

## February 11, 2013 LaFayette Town Board Meeting Minutes

Minutes of the Town Board Regular Meeting held by the LaFayette Town Board on February 11<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  
  Steve Zajac, Councilman

Absent:                                 Jerry Doolittle, Councilman  
  Andrew Ohstrom, Councilman

Recording Secretary:               Jacqueline Roorda, Town Clerk

### Others Present

Kevin Gilligan, Town Attorney  
Thomas Chartrand, Town Bookkeeper  
Ralph Lamson, Bldg. & Code Enforcement Officer  
John Greeley, Highway Superintendent  
Regina Reinschmidt  
John Harper, LaFayette Fire Dept.

1. Supervisor Shute called the meeting to order at 6:30 p.m.
2. The Town Clerk took the Roll. Councilman Doolittle & Ohstrom Absent.
3. Pledge to our U. S. Flag led by Town Councilman McConnell.
4. **Councilman McConnell moved and Zajac seconded the motion to accept January 14th, 2013 Town Board Meeting Minutes as 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 Zajac</b>	<b>Voted</b>	<b>Yes</b>

**Motion carried.**

## 5. COMMUNICATIONS

A. Councilman McConnell advised that he received the information for the Length of Service for the LaFayette Fire Department. LaFayette Fire Department President, John Harper, Jr. advised that he will bring the list for the eligible post entitlement members for the direct payout to the Town Clerk. Councilman McConnell will do a Voucher for these individuals.

**Councilman McConnell moved and Zajac seconded the motion to accept The LaFayette Fire Department Length of Service list as submitted by Greg Hoxie, wherein 28 members of the Department have met the points needed to qualify for the year 2012.**

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 Zajac</b>	<b>Voted</b>	<b>Yes</b>

**Motion carried.**

REPORT: John Greeley, Highway Superintendent moved ahead in the agenda with his Report as he had to exit the meeting early.

Roads: Performed snow and ice operations 25 times since last meeting. This past weekend's snow event totaled 8 inches. Recycled 19 Christmas trees since last meeting.

Equipment: Continue to inspect and perform maintenance on all snow equipment. Trucks get emptied on a regular basis and washed.

Parks; we have been plowing the LaFayette Beach for access for potential ice skaters.

"E" Waste: The annual electronics waste report for the DEC is due by March 1<sup>st</sup> and he will be sending it tomorrow.

#### 5. COMMUNICATIONS Continued:

B. Supervisor Shute asked the Board members if they had any questions or comments regarding the information and decision whether or not to Support the Resolutions of the Association of Towns. None were voiced.

**Councilman McConnell moved and Zajac seconded the motion to accept and approve the New York State Association of Towns Proposed Resolutions as set forth and thereby authorize Councilmen Doolittle to vote on behalf of the LaFayette Town Board at the 2013 Annual Meeting.**

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 Zajac</b>	<b>Voted</b>	<b>Yes</b>

**Motion carried.**

#### 6. PUBLIC HEARINGS

**A. Supervisor Shute moved McConnell seconded the motion to Open the Public Hearing regarding extending the Hydrofracking Moratorium Local Law No. A-2013. At 6:37 pm. Motion Carried.**

Supervisor Shute asked if there were any questions or comments from the public. None were voiced. Councilman McConnell suggested extending the Moratorium. Supervisor Shute

advised that he met with Senator Volesky who advised that the State has to come out with their rules regarding this in March. Attorney Gilligan advised that if we decide to do a ban or not to ban it has to include all gas, oil, etc.

Supervisor Shute asked if there were any other comments. None were voiced.

**Councilmen McConnell moved and Zajac seconded the motion to close the Public Hearing. Public Hearing closed at 6:42 pm.**

**Councilman McConnell moved and Zajac seconded the motion to accept the Extension on the Moritorium on Hydrofracking, Local Law 1, 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 Zajac</b>	<b>Voted</b>	<b>Yes</b>

**Motion carried.**

**B. Supervisor Shute moved McConnell seconded the motion to Open the Public Hearing regarding the Five Year Plan and 2013 Funding Request for Community Development at 6:43 pm. Motion Carried.**

Supervisor Shute asked if there were any comments or questions from the Public. None were voiced.

**Councilmen McConnell moved and Zajac seconded the motion to close the Public Hearing. Motion carried. Public Hearing closed at 6:45 pm.**

**Councilman McConnell moved and Zajac seconded the motion to accept the Proposed Five Year Plan for Parks and Recreation and authorizing Thoma Development to complete the Grant Application earmarking the installation of Fitness Equipment to the walking/running trail as the first priority and replacing the roof on Pavilion I as a backup.**

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 Zajac</b>	<b>Voted</b>	<b>Yes</b>

**Motion carried.**

## **7. SPECIAL REPORTS**

A. Councilman McConnell reported that Recreation Director, Regina Reinschmidt has been doing a lot of legwork regarding equipment for the Parks and Recreation grant application. Regina reported that she has received lots of information and prices for workout equipment. Basically, the plan is to start in one area central to the playground having all the

machines together in one area and building stations as it progresses, starting at \$20,000. She also is investigating the possibility of working in conjunction with the school. The bids need to equal \$50,000 total for drainage, site prep, etc. Regina suggested having a Committee Meeting with the representatives doing a sites visit and getting their ideas and also going to other sites such as Camillus or DeWitt. Regina said the three bids for the equipment is approximately \$19,000. Tom Chartrand advised that if bids are over \$20,000 we need to put it out to bid.

Regina further advised that she recently attended the County Community Council meeting and CPR is now mandatory for all Coaches. She is hoping to implement this for the spring sporting season. Regina also stated the Youth Protection Plan for Towns have several local and statewide groups and Countywide Policies to consider.

## 8. REPORTS

### A. Departmental

1. Assessors – Supervisor Shute reported that Assessor Shawn Adam advised that the property purchased on Route 11 has been reclassified as Municipal Property therefore no taxes need to be paid.

2. Supervisors Report - Budget Officer Tom Chartrand reviewed the Written Supervisor's Report pointing out the General Fund is down approximately \$25,000 due to money spent for improvements to Town Buildings and reduced taxes; Tax Stabilization is in great shape; Highway is down \$20,000 as a lot of equipment was purchased; Library Revenue is up \$8,000 in real dollars and recommends a transfer sheet to put it back, Librarian Scott Kushner will be doing a presentation next month; Workers Comp went up a lot from last year to this year and will have to make adjustments; Overall down approximately \$40,000; Taxes paid in full; will be paying the two Fire Department large statements before the end of February.

3. Building & Zoning Code Enforcement - Ralph Lamson submitted a detailed written report for Building Permits issued in 2012. He also advised that he has been checking into prices for a map cabinet in order to safely store and protect the numerous maps that are in the archive room and in his office. He has found one for \$980.00 that he would like to order. Tom Chartrand advised that since it is under \$1,000 he can go ahead and order it without a motion from the Board. Ralph further advised that his new printer is set up and working nicely. He requested labeling the old printer as scrap.

**Councilman Zajac moved and McConnell seconded the motion to declare the Building and Code Enforcer's HP 842C printer as scrap.**

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 Zajac</b>	<b>Voted</b>	<b>Yes</b>

**Motion carried.**

4. Dog Control – NYS Department of Ag & Markets Satisfactory Dog Control Officer Report was reviewed

5. Justice Court - Monthly written report for the month of January, 2013 in the amount of \$14,726.00 turned over to the Town of LaFayette. Total cases; 231.

6. Library Director - Written Report submitted by R. Scott Kushner, Director and Minutes submitted by Secretary Phyllis Olmstead.

7. Recreation Director – already presented in Special Reports.

8. Tax Collector

9. Town Clerk

a. Monthly report submitted by Town Clerk, Jackie Roorda.

b. Town Clerk Jackie Roorda presented the Annual Report, Bank Statements, and all receipts for 2012 to be audited and signed off by the Town Board.

At this time, Supervisor Shute motioned to go into Executive Session to include the Attorney and Budget Officer for the purpose of discussing a contractual matter with respect to purchasing real property, seconded by Councilman McConnell. Motion carried. Executive Session began at 7:10 pm.

Executive Session ended at 7:24 pm.

Town Clerk's audit completed and signed by the LaFayette Town Board Members.

## **B. Committees**

1. Community Development

a. Councilman McConnell advised that Thoma Development is in the process of writing the Grant Application for Community Development.

**Councilman McConnell moved and Zajac seconded the motion approving the Supervisor to sign the contract for Thoma Development to write the CBG Grant.**

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 Zajac</b>	<b>Voted</b>	<b>Yes</b>

**Motion carried.**

b. Councilman McConnell advised that Ag and Markets grant was approved in the amount of \$25,000 which need to be signed by the Supervisor with Town Clerk Notary and mailed.

**Councilman Zajac 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 Zajac</b>	<b>Voted</b>	<b>Yes</b>

**Motion carried.**

2. Emergency Response
  - a. Councilman McConnell advised that the Procedure in updating the Emergency Response Plan is still being worked on.
3. Employee Policies and Benefits
4. Environmental and Conservation Advisory Board
5. Highway
6. Physical Plant – Councilman Doolittle submitted a written report in his absence:
  - a. The Courtroom continues to be cold, despite the several service calls by Upstate Temperature Control to fix the problem. Each time we were told it is thermostat related, a new thermostat was installed and the problem still exists. There is a significant service bill each time. Dan Bush from Bush Heating looked at the thermostat and unlocked the temperature which was set at 72 degrees and reduced it to 68 degrees which is comfortable and a little more economical. It has been determined that the heating system is working correctly and in the future we should contact another company to have a different programmable thermostat installed.
  - b. Regarding the Community Center heating problem, it was discovered that someone turned off the motion detector program that turns the heat on and off. That has been resolved.
  - c. Toilets at Community Center weren't working. It turned out the vent pipe was broken off. A temporary repair solved the problem for now and the vent pipe can be permanently repaired when ground is no longer frozen. The repair of the gate to the fence in the rear of the building will wait till better weather.
  - d. Doolittle reported he obtained five bids for repairing and refinishing the floor in the Community Center. Two bids were omitted as they do not pay prevailing wage. Three were briefly reviewed and after discussion it was decided the work could wait till summer and it would be better to have Councilman Doolittle present to explain the bids at the March meeting.
7. Recreation and Youth – Reported during Special Reports

- 8. Safety
- 9. School District Liaisons

10. Service Awards-Councilman McConnell advised Hilton Powers will do the annual audit for the Services Awards which is due in May, at a cost of \$3,500.00 as has been done the last three years.

**Councilman McConnell moved and Zajac seconded the motion approving the Supervisor to sign the letter summarizing the terms of the engagement of Hilton & Powers, CPAs to Audit the Town of LaFayette Length of Service Award Program at a cost of \$3,500.00.**

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 Zajac</b>	<b>Voted</b>	<b>Yes</b>

**Motion carried.**

- 11. SOTS & OCRRA

12. SPDES – Councilman McConnell advised that he and Councilman Doolittle recently attended a very informative SPDES meeting. He also advised that our contract agreement for 2013 needs to be signed.

**Councilman McConnell moved and Zajac seconded the motion authorizing Supervisor Shute to sign the SPDES Contract 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 Zajac</b>	<b>Voted</b>	<b>Yes</b>

**Motion carried.**

- 9. LITIGATION & OTHER LEGAL MATTERS

- 10. UNFINISHED BUSINESS & ACTIVE PROJECTS

A. Discussion regarding the Pitney Bowes Postal Meter Service Agreement and State and Local Term Rental Contract renewal discussion took place regarding the length of the contract (51 months) as it used to be five years, the updated equipment, and 2 preventative maintenance services per year.

**Councilman McConnell moved and Zajac seconded the motion authorizing Supervisor Shute to sign the Pitney Bowes Global Financial Services Agreement.**

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 Zajac</b>	<b>Voted</b>	<b>Yes</b>

**Motion passed.**

B. Attorney Kevin Gilligan advised that he has not had any response from Windstream regarding the termination of the phone and internet service contract which is not surprising since the numerous incidences of them not responding or fulfilling their portion of the contract is the reason for terminating the contract in the first place. Kevin will keep us posted of any further developments.

11. NEW BUSINESS

A. Councilman McConnell advised that Theresa Mech approached him regarding a 5K Fun Run “No One Fights Alone”, to be held March 23, 2013 to benefit a family member from South Carolina help offset medical debts. The run starts at the High School to Stafford Park, Sentinel Heights Road, Mondore Drive and back to the High School. She is looking for approval to use the Walking Trail at Stafford Park. Discussion there was no negative feedback on the use for this purpose.

12. Suggestions for improvements and positive contributions.

13. Motion to audit and pay bills.

**Councilman Zajac moved and McConnell seconded the motion to audit and pay bills. Motion carried 3-0.**

<b>General Fund</b>	<b>2911-2946</b>	<b>\$261,383.79</b>
<b>Highway Fund</b>	<b>2947-2951</b>	<b>\$ 13,583.00</b>
<b>Special District</b>	<b>2839-2841</b>	<b>\$441,252.96</b>
<b>Trust &amp; Agency</b>	<b>2968</b>	<b>\$ 624.00</b>
<b>Comm. Dev. &amp; Capital Fund</b>		

**Councilman Zajac moved and Doolittle seconded the motion to adjourn the meeting. Motion carried 3-0.**

The Regular Town Board Meeting was adjourned at 7:48 PM.

Respectfully submitted,

Jacqueline Roorda  
Town Clerk