

July 11th, 2017 LaFayette Town Board Meeting Minutes

Minutes of the Town Board Meeting held by the LaFayette Town Board on July 11th, 2017 at 7:00 p.m. in the Meeting Room of the LaFayette Commons Office Building at 2577 Route 11 in the Town of LaFayette.

Present: Doug Daniel, Supervisor
Melanie Palmer, Councilor
Kerry Evans, Councilor
Steve Zajac, Councilor

Recording Secretary: Jacqueline G. Roorda, Town Clerk

Others Present: Kevin Gilligan, Town Attorney
Thomas Chartrand, Budget Officer
David Prince, LCC, Parks, Library
John Greeley, Superintendent
Residents: Wanda Bare, Stephen Pitoniak,
Herbie & Rosemarie Brodt and
Martin Ossenberg,

1. Supervisor Daniel called the meeting to order at 7:00 PM and welcomed all in attendance.
2. Pledge to our U.S. Flag was led by Councilor Evans was followed by a moment of silence in honor of Trooper Joel Davis, who recently lost his life in the line of duty.
3. The Town Clerk, Jackie Roorda took the Roll. All present.
4. Councilor and Deputy Supervisor Doug Daniel handed his letter of resignation as Deputy Supervisor and Town Board Member to Town Clerk, Jackie Roorda, effective immediately.

Councilor Palmer moved and Councilor Evans seconded the motion to appoint Doug Daniel as Town Supervisor for the Town of LaFayette, effective immediately with the term to expire on December 31, 2017 at 11:59 pm. Motion carried 3 – 0.

Melanie Palmer	Councilor	Voted	Yes
Kerry Evans	Councilor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes

5. Town Board Minutes of June 13th, 2017 Regular Meeting.

**Supervisor Daniel moved and Councilor Palmer seconded the motion to accept the June 13th, 2017 regular meeting minutes as submitted by Town Clerk, Jackie Roorda.
Motion carried 4 -0.**

Doug Daniel	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Kerry Evans	Councilor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes

6. Communications.

A. Morezak Road Abandonment – Attorney Gilligan advised that he has looked at the potential sale of the dirt portion of Morezak Road which according to the Highway Supervisor is no longer needed by the Town. To keep costs down, they would avoid hiring an appraiser to do an appraisal and advised that Assessor Shawn Adam is looking at fair market value that the Town Board could consider. Gilligan advised that the paved portion of the road will remain owned by the Town and the unpaved/ unbuilt dirt portion would be deeded to Mark Schaub. Gilligan advised that a survey will need to be completed and when his associate, Wendy Reese returns from her honeymoon he will have her look into that. Greeley will check with Mark Schaub to see if he has a current survey and advised that he measured the road at 915’ x 15’ wide. Gilligan advised the only concern is to be sure that property owner Shermeta has access on Berry Road where the old road used to be. John Greeley advised that he does have access on Berry and Morezak. Gilligan advised that we need to be sure that no one has deeded off access to their property and have been given opportunity to dispute after notification. John Greeley advised that he will speak with Mark Schaub the next day to see about the survey and get it to Gilligan. Gilligan advised that he hopes to have this wrapped up by fall 2017 but it will need a permissive referendum.

B. Postage Meter – Supervisor Daniel requested Town Clerk Jackie Roorda to elaborate on the bids that were received. Bids were received from Pitney Bowes, Usherwood and Ed & Ed Business Technology based on equipment and lease details, Usherwood’s price was very expensive. Pitney Bowes and Ed & Ed were close in price, being only a few dollars difference, but Ed & Ed’s equipment was faster and had a few other “perks”.

Councilor Evans moved and Councilor Zajac seconded the motion to enter into a contract with Ed & Ed for a 36 month lease for the Hasler postage meter.

Motion carried 4 -0.

Doug Daniel	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Kerry Evans	Councilor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes

A letter needs to be sent to Pitney Bowes 60 days before the current contract expires on September 29, 2017. Roorda advised that she already drafted the termination letter and will mail it prior to July 29, 2017. Also with the new contract with Ed & Ed there is no auto renewal so at the end of the 36 month contract it will revert to a month to month lease.

C. Martin Ossenber Letter – He requested that the letter be entered into the town minutes.

7. OPEN COMMUNICATIONS FROM THE PUBLIC

A. Wanda Bare approached the board about her grandson Owen, a Type 1 Diabetic, doing a fundraiser to raise money for the local Juvenile Diabetes foundation (Type 1 Diabetes). His goal is to raise awareness and \$5,000. His idea is to do a kickball game with a small donation of \$1.00 per player. Requested permission to have this at Stafford Park, sell water, and snacks, but no cooked items. The Board said that selling pre-packaged foods, snacks and beverages would be fine. Dave Prince arrived late to the meeting but advised that the date of September 9th was not available as that is the start of Youth Soccer but it was agreed that the following day, Sunday, September 10th would be fine. Town Clerk, Jackie Roorda to confirm with Ms. Bare that this will work for them.

B. Martin Ossenber a member of R.A.M.P.S. addressed the Town Board regarding the Markland Road Manure Storage Pit and the letter he personally submitted with regard to this, asking if they plan to act on his suggestions. The Board and Attorney acknowledged the receipt of his letter and Supervisor Daniel advised that it would have been helpful if this was received prior to the June 2017 meeting. Discussion continued between Martin Ossenber, the Town Board and Attorney Gilligan regarding the posting as to Public Hearings, notification of them and meeting minutes, Attorney Gilligan advised that the June 13 Public Hearing was scheduled at the May 9, 2017 Board Meeting and that RAMP committee members were present and aware of this scheduling.

Questions and Answer between Ossenber, the Town Board and Attorney Gilligan

Q. Ossenber: Was there a public hearing?

A. Gilligan: Yes, on June 13, 2017 and advised this Public Hearing was scheduled during the May 9, 2017 Board Meeting and RAMPS committee members were present at that meeting and should have been aware of this scheduling.

Q. Ossenber: How was this Public Hearing announced, because it seems that no one knew about it?

A. Gilligan: Public hearings are not done by personal invitation. State law requires that they are posted at the Town Hall, and posted in the Official Town newspaper (which in LaFayette is the Syracuse Post Standard). Per Town Clerk Jackie Roorda they are also posted on the LaFayette Post Office Board.

Q. Ossenber: So, you met the legal requirements?

A. Gilligan: Yes, we did and that there were people from the RAMPS group at the June 13th Public Hearing meeting who were given every opportunity to address the proposal in question, however did not.

Ossenberg asked the board if they will re-consider, and if there is any merit in his letter? Supervisor Daniel asked what the most important points are. Ossenberg said will the Board require the farmer to apply for a building permit? To which Councilor Palmer and Attorney Gilligan both replied NYS says that they are not required to do that.

- A lengthy discussion regarding the process of how to Appeal Code Enforcement Officer, Ralph Lamson's decision with the Zoning Board of Appeals. Town Clerk Jackie Roorda advised that this is an unusual situation and to her knowledge at this time, there is not an agenda for a July ZBA meeting. She will check with Secretary Sue Marzo and ZBA Chair Chris Keenan if there is a meeting scheduled and if not, Roorda will check to see if there can be a quorum and most likely R.A.M.P.S will be put on the agenda.
- Ossenberg questioned again when the March 8th Informational meeting minutes would be available. Supervisor Daniel advised he will find out what we need to do for the minutes to be released. Town Clerk Jackie Roorda advised that the notes from the information meeting are still awaiting Town Board review.
- Lastly, Ossenberg stated that they learned today from the Onondaga Nation that Mark Burger has invited a person to visit the end of Markland Road to see where the construction will take place and he wants to know if we will ask the farmer to submit for a building permit. Attorney Gilligan stated that we are precluded by NYS Ag & Markets from doing this.

Discussion continued regarding the possible moving of the manure storage pit; USDA, NRCS, and NWAC handbook regulations on Manure storage pit structures the Columbia lawsuit, etc. Resident Herbie Brodt advised that he has communicated with Griswold and is hopeful they can work together on the manure pit storage situation.

8. REPORTS

1. Town Supervisor

a. Budget Officer Tom Chartrand submitted the Monthly Financial Report for June 2017. It has been a quiet month and we are in good shape with the General Fund and our interest and penalties exceed budget by about \$1,100.00.

Library is changing from a payroll individual to a contractual cleaner, so we will move the remaining money in the account from payroll to contractual account.

Councilor Palmer moved and Evans seconded the motion to transfer library cleaning funds from Personal Services (L1620.1) in the amount of \$3,150.00 to Contractual (L1620.4). Motion carried 4 -0.

Doug Daniel	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Kerry Evans	Councilor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes

Budget Officer, Tom Chartrand contacted NBT bank to update his address to his new office and was asked by bank to update address for the Town Clerk and Tax Collector.

Councilor Evans moved and Zajac seconded the motion to authorizing the Town Supervisor, Town Clerk and Tax Collector to sign and update the Address Change Request forms for NBT for the Town of LaFayette Accounts. Motion carried 4 -0.

Doug Daniel	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Kerry Evans	Councilor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes

Chartrand advised that we are coming up on the BAN renewal of the bond anticipation note on August 10, 2017 that was for the purchase of two (2) highway trucks. The current outstanding amount of the note is \$189,000. We will pay off \$62,000 out of the funds that were budgeted for that and renew the Ban in the amount of \$127,000 which will give us 2 more years of BAN payments. Chartrand solicited quotes from Greene Country Commercial Bank, who is our current BAN holder, with a rate of 1.89% and from NBT Bank, our general fund bank, with a rate of 1.62%. Authorization will be necessary for Supervisor Daniel to sign the necessary papers to move forward with NBT.

Councilor Palmer moved and Evans seconded the motion to authorizing Budget Officer Tom Chartrand and Town Clerk Jackie Roorda to proceed with the renewal of the BAN with NBT Bank at the rate of 1.62%. Motion carried 4 -0.

Doug Daniel	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Kerry Evans	Councilor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes

Supervisor Daniel moved and Evans seconded the motion to appoint Councilor Palmer as the Deputy Town Supervisor immediately until December 31, 2017. Motion carried 4 -0.

Doug Daniel	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Kerry Evans	Councilor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes

Councilor Evans moved and Zajac seconded the motion to update the signature cards for the Town designated NBT Bank for the Town Supervisor and Deputy Supervisor. Motion carried 4 -0.

Doug Daniel	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Kerry Evans	Councilor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes

2. Highway

a. Superintendent Report – Highway Superintendent Greeley welcomed Supervisor Daniel and said he looked forward to working with him over the next few months. He apologized for missing last month’s meeting but he was in “school”. He advised that his deputy was overwhelmed at the June meeting, but if anyone had any questions he would be happy to speak with them. He hopes that they can work hard for the tax payers.

EQUIPMENT - Greeley advised that the 2018 Western Star Cab and Chassis has been ordered from Tracey Road Equipment and a late January 2018 delivery is expected. Upon Board approval of the 2018 Budget, the plow equipment can be ordered which will be an additional six (6) more weeks to outfit the cab and chassis to a plow truck.

ROADS July 1, 2017 Rain Storm and Flash Flooding

The following Town of LaFayette roads were damaged during July 1st storm:

1. Ortloff Road – Pipe wash-outs, ditches eroded to shoulder.
2. Bush Road – Tributaries washed out cross-over pipes, ditches full, pipes plugged.
3. Clark Hollow – Tributaries washed out pipes, 5’ squash pipes plugged with debris, houses and lawns full of spoils, major road clean up. Shoulders washed out.
4. Newell Hill Road – Washed out pipes, ditched full of spoils.
5. Colton Road – Snowmobile Bridge washed up to a bridge and plugged bridge; Damage on road shoulder, road and major spoils clean up; flooding across several residents’ homes.
6. Amidon Road & Naomi Road – Washed out pipe. Road is undermining 80’ of pipe and needs to be replaced.
7. Sugarbush Road – Pipes plugged, shoulder wash outs.
8. Deer Run Road – Major crossover pipe washed out – gas line exposed, guardrail undermined.
9. Holcomb Hill Road – Driveway pipe washed out.
10. Markland Road – Washed out driveways – plugged crossover pipe
11. Trees down on McConnell Road, Meeker Hill, Fawn, Amidon, Naomi, Chase, Scammell, and Watson Circle.

- Labor - \$41,796.00
- Equipment & Rental - \$141,800.00
- Material - \$28,000.00
- Asphalt - \$18,350.00

Total Estimated cost of \$230,306.00 to Town of LaFayette roads only. This does not include State or County roads – Brush pick up is included in price.

- Discussion continued regarding meeting damage amounts of \$1.8 million to receive State and Federal aid, which per Superintendent Greeley should not be a problem as Spafford had over half a million in damages themselves. Based on previous years it should take around 6-7 months once the threshold is met to get the funds back into the budget. Greeley has requested other municipalities get him their numbers soon to get the process rolling. Supervisor Daniel confirmed with Greeley that the Name of our Onondaga County contact regarding emergency aid funds is Danny Wier. Councilor Evans thanked Greeley and the highway crew for all their hard work after the storm, especially as it was a holiday weekend.
- Greeley addressed the Board and Attorney Gilligan advising that because a ditch was placed by a farmer in a field right below Markland Road, it caused a major environmental impact for residents whose driveways were washed out. He questioned if there is a SWIPS or MS4 detention plan or permit that farmers need to apply for to do this, or do we need to develop some kind of plan. He advised that it caused approximately \$9,000 damage. Gilligan said he already has an associate researching this and the Town may be able to get that money back.
- Superintendent Greeley wanted to address the Emergency Plan updated in 2015 by Kelly Greene stating that there have been 4 different supervisors and several board members since he started and thinks that this needs to be revisited, as he thinks that we are only going to have more weather emergencies.
- Greeley advised that Spectrum sent a letter regarding 3 poles on Clark Hollow Road and burying lines underneath them. He met with them for the location of the poles and having more than 36” between them. Attorney Gilligan is looking into UFBO laws and will let Greeley know his findings.
- Lastly, Greeley advised that he got quotes for shrubbery to run along the north end of the Highway garage to try to detour people from the park coming onto and risking injury on the highway garage

property, with the lowest being \$8,570.00. Supervisor Daniel asked if Greeley had checked on the cost for that section of a fence? Budget Officer Tom Chartrand commented that the funds that were budgeted for the fence/shrubbery were already transferred to finance the purchase of the new cab and chassis that was just ordered. Councilor Zajac commented that the cost of a hedge row is probably more than the cost of that section of fence and the fence isn't going to die like some of the trees along Route 81 have. Greeley commented since the fence will only be on the one section, it is not going to keep people out.

Supervisor Daniel advised that he is meeting with Diversified regarding the demolition of the old highway garage to get ideas of locations of weak spots, asbestos, etc. Zajac asked if there is anything still located there that has any value? Greeley answered yes, some things will be taken out before demolition. Zajac commented that the garage doors were pretty new, and asked if they can be auctioned off at Auctions International? Greeley will check into it.

3. Town Clerk

a. Monthly Report - Roorda advised that the Town Clerk June Monthly Report was in the Town Board's packet for their review.

4. Assessor – No Report

5. Building & Zoning Code Enforcement / SPDES –

a. Ralph Lamson submitted the June Building Permit Report.

b. Letter of Intent – Lamson provided a letter of Intent for Water Quality Improvement Project Grant Application in order for the Town of LaFayette to apply for grant moneys.

Councilor Evans moved and Zajac seconded the motion to authorizing Supervisor Daniel to sign the Letter of Intent to NYS DEC Division of Water - Water Quality Improvement Project Grant Application – Advanced Syracuse Urbanization Area Comprehensive Storm Mapping Project. Motion carried 4 -0.

Doug Daniel	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Kerry Evans	Councilor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes

6. Dog Control – No Report

7. Justice Court

- 397 Total cases for Judge Perrin; \$8,542.00 taken in for the month of May, 2017.
- 431 Total cases for Judge Shute; \$10,083.00 taken in for the month of May, 2017.

8. Library Director – No Report as they do not meet in July. June’s Meeting minutes will be provided for the August Town Board Meeting.

Dave Prince reported that the Summer Reading Program is underway which is mostly funded by Onondaga County Library.

9. Parks & Recreation - David Prince advised that Kaleb Gretskey is his summer helper spending 2 & ½ days mowing. He is going to use the highway roadside mower near the Creekside as there is still some wild parsnip that needs to be mowed.

10. Tax Collector – No Report

B. COMMITTEES

1. Employee Policies and Benefits – Supervisor Daniel advised that Andy Ohstrom plans to complete the review and rewriting of these.

2. Recreation and Youth - David Prince advised that LCC purchased two new bulletin boards, one will be at the north side of Stafford Park with information such as rabies clinics, etc. The other one will be at the Concession Stand to remind residents of LCC events. Also advised that baseball is completed except for Tuesday and Thursday league, lacrosse has one week left, tennis and soccer camps begin July 24th and the numbers of participants are low; regular soccer season starts one week before school begins and yoga classes is up 3 more participants hoping for rain dates at community center on Mondays and Friday.

3. School District Liaisons – Supervisor Daniel asked Councilor Evans if she is willing to be the Liaison for the LaFayette District to replace Andy Ohstrom. Evans replied that she will be glad to do that.

4. SOTS & OCRRA – Budget Officer Tom Chartrand advised that the committee is just starting to work on the new 3 year contract. The rates will increase significantly, however will still be lower than what they were 15 years ago.

5. Solar Committee - Attorney Kevin Gilligan advised that he is waiting on the Town Board’s review of his draft regarding the revised Solar Local Law. He also advised that most municipalities are using the 15 acre limit rather than the 40 acres. There are pros and cons to each amount of acreage and will report what the Town of Onondaga decides at their Public Hearing to be held on Monday. Councilor Palmer suggested holding off introducing the Law until the August meeting, all agreed.

10. Motion to audit and pay bills.

General Fund	11136-11147	\$213,701.28
Highway Fund	11173-11187	\$ 31,501.01
Special District	11189-11190	\$ 620.77

Councilor Zajac moved and Evans seconded the motion to audit and pay the above listed bills. Motion carried 4 - 0.

Doug Daniel	Councilor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Kerry Evans	Councilor	Voted	Yes

11. Motion to adjourn.

Councilor Evans moved and Zajac seconded the motion to adjourn the Meeting. Motion carried 4 -0.

Doug Daniel	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Kerry Evans	Councilor	Voted	Yes
Steve Zajac	Councilor	Voted	Yes

Meeting adjourned at 9:27pm.

Respectfully Submitted,

Jacqueline G. Roorda
LaFayette Town Clerk