**March 25th, 2020 LaFayette Town Board Meeting Minutes**

Minutes of the Special Monthly Town Board Meeting held by the LaFayette Town Board on March 25, 2020 at 5:00 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

Recording Secretary: Jackie Bush Roorda, Town Clerk

Present via William McConnell, Councilor

Conference Melanie Palmer, Councilor

Call Carole Dwyer, Councilor

Attorney Jeff Brown

Budget Officer Tom Chartrand

1. Supervisor Fitzpatrick called the meeting to order at 5:00 PM and welcomed all in attendance. He then explained that due to the coronavirus the meeting will be live streamed on the Town Facebook page and some members of the Board will be present via conference call. He then led the pledge of allegiance to United States of America.

2. The Town Clerk, Jackie Roorda took the Roll, stating that present in person were Supervisor Fitzpatrick, Board member Steve Zajac, Onondaga County Legislative Chair Dave Knapp and Town Clerk Jackie Roorda. Present via conference call included Board members Bill McConnell, Melanie Palmer, Carol Dwyer, Attorney Jeff Brown and Budget Officer, Tom Chartrand.

3. Town Board Meeting of February 11, 2020 Regular Meeting Minutes

**R-28-2020** Councilor Dwyer moved and Palmer seconded the motion to accept the February 11, 2020 regular meeting minutes as submitted by Town Clerk Jackie Roorda. Motion carried 4 in favor, 1 abstained.

Daniel Fitzpatrick Supervisor Voted Yes

Melanie Palmer Councilor Voted Yes

Carole Dwyer Councilor Voted Yes

William McConnell Councilor Voted Yes

Steve Zajac Councilor Abstained

Supervisor Fitzpatrick and Onondaga County Legislative Chair Dave Knapp gave an update with regard to the coronavirus. Both explained the importance of following the recommendation of social distancing, hand washing and hand sanitizing along with making good choices such as avoiding your children’s play dates, social gatherings, etc.. The hope is this devastating and life altering virus will turn around, the curve will flatten and start to go down. Both gave our leaders such as Onondaga County Executive Ryan McMahon and President Trump credit for moving ahead and keeping us informed to the best of their ability, despite the unknowns with COVID-19.

4. COMMUNICATIONS

A. Proposed contract amendment with Onondaga County Sheriff’s Office

**R-29-2020** Councilor McConnell moved and Zajac seconded the motion approving and authorizing the Supervisor to execute Amendment #14 of the contract numbered 15205 between Onondaga County Sheriff’s Dept. and Town of LaFayette extending through December 31, 2020, that the compensation the Town will pay to County shall be $82.41 for enhanced law enforcement services provided by the Sheriff Dept. to the town for each hour of service provided by the County for the Enhanced Patrol Rate for 2020. 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

B. Amendment to the LaFayette Fire Department Service Award Program Plan Document.

Supervisor Fitzpatrick advised this matter is tabled until the next meeting.

C. LaFayette Fire Department Service Award Participants

**R-30-2020** Councilor McConnell moved and Dwyer seconded the motion to accept the letter form LaFayette Fire Department President John Harper and the accompanying LOSAP Report paperwork regarding payment to the participants listed for the year 2019. 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

D. Quote of additional equipment needed for speaker system in Town Board/Court meeting room. Supervisor Fitzpatrick advised that this will include 2 more microphones and a larger amplifier in order to maximize the system to accommodate the meetings. There is a credit for the equipment that is being returned.

**R-31-2020** Councilor Zajac moved and McConnell seconded the motion approving the quote and purchase of additional equipment from Creative Conversion to adequately utilize the equipment purchased with JCAP (Court) grant moneys in the amount of $1,492.80 to enhance the sound in the meeting room of the Town Hall. 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

E. Resolution in Opposition to NYS Bill Discovery Reforms

Supervisor Fitzpatrick advised this is a Town resolution that will go to the State advising that the Town Board opposes the New York State Bail and Discovery Reforms Law that were recently enacted. The format follows the Onondaga County resolution with some editing that pertains to our Town’s needs. Onondaga County Legislature Chair Dave Knapp reported the County resolution has gone to the State asking that it revise, start over, and/or make the changes necessary to keep criminals off the streets. He further explained the reforms were supposedly only going to impact nonviolent crimes. He then gave a list of a portion of violent offenses that were impacted as follows:

~Aggravated assault upon a person less than eleven years old

~Criminally negligent homicide

~Aggravated vehicular homicide

~Manslaughter in the second degree

~Arson in the third and fourth degree

~Criminal possession of a weapon on school grounds or criminal possession of a firearm

~Criminal sale of a controlled substance in or near school grounds

~Specified felony drug offenses involving the use of children, including the use of a child to commit a controlled substance offense and criminal sale of a controlled substance to a child

~Money laundering in support of terrorism in the third and fourth degree

~Making a terroristic threat

~Patronizing a person for prostitution in a school zone

~Promoting an obscene sexual performance by a child

~Possessing an obscene sexual performance by a child

~Promoting a sexual performance by a child

~Criminal sale of a firearm to a minor

~Aggravated cruelty to animals, overdriving, torturing and injuring animals

Chairman Knapp also explained that none of the district attorney’s, judges, or law enforcement agencies were consulted prior to making this reform law. They basically took the judge’s discretion away with regard to holding a criminal in jail. They also shortened the time for discovery to two weeks which gives the accused the right to all evidence and even to visit the scene of the crime only two weeks after it occurred. This law has eliminated a lot of the victims’ rights and there’s been huge uproar regarding their safety if the accused is free with no bail.

**R-32-2020**

**TOWN OF LAFAYETTE RESOLUTION IN OPPOSITION TO NYS BAIL AND DISCOVERY REFORMS**

WHEREAS, the Town of LaFayette is directly negatively impacted by the financial ramifications of the misguided and poorly thought out piece of legislation; and

WHEREAS, for the past twenty-five years, the State of New York has committed itself to reducing crime, and has succeeded, as evidenced by official U.S. Department of Justice Uniform Crime Reporting Statistics showing that New York transformed from the second most dangerous state in America in the early 1990s to the safest large state in America by the early 2000s; and

WHEREAS, in the final stages of adopting its FY 2020 budget, without first carefully examining

potential unintended and harmful consequences, the State of New York enacted sweeping and ill-conceived criminal justice reforms including the elimination of cash bail for many specific enumerated crimes and the imposition of stringent discovery mandates on police and prosecutors; and

WHEREAS, under the Bail Reform Law that became effective on January 1, 2020, judges were

stripped of their discretion to set bail for many specific enumerated crimes, which means those suspected of committing these crimes can no longer be held in jail after their arrest, regardless of the strength of the case against these defendants, or the length of the potential sentence faced by these defendants, or the extent of the harm allegedly caused by these defendants, and instead these defendants are released back into the general public; and

WHEREAS, these crimes include those that result in the deaths of innocent people, including

several subcategories of homicide and manslaughter, resulting in those responsible for these deaths being released back into the community of grieving families; and

WHEREAS, these crimes include Making a Terroristic Threat and Money Laundering in Support

of Terrorism in the Third and Fourth degree, resulting in those alleged to have supported terrorism in this manner, or who have threatened to commit acts of terrorism, being released immediately from police custody; and

WHEREAS, these crimes include Promoting an Obscene Sexual Performance by a Child;

Possessing an Obscene Sexual Performance by a Child; Failure to Register as a Sex Offender; and Patronizing a Person for Prostitution in a School Zone, resulting in suspected child predators being released and returning into our community; and

WHEREAS, these crimes include Aggravated Assault Upon a Person Less than Eleven Years Old; Reckless Assault of a Child by a Daycare Provider; Criminal Sale of a Controlled Substance to a Child; Abandonment of a Child; and Criminal Possession of a Weapon on School Grounds, resulting in those suspected to have physically harmed or endangered children in this manner being free from custody; and

WHEREAS, these crimes include Female Genital Mutilation; Stalking in the Second Degree; and Aggravated Harassment, resulting in those suspected of violating victims in this manner being returned to the community of those victims; and

WHEREAS, these crimes include Endangering the Welfare of a Vulnerable Elderly Person or an

Incompetent or Physically Disabled Person, resulting in the potential for further endangerment of seniors and these defenseless individuals; and

WHEREAS, these crimes include Aggravated Cruelty to Animals; Torturing Animals and Injuring Animals, resulting in the immediate release of those suspected of deliberately injuring, torturing and killing animals; and

WHEREAS, these crimes include Assault in the Third Degree, Aggravated Vehicular Assault, and other crimes of physical violence against people; and

WHEREAS, these crimes include Burglary of a Residence, resulting in the immediate release of

these individuals back into the neighborhoods they are suspected of targeting; and

WHEREAS, these crimes include Bail Jumping and Unlawfully Fleeing a Police Officer in a Motor Vehicle, resulting in release on recognizance of the very individuals who have demonstrated a propensity to evade the law; and

WHEREAS, all of the offenders mentioned heretofore are at risk of not showing up for court,

thereby placing a burden on public employees who, under this law, are required to send multiple court appearance reminders to these offenders, as well as police officers and District Attorneys who must commit resources to tracking and pursuing those who evade prosecution; and

WHEREAS, the discovery mandates imposed by the State of New York require police and District Attorneys to tum over voluminous trial-related materials to defense attorneys within 15 days, creating a mandate that will inevitably not be achieved in some cases and may result in the inability of the People to properly prosecute cases against criminal defendants; and

WHEREAS, the office of New York State's chief law enforcement officer, Attorney General Letitia James, testified at a state legislative hearing on October 28, 2019, that there will be implementation difficulties because prosecutors across the state lack the resources required to fully comply with discovery mandates; and

WHEREAS, discovery reform will also result in an opportunity for defendants to gain access to

crime scenes that may include a victim's residence, thereby giving defendants accused of burglaries, assaults, rapes and other crimes committed in victims' homes the right to return to those same homes; and

WHEREAS, the issues mentioned heretofore will undeniably impact past, present and future

victims of crime in a negative manner, and in so doing, the bail and discovery reforms adopted by the State of New York will themselves further victimize these innocent individuals; and

WHEREAS, these bail and discovery laws, in their current form, represent a clear and present

danger to society, will tilt the scales of justice in favor of suspected criminals and away from innocent crime victims, and risk reversing decades of bipartisan progress made by the State of New York in reducing crime; and

WHEREAS, the fundamental responsibility of governments to protect the vulnerable in society

demands that the shortcomings of these laws be remedied immediately; now, therefore be it

RESOLVED, that the Town of LaFayette hereby implores the State of New York to

immediately amend or suspend these laws by convening an emergency session of the State Legislature, or by emergency executive authority, or by any other means deemed possible by the State, ,and to do so immediately; and, be it further

RESOLVED, that the following improvements to these laws be implemented as soon as possible:

1. Give judges the discretion to impose bail when appropriate for all of the crimes enumerated in this Resolution;

2. Eliminate the 15 Day discovery requirement so towns can still generate revenue from infractions and reduce the burden on district attorneys across New York.

3. Phase in discovery reform by applying these new mandates only to misdemeanors effective January1, 2020, and repeal the provision that makes the new discovery mandates applicable to violations of the Vehicle and Traffic Law;

4. Extend appropriate dignity, fairness and respect to crime victims by soliciting input from victim

advocate organizations and considering their suggestions for improving these laws; and

WHEREAS, Councilor Dwyer moved and McConnell seconded the motion approving the Town’ Board’s support for Resolution R-32-2020 in opposition to NYS Bail and Discovery Reforms. 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

F. Authorization for Supervisor to explore the options available through USDA to submit a loan application for park expansion. Supervisor Fitzpatrick advised that this motion basically allows him to investigate no interest loans, for example to expand the park or possibly build a community center at the location of the Puttkamer home. It is not binding in any way; it just allows for a quicker process to get the ball rolling with regard to these loans especially when there may be deadlines to be met.

**R-33-2020** Councilor McConnell moved and Palmer seconded the motion authorizing Supervisor Fitzpatrick to explore options available through USDA to submit a no-interest loan for park expansion and a potential community center. 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

G. Application for 2019 Community Development Funding/Deadline April 3, 2020.

Supervisor Fitzpatrick advised that this has been an idea of Chairman Dave Knapp’s and his to expand Stafford Park to include a community dog park. Chairman Knapp explained that there is really only one dog park in the County which is located at Long Branch Park. There is a form of a dog park at Jamesville Beach State Park however it’s not fenced in and has numerous restrictions. Their idea is to secure some of the community development grant money in order create a dog park at the north end of Stafford Park near the casket company. There is approximately 1.14 acres of land that is wet, not buildable, but would be perfect for a dog park. The local dentist purchased the adjacent land to build an office on the upper portion. The hope is to buy a small part of his land or maybe even have it donated to the tow for the dog park. Knapp discussed benefits to the Town, adding that surrounding towns would be able to use it for a small fee.

Knapp advised that the dog park at Long Branch runs itself. In order to use it dogs would have to be licensed with proof of rabies vaccine, then a swipe card will be issued. There would be a list of rules or instructions especially regarding aggressive dogs, just like with our park right now, that those who use it need to abide by. Knapp explained that the park at Long Branch has run smoothly. It’s been their experience that most dog owners are respectful of each other’s dogs and there really have not been any problems in that location. Knapp also said the Town’s responsibility of 25% of the $35,000 cost does not have to be cash. It can be in-kind services such as the highway staff doing the grading work.

Supervisor Fitzpatrick added this could be a future area for Eagle scout projects such as building obstacles etc.

**R-34-2020**

Councilor McConnell moved and Zajac seconded the motion authorizing the Town of LaFayette to complete the application for the 2019 Funding Request for Onondaga County Community Development Funding Grant to expand Stafford Park in order to create a dog park.

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 Granted 5 - 0

H. Intermunicipal Agreement for the swim program – Supervisor Fitzpatrick advised that this is the annual agreement the Town executes with the Town of Pompey for summer swimming lessons at Cazenovia College.

**R-35-2020** Councilor Palmer moved and Zajac seconded the motion authorizing the Supervisor to execute the annual Intermunicipal Agreement between the Town of Pompey and Town of LaFayette for the 2020 Swim Program. Motion carried 5 – 0.

Daniel Fitzpatrick Supervisor Voted Yes

Steven Zajac Councilor Voted Yes

Melanie Palmer Councilor Voted Yes

Carole Dwyer Councilor Voted Yes

William McConnell Councilor Voted Yes

5. REPORTS

A. Departmental

1. Town Supervisor Report

a. Budget Officer Tom Chartrand submitted the Monthly Financial Report, and gave a brief verbal report for the month of February.

b. Transfer of appropriations.

**R-36-2020**  Councilor Palmer moved and Dwyer seconded the motion to approve

the transfers as listed below. 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

GENERAL FUND

To:

|  |  |  |  |
| --- | --- | --- | --- |
| A71110.2 | Parks | Equipment | $5,000.00 |
| From: |  | TOTAL | $5,000.00 |
| A599 | Surplus | Balance2019 | $5,000.00 |

TOTAL $5,000.00

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-37-2020**

Councilor Dwyer moved and McConnell seconded the motion stating that the annual financial update document for the Town of LaFayette and SOTS have been filed with New York State, and are available for residents to review during regular Town Clerk’s business hours, 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

2. Attorney – Attorney Jeff Brown advised that he heard back from Onondaga County Planning Board with regard to proposed revisions to the Town’s zoning code. He will forward that information to the Town Board for its review and input, and once approved the Town can move forward with the Town code codification process.

3. Highway Superintendent – written report by John Greeley

Equipment: Stripped plow and sander off truck #10 in preparation for summer work.

Road: Currently working on 284 agreement for work in 2020.

Sweeping ops will start March 23rd-27th and 30th – 3rd of April.

Important dates: PESH Training: April 6th

Brush Pick-Up: April 14th until completion

Earth Day: Friday April 24th and Saturday April 25th

Town Clean-up days: May 2nd – 9th

Parks: Will be working with Mark Chambers (C & S) and Jerry Marzo (Optimist) on park improvements in May.

4. Town Clerk - Jackie Roorda advised that the February, 2020 Town Clerk report was in the Board’s meeting packet for their review.

Roorda advised that four Town Board members have reviewed and audited the Town Clerk’s records for 2019, therefore her records are compliance with Town Law Section 123.

**R-38-2020** Councilor Palmer moved and Councilor Zajac seconded the motion that a positive audit was completed by four of the Town Board members of the 2019 Town Clerk’s records as required by law. Motion carried 4 -0, with 1 abstain.

Daniel Fitzpatrick Supervisor Voted Yes

Steve Zajac Councilor Voted Yes

Melanie Palmer Councilor Voted Yes

Carole Dwyer Councilor Voted Yes

William McConnell Councilor Abstained

5. Building and Zoning Code Enforcement – Code Enforcement Officer RalphLamson submitted the February building permit report to the Board.

6. Justice Court

a. January 2020 Justices Reports.

Judge Perrin had 72 cases and turned over $5,360.00 to the Town of LaFayette for January, 2020.

Judge Shute had 97 cases and turned over $7,873.00 to the Town of LaFayette for January, 2020.

7. Library: David Prince, President, LaFayette Public Library Board of Directors

Monthly Report

**Town’s Historical Materials** – Work continues on developing a plan for the transfer of Town Historian Emeritus Roy Dodge’s historic records and items to the library, including appropriate handling and storage of the materials (shelving, containers, etc.), as well as a policy for cataloguing and access to the materials.

**Census** – The library has two computers dedicated for access to the census site. Staff has been trained to assist patrons with their census submissions. A sign announcing the availability of this service and access to the census site will be placed by the road to announce the availability of these services.

**Remodeling Project** – Planning for the final phase of library remodeling project continues. The project will incorporate recommendations made by Arise for upgrades to the library’s bathroom and circulation desk to comply with accessibility requirements.

8. LCC Monthly Report by David Prince, Treasurer

**Youth Programs:**

Basketball – girls and boys, grades 2-4, began February 29, runs five weeks, approximately 35 participants

Volleyball – girls, grades 3-6, began February 29, runs five weeks, approximately 25 participants

Registration for baseball (includes softball and tee-ball) and lacrosse is being conducted Saturdays in March, concurrent with the basketball and volleyball practices.

Pre-season baseball workouts for girls and boys in grades 3-6 will be conducted Saturdays in April, indoors if necessary.

Basketball - grades 5&6, boys and girls teams, wrapped-up February 15.

Wrestling – wrapped up March 7.

Ski club – chaperoned program concluded February 14.

**On-Going Programs:**

Adult programs - Senior Exercise, Yoga and Men’s basketball, as well as hall walking are on-going. Informal (not LCC) aerobic workout sessions are being conducted weekly at Grimshaw School.

9. Parks and Recreation - David Prince, Parks Crew Leader Monthly Report

Placed order for replacement batwing mower through John Deere

* Delivery is expected sometime in March
* will require bringing the Ford tractor to John Deere for light harness to be installed
* new John Deere sales representative

Maintenance – limited work done, other than clearing snow, i.e., empty trash cans, replace dog waste bags

Began taking equipment out of storage and installing

* tennis nets up
* tennis storage shed moved to tennis courts
* garbage cans

10. Motion to audit and pay bills.

General Fund 15683-15802 $ 50,033.13

Highway Fund 15734-15805 $ 31,849.16

Special District 15691-15818 $ 27,740.20

Trust & Agency 15744-15745 $ 1,567.05

**R-39-2020** Councilor McConnell moved and Zajac 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

11. Motion to adjourn.

**R-40-2020** 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 5:39 p.m.

Respectfully submitted,

Jacqueline G. Roorda

Town Clerk