds are sitting in a Trust and prepared a voucher to enable that payment to the Cohens. McConnell advised that he will check with Planning Board Chair Jim Nakas on these park fees.



B. Code Enforcer Lamson advised that in lieu of him declining a raise in pay, he would like to use funds to purchase a new printer and map cabinet. He reported that he found printer/scanner/fax combination that will serve his needs for under \$200.00. He will research map cabinets and have prices for the next meeting. Councilman McConnell asked where he would be putting the map cabinet and Lamson advised he will be moving the drafting table out of his office and placing the map cabinet in its place. The Board thanked Lamson and agreed a map cabinet is needed.

C. John and Doreen Verzosa requested a meeting with the School liaisons' for LaFayette School District. Supervisor Shute and Councilman McConnell scheduled a meeting with them to be held on Monday, January 21, 2013.

12. Suggestions for improvements and positive contributions.

13. Executive Session – not necessary

14. Motion to audit and pay bills.

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

<b>General Fund</b>	<b>2733-2801</b>	<b>\$103,187.79</b>
<b>Highway Fund</b>	<b>2802-2824</b>	<b>\$132,435.33</b>
<b>Special District</b>	<b>2839-2841</b>	<b>\$ 44,030.75</b>
<b>Trust &amp; Agency</b>	<b>2842-2844</b>	<b>\$ 8,985.00</b>
<b>Comm. Dev. &amp; Capital Fund</b>		

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

The Regular Town Board Meeting was adjourned at 7:35 PM.

Respectfully submitted,

Jacqueline Roorda  
Town Clerk