

June 8th, 2021 LaFayette Town Board Meeting Minutes

Minutes of the Regular Town Board Meeting held by the LaFayette Town Board on June 8th, 2021 at 6:30 p.m. at LaFayette Town Hall and live on Facebook.

Present: William McConnell, Supervisor
Melanie Palmer, Councilor
Carole Dwyer, Councilor
Jerry Marzo, Councilor

Absent: Steve Zajac, Councilor

Recording Secretary: Jackie Bush Roorda, Town Clerk

Attorney: Jeff Brown

Budget Officer: Tom Chartrand

Others Present: Ralph Lamson, Bldg. & Code Enforcement
Dave Knapp, Onondaga County Legislature Chair
Mark Chambers & Jeff Palin Town Engineers,
Dave Prince, LCC, Parks, Library
and several residents

1. Supervisor McConnell called the meeting to order at 6:30 PM and welcomed everyone in attendance.
2. The Town Clerk, Jackie Roorda took the Roll.
3. The Pledge of Allegiance was led by Councilor Dwyer.
4. a. Supervisor McConnell introduced Sgt. Marty Nerber, a thirty-one-year Officer and Onondaga County Watch Commander. He thanked him for his service and advised that he will be assisting the Town with security, especially with Justice Court.

Supervisor McConnell stated he would like to make a motion to honor longtime Historian Emeritus, Roy Dodge who on June 29th will celebrate his 75th birthday. He commented that as you look around the Courtroom you will notice several historical photos that are just a small portion of Roy's numerous collections regarding the history of LaFayette.

R-123-21 Supervisor McConnell moved and Councilor Dwyer seconded the motion naming June 29th Roy Dodge Day, in honor of Roy and all his contributions to keeping LaFayette's historical records.

Motion carried. 4 – 0.

William McConnell	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes

Supervisor McConnell stated he would also like to make a motion to proclaim June 28th, the Joe Ambrose appreciation day. After 37 years of service in the LaFayette Highway Department, Joe will be officially retiring. Highway Superintendent Steve Robson commented that Joe will be sorely missed.

R-124-21 Supervisor McConnell moved and Palmer seconded the motion to proclaim June 28th, 2021 Joe Ambrose appreciation day in honor of his numerous years of service with the LaFayette Highway Department. Motion carried. 4 – 0.

William McConnell	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes

6. Town Board Minutes of May 11th, 2021 Regular Town Board Meeting.

R-125-21 Councilor Marzo moved and Palmer seconded the motion to accept the May 11th, 2021 Regular Town Board Meeting minutes, as submitted by Town Clerk Jackie Roorda. Motion carried 4-0.

William McConnell	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes

6. COMMUNICATIONS

A. Supervisor McConnell introduced Mr. Rob Warholic Sr., partner with the Smith Group, who will give a presentation on how the Smith Group along with Gordian facilitate municipalities and schools with major building projects, such as the new Ron Bush Community/Senior center.

Mr. Warholic advised the Smith Group streamlines project delivery with Gordian and Smith Site Development, LLC. from presentation to production. Due to their tremendous amount of experience working with cooperative purchasing contracts. They are able to provide contractors, equipment and supplies through their “Co-Op” which will allow the Town to do this project efficiently, on time and within budget. They utilize cooperative purchasing; commodity vs. material vs. labor which reduces administrative burdens, costs, and time associated with the bidding process, allows for reduced pricing, speeding the start of construction, reducing change orders and effective plan review; reduces legal fees, flexibility and transparency, unlike typical bid methods.

Rob advised under the revised 2019 New York State Law General Municipal Law #103 they are able to assist NYS and United States construction projects in piggybacking with national contracts avoiding public bidding, saving time, costs and having materials available. Gordian facilitates, acting as agent contract for cost estimating bids.

- Grant monies may be used with their process; such as “in-kind services” such as site work.
- Working with architects to stay under budget
- Timeline approximately on month to get started
- Construction manager if Town desired
- Certified payroll, warranty and bonded
- C & S. Engineering designed building/property
- Councilor Marzo with his engineering background support

Supervisor McConnell proposed to put a team together to include himself, Jerry Marzo, the Highway Superintendent Steve Robson, Attorney Jeff Brown, and C & S Engineering to come back for the July 13th meeting with a plan. He asked if there were any questions.

Jeff Palin of C&S Engineering asked how the Smith Group handles the Wicks Law, and explained that it was a law enacted in the 1800’s for any project over \$500,000 which requires four prime contractors for any municipality: a GC, Mechanic, Electrical and Plumbing. Rob replied the Wicks Law, could be addressed by the Town by passing a resolution that facilitates a co-op. Gordian could become the sponsor to the cooperative purchase in partnership with the Town of LaFayette as one the contractors that facilitates the co-op. nationally. Gordian could facilitate the co-op and put out the bid to include the general construction contract, site work, HVAC, plumbing, electric, site work, mechanical, etc. acting like the agent. There are a lot of opportunities for local companies, so long as they do not go over the budget and they also have a whole network of companies to work with.

R-126-21 Supervisor McConnell moved and Marzo seconded the motion for C & S Engineers to take the lead for the next month and work along with Jerry Marzo, Attorney Jeff Brown and Highway Supt. Steve Robson to evaluate at the potential of building the Community/ Senior Center in early 2022. Motion carried 4-0.

William McConnell	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes

B. Cardiff Residents / Apple Valley Park Concern: Dave Knapp (Apple Festival Board) explained how the music venue came to be. The Apple Festival suffered financially in 2016, 2017, 2018 and 2019, due to raining weather conditions. They were hoping for a really successful Apple Festival in 2020, however due to the pandemic the festival had to be cancelled, therefore they looked for ways for supplemental income to the cover expenses of the grounds. Last year they hosted drive-in concerts and fireworks displays that went very well. They redesigned the layout of the grounds and GFY leases the portion of the property from the Apple Festival for their concert events. Also, they will be hosting a classic car show on Father’s Day overseen by Frank Gordnier. He further explained they are aware and

concerned about the complaints of the Cardiff residents and are trying to make this better for all.

Eric Booth, Operation Director for Creative Concerts introduced himself and gave a brief background on himself. He advised that he has read every comment from the public regarding the music being too loud and disruptive to their everyday lives and keeping them up at night. He is working to resolve as many issues as possible. They have lowered the PA system, are working to lower the reverberation of the base and making sure they are on the lower levels with the subwoofers. He advised they work with local vendors, donate all bottles and cans locally and worked with Onondaga County on this venue. He is advised that he was there to listen to concerns and hopefully, resolve some of the issues.

Residents' questions/concerns include;

- Issues with the mass gathering approval and liquor license
- Why were the neighbors not notified and not made aware prior to events?
- 70 decibels vs. 100 decibels - loudness ordinance
- 4 consecutive nights of concerts
- Will this be an agenda for 2022?
- Length of concerts and location of uber pickups/loudness after concerts end
- Noise starting in early afternoon while bands practice and do sound checks
- Need to leave their own homes to escape
- Homes vibrating, especially second floor
- Possibility of decrease property value

One resident commented that he attended all concerts last year and this year, enjoying each one, grounds were super clean and welcomes the opportunity to attend live concerts, especially after Covid restrictions.

C. Opting out of allowing retail marijuana – Attorney Jeff Brown advised that he has drafted a local law allowing the Town to opt out of allowing retail sale and on-site consumption establishment of marijuana within the Town of LaFayette. In order to opt out, the Town must pass a local law, set a public hearing to give the residents the opportunity to speak, whether pro or con, and then the Board will vote on the adoption of this law. This is subject to permissive referendum, meaning if someone is opposed, they will have 30 days to get a number of signatures. The public hearing will have to take place in July in order to get it on the November election. If the Town chooses to opt out, it can still opt back in.

R-127-21 Councilor Dwyer moved and Marzo seconded the motion to proceed and set the Public Hearing for July 13, 2021 at 6:30 PM regarding the proposed Local Law No. 4-2021 pursuant to New York Cannabis Law § 131 opting out of licensing and establishing retail cannabis consumption establishments within the Town of LaFayette. Motion carried 4-0.

William McConnell	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes

Carole Dwyer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes

D. LOSAP Approval for 2020 – The Fire Dept. submitted a letter advising that they overlooked retiree Greg Hoxie for his \$700 LOSAP funds. Debate took place as to his standing within the Fire Dept. John Harper, President, advised that Greg is an inactive life member who is wishing to come back In-service. The number of service points acquired by Hoxie was questioned. The Fire Dept. will provide documentation of points for 2019 and 2020 to the Town Board for review.

R-128-21 Councilor Dwyer moved and Marzo seconded the motion to approve the contributions for 2020 for the same members that was passed by the local law to give them points due to the hardships of COVID. Motion carried 4-0.

William McConnell	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes

R-129-21 Councilor Marzo moved and Palmer seconded the motion approving payment to BPAS upon submittal of the necessary paperwork being submitted and the voucher is filed. Motion carried 4-0.

William McConnell	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes

Supervisor McConnell introduced Captain Steve Shahan of the Tully Fire Dept. Steve spoke at great length regarding...

- His background
- LaFayette Ambulance Issues
- Ambulance Business Nationwide
- LaFayette Ambulance Statistics:
 - 29% reported delayed response or missed calls due to the shortage of volunteers;
 - 52% reported that timely EMS response was moderately or severely impaired by shortage of certified volunteer staff;
 - 364 Total Calls; 126 LaFayette Transports; 70 Transported by Mutual Aid; 168 Refusals/No Patients Found/ Cancelled: 19.2% of Calls Transported by Others; 80.8% of Calls Transported by LaFayette & Calls with no Transport; 46.2% Calls with No Transport;
- Cost Recovery: 56 ALS Transports @ an average recovery of \$544; 70 TLS Transports @ an average recovery of \$423; Total Recovery approximately \$60,074
- Current Staffing

- Identifying the Problems: Lack of Providers, Percentage of calls where no patient is transported, Reimbursement Rates, Insurance Fraud by refusing to sign over benefits
- Solutions for Staffing; Refusals/no patient found/cancelled; Reimbursement Rates; Insurance Fraud
- Conclusions: LaFayette needs to decide if they want to continue to offer this service, but the \$184k subsidy is not sufficient enough to both staff a rig and to pay for other expenses associated with ambulance service. Tully's ambulance service has two paid paramedic's & one paid EMT costs just under \$800K. He proposed the Town Board release \$184K immediately and with that the LaFayette ambulance will provide: YTD data on the 1st half of 2021, Information about reimbursement rates, staff training on patient refusals, propose a plan for billing, ALS assessment and/or refusal to the extent permitted by law, along with hard data on the amount of money lost each year to uncollected reimbursements and co-pays.

6. REPORTS

A. Departmental

1. Town Supervisor Report

a. Budget Officer Tom Chartrand advised that Councilor Dwyer did a positive review of the bank reconciliation of the Supervisor accounts.

R-130-21 Councilor Dwyer moved and Palmer seconded the motion that a positive audit of the bank reconciliation of the Supervisor's account was completed by Councilor Dwyer and was appropriate. Motion carried 4 – 0.

William McConnell	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes

b. Budget Officer Chartrand submitted the May 2021 Monthly Financial Report, General Fund spending is at 23% without SOTS, revenue is at 95%; Highway spending is at 33%, revenue is at 84% and library spending is at 35%, revenue is at 99%. Court fines are up 96% of budget and franchise fee is 54%.

TRANSFER OF APPROPRIATIONS

GENERAL FUND

To:

A3120.4	Police & Constable	Contractual	\$3,800.00
A7550.4	Celebrations	Contractual	\$1,200.00

TOTAL \$5,000.00

From:

A1990.4	Contingent Account	Contingent	\$5,000.00
		TOTAL	<u>\$5,000.00</u>

R-131-21 Councilor Palmer moved and Marzo seconded the motion authorizing the transfer of appropriations as listed above. Motion carried 4 – 0.

William McConnell	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes

c. Chartrand advised that there are outstanding old checks that were never cashed and remain outstanding, due to things being cancelled last year that need to be returned in order to balance the books.

R-132-21 Supervisor McConnell moved and Marzo seconded the motion for Budget Officer to return old checks that were never cashed getting them off the books for the purpose of balancing the accounts. Motion carried 4-0

William McConnell	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes

R-133-21 Councilor Dwyer moved and Palmer seconded the motion authorizing the Supervisor to sign voucher and authorize Budget Officer, Tom Chartrand to make the payment to National Grid in order to have the natural gas turned off at the Puttkamer house. Motion carried 4 – 0.

William McConnell	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes

Supervisor McConnell added to the report that last year Steve Robson as Deputy Highway Superintendent accrued 20.5 vacation days and 3 personal days for which he would like to be compensated for. Tom Chartrand agreed that this was exactly what needs to be done but he wanted to make it a Board decision.

Tom Chartrand also reported on behalf of Legislature Chair Dave Knapp that our mortgage tax came in. We had budgeted for \$60k and it came in at \$107k. He suggested that at budget time we discuss using that \$47k towards the new senior center.

R-134-21 Supervisor McConnell moved and Palmer seconded the motion authorizing the reimbursement of accrued vacation and personal time from 2020 to Highway Superintendent Steve Robson. Motion carried 4 – 0.

2. Attorney – Jeff Brown advised he will draft the proclamations for Joe Ambrose for retirement and Roy Dodge for his 75th birthday.

3. Highway Superintendent – Steve Robson

Roads: New York Department of Transportation has increased our funding by more than 20% through each of these programs: CHIPS, Pave NY and EWR. First phase of asphalt paving, shimming and road treatment (Stone & Oil) will be complete by June 15th.

Grants: Final application of the Bridge and Culvert Grant was submitted May 19th.

Equipment: 2021 Road Side Mower tentative delivery is now October and 2021 CV515 (Truck #2) tentative delivery is December due to the shortage of components to complete each build. Have made arrangements with Town of Tully to borrow a roadside mower for a couple weeks until a rental is available.

Robson advised that with the retirement of Joe Ambrose his replacement will be Dillan Anton, who was one of the top choices when the last hiring took place. He will begin on August 23 and be on probation for a 6-month period.

Superintendent Robson requested that the Board approve a motion to sign a 1-year contract with Cummings to service the standby generator at the highway garage.

R-135-21 Councilor Palmer moved and Dwyer seconded the motion authorizing the Supervisor to sign a 1-year contract with Cummings to service the standby generator at the Highway Garage. Motion carried 4 – 0.

William McConnell	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes

4. Town Clerk

a. Jackie Roorda advised that May 2021 Town Clerk report was in the Board’s meeting packet for their review.

b. Roorda also advised that passports and marriage licensing appointments and park rentals are getting very busy in her office, since the Covid restrictions have lessened.

5. Building and Zoning Code Enforcement - May report for all building permits was provided to the Board by Ralph Lamson, Code Enforcement Officer

2. Projects– The LACC met on May 25th. The meeting summary is attached. As can be noted, the purpose and concepts for two special projects requested by Supervisor McConnell have been drafted. Once the concepts are developed, they will be proposed to the Town Board for consideration. In addition, three LACC members continued their work on the Tiger Team to support the Comprehensive Plan update by attending the May 11 meeting and providing their written input on the draft community profile and vision and goals.

3. Culture Building – The LACC will begin authoring articles in the Town’s newsletter. The 3Q articles will update on the LACC and give reminders about tick safety.

R-136-21 Councilor Dwyer moved and Marzo seconded the motion to appoint students, Isabella Shenandoah-Kurtz and Claire Virnoche to the LaFayette Advisory Conservation Commission for a one-year term. Motion carried 4 – 0.

William McConnell	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes

Supervisor McConnell complimented Mark Distler on the wonderful job he is doing with the LACC.

8. NEW BUSINESS – No New Business

9. OPEN COMMUNICATION FROM THE PUBLIC

Supervisor McConnell commented on the need for a new committee to assist with better communications and act as liaisons with those in charge of the cemeteries in the Town. He mentioned the power outage at the LaFayette Cemetery on Memorial Day and the need for an electrician to correct that. The committee will consist of Sumner Palmer, Melanie Palmer, Rick Stout and any other active members in the cemetery association.

10. Motion to audit and pay bills.

General Fund	17644-17681	\$ 242,176.54
Highway Fund	17682-17696	\$ 43,428.26
Special District	17698-17701	\$ 95,425.68

R-137-21 Councilor Palmer moved and Dwyer seconded the motion to audit and pay the above listed bills. Motion carried 4 - 0.

William McConnell	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes

Mark Chambers, C & S reported on the progress of the dog park, advising that he received a quote from J. Holbrook in the amount of \$1,500.00 for the survey, which includes the

maps and filing with the Onondaga County Clerk. Supervisor McConnell asked what the timeframe looks like and Chambers replied, August to September.

R-138-21 Supervisor McConnell moved and Marzo seconded the motion accepting and approving the quote of \$1,500 J. Holbrook for the survey of the proposed dog park adjacent to Stafford Park. Motion carried 4 - 0.

William McConnell	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes

11. Motion to Adjourn

R-139-21 Supervisor McConnell moved and Dwyer seconded the motion to adjourn. Motion carried 4 - 0.

William McConnell	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Carole Dwyer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes

The meeting was officially adjourned at 8:42 p.m.

Respectfully submitted.

Jacqueline G. Roorda
Town Clerk