

January 28th, 2019 LaFayette Town Board Meeting Minutes

Minutes of the Town Board Special Meeting held by the LaFayette Town Board on January 28, 2019 at 5:30 p.m. in the Meeting Room of the LaFayette Commons Office Building at 2577 Route 11 in the Town of LaFayette.

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

Recording Secretary: Jackie Bush Roorda, Town Clerk

Budget Officer: Tom Chartrand

Others Present: Ralph Lamson, Bldg. & Code Officer
Candidates for Town Attorney

1. Supervisor Fitzpatrick called the meeting to order at 5:30 PM and advised that he was going to ask for any public input or comments from those attending, however, no one other than the above listed were in attendance. He asked Code Enforcer, Ralph Lamson and Town Clerk, Jackie Roorda if they had any questions before the interviewing of possible Attorneys started. Neither had any comments at that point and advised that once an attorney is chosen, they may have some questions.
2. Supervisor Fitzpatrick asked the Town Board if they agree that the interviewing would be best if done in Executive Session. They all agreed and decided Budget Officer, Tom Chartrand should be present as well.

R-19-19 Councilor Dwyer moved and Supervisor Fitzpatrick seconded the motion for the Town Board and the Budget Officer to go into Executive Session for the purpose of interviewing the candidates for the position of LaFayette Town Attorney. 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 and Budget Officer went into Executive Session at 5:35 PM and moved to the Supervisor's Office to conduct interviews with the five candidates as they arrived for their appointment.

3. At 7:37 PM the Town Board and Budget Officer returned to the Meeting Room.

R-20-19 Councilor McConnell moved and Zajac seconded the motion to end Executive Session and return to the regular special meeting at 7:37 PM. 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

R-21-19 4. Councilor Zajac moved and Palmer seconded the motion authorizing the Supervisor to execute a letter notifying the law firm of Costello, Cooney and Fearon, PLLC that the LaFayette Town Board unanimously agreed to the termination of the Town’s relationship with Costello, Cooney and Fearon, PLLC, effective immediately. 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

R-22-19 4. The Following resolution was offered by Councilor McConnell, who moved its adoption, seconded by Councilor Zajac, to wit:

WHEREAS, the Town of LaFayette Town Board desires to create the public office of Town Attorney in order to enhance the efficiency and cost effectiveness of the delivery of legal services to the Town; and

WHEREAS, the general responsibilities of the Town Attorney are to negotiate, prepare, approve and audit written contracts, leases and other legal instruments; attend meetings of the Town Board, Planning Board, Zoning Board of Appeals and the Assessment Grievance Board of Reviews; draft local laws and resolutions for consideration by the Town Board; create or extend special districts; provide legal advice and counsel to the Town Board, Planning Board, Zoning Board of Appeals and the Assessment Grievance Board of Review; and provide litigation services to the Town on an as-needed basis; and

WHEREAS, the accomplishment of the above duties involves the exercise of discretion by the Town Attorney on behalf of the Town of LaFayette.

NOW THEREFORE, BE IT RESOLVED, that the office of Town Attorney is created in the Town of LaFayette; and

BE IT FURTHER RESOLVED, that Jeffrey D. Brown, Esq. is hereby appointed to the position of Town Attorney to perform the above-mentioned responsibilities for a term beginning upon the filing of Local Law No.1 of 2019 with the Secretary of State and ending on December 31, 2019, at an annual salary of \$38,000.00, plus actual out of pocket expenses incurred in providing such services; and

BE IT FURTHER RESOLVED, that the Town Attorney is considered a public officer and as such the Town Attorney shall sign and file an oath of office with the Town Clerk.

The question of adoption of the foregoing resolution was put to a vote at the Town of LaFayette Town Board meeting on January 28, 2019, which resulted as follows:

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

Motion carried 5 – 0. The resolution was declared adopted.

R-23-19 5. Councilor Dwyer moved and Palmer seconded the motion to schedule a Public Hearing to take place at the February 12, 2019 7:00 p.m. regular monthly Town Board Meeting regarding proposed Local Law 1-2019; modifying the residency requirements for appointed Public Officers in the Town of LaFayette. 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

R-24-19 6. Motion to audit and pay bills.

General Fund	13845-13856	\$ 44,368,40
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Councilor Palmer, moved and McConnell seconded the motion to audit and pay the above listed bills. 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

R-25-19 7. Motion to adjourn.

Councilor McConnell moved Zajac and seconded the motion to adjourn the meeting. 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 7:46 p.m.

Respectfully submitted,

Jacqueline G. Roorda
Town Clerk