

## May 11, 2015 LaFayette Town Board Meeting Minutes

Minutes of the Town Board Meeting held by the LaFayette Town Board on May 11, 2015 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: William McConnell Supervisor  
Andrew Ohstrom, Councilor  
Steve Zajac, Councilor  
Doug Daniel, Councilor  
Melanie Palmer, Councilor

Recording Secretary: Jacqueline G. Roorda, Town Clerk

Others Present: Kevin Gilligan, Town Attorney  
Thomas Chartrand, Budget Officer  
John Greeley, Highway Superintendent  
Mark Chambers & Jeff Palin, C & S Companies  
Stewart Shute, Jeannie Gleisner, Dennis Earle,  
Ana McConnell, Ray & Nancy Young,  
Elizabeth Esmark, Richard Rarick, Jim Gosier,  
Christian Brunelle, Bruce Donahue, Grant Kemmerer

1. Supervisor McConnell called the meeting to order at 6:30 PM and welcomed all in attendance.
2. Pledge to our U.S. Flag was led by Supervisor McConnell.
3. The Town Clerk, Jackie Roorda took the Roll. All present.
4. Town Board Minutes of April 13th, 2015.

**Councilor Daniel moved and Ohstrom seconded the motion to accept the April 13<sup>th</sup>, 2015 regular meeting minutes as submitted by Town Clerk Jackie Roorda. Motion carried 5-0.**

<b>William McConnell</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>
<b>Andrew Ohstrom</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Steve Zajac</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Doug Daniel</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Melanie Palmer</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

### 5. PUBLIC HEARINGS

A. Stewart Shute – Zone Change from Ag/Res to Business

Supervisor McConnell opened the Public Hearing and gave a brief summary of the steps that have transpired to date, advising the LaFayette and Onondaga County Planning Board has given a positive letter of recommendation. Mr. Shute advised that he desires to sell firewood, pellets, etc. out of the Barn he recently renovated; he has already cleaned a lot of debris from the adjacent property and will be demolishing the building (the old Town & Country Restaurant & Bar) and in the future hopes to have an Ice Cream Stand. He further stated that he intends to make these properties an asset to the Town.

Elizabeth Esmark and Rick Rarick spoke in favor of Mr. Shute's Zoning Change. They run the Mathew's 25 Farm and Very Vintage Antique Shop which border Mr. Shute's property and stated that the improvements Mr. Shute has already accomplished are very impressive, not only has he cleaned up the properties, renovated the barn, making the appearance more desirable, he fixed the drainage problems they had at Matthews Farm.

Supervisor asked if there were any further questions or comments, none were voiced.

**Supervisor McConnell moved and Zajac seconded the motion to close the Public Hearing. Motion carried 5-0.**

<b>William McConnell</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>
<b>Andrew Ohstrom</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Steve Zajac</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Doug Daniel</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Melanie Palmer</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

## **TOWN OF LAFAYETTE**

Zoning Map Amendment/Route 20 – Tully Farms Road Ext.

### **RESOLUTION TOWN BOARD MEETING**

**May 11, 2015**

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

**WHEREAS**, pursuant to the provisions of the Town Law, a proposed ordinance, titled "Amending Article I, Section 'C' of the 1970 Zoning Ordinance of the Town of LaFayette to amend the Zoning Map and Change the Zoning District Classification of Certain Specified Properties from Agricultural-Residential (AR) District

to Business (B) District", was presented and introduced at a regular meeting of the Town Board of the Town of LaFayette held on April 13, 2015; and

**WHEREAS**, a public hearing was held on such proposed ordinance on this 11th day of May, 2015 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 ordinance having been heard, and said proposed ordinance having been in the possession of the members of the Town Board of the Town of LaFayette in the manner required by law; and

**WHEREAS**, this proposed Ordinance was referred to the Onondaga County Planning Board; and

**WHEREAS**, by resolution dated May 6, 2015, the County Planning Board determined that this application will have no significant adverse inter-community or county-wide implications; and

**WHEREAS**, the County Planning Board did offer the following comments with regard to this referral:

Should the Town approve the zone change, the plan for the next stage of development should include the following:

1. The Town and applicant are advised to contact the New York State Department of Transportation regarding commercial access to U.S. Route 20, and to obtain a highway work permit for any work within the State right-of-way.

2. The Town should ensure that the applicant has received acceptance or approval from the Onondaga County Health Department for any existing or proposed sewage disposal system to service this property.
3. The Town and applicant are encouraged to ensure that the proposed plans for the site retain a rural aesthetic to reflect the character of this area.
4. The Town may wish to consider a resubdivision to combine Lot 1 and Lot 2 if the proposed business activity may take place across existing lot boundaries.

and

**WHEREAS**, at its April 13, 2015 meeting, the Town Board determined there are no other involved agencies, that the Town Board would assume lead agency status with respect to the zone change and rendered a negative declaration for purposes of SEQR; and

**WHEREAS**, the Town Planning Board reviewed this proposed zone change at its March 18, 2015 meeting and by letter from its Chairman to Supervisor McConnell dated March 25, 2015, recommended approval of the proposed zone change based upon the following findings:

- A. The subject property is comprised of two parcels of land – one being 2.75± acres (Lot 1) and one being 6.86± acres (Lot 2) located on the corner of NYS Route 20 and Tully Farms Road Ext. (being Tax Map Nos. 021.-03-09.1 and 021.-03-09.2).

B. The proposed use demonstrates appropriate development of the area with respect to its existing natural features, its location and suitability for the included structures and uses. Applicant would like to establish a woodstove retail business at the site, utilizing an improved existing barn structure on Lot 1 and to demolish the existing structure located on Lot 2 in conjunction with the approval.

C. The proposed use demonstrates a development that is harmonious with the development of neighboring areas and will not be unreasonably detrimental to existing structures and uses in such areas. The subject property is adjacent to commercially zoned property. Specifically, the adjacent property across Route 20 (i.e., the Apple Festival grounds) is commercially zoned and the property on the corner of Field Lane and Route 20 (i.e., a retail antique operation) and across Field Lane on Route 20 (i.e., Ballweg & Lunsford Funeral Home) is also commercially zoned. Use of the subject property for commercial purposes would be consistent with the current use of the properties in the area and would not be unreasonably detrimental to other Agricultural/Residential properties in the area.

**WHEREAS**, it is in the public interest to adopt said proposed Ordinance.

**NOW, THEREFORE**, it is

**RESOLVED AND DETERMINED**, that this Board ratifies and adopts the findings and recommendations of the Town's Planning Board herein related; and it is further

**RESOLVED AND DETERMINED**, that this Board makes the following additional findings in support of its determination:

- Based upon the abstract of title provided to the Town by the applicant, the correct acreage for Lot 1 is 2.75 acres and the correct acreage for Lot 2 is 6.86 acres. These property descriptions have been made a part of this Ordinance.
- The current zoning for these parcels is Agricultural-Residential (AR).
- The subject parcels are located within Agricultural District #1, Town of LaFayette.
- Land south of Route 20, directly across the road from the subject parcels is zoned Business (B).
- East of this site on the north side of Route 20, at Field Lane, there are two parcels of land zoned Business (B).
- The Town's Comprehensive Plan states a goal to retain and expand existing businesses.
- The Town's Comprehensive Plan includes a goal to increase the number and variety of businesses in the Town, and to capitalize on nearby transportation routes.
- The Town's Comprehensive Plan also states a goal of expanding business districts to allow for business growth.
- Finally, the Comprehensive Plan contains a goal of streamlining approval processes for establishing a new business

**RESOLVED AND DETERMINED**, that noting page 54 of the Town's Comprehensive Plan, this proposed zone change is situated on Route 20, which could promote and encourage the retention and expansion of businesses that provide goods and services needed by Town residents and that are consistent with the Town's character, while fitting nicely among other commercial uses; and it is further

**RESOLVED**, that the Town Board of the Town of LaFayette, Onondaga County, New York, does hereby adopt the proposed Ordinance as follows:

**ORDINANCE Amending Article I, Section "C" of the 1970 Zoning Ordinance of the Town of LaFayette to Amend the Zoning Map and Change the Zoning District Classification of Certain Specified Properties from Agricultural-Residential (AR) District to Business (B) District.**

**BE IT ORDAINED**, that Article I, Section "C" of the 1970 Zoning Ordinance of the Town of LaFayette is hereby amended to revise the "Town of LaFayette, Zoning Map" and change the zoning classification of the property described in the attached Schedule "A" from Agricultural-Residential (AR) to Business District (B).

**Effective Date:** This Ordinance shall take effect as provided in Section 265 of the New York Town Law.

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

<b>William McConnell</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>
<b>Andrew Ohstrom</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Steve Zajac</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

**Doug Daniel  
Melanie Palmer**

**Councilor  
Councilor**

**Voted  
Voted**

**Yes  
Yes**

The foregoing resolution was thereupon declared duly adopted.

**DATED: May 11, 2015**

**B. Byrne Dairy Public Hearing**

Supervisor McConnell opened the Public Hearing regarding Byrne Dairy Ag/Res Zoning be changed to Commercial Planned Development District and advised that the LaFayette Planning Board had approved the zoning change. He gave a brief summary of the long process that began in December 2013 waiting 19 months for approval from NYS Dept. of Transportation regarding the Curb Cut for the second entrance off Route 20.

Christian Brunelle, Byrne Dairy Vice President advised that that the speed limit was reduced in the area involved and the Department of Transportation had approved the second driveway 7 – 8 months ago. DOT required a Property Executive Review Group out of Albany to review the Curb Cut which was a lengthy process and fortunately has been approved recently.

Brunelle reported that this is the 54th Byrne location and will have a large grocery section, many utilizing local vendors, will sell fuel, and of course, Byrne Dairy Products.

Supervisor McConnell asked if there were any questions or comments from the Board or attendants.

Councilor Ohstrom thanked Mr. Brunelle and Byrne Dairy for their patience and for keeping us updated. Ana McConnell congratulated Byrne and inquired “when do you start?” Brunelle answered, “Could break ground June 1<sup>st</sup> if all goes well. Grant Kemmerer who has owned McDonald’s for the last 5 years advised that he is very supportive of the new Byrne Dairy.

**Supervisor McConnell moved and Palmer seconded the motion to close the Public Hearing. Motion carried 5-0.**

**William McConnell  
Andrew Ohstrom  
Steve Zajac  
Doug Daniel  
Melanie Palmer**

**Supervisor  
Councilor  
Councilor  
Councilor  
Councilor**

**Voted  
Voted  
Voted  
Voted  
Voted**

**Yes  
Yes  
Yes  
Yes  
Yes**

Attorney Gilligan advised that the EAF Part 1 was completed at the April 13<sup>th</sup>, 2015 Meeting. Part 2 of the EAF was read verbally and completed by Gilligan determining very small or no impact found.

SEQR RESOLUTION  
TOWN OF LAFAYETTE TOWN BOARD  
SonByrne Sales, Inc.  
May 11, 2015

WHEREAS, on November 25, 2013 SonByrne Sales, Inc. (herein after, "SonByrne") made application to the Town of LaFayette for a zone change involving seven acres of land ( a portion of tax map parcel # 020.-06-01.2), located on the north side of NYS Route 20 in the Town of LaFayette, immediately west of and adjacent to an existing McDonalds restaurant; and

WHEREAS, a companion application for subdivision approval was initiated to carve the subject seven acre parcel from a larger 30.5 acre parcel owned by Route 20 Crossroads Corporation (hereinafter "Crossroads"; and

WHEREAS, by letter dated November 13, 2013 Crossroads has consented to SonByrne's application for subdivision and a zone change on the seven acre parcel from "Hamlet" to "Commercial Planned District", as that term is defined in the Town of LaFayette Zoning Ordinance; and

WHEREAS, SonByrne plans to construct a 7,030 SF grocery/convenience store, with sixteen (16) gasoline and two (2) diesel fuel pumps on the site; and

WHEREAS, action on this application has been held for a period of nineteen (19) months while SonByrne sought permission from the NYSDOT to install a dedicated driveway onto NYS Route 20 from the proposed facility; and

WHEREAS, in addition to the dedicated driveway onto NYS Route 20, SonByrne will share an existing driveway that services the McDonald's facility; and

WHEREAS, the public hearing in this matter has been continued until May 11, 2015 while awaiting the NYSDOT approvals required; and

WHEREAS, at its meeting held on December 9, 2013, the Town Board determined that the Onondaga County Dept. of Health, the NYS Dept. of Transportation and the NYS Dept. of Environmental Conservation were involved agencies, the Town Board would proceed as lead agency and declared this application to be a Type I action for purposes of SEQR; and

WHEREAS, each of the involved agencies deferred to the LaFayette Town Board to proceed as lead agency; and

WHEREAS, NYSDOT approval for the dedicated access to the proposed facility has now been granted and the Town is prepared to proceed with local approvals.

NOW, THEREFORE it is

RESOLVED AND DETERMINED, that the proposed action and development of this parcel as proposed will not result in any adverse environmental impacts and the Town Board therefore renders a Negative Declaration for purposes of SEQR; and it is further

RESOLVED AND DETERMINED, that this negative declaration is based upon the following findings of fact:

- Lighting will be "down lighting" which is 100% dark sky compliant. There will be no glare off site and no lighting spillage with zero candles at the SonByrne property line, all according to an October 28, 2013 Lighting Plan and Study prepared by Red Leonard Associates.

- With respect to Septic disposal, SonByrne received good perc results and its plan was conceptually approved by the OCDOH. A compliant septic system is possible due to the acreage involved and will be subject to OCDOH and NYSDEC (SPDES) review and approval. See Site Evaluation for Septic System, dated January 13, 2014, prepared by Julian Clark, P.E. of Plumley Engineering.
- Potable water will be provided by a well, located on the west side of the project, just to the west of the planned pavement for the SonByrne facility. It must be located 200' away from the septic system. Well will be shielded from residents and is subject to OCDOH approval.
- Drainage for the site is doable and is subject to SWPPP approval. To the extent that flow goes toward NYS Rte. 20, this would be subject to review and approval by NYSDOT.
- A trash receptacle will be located on site, to be enclosed by industrial fencing with ivory slats and a green roof.
- Traffic has been the subject of a 19 month review by the NYSDOT. The plan calls for two access points to the SonByrne facility, one being a shared driveway to the east of the project with a McDonald's restaurant, the other being a new dedicated driveway cut onto Route 20.
- Based upon comments from NYSDOT representatives at a May 4, 2015 meeting held at the LaFayette Town Hall, SonByrne and McDonalds have entered into negotiations for an alternative SonByrne access from the shared driveway, located to the north of the proposed access point as shown on SonByrne Plans. Although NYSDOT indicated it had no jurisdiction over internal traffic circulation and patterns, it did suggest that driveway conflicts could develop at the McDonald's/SonByrne cross access point. The alternate access point will serve as an alternative development option should difficulties evolve at the cross access point as presented.
- A significant grade of nearly 9 % runs from the shared driveway to the SonByrne facility. The new driveway onto Rte 20 has a 4% grade from Rte 20 to the facility, but nearly flattens out at street level.
- NYSDOT is the permitting agency with respect to both access points and all requirements of that Department will be observed.
- There is a site distance of 1050+/-' to the west of the new SonByrne access point and 1000+/- feet to the east.
- Hours of operation will be 24' per day.
- The speed limit on Rte 20, at the front of the SonByrne location has been reduced by NYSDOT from 55mph to 45mph.
- A traffic report, prepared by Jim Napoleon & Associates dated November, 2014 opines:

1. The levels of service currently experienced by motorists in the area will not be significantly affected as a result of the proposed development. Assuming that the requested new driveway is permitted, the volumes of Byrne Dairy generated traffic will be easily absorbed into US Route 20 flows.
  2. It is intended that access to the site will be provided by a newly constructed driveway along US Route 20, and, through an off-road driveway that will provide a connection with the McDonald's facilities. The proposed driveway along US Route 20 will be well removed from the existing McDonald's driveway and the I-81 Ramp intersection and, will provide convenient and safe ingress and egress as well as good and safe on-site circulation for Byrne Dairy patrons and delivery vehicles.
  3. With the exception of recommended pavement marking modifications, no alterations to existing highways or intersections will be necessary as a result of the proposed development and none are recommended.
- A new left turn lane for east bound traffic will be installed to service the new driveway.
  - Impacts are small and manageable along Rte 20.
  - The SonByrne project will not be a "destination location", except for local Town traffic.
  - Underground fuel storage tanks planned for the site will be modern, state of the art tanks, licensed by the NYSDEC.
  - By way of potential impacts on neighbors, the hedgerow located along the western boundary of the parent property owned by Crossroads, will be maintained and not removed or diminished, this requirement to be memorialized by a covenant to run with the land between the Town and Crossroads.
  - Also, impacts on neighboring properties to the west will be shielded by a 35' drop in elevation.
  - The SonByrne development is located 798'+/- to the west property line.
  - The SonByrne development is located 552'+/- from the nearest residence located on the south side of Rte. 20.
  - There is adequate space on site for snow storage during winter months.
  - The proposal is consistent with Town Comprehensive Plan.
    1. PP 6-7: Pursuant to business survey, fully 83% of Town residents responded favorably to the inclusion of a grocery store in the Town.

2. P 9: According to the survey, the lack of a grocery store in the Town was seen as a significant weakness to the Town's attractiveness.
3. P51: The 2007 business demand survey demonstrated that residents were particularly interested in having more restaurants and a grocery store in the Town.
4. P. 52: In accordance with the 2007 business demand survey, 78% of respondents indicated that they would prefer to see development in the LaFayette Hamlet and the Comprehensive Plan further concluded that it was important to build a strong Hamlet economy in supporting small businesses as a focus for the Town's economic development efforts. Further, the Comprehensive Plan suggested that the Town should attract new business focused on the Hamlet area. The proposed SonByrne site is currently part of the Hamlet zone and is being rezoned to accommodate the particular plan.
5. P54: In the section of the Comprehensive Plan titled "Goals and Implementation Measures", Goal 10 includes the expansion of existing businesses in the Town and taking action to promote and encourage the expansion of businesses that provide goods and services needed by Town residents and that are consistent with the Town's character. Further, Goal 11 of the same section states that the Town should seek to increase the number and variety of business in the Town, especially in the Hamlet area and includes the implementation measure to work cooperatively with developers to attract a grocery store, restaurants and other retailers and services in the Hamlet area that will serve the needs of Town residents. The project site meets these goals.
6. P54: In the same section, Goal 12 encourages increasing the economic impact of existing Town assets through the implementation measures of capitalizing on numerous travelers on nearby transportation routes to increase the customer base for new and existing businesses.
7. P60: Section 5 ("Hamlet Development") of the Comprehensive Plan recognizes the paucity of opportunities for Town residents to buy groceries. Specifically, the only existing such areas are the Nice and Easy and The Dollar General on NYS Route 11.
  - Proposed building coverage for this parcel is less than 4% for this project.
  - The proposed action does not cause or result in any alteration of, increase or decrease in the size of, or encroachment into any existing wetland,

water body, shoreline, beach or adjacent area. There are no DEC wetlands in the vicinity of the project.

- The proposed action will not produce noise that will exceed existing ambient noise levels during construction or operation.
- There are no known archaeological or historic sites on or near the project site.
- There are no endangered species at the project site.

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

<b>William McConnell</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>
<b>Andrew Ohstrom</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Steve Zajac</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Doug Daniel</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Melanie Palmer</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

APPROVAL RESOLUTION  
TOWN OF LAFAYETTE TOWN BOARD

SonByrne Sales, Inc.

Ordinance Amending Zoning Classification of Certain Property from Hamlet (H) to Commercial Planned Development District (CPD)

May 11, 2015

WHEREAS, on November 25, 2013 SonByrne Sales, Inc. (hereinafter, "SonByrne") made application to the Town of LaFayette for a zone change involving seven acres of land (a portion of tax map parcel # 020.-06-01.2), located on the north side of NYS Route 20 in the Town of LaFayette, immediately west of and adjacent to an existing McDonalds restaurant from Hamlet (H) to Commercial Planned District (CPD); and

WHEREAS, a companion application for subdivision approval was initiated to carve the subject seven acre parcel from a larger 30.5 acre parcel owned by Route 20 Crossroads Corporation (hereinafter "Crossroads"); and

WHEREAS, by letter dated November 13, 2013 Crossroads consented to SonByrne's application for subdivision and a zone change on the seven acre parcel from "Hamlet" to "Commercial Planned District", as that term is defined in the Town of LaFayette Zoning Ordinance; and

WHEREAS, pursuant to the provisions of the Town Law, a proposed ordinance, titled "Amending Article I, Section 'C' of the 1970 Zoning Ordinance of the Town of LaFayette to amend the Zoning Map and Change the Zoning District Classification of Certain Specified Properties from Hamlet District (H) to Commercial Planned Development (CPD) District", was presented and introduced at a regular meeting of the Town Board of the Town of LaFayette held on December 9, 2013

WHEREAS, SonByrne plans to construct a 7,030 SF grocery/convenience store, with sixteen (16) gasoline and two (2) diesel fuel positions on the site; and

WHEREAS, action on this application has been held for a period of nineteen (19) months at the request of SonByrne, while it sought permission from the NYSDOT to install a dedicated driveway onto NYS Route 20 from the proposed facility; and

WHEREAS, in addition to the dedicated driveway onto NYS Route 20, SonByrne will share an existing driveway that services the adjacent McDonald's facility; and

WHEREAS, the public hearing in this matter was initiated on January 13, 2014 and has been continued through May 11, 2015 at the applicant's request, while awaiting the NYSDOT approvals required and proof of publication and posting noticing said public hearing have been submitted and filed; and

WHEREAS, at its meeting held on December 9, 2013, the Town Board determined that the Onondaga County Dept. of Health, the NYS Dept. of Transportation and the NYS Dept. of Environmental Conservation were involved agencies, the Town Board would proceed as lead agency and declared this application to be a Type I action for purposes of SEQR; and

WHEREAS, each of the involved agencies deferred to the LaFayette Town Board to proceed as lead agency; and

WHEREAS, the proposed ordinance was referred to the Onondaga County Planning Agency on in November and by report dated November 26, 2013, that Board offered the following modifications:

- The applicant and developer must coordinate with the New York State Department of Transportation regarding access to this site from Route 20. This has been done and subject to the aforementioned 19 month review process with NYSDOT.
- The Onondaga County Health Department must formally accept or approve respectively, any existing or proposed septic system to service this property prior to Department approval of the subdivision plan. County Health approval will be a condition of approval on the zone change.

WHEREAS, this application was also referred to the Town of LaFayette Planning Board and by letter dated December 5, 2013, that Board recommended approval of the zone change with the following comments and findings:

- The site is comprised of 7.0 + acres located in the northwest corner of U.S. Interstate 81 and NYS Route 20 (being a portion of tax map no. 020.-06-01.2), which acreage is in excess of the required 5 acres necessary for consideration for a Commercial Planned Development District.
- The proposed preliminary development plan demonstrates appropriate development of the area with respect to its existing natural features, its location, suitability for the included structures and uses since the project entails a large, previously vacant site of over 7 acres with a single main structure of 7,030 SF, a full service grocery store along with associated fueling and parking facility. The proposal further includes significant open green areas, particularly on the western, northwestern and southwestern portions of the site which are closest to the nearest

residential area. The development is further appropriate in the sense that it is an existing commercial use in the form of an existing McDonald's restaurant and associated parking area directly to the east of the facility. The site accommodates the existing natural topography of the parcel and preserves other existing features, including the hedgerows bordering on the west and northern part of the property proposed by the Developer.

- The proposed preliminary development plan also includes a combination of structures and uses which appear to be harmonious and in proportion with the site improvements. In particular, the layout of the grocery store is centralized on the site to allow for appropriate drainage and for safe internal access and traffic control. Further, the development mitigates any impacts through the placement of the fueling station between the commercial use located directly to the east and the proposed grocery store structure. In addition, the developer's proposal to include covenants to keep the hedgerows will also allow for buffering of the structures and uses from adjacent properties.
- The proposal demonstrates adequate public utilities and highway access to service the structures and uses. In particular, the applicant will be required to demonstrate obtaining the necessary commercial driveway cut permits from the NYSDOT. U.S. Route 20 (also known as NYS Route 20), is and has been recognized as a major thoroughfare through this portion of the Community and the applicant will be required to work closely with NYSDOT to demonstrate appropriate site distance for any new road cut and will utilize the existing road cut to the McDonald's restaurant facility and thereafter gain access to the site through an internal driveway located on the boarder of the McDonald's parcel and the subject parcel.
- The proposed project demonstrates a development that is harmonious with appropriate development of neighboring areas and will not be unreasonably detrimental to existing structures and uses in such areas. The parcel is unique in the sense that it shares its border with a long-standing adjacent commercial use (the McDonald's restaurant). Further, the parcel's access from U.S. Route 20 through a separate driveway cut (which must be established pursuant to a specific permit from the NYSDOT) and the existing McDonald's driveway cut will limit any potential detrimental impacts to surrounding uses. The development further includes a minor simple subdivision which will allow for residual lands to be retained and act as a physical buffer from the nearest residential parcel to the west. With regard to the buffering parcel, the owner of that parcel (Route 20 Crossroads Corporation) has indicated in conjunction with the applicant that it will enter into Covenants to Run with the Land that will preserve the existing hedgerow which currently acts as a natural buffer to the parcels to their immediate west. There are no anticipated impacts to parcels opposite to U.S. Route 20 and

the applicant will be required to demonstrated to the Town Board an appropriate lighting plan to demonstrate that all lighting will be maintained on-site such that there will be no spillage onto neighboring parcels or onto U.S. Route 20. Further, the applicant has demonstrated that the day-to-day operations of the Byrne Dairy site will include safeguards to avoid overnight parking of vehicles (including tractor trailers) and a prohibition of idling of such vehicles on the site. The applicant has further demonstrated that the proposed septic field and septic system will be will in excess of all setbacks required under New York State Health Department guidelines and that sufficient septic field sizing is available onsite. The applicant has also demonstrated that the facility will have an appropriately engineered stormwater management area, including a forebay system.

- The proposed site development demonstrates an appropriate evolution of the Comprehensive Plan of the Town of LaFayette. In particular, the Comprehensive Plan includes the following references:
  1. Pp 6-7: Pursuant to the Business Demand Survey, 83% of residents responded favorably to the inclusion of a grocery store in LaFayette.
  2. P 9: According to the Survey, the lack of a grocery store in the Town was seen as a significant weakness to the Town's attractiveness.
  3. P51: The 2007 Business Demand Survey demonstrated that residents were "particularly interested in having more restaurants and a grocery store in the Town".
  4. P52: In accordance with the 2007 Business Demand Survey, 78% of respondents indicated that they would prefer to see development in the LaFayette Hamlet and the Comprehensive Plan further concluded that it was important to build a "strong Hamlet economy in supporting small business" as a focus for the Town's economic development efforts. Further, the Comprehensive Plan suggested that the Town should attract new business focused on the Hamlet area.
  5. P54: In the section titled "Goals and Implementation Measures", Goal 10 includes the expansion of existing businesses in the Town of LaFayette and taking action to promote and encourage the expansion of businesses that provide goods and services needed by Town residents and that are consistent with the Town's character. Further, Goal 11 of the same section states that the Town should seek to increase the number and variety of businesses in the Town, especially in the Hamlet area and includes the implementation measure to work cooperatively with developers to attract a grocery

store, restaurants and other retailers and services in the Hamlet area that will serve the needs of Town residents.

6. P54: In the same section, Goal 12 encourages increasing the economic impact of existing Town assets through the implementation measure of capitalizing on numerous travelers on nearby transportation routes to increase the customer base for new and existing businesses.
7. P60: Section 5 (“Hamlet Development”) of the Comprehensive Plan recognizes the paucity of opportunities for Town residents to buy groceries. Specifically, the only existing such areas are the Nice N’Easy and the Dollar General stores.
  - The proposed plan limits building coverage of the development to an area far less than 30%. The total building area, as shown on the plans, is 7,030 SF and the parcel size is in excess of 7 acres. In total, with all structures (including those with canopies), the building coverage is less than 4%.
  - The Town Planning Board recommended condition be included in an approval that would require that the developer enter into a stormwater management agreement with the Town and the recording of appropriate covenants.

WHEREAS, the NYSDOT approval for the dedicated access to the proposed facility has now been granted and the Town is prepared to proceed with local approvals; and

WHEREAS, by separate resolution, this Board has determined that there will be no adverse environmental impacts experienced as a result of this project and has issued a negative declaration, thereby concluding the SEQR process; and

WHEREAS, all persons desiring to be heard in connection with said proposed ordinance having been heard and said proposed ordinance having been in the possession of the members of the Town Board; and

WHEREAS, it is in the public interest to adopt said proposed Ordinance.

NOW THEREFORE, be it

RESOLVED AND DETERMINED, that this Board ratifies and adopts the findings and recommendations of the Town’s Planning Board herein related; and it is further

RESOLVED AND DETERMINED, that the board hereby finds that the subject property is located with the Hamlet District (H) in the Town of LaFayette and that the property is being developed within a planned district concept which is totally appropriate; and it is further

RESOLVED AND DETERMINED, that site lighting will be “down lighting” which is 100% dark sky compliant. There will be no glare off site and no lighting spillage with zero candles at the SonByrne property line, all according to an October 28, 2013 Lighting Plan and Study prepared by Red Leonard Associates; and it is further

RESOLVED AND DETERMINED, that, based upon comments from NYSDOT representatives at a May 4, 2015 meeting held at the LaFayette Town Hall, SonByrne and McDonalds have entered into negotiations for an alternative SonByrne access from the shared driveway, located to the north of the proposed access point as shown on SonByrne Plans. Although NYSDOT indicated it had no jurisdiction over internal traffic circulation and patterns, it did suggest that driveway conflicts could develop at the McDonald's/SonByrne cross access point. The alternate access point will serve as an alternative development option should difficulties evolve at the cross access point as presented; and it is further

RESOLVED AND DETERMINED, that NYSDOT is the permitting agency with respect to both Route 20 access points and all requirements of that Department must be observed; and it is further

RESOLVED AND DETERMINED, that the hedgerow (of approximately 20 feet in depth, located along the western boundary of the parent property owned by Crossroads, will be preserved and not removed or diminished, this requirement to be memorialized by a covenant to run with the land between the Town and Crossroads; and it is further

RESOLVED AND DETERMINED, that the Town Board of the Town of LaFayette, Onondaga County, New York, does hereby adopt the proposed Ordinance, in accordance with the listed plans and subject to the noted conditions, as follows:

#### ORDINANCE

Amending Article I, Section "C" of the 1970 Zoning Ordinance of the Town of LaFayette to Amend the Zoning Map and Change the Zoning District Classification of Certain Specified Properties from Hamlet District to Commercial Planned Development District.

BE IT ORDAINED, that Article I, Section "C" of the 1970 Zoning Ordinance of the Town of LaFayette is hereby amended to revise the "Town of LaFayette, Zoning Map" and change the zoning classification of the properties described in the attached Schedule "A" from Hamlet District (H) to Commercial Planned Development District (CPD).

Effective Date: This Ordinance shall take effect as provided in Section 265 of the New York Town Law.

#### SCHEDULE "A"

All that tract or parcel of land situate in the Town of Lafayette, County of Onondaga and State of New York, being a part of Military Lot 59 in said town and being more particularly bounded and described as follows:

BEGINNING at the point of intersection of the northerly line of U.S. Route 20 with the division line between Lot 1 of McDonalds Minor Subdivision as filed in the Onondaga County Clerk's Office as Map 8084 on the east and Lot 2 of said subdivision on the west;

Thence along the northerly line of U.S. Route 20 the following two (2) courses and distances:

- 1) North 80 deg. 35 min. 30 sec. West, 255.31 feet to a point; and
- 2) North 84 deg. 47 min. 23 sec. West, 503.76 feet to a point;

Thence through Lot 2 of said subdivision the following two (2) courses and distances:

- 1) North 03 deg. 47 min. 10 sec. East, 473.28 feet to a point; and

2) North 84 deg. 19 min. 33 sec. East, 409.39 feet to its intersection with the division line between said Lot 1 on the east and Lot 2 on the west;

Thence along said division line the following five (5) courses and distances:

- 1) South 06 deg. 24 min. 56 sec. East, 186.98 feet to a point; thence
  - 2) South 36 deg. 57 min. 06 sec. East, 110.39 feet to a point; thence
  - 3) South 50 deg. 45 min. 53 sec. East, 134.21 feet to a point; thence
  - 4) South 80 deg. 35 min. 30 sec. East, 152.59 feet to a point; and
  - 5) South 07 deg. 04 min. 00 sec. West, 218.00 feet to the point or place of beginning.
- Containing 7.000 acres of land more or less and being a portion of the lands conveyed to Route 20 – Crossroads Corporation by McDonald’s Corporation as described in Book 4002 of Deeds at page 56.

## PLANS:

### Site Development Plans

Cover sheet dated May, 2015, Plumley Engineering

- C201 Final Site Plan, revised to 5/5/15
- C301 Erosion, Sediment Control & Landscaping Plan, May 2015
- C302 Erosion, Sediment Control & Landscaping Details and Specifications; 5/2015
- C401 Paving, Grading & Drainage Systems Plan, May 2015
- C402 Paving, Grading & Drainage Systems Details and Sections 5/2015
- C403 Paving, Grading & Drainage Details and Sections, May 2015
- C404 Paving, Grading & Drainage Details and Sections, May 2015
- C501 Wastewater Treatment System, Details, Plan, Notes and Specs, May 2015
- C502 Wastewater Treatment System, Details, Sections and Specs, 5/15
- C601 NYSDOT Driveway Permit – Driveway Geometry Plan and Details, May 2015
- C602 NYSDOT Driveway Permit – Work Zone Traffic Control Plan 5/2015
- C603 Route 20, Left Turn Lane, May 2015

### Sign Package – List of Signage:

1. 100 SF Free Standing Sign at McDonald’s Entrance 25’ high
2. 32 SF Free Standing Sign at new Route 20 access point 8’ high
3. Bldg signs – 49 SF (east and south sides of bldg.)
4. Canopy signs – over gas pump facilities (wrap)

## CONDITIONS

1. The owner of the parent property, Route 20 Crossroads Corporation will enter into a covenant to run with the land, agreeing to preserve, observe and not diminish in any way, a 20’ wide hedgerow buffer along the western border of the remaining Crossroads property as a screening measure between the SonByrne facility and residential property to the west thereof.

2. SonByrne will post and enforce a prohibition on overnight parking at this facility.
3. SonByrne will post and enforce a “no-idling” restriction on trucks at the SonByrne facility, to be defined as no idling of more than fifteen minutes in duration.
4. SonByrne will enter into appropriate stormwater maintenance and access agreements with the Town in order to assure SWPPP and drainage requirements.
5. SonByrne will secure and maintain all required permits from other governmental agencies, including but not limited to NYSDEC, County Health, and NYSDOT.
6. Site lighting will be in accordance with the Red Leonard Associates study provided in support of this application. There will be zero candles at the project’s borders and there will be no light spillage onto NYS Route 20 or adjoining properties.
7. SonByrne will complete the subdivision process to split the subject 7 acre parcel from the main parcel owned by Crossroads.
8. The site dumpster will be fenced, with ivory slats and green roof.
9. Modification of grading and SWPPP at McDonald’s and Route 20 access points in accordance with LaFayette Town Engineer’s instructions.

**The question of the adoption of the foregoing resolution was duly put to a vote and**

**upon roll call, the vote was as follows:**

<b>William McConnell</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>
<b>Andrew Ohstrom</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Steve Zajac</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Doug Daniel</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Melanie Palmer</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

**The foregoing resolution was thereupon declared duly adopted.**

**DATED: May 11, 2015**

**C. Public Hearing Local Law B of 2015**

Supervisor McConnell opened the Public Hearing and Attorney Gilligan gave a brief summary that this law basically requires the Town of LaFayette to notify anyone involved if our computers system get hacked and any of their private information is compromised. No other questions or comments were voiced.

**Supervisor McConnell moved and Palmer seconded the motion to close the Public Hearing regarding Proposed Local Law B of 2015.**

**Motion carried 5-0.**

<b>William McConnell</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>
<b>Andrew Ohstrom</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

**Steve Zajac**  
**Doug Daniel**  
**Melanie Palmer**

**Councilor**  
**Councilor**  
**Councilor**

**Voted**      **Yes**  
**Voted**      **Yes**  
**Voted**      **Yes**

**TOWN OF LAFAYETTE**  
**TOWN BOARD RESOLUTION**

**May 11, 2015**

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

**WHEREAS**, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law titled Local Law No. B-2014, “A Local Law to Enact the Town of LaFayette Computer System Security Breach Notification Policy,” was presented and introduced at a regular meeting of the Town Board of the Town of LaFayette held on April 13, 2015; and

**WHEREAS**, a public hearing was held on such proposed local law on this 11<sup>th</sup> day of May, 2015, 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**, the enactment of Proposed Local Law No. B-2015 has previously been determined to be an unlisted action and will have no significant effect on the environment thus concluding the SEQR review process; and

**WHEREAS**, it is in the public interest to enact said Proposed Local Law No. B-2015.

**NOW, THEREFORE**, it is

**RESOLVED** that the Town Board of the Town of LaFayette, Onondaga County, New York, does hereby enact proposed Local Law No. B-2015 as Local Law No. 2-2015 as follows:

**TOWN OF LAFAYETTE  
LOCAL LAW NO. 2 FOR THE YEAR 2015  
A LOCAL LAW TO ENACT THE TOWN  
OF LAFAYETTE COMPUTER SYSTEM SECURITY  
BREACH NOTIFICATION POLICY**

Be it enacted by the Town of LaFayette Town Board, as follows:

**SECTION 1.            TITLE.**

This law shall be known as the “Town of LaFayette Computer System Security Breach Notification Policy.”

**SECTION 2.            LEGISLATIVE INTENT.**

This Computer System Security Breach Notification Policy is intended to establish procedures to follow in the event a person(s) has acquired without valid authorization, private information of individuals from the records of the Town of LaFayette and to alert said individuals to any potential identify theft as quickly as possible so that they may take appropriate steps to protect themselves from and remedy any impacts of the potential identity theft or security breach.

**SECTION 3.            AUTHORITY.**

This local law is enacted pursuant to the New York State Constitution, New York Municipal Home Rule Law §10 and New York Technology Law §208.

**SECTION 4.            DEFINITIONS.**

**BREACH OF SECURITY OF THE SYSTEM** - Unauthorized acquisition or acquisition without valid authorization of computerized data which compromises the security, confidentiality or integrity of personal information maintained by the Town. Good faith acquisition of personal information by an employee or agent of the Town for the purposes of the employee or agent is not a breach of the security of the system, provided that the private information is not used or subject to unauthorized disclosure. In determining whether information has been acquired, or is reasonably believed to have been acquired, by an unauthorized person or a person without valid authorization, the Town may consider the following factors, among others:

1.     **indications that the information is in the physical possession and control of an unauthorized person, such as a lost or stolen computer or other device containing information; or**
2.     **indications that the information has been downloaded or copied; or**

3. **indications that the information was used by an unauthorized person, such as fraudulent accounts opened or instances of identity theft reported.**

**CONSUMER REPORTING AGENCY** - means any person or entity which, for monetary fees, dues or on a cooperative nonprofit basis, regularly engages in whole or in part in the practice of assembling or evaluating consumer credit information or other information on consumers for the purpose of furnishing consumer reports to third parties, and which uses any means or facility of interstate commerce for the purpose of preparing or furnishing consumer reports. A list of consumer reporting agencies may be obtained upon request to the State Attorney General.

**DEPARTMENT** - means any board, division, committee, commission, council, department, public authority, public benefit corporation, office or other governmental entity performing a governmental or proprietary function for the Town.

**PERSONAL INFORMATION** - means any information concerning a natural person which, because of name, number, personal mark, or other identifier, can be used to identify that person.

**PRIVATE INFORMATION** - means personal information in combination with any one or more of the following data elements, when either the personal information or the data element is not encrypted or encrypted with an encryption key that has also been acquired:

1. **social security number**
2. **driver's license number or non-driver identification card number; or**
3. **account number, credit or debit card number, in combination with any required security code, access code, or password which would permit access to an individual's financial account.**

"Private information" does not include publicly available information that is lawfully made available to the general public from Town records.

**TOWN** - means the Town of LaFayette, County of Onondaga.

## **SECTION 5. DISCLOSURE OF BREACH TO AFFECTED PERSONS.**

Any Town Department that owns or licenses computerized data that includes private information must disclose any breach of the security of the system to any individual whose private information was, or is reasonably believed to have been, acquired by a person without valid authorization. The disclosure must be made in the most expedient time possible and without unreasonable delay, consistent with the legitimate needs of law enforcement, as provided in Section 7 below, or any measures necessary to determine the scope of the breach and restore

the reasonable integrity of the data system. The Town shall consult with the State Office of Cyber Security and Critical Infrastructure Coordination to determine the scope of the breach and restoration measures.

**SECTION 6. DISCLOSURE OF BREACH TO OWNER OR LICENSEE.**

If the Town maintains computerized data that includes private information which the Town does not own, the Town must notify the owner or licensee of the information of any breach of the security of the system immediately following discovery, if the private information was, or is reasonably believed to have been, acquired by a person without valid authorization.

**SECTION 7. PERMITTED DELAY.**

Notification pursuant to this Policy may be delayed if a law enforcement agency determines that notification could impede a criminal investigation. The notification must be made after the law enforcement agency determines that notification would not compromise any criminal investigation.

**SECTION 8. METHOD OF NOTIFICATION.**

The required notice must be directly provided to the affected individuals by one of the following methods:

1. **written notice;**
2. **electronic notice, provided that the person to whom notice is required to be provided has expressly consented to receiving notice in electronic form and a log of each electronic notification is kept by the Town; and provided further that no person or business may require a person to consent to accepting notice in electronic form as a condition of establishing any business relationship or engaging in any transaction;**
3. **telephone notification, provided that a log of each telephone notification is kept by the Town; or**
4. **substitute notice, if the Town demonstrates to the State Attorney General that the cost of providing notice would exceed \$250,000 or that the number of individuals to be notified exceeds 500,000, or the Town does not have sufficient contact information. Substitute notice must include all of the following:**
  - a. **e-mail notice, when the Town has an e-mail address for the subject persons;**
  - b. **conspicuous posting of the notice on the Town's Website page, if the Town maintains one; and**
  - c. **notification to major state-wide media.**

**SECTION 9.            INFORMATION REQUIRED.**

Regardless of the method by which notice is provided, the notice must include contact information for the Town and a description of the categories of information that were, or are reasonably believed to have been, acquired by a person without valid authorization, including specification of which of the elements of personal information were, or are reasonably believed to have been, acquired.

**SECTION 10.            NOTIFICATION OF AGENCIES.**

1.        Whenever any New York State residents are to be notified pursuant to this Policy, the Town must notify the State Attorney General, the Consumer Protection Board and the State Office of Cyber Security and Critical Infrastructure Coordination as to the timing, content and distribution of the notices and the approximate number of affected people. Such notice must be made without delaying notice to affected individuals.

2.        Whenever more than 5,000 New York State residents are to be notified at one time, the Town must also notify consumer reporting agencies as to the timing, content and distribution of the notices and the approximate number of affected people. Such notice must be made without delaying notice to affected individuals.

**SECTION 11.            SEVERABILITY.**

If any clause, sentence, paragraph, subdivision or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**SECTION 12.            EFFECTIVE DATE.**

This Local Law shall be effective upon filing with the office of the Secretary of State.

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

<b>William McConnell</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>
<b>Andrew Ohstrom</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Steve Zajac</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Doug Daniel</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Melanie Palmer</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

The foregoing resolution was thereupon declared duly adopted.

**DATED:        May 11, 2015**

D. Public Hearing MS4/Stormwater 2015 Annual Report

Supervisor McConnell opened the Public Hearing and advised that Mark Parrish of O'Brien and Gere oversee this. Councilman Daniel reported that there are no changes and that the Town of LaFayette is in good standing with Stormwater regulations. McConnell asked if there were any more questions or comments regarding this. None were voiced.

**Supervisor McConnell moved and Palmer seconded the motion to close the MS4/Stormwater for 2015 Public Hearing. Motion carried 5-0.**

<b>William McConnell</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>
<b>Andrew Ohstrom</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Steve Zajac</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Doug Daniel</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Melanie Palmer</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

Councilor Daniel advised that he will get with Mark Parrish of O'Brien and Gere regarding 2015 Stormwater for the Town of LaFayette.

6. COMMUNICATIONS

A. Proposal to reduce speed limit on Rt.11A in Cardiff.

Town Clerk Jackie Roorda advised that the petition has not been returned with signatures and Karl Field will try to have that completed by the June meeting.

7. SPECIAL REPORTS

8. REPORTS –

A. Departmental

1. Town Supervisor

a. Budget Officer Tom Chartrand reviewed and explained the transfers of appropriations as listed below.

**Councilor Ohstrom moved and Palmer seconded the motion to approve the transfer of appropriations as listed below. Motion carried 5-0.**

<b>William McConnell</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>
<b>Andrew Ohstrom</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Steve Zajac</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Doug Daniel</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Melanie Palmer</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

GENERAL FUND

To:	A7180.2	Special Recreation Facilities	Equipment	13,300.00
			TOTAL	<u>13,300.00</u>
				=====

From:	A1990.4	Contingent	Contractual	13,300.00
			TOTAL	<u>13,300.00</u>
				=====

HIGHWAY

To:	DA5130.2	Machinery	Equipment	30,000.00
	R-DA5130.2	Machinery	Equipment Reserve	33,880.00
			TOTAL	<u>63,880.00</u>
				=====

From:	DA9050.0	Transfer to Capital Fund	Interfund Transfer	30,000.00
	DA889	Reserve for Equipment		33,880.00
			TOTAL	<u>63,880.00</u>
				=====

LIBRARY FUND

To:	L1620.1	Library Cleaning	Personal Services	2,000.00
			TOTAL	<u>2,000.00</u>
				=====

From:	L1620.4	Library Cleaning	Contractual	2,000.00
			TOTAL	<u>2,000.00</u>
				=====

b. Abstract of Bills for new Highway Garage Project – Chartrand reported that once all the bills are paid and the outstanding bills are submitted that need to be paid, he will send a complete report. Councilor Ohstrom advised that once the final “punch list items are addressed we will have the final numbers.

c. BAN/Bond Timeline - Tom Chartrand advised the timeline is July 17<sup>th</sup>, 2015 for the sale. This is revised due to the purchase of the two new highway trucks. This financial information will be up for approval at the June meeting.

d. Chartrand reported that at the recent conference he attended discussion regarding required Town Board policies, however he is having difficulty getting any information from the webinars. Tax freeze information deadline is in June, and we need to submit a plan for the next three years. He is hoping the Comptroller and Association of Towns will assist him.

2. Highway

a. Superintendent's written report submitted by John Greeley.

**Roads :** Swept Town Roads and hauled 55 loads of brush so far. Still have more brush to pick up.

**Earth days:** A total of 11 groups walked Town roads picking up trash Friday 24<sup>th</sup> and Saturday 25<sup>th</sup>. A great event ...

**Equipment:** The New 10 wheeler Dump/plow is scheduled to arrive around the end of July. The wheeler plow two months later...

**New Highway Site:**

- 1) Septic in and approved - Waiting for paperwork
- 2) Oil and Grid separators in
- 3) Overall site graded
- 4) Top soil in around building
- 5) Flag pole stone work completed
- 6) Camera system in and functioning
- 7) Fuel metering system in place
- 8) No data and no phone as of yet
- 9) awaiting 3 quotes for landscaping

Target date for completion of outside work is May 29<sup>th</sup>.

Dump Days : Residents took full advantage of the Town service.

Picked up lots of mulch

Filled the trailer full of E-waste

- Sinking will now start charging for CRT's ( mostly TV's)
- will use steel and monies to help defray the cost...

b. Electronic Sign Bids. Mark Chambers of C & S Engineering advised that only one bid was submitted at \$34,250.00. He further advised that the electrical wiring necessary is in place in front of the new highway garage and it takes 30 days to order. Councilor Ohstrom advised that this was not a part of the 3.2 million and was not in the original bid. It was decided to set this matter aside until the final numbers are in and hold the bid open for 45 days and revisit this at the June 8<sup>th</sup> meeting.

### 3. Justice Court

a. The Monthly reports were submitted and reviewed.

192 - total cases for Judge Perrin; \$19,175.00 was taken in for the month of March, 2015.

216 - total cases for Judge Shute; \$19,771.00 was taken in for the month of March, 2105.

b. Letter from Court Clerk Carleen LaRonde requesting funds for needed equipment for the Court. Supervisor McConnell advised that he discussed this with Judge Shute and advised that there is funds available in the budget for the items needed.

#### 4. Parks and Recreation

Short report- has been very busy this past month or so getting ready for baseball and the game season just started. First home games will be this week. We have enough coaches (many new ones), pictures have been taken, and concession stand is ready. Girls did have to join with Tully again this year.

Some levels of lacrosse practices have started, other schedules are still in the works.

Summer program details being finalized for tennis and running. Others are set and awaiting registrations to come in (baseball and soccer camps).

Some swim registrations have come in.

Adult exercise programs are going well.

Adult softball league began last week.

Outdoor equipment was ordered with half the money down, and is scheduled to be delivered to the highway later this month and the other half will be due.

a. Councilor Ohstrom reported that The Vinegar Hill Sports Park revitalization project is moving along nicely. On April 25<sup>th</sup> the tear down of the old lacrosse box was completed in two hours thanks to the Optimist Club members, highway department and dump trailer that was donated by an Optimist member. On May 2<sup>nd</sup> through May 5<sup>th</sup> the new lacrosse box construction took place. The manpower of the Optimist Club, Community Council members, resident carpenters, high school players, By Sunday evening this project that was projected to take longer was structurally 85% completed. Ohstrom thanked them all for their hard work and also Jerry Marzo for heading up the project and Steve Zajac for overseeing safety. Zajac reported that the painting is done and the doors are installed and that it looks great. Supervisor McConnell thanked Andy Ohstrom for his numerous hours of labor and organizing this successful project and thanked the Optimist Club and all those involved in getting this completed so quickly and efficiently

b. Dave Prince advised that he has a college student, home for the summer months starting Monday as a part-time position to assist with the grounds keeping at the Parks, etc. He also advised that the zero turn mower with the 72" deck had a malfunction with the engine block. Cazenovia Equipment estimates \$10,000 to rebuild the engine. After discussions regarding repairing vs. replacing it was decided to get three bids together for replacing and a special meeting will be held to approve the purchase of the equipment as soon as possible.

5. Town Clerk

a. The Town Clerk Monthly cash revenue report for the month of April submitted by Town Clerk Roorda was submitted and reviewed by the Town Board.

b. Roorda advised that she was recently audited by the Passport Agency and no discrepancies were found. A written report will be forthcoming. She advised that the number of passport applications are significantly higher than they have been in the past.

c. Roorda reported that the Shredding day event was well attended and residents expressed appreciation for the Town offering this service annually.

B. Committees:

1) Community Development

a) Hamlet Revitalization Proposal

Supervisor McConnell introduced Jeannie Gleisner and Environmental Officer and Dennis Earle who teaches Architecture at SU, who have been investigating some options regarding the old highway garage options.

Phase 1 – In January a \$15,000 grant application was submitted to Onondaga County Department of Transportation and should have results of money granted in mid-May.

Phase 2 – Estimation of \$60 - \$70,000 to demolish the old building; shallow hole testing the soil takes 2 weeks to get the results;

Discussions took place regarding leasing or selling; businesses interested in purchasing the building; the expense of bringing the existing building up to safety and energy code; RFP's to get a good idea of what is entailed vs standard bid package for demolition; leaving the cement slab; etc.

**Councilman Ohstrom moved and Daniel seconded the motion authorizing C & S Companies to send out standard bid packages for the demolition of the old highway garage building. Motion carried 5-0.**

<b>William McConnell</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>
<b>Andrew Ohstrom</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Steve Zajac</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Doug Daniel</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Melanie Palmer</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

b. Supervisor McConnell advised that he has been working the Department of Transportation regarding the four corners road project and advised there still is no set date for this to be completed, therefore cannot obligate any money for the hotel corner building. McConnell reported that someone expressed interest in purchasing the property; however he is unsure how serious they are. The Town may consider purchasing the building and tearing it down, with different ways to utilize this area. Jeannie Gleisner, Dennis Earle, Andy Ohstrom and McConnell have researched some of the options to consider with regard to the four corners and reinvesting in the hamlet. Discussion took place of applying for potential grant money such as Main Street Grants

for redevelopment; however there are standards and specific things that need to be done. There are several town properties that need to be addressed, including abandoned properties; business compatibility needs to be looked at; the possibilities of senior housing; etc. all were talked about. They will talk with the old hotel property owner and Empire Management who owns the property between the hotel and the dinner. Gleizner also advised that there are great natural utility systems needing a half acre of land that would decrease costs 30%. McConnell advised that the Board will be working on this project and package options.

2. Employee Policies and Benefits - Councilor Ohstrom reported that he is looking at the possibility for the Town enlisting a broker/manager and bundling the Town's Workers Compensation, Property Casualty Insurance and Health Insurance which will save the Town a significant amount of money.

**Councilor Palmer moved and Zajac seconded the motion authorizing Ohstrom to pursue getting RFQ's for Insurance Broker Services for the Towns Workers Compensation, Property Casualty and Health Insurance policies.**

**Motion carried 5-0.**

<b>William McConnell</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>
<b>Andrew Ohstrom</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Steve Zajac</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Doug Daniel</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Melanie Palmer</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

3. Service Awards – Supervisor McConnell advised that the Awards audit needs to be completed this month.

10. UNFINISHED BUSINESS & ACTIVE

11. NEW BUSINESS

Supervisor McConnell advised that the Annual Apple Run will be taking place on Sunday morning of the Apple Festival Weekend and requests permission for roads used.

**Councilor Ohstrom moved and Palmer seconded the motion authorizing and giving permission for the use of Webster and Nichols Roads during the hours of 9:00 AM to 11:00 AM for the October 11, 2015, LaFayette Apple Run, per the Operation Plan for 2015. Motion carried 4-0.**

<b>William McConnell</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>
<b>Andrew Ohstrom</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Doug Daniel</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Melanie Palmer</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

- 12. Suggestions for improvement and positive contributions.
- 13. Executive Session (not necessary)
- 14. Motion to audit and pay bills.

<b>General Fund</b>	<b>7187-7259</b>	<b>\$ 64,363.27</b>
<b>Highway Fund</b>	<b>7260-7267</b>	<b>\$ 15,801.63</b>
<b>Special District</b>	<b>7277-7273</b>	<b>\$ 2,005.00</b>
<b>Trust &amp; Agency</b>	<b>7274</b>	<b>\$ 1,952.00</b>
<b>Cap. Development Fund</b>	<b>7280-7297</b>	<b>\$263,992.88</b>

**Councilor Palmer moved and Daniel seconded the motion to audit and pay the above listed bills. Motion carried 5-0.**

<b>William McConnell</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>
<b>Andrew Ohstrom</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Steve Zajac</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Doug Daniel</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Melanie Palmer</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

- 15. Motion to adjourn.

**Supervisor McConnell moved Palmer and seconded the motion to adjourn the meeting. Motion carried 5-0.**

The Town Board Meeting was adjourned at 9:15 p.m.

Respectfully submitted,

Jacqueline G. Roorda  
Town Clerk