**January 9th, 2018 LaFayette Town Board Meeting Minutes**

Minutes of the Town Board Meeting held by the LaFayette Town Board on January 9, 2018 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: Daniel Fitzpatrick, Supervisor

Steve Zajac, Councilor

Melanie Palmer, Councilor

Carole Dwyer, Councilor

Michael Johnson, Councilor

Recording Secretary: Jackie Bush Roorda, Town Clerk

Attorney: Kevin Gilligan

Budget Officer: Tom Chartrand

Others Present: John Greeley, Highway Superintendent

Dave Prince, Library, LCC

Dave Knapp, County Legislator

Doug Daniel, Previous Supervisor

Greg Scammel

Mike Stiner

Greg Sgromo

Kristin Colburn

Ron & Nancy Bush

Steve & Kathleen Pitoniak

Herb & Rosemarie Brodt

Martin Ossenburg

Rich Roorda

Kitty Rienhardt

Mark Chambers

Jeff Palin

1. Supervisor Fitzpatrick called the meeting to order at 6:35 PM and welcomed all in attendance.

2. Pledge to our U.S. Flag was led by Councilor Palmer.

3. The Town Clerk, Jackie Roorda took the Roll. All present.

4. Town Board Minutes of December 12th, 2017 Regular Meeting.

Minutes of the December 12th, 2017 meeting were accepted as submitted by Town Clerk, Jackie Bush Roorda.

5. Supervisor Fitzpatrick advised that Highway Superintendent John Greeley will present his report first as he needs to be excused from the meeting early.

Greeley congratulated Supervisor Fitzpatrick, Steve Zajac as Deputy Supervisor and the Melanie Palmer, Carole Dwyer and Michael Johnson as Town Board Members.

The Highway Dept. is looking forward to working together for the betterment of LaFayette. He then read his written report as follows:

Snow and Ice ops: The crew plowed 49 times since last Town Board Meeting. 1000 tons of road salt ordered. 1,000 tons of road sand ordered.

Equipment: All plow trucks are currently active ready. Working on a snow blade to push back elevated snow banks with Volvo instead of plow trucks. This is to minimize the chance of plow trucks sliding into ditch.

Roads: “Scope of work” matrix is enclosed for Town Board to view. Spoke with Onondaga County Emergency Services Rep Dan Wears. He is optimistic. Oneida County has been disapproved for Federal funding because they did not reach the threshold of damages.

Greeley asked Town Clerk Roorda if she had been getting a lot of complaints from residents regarding trash pickup. She replied that last week some complaints were voiced more about the recycles not being picked up and that she has the residents call Feher directly.

Councilor Zajac thanked the highway guys for working so many hours, especially on Christmas.

6. COMMUNICATIONS

A. Association of Towns Annual Training School & Meeting assignment of delegate. A brief discussion regarding attendance at the Annual Meeting in February. At this time the Board is unsure of who or if anyone from the Town Board will be attending the Association of Towns conference in New York City.

**Councilor Dwyer moved and Johnson seconded the motion authorizing Supervisor Fitzpatrick to appoint a delegate to represent the Town of LaFayette and vote on the proposed resolutions during the 2018 Legislative 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**

**Michael Johnson Councilor Voted Yes**

At 6:44 p.m. Supervisor Fitzpatrick moved for the Town Board and Town Attorney to move to Executive Session to discuss a litigation matter, Councilor Zajac seconded the motion. Motion carried 5 – 0.

The Town Board and Attorney returned to the meeting room at 7:01 p.m. Supervisor Fitzpatrick moved and Zajac seconded the motion to return to the regular town board meeting advising that no actions took place during executive session.

Motion carried 5 – 0.

B. Dunn & Sgromo rescinding of Contract of December 12, 2017

Supervisor Fitzpatrick advised that the next matter on the agenda involves rescinding of the engineering contract regarding the July 2017 road damage from severe storms, dated December 12, 2017, with Dunn & Sgromo and asked if there were any questions or comments. None were voiced.

**Supervisor Fitzpatrick moved and Zajac seconded the motion to move forward on rescinding the contract dated December 12, 2017 with Dunn & Sgromo for engineering services regarding road damage resulting from the July 1st, 2018 severe storms. Motion carried 5 - 0.**

**Daniel Fitzpatrick Supervisor Voted Yes**

**Steve Zajac Councilor Voted Yes**

**Melanie Palmer Councilor Voted Yes**

**Carole Dwyer Councilor Voted Yes**

**Michael Johnson Councilor Voted Yes**

C. YMCA Triathlon at Jamesville Beach – A brief discussion regarding the request to use a portion of Apulia Road for the 2018 for YMCA Triathlon took place. Legislator Dave Knapp advised that it is usually held at Green Lake State Park but due to construction needed a new location for this year and funds are raised which go toward youth development and healthy living and social responsibility programs. Town Clerk Jackie Roorda advised that Triathlon Director Jennifer Hughes advised that it should take 2 hours at the most and they have park rangers, County Park employees and volunteers stationed on the route. Signs will be posted one week before and removed after the event alerting residents and for traffic control. Knapp then congratulated the new Supervisor and board members adding that he is looking forward to working with them.

**Supervisor Fitzpatrick moved and Zajac seconded the motion to approving the use of 6 miles of Apulia Road for the YMCA Triathlon to be held at Jamesville Beach State Park on June 9th, 2018. Motion carried 5 - 0.**

**Daniel Fitzpatrick Supervisor Voted Yes**

**Steve Zajac Councilor Voted Yes**

**Melanie Palmer Councilor Voted Yes**

**Carole Dwyer Councilor Voted Yes**

**Michael Johnson Councilor Voted Yes**

6. OPEN COMMUNICATION FROM THE PUBLIC

Supervisor Fitzpatrick advised that the Town Board will be adhering to the meeting policy rules wherein we limit each speaker to five minutes, this will be enforced. He also advised that he will always be available for any concerns or discussions and his email and phone number are posted on the website and in the newsletter.

1. Steve Pitoniak, resident advised that at the last meeting he discussed Site Plan Review and has spent the last two months conferring with Ag and Markets. He further advised that it took three years for Sandy Creek to get an approved Site Plan that has been filed with the State. His request is to be put on the February agenda as we may be able to use Sandy Creek Law as an example and might be able to adopt and save some of the existing law. Supervisor Fitzpatrick ask Pitoniak to send the information he has collected for the Town Board review prior to the meeting. Pitoniak advised that this is not meant to stop construction or prohibit manure storage facilities, but to just come up with a site plan review which is vital information to the town and is the residents right to know. Fitzpatrick thanked Pitoniak, commenting that this sounds reasonable and again requested that he email the information to him.

2. Martin Ossenburg, resident, introduced himself and said he has expressed his several concerns to the Town Board over the last several months. He has a typed copy of his questions and concerns and does not need to read them again however, wishes that they be incorporated as part of the official minutes. Town Clerk Roorda advised that she will add them as an attachment to the minutes. Fitzpatrick added that the Town Board is doing the best that they can to work within the system regarding this matter. Legislator Knapp advised that he has been advocating not to have additional facilities in the Town and do to the efforts the Town has already put forth, although five new State funded manure pits have been constructed in New York State, none were in our Town. He further advised that he knows this is a frustrating topic however he doesn’t believe spending tax payers’ money will benefit the Town. He will continue to review concerns and has had several communications with Attorney Kevin Gilligan regarding any further action the Town Board can take and thanked Martin for his information. *(Attachment)*

3. Mark Sheremeta, resident asked what is going on concerning the Morezak Road abandonment and wondered if it the Town’s intention to abandon Morezak Road as a qualified abandonment? He further state that the Onondaga County Department of Transportation advised them that they did not intend to hold a public hearing regarding this matter. Attorney Kevin Gilligan advised that he has wrote back to the DOT explaining that statute states a Public Hearing must be held by Onondaga County and that the Town is subject to County Commissioner of the Department of Transportation’s decision after the public hearing is held. Dave Knapp asked who in the County do we need to speak with. Attorney Gilligan advised that Attorney Bob O’Leary was working with us on this back in October. Knapp advised that he will speak with O’Leary to get the County’s input to see if we can get some further movement on this issue.

7. REPORTS

A. Departmental

1. Town Supervisor

a. Budget Officer Tom Chartrand submitted the Monthly Financial Report, and advised of the following; there are no transfers of appropriations at this time as the 2017 bills are still coming in. Revenues are above normal with the cell tower rent; he will have more end of the year financial details next month.

b. Tom advised that the signature cards for the NBT Bank need to be updated and signed by the Supervisor and his Deputy.

**Councilor Dwyer moved and Johnson seconded the motion to update the banking resolution and signature cards for the Supervisor’s checking and savings account with NBT Bank to Supervisor Daniel Fitzpatrick and Deputy Supervisor Steve Zajac. Motion carried 5 - 0.**

**Daniel Fitzpatrick Supervisor Voted Yes**

**Steve Zajac Councilor Voted Yes**

**Melanie Palmer Councilor Voted Yes**

**Carole Dwyer Councilor Voted Yes**

**Michael Johnson Councilor Voted Yes**

2. Highway Superintendent – previously submitted.

3. Town Clerk

a. Monthly Report and payment to Supervisor’s Account were in packet for Town Board review.

b. The 2018 Annual report was also included in packet for the Boards’ review.

4. Building and Code Enforcement – Town Clerk Jackie Roorda advised that due to weather, Code Enforcer Ralph Lamson would not be attending however he had provided the entire list of building permits issued in 2017.

5. Dog Control – Deputy Position discussed during Organizational Meeting.

6. Justice Court - 126 - total cases for Judge Perrin; $14,305.00 was taken in for the month of November, 2017.

116 - total cases for Judge Shute; $11,231.00 was taken in for the month of November, 2017.

7. Library

a. Board of Trustee Minutes and Director’s Report for October, November, and December were available in the Town Board’s packet for review.

b. Dave Prince advised that the officers for 2018 are: himself as President, Daphne Reyburn as Vice President, Virginia Collinson as treasurer, and Autumn Meldrim as Secretary.

c. Dave Knapp advised that over the last four years he has been advocating and has had success in receiving some money with broadband use in the library. He is pleased to announce that $5,000 has been approved wherein they will be able to upgrade the computers, etc. for the LaFayette and Tully Libraries. Supervisor Fitzpatrick thanked Dave Knapp for is assistance.

8. LCC

a. Dave Prince advised that they are checking on a new program Yoga type program proposal similar to the County’s for the elderly, “Step up to stop falls”, which helps with fall prevention. LCC would like to have this program available for our seniors and they would hold the classes in the Library Community Room at the Town Hall. There may be some county financial funding to assist in paying the instructor. Kate Ferrar is a certified instructor who presently does the yoga classes for LCC. Councilor Dwyer asked if the participants pay a fee to attend. Prince answered yes, however it is minimal and not enough to cover the costs. Right now we are in the early stages and should have more information in the near future.

8. Recreation & Youth

9. Parks and Recreation – Nothing new to report.

10. Tax Receiver – No report

B. Committees – No reports

8. NEW BUSINESS – No new business was discussed.

**9**. Motion to audit and pay bills.

**General Fund 11990-12062 $262,299.77**

**Highway Fund 12044-12063 $136,441.00**

**Special District 12060-12061 $ 104.01**

**Supervisor Fitzpatrick, 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**

**Michael Johnson Councilor Voted Yes**

10. Motion to adjourn.

**Supervisor Fitzpatrick moved Palmer 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**

**Michael Johnson Councilor Voted Yes**

The Town Board Meeting was adjourned at 7:27 p.m.

Respectfully submitted,

Jacqueline G. Roorda

Town Clerk

Martin Ossenberg, 6173 Old Coye Road

January 9, 2018

To LaFayette Town Board

Acknowledging the fact that theTown Board is now under the leadership of our new town supervisor Mr. Dan Fitzpatrick and with newly elected members, I like to bring to the town board an important matter that remained unresolved by the prior supervisors and board members.

My concern is the apparent unwillingness of the previous board to enforce the local town laws. The case in point is the construction of a major agricultural waste storage facility at the end of Markland Road by farmer Griswold (Prebel Hill Farm) without having applied for and obtained the requisite permits prior to construction.

1. The Town Zoning Board of Appeals ruled on this matter and confirmed that in their final interpretation of Article VIII, Section B.6. the Town Board must demand of Farmer Griswold to apply for a permit to construct the waste storage facility at the end of Markland Road.
2. The Town of LaFayette Storm Water Management and Erosion and Sediment Control Law (Local Law 2-2012)

mandates that a permit must be issued whenever more than half an acre land is disturbed by excavation or earth movement. The Code Enforcement Officer, Mr. Ralph Lamson, must inspect sites that have or need permits.

1. Will theTown Board exercise their authority and fiduciary responsibility to order Mr. Lamson, Town Zoning Officer, to respond to his duties and responsibilities as outlined in the Zoning Ordinance and as per resolution dated June 27, 1983

I’m hopeful that the new Town Board will bring to bar a renewed change in attitude and enforce local laws and strive to amend the useless local Law 2-2017.

Sincerely

Martin Ossenberg