

Town Board SPECIAL Meeting Minutes
Town Supervisor Daniel Fitzpatrick

Date: Tuesday, January 26, 2021 via Zoom link

Present: Daniel Fitzpatrick, Supervisor
Steve Zajac, Councilor
Melanie Palmer, Councilor
William McConnell, Councilor
Carole Dwyer, Councilor

Recording Secretary: Jackie Bush Roorda, Town Clerk

Attorney: Jeff Brown
Budget Officer: Tom Chartrand

Others Present: Kristin Colburn Sue Marzo
Steve Pitoniak Karl Field
John & Marikay Harper Sue Eiholtzer
Colleen Cameron Bruce Donahue
Don Moody Dann & Justine Johnson
Brittany Gale Karen Hughes

1. Supervisor Fitzpatrick called the meeting to order at 5:30 PM
2. Town Clerk Jackie Roorda took the Roll. All Present
3. Pledge to our U. S. Flag led by Councilor Palmer
4. PUBLIC HEARING – FIRE PROTECTION CONTRACT WITH JAMESVILLE FIRE DISTRICT

R-21-2021 Councilor McConnell moved and Zajac seconded the motion to open the Public Hearing for the Fire Protection Contract with Jamesville Fire District. Motion carried 5-0.

Daniel Fitzpatrick	Supervisor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
William McConnell	Councilor	Voted	Yes

No concerns voiced from the public were voiced

R-22-2021 Councilor McConnell moved and Palmer seconded the motion to close the Public Hearing for the Fire Protection Contract with Jamesville Fire District. Motion carried 5-0.

Daniel Fitzpatrick	Supervisor	Voted	Yes
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Steve Zajac	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
William McConnell	Councilor	Voted	Yes

5. PUBLIC HEARING – AMBULANCE SERVICE CONTRACT WITH LAFAYETTE AMBULANCE DEPARTMENT, INC.

R-23-2021 Councilor Palmer moved and McConnell seconded the motion to open the Public Hearing for the Ambulance Service Contract with LaFayette Ambulance Department Inc. Motion carried 5-0.

Daniel Fitzpatrick	Supervisor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
William McConnell	Councilor	Voted	Yes

Councilor McConnell asked if there was anyone from the Fire Department in attendance? Supervisor Fitzpatrick advised that there was not, but that they will be in attendance at the February meeting to discuss some other matters.

R-24-2021 Councilor McConnell moved and Dwyer seconded the motion to close the Public Hearing for the Ambulance Service Contract with LaFayette Ambulance Department Inc. Motion carried 5-0.

Daniel Fitzpatrick	Supervisor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
William McConnell	Councilor	Voted	Yes

6. PUBLIC HEARING – FIRE PROTECTION CONTRACT WITH LAFAYETTE FIRE DEPARTMENT, INC.

R-25-2021 Councilor McConnell moved and Palmer seconded the motion to open the Public Hearing for the LaFayette Fire Department Inc. Motion carried 5-0.

Daniel Fitzpatrick	Supervisor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
William McConnell	Councilor	Voted	Yes

No Comments from the public were voiced.

R-26-2021 Councilor McConnell moved and Palmer seconded the motion to close the Public Hearing for the LaFayette Fire Department Inc. Motion carried 5-0.

Daniel Fitzpatrick	Supervisor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
William McConnell	Councilor	Voted	Yes

7. PUBLIC HEARING – ESTABLISHMENT OF THE CARDIFF WATER DISTRICT

R-27-2021 Councilor McConnell moved and Dwyer seconded the motion to open the Public Hearing to establish the Cardiff Water District. Motion carried 5-0.

Daniel Fitzpatrick	Supervisor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
William McConnell	Councilor	Voted	Yes

Discussions took place with regard to wells, the negotiation process with Honeywell and OCWA, main goal to make sure the current users of the Tookes Springs have water, costs, DEC involvement, District formation being contingent upon OCWA and Honeywell signed agreements, future grant funding, property at Cardiff Cemetery and Honeywell turning over all property to the Town, water testing and no specific deadline in writing, however Attorney Jeff Brown and Supervisor Fitzpatrick are hopeful that agreements will be ready for consideration by the Town Board at the March meeting.

R-28-2021 Councilor McConnell moved and Palmer seconded the motion to close the Public Hearing for to establish the Cardiff Water District. Motion carried 5-0.

Daniel Fitzpatrick	Supervisor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
William McConnell	Councilor	Voted	Yes

8. MOTION TO APPROVE THE FIRE PROTECTION CONTRACT WITH JAMESVILLE FIRE DISTRICT

R-29-2021 Councilor Palmer moved and Dwyer seconded the motion to approve the Fire Protection Contract with Jamesville Fire District Motion carried 5-0.

Daniel Fitzpatrick	Supervisor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
William McConnell	Councilor	Voted	Yes

9. MOTION TO APPROVE THE AMBULANCE SERVICE CONTRACT WITH LAFAYETTE AMBULANCE DEPARTMENT, INC.

**R-30-2021 Councilor McConnell moved and Palmer seconded the motion to approve the Ambulance Service Contract with LaFayette Ambulance Department Inc.
Motion carried 5-0.**

Daniel Fitzpatrick	Supervisor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
William McConnell	Councilor	Voted	Yes

10. MOTION TO APPROVE THE FIRE PROTECTION CONTRACT WITH LAFAYETTE FIRE DEPARTMENT, INC.

**R-31-2021 Councilor McConnell moved and Palmer seconded the motion to approve the Fire Protection Contract with the LaFayette Fire Department Inc.
Motion carried 5-0.**

Daniel Fitzpatrick	Supervisor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
William McConnell	Councilor	Voted	Yes

11. MOTION TO ESTABLISH THE CARDIFF WATER DISTRICT.

**TOWN OF LAFAYETTE
CARDIFF WATER DISTRICT
RESOLUTION ESTABLISHING DISTRICT AND AUTHORIZING
TOWN SUPERVISOR TO EXECUTE DOCUMENTS**

WHEREAS, the Town Board of the Town of LaFayette, (“Board”), Onondaga County, New York in relation to the establishment of a proposed water district to be known as the “Cardiff Water District”, (“District”), pursuant to Article 12 of the Town Law, has received a petition purporting to be executed by more than fifty percent (50%) of all owners of taxable real property within the proposed District and executed by more than fifty-percent (50%) of all resident owners of taxable real property within the proposed District, a copy of which petition is on file in the Town Clerk’s Office, and

WHEREAS, the Town Board has appropriated money from the General Fund of said Town to compensate the Town Engineer for preparation of a report, plan and map outlining the District, and

WHEREAS, said map, plan and report, including an estimate of cost, were duly prepared by C&S Engineers, engineers duly licensed under the laws of the State of New York, and

WHEREAS, said map, plan and report has been filed in the Office of the Town Clerk of the Town of LaFayette where the same is available for inspection during regular business hours, and

WHEREAS, the District shall be bounded and described as set forth in Schedule A, and

WHEREAS, the improvements proposed for the District include construction of a water storage tank, installation of water meters for each landowner in the District and performance of any repairs deemed necessary by the Town for proper functioning of the system, and

WHEREAS, said improvements shall be financed wholly by a capital contribution from the Honeywell Corporation, and

WHEREAS, the annual estimated average cost of the District to the typical residential property therein is \$260.00, which represents the annual average charge to a residential water user served by the Onondaga County Water Authority (OCWA), which is expected to operate the system, and

WHEREAS, an explanation of the manner by which were computed said estimated annual cost to the typical residential property in said District has been duly filed in the Office of the Town Clerk where the same is available during regular office hours for examination by any person interested in the subject matter thereof, and

WHEREAS, the establishment of said District and the improvements proposed therein have been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, implementation which as proposed, the Town Board has determined will not result in any significant environmental effect, and

WHEREAS, an order was duly adopted by the Board on January 12, 2021, containing a legal description of the boundaries of the district, the improvements to be constructed, the maximum amount to be expended by the Board for said improvements, the method of financing to be employed, the fact that a map, plan and report were on file in the Office of the Town Clerk during the pendency of this proceeding for public inspection, and specifying the 26th day of January 2021 at 5:35 pm, at the LaFayette Town Hall, 2577 US Route 11, LaFayette, New York, as the time when and the place where the Board would hold a public hearing to hear all persons interested in the subject thereof; and

WHEREAS, said order issued by the Board directed that the Town Clerk duly publish the order in the official newspaper of the Town of LaFayette, within the time prescribed by Town Law and proof of such publication having been duly presented to the Board; and

WHEREAS, said order issued by the Board directed that the Town Clerk duly post the order on the designated sign board located at the Town Hall within the time prescribed by Town Law, and proof of such posting having been duly presented to the Board; and

WHEREAS, the Board determined that the notice of public hearing was published and posted as required by law, and was otherwise sufficient, and

WHEREAS, the Board determined that all the property owners included in the District are benefited thereby, that all property owners benefited by the District are included in the District and the establishment of the District is in the public interest, all as more particularly set forth in the record of the proceedings, and

WHEREAS, said public hearing was duly opened at the time and place set forth in said order at which time all persons desiring to be heard were duly heard, and

WHEREAS, following said public hearing, and based upon the evidence given thereat, the Board on January 26, 2021, duly adopted this resolution determining in the affirmative all the questions set forth in Section 194(1) of the Town Law and approving the establishment of said District.

NOW, THEREFORE, IT IS HEREBY ORDERED, pursuant to the provisions of Town Law, that the Town Board of the Town of LaFayette herein specifically finds that:

1. The petition was signed and acknowledged or proved or authenticated as required by law and was otherwise sufficient.
2. The notice of hearing was duly published and posted as required by law and notice of the public hearing otherwise complied with due process requirements.
3. All the property and property owners within the proposed District are benefited thereby.
4. All the property and property owners benefited are included within the limits of the District.
5. The formation of the District is in the public interest, and it is further

ORDERED by the Town Board of the Town of LaFayette, Onondaga County, New York, as follows:

Section 1. The District hereby established shall be known as the “Cardiff Water District”, and shall be bounded and described as set forth more fully in the map, plan and report on file in the Office of the Town Clerk, and as further described in Schedule “A”.

Section 2. The improvements contemplated in the map, plan and report, the associated appurtenances, machinery, apparatus, public works and incidental improvements, and expenses in connection therewith, as more fully described in the map, plan and report, are hereby authorized and approved.

Section 3. The Supervisor of the Town of LaFayette, or his designee, is hereby authorized and directed to take such action as is necessary and proper, and/or incidental, to form the District and negotiate an operations and maintenance agreement with OCWA which shall be submitted to the Town Board for final approval.

Section 4. District formation is conditioned upon and shall not become effective unless and until the Town successfully negotiates and executes agreements with Honeywell Corporation to assume ownership of the system and with OCWA to operate the system.

Dated: LaFayette, New York
January 26, 2021

R-32-2021 Councilor McConnell moved and Palmer seconded the motion approving the above Resolution establishing the Cardiff Water District and authorizing the Town Supervisor to execute any documents with regard to this.
Motion carried 5-0.

Daniel Fitzpatrick	Supervisor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
William McConnell	Councilor	Voted	Yes

12. MOTION TO ADJOURN

R-33-2021 Councilor McConnell moved and Palmer seconded the motion to adjourn
Motion carried 5-0.

Daniel Fitzpatrick	Supervisor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
William McConnell	Councilor	Voted	Yes

The Town Board Meeting was adjourned at 5:57 p.m.

Respectfully submitted,

Jacqueline G. Roorda
Town Clerk