October 13, 2026 LaFayette Town Board Meeting Minutes

LaFayette Town Board Meeting held on October 13, 2026, at 6:00 p.m. at the LaFayette Jr/Sr High School Auditorium, LaFayette, NY.

Present: William McConnell, Supervisor
Melanie Palmer, Town Councilor
Jerry Marzo, Town Councilor
Councilor Nate Loughlin
Michele Pirro Bailey, Town Councilor

Recording Secretary: Kristin Shute Colburn, Town Clerk

Town Attorney: Jeff Brown

Others Present: Ralph Lamson, Bldg. & Code Enforcement
Sue Marzo, Information Officer;
Mark Distler, Deputy Town Supervisor;
Andy Miller, One Digital; Andy Ohstrum, HR;
Ken Johnson & Laura Holt, Dog Control

1. Supervisor McConnell called the meeting to order at 6:00 pm.
2. Town Clerk Kristin Shute Colburn took the roll; all present.
3. Councilor Palmer led the pledge to the U.S. flag.
4. BOARD ACTIONS
   A. Town Employee Health Reimbursement Account Proposal - Andy Miller from One Digital explained a proposed shift from the self-insured OSEVA plan to a fully insured high-deductible plan with Excellus Blue Cross Blue Shield, supported by a Health Reimbursement Arrangement (HRA) to cover deductibles. The board discussed the potential cost savings and risk mitigation of this change, as well as the impact on employees. Town employees are scheduled to meet on Thursday, October 15, 2026, at 7 pm to discuss this proposal.

   B. Introduction of Local Law 2-2026 (Tax Cap Levy)

R-104-26 Councilor Loughlin moved, and Councilor Palmer seconded the motion to introduce Local Law 2-2026 (Tax Cap Levy). Motion carried 5-0

William McConnell	**Supervisor**	**Voted**	**Yes**
Melanie Palmer	**Councilor**	**Voted**	**Yes**
Jerry Marzo	**Councilor**	**Voted**	**Yes**
Nate Loughlin	**Councilor**	**Voted**	**Yes**
Michele Pirro Bailey	**Councilor**	**Voted**	**Yes**

   C. Introduction of Local Law 3-2026 (Parks)
   Attorney Jeff Brown explained the need for this law, as the Town has been concerned about its ability to enforce restrictions on park use. The rules are posted there, but people have not been complying with the rules, and to

enforce them effectively, the Town needs a formal law. This law essentially parrots the current rules and gives the Town the authority to enforce them.

R-105-26 Councilor Marzo moved, and Councilor Pirro Bailey seconded the motion to introduce Local Law 3-2026 (Parks). Motion carried 5-0

William McConnell	**Supervisor**	**Voted**	**Yes**
Melanie Palmer	**Councilor**	**Voted**	**Yes**
Jerry Marzo	**Councilor**	**Voted**	**Yes**
Nate Loughlin	**Councilor**	**Voted**	**Yes**
Michele Pirro Bailey	**Councilor**	**Voted**	**Yes**

D. Introduction of Local Law 4-2026 (Noise)
Attorney Jeff Brown advised that there are questions about our existing noise ordinance. There's some ambiguity about an exemption in our noise ordinance: whether actions taken by town-authorized entities, such as this board or the joint planning board, allow folks to exceed the noise ordinance. So, the recommendation here is to clarify that exemption to be more precise so anybody who is looking at the noise ordinance knows exactly when it applies. After further discussion, the law would amend one of the exemptions to read as follows. "Sounds connected with activities open to the public where specific authorization has been obtained from the town board or a joint planning board to exceed the noise restrictions of this chapter pursuant to one or more written conditions in a formal board action."

R-106-26 Councilor Palmer moved, and Councilor Marzo seconded the motion to introduce Local Law 4-2026 (Noise). Motion carried 5-0

William McConnell	**Supervisor**	**Voted**	**Yes**
Melanie Palmer	**Councilor**	**Voted**	**Yes**
Jerry Marzo	**Councilor**	**Voted**	**Yes**
Nate Loughlin	**Councilor**	**Voted**	**Yes**
Michele Pirro Bailey	**Councilor**	**Voted**	**Yes**

E. Introduction of Local Law 5-2026 (Human Resources Officer)
Attorney Jeff Brown explained that this creates a new human resources position as a public officer. New York State law allows public officer positions where individuals have some authority to make decisions independently. The Town Board still regulates them, such as the legal office.

R-107-26 Councilor Loughlin moved, and Councilor Palmer seconded the motion to introduce Local Law 5-2026 (Human Resources Officer). Motion carried 5-0

William McConnell	**Supervisor**	**Voted**	**Yes**
Melanie Palmer	**Councilor**	**Voted**	**Yes**
Jerry Marzo	**Councilor**	**Voted**	**Yes**
Nate Loughlin	**Councilor**	**Voted**	**Yes**
Michele Pirro Bailey	**Councilor**	**Voted**	**Yes**

R-108-26 Supervisor McConnell moved, and Councilor Pirro Bailey seconded the motion to set the public hearings for Local Law 2-2026 (Tax Levy), Local Law 3-2026 (Parks), Local Law 4-2026 (Noise), and Local Law 5-2026 (Human Resources Officer), on Thursday, November 5, 2026, at 6 pm. Motion carried 5-0

William McConnell	**Supervisor**	**Voted**	**Yes**
Melanie Palmer	**Councilor**	**Voted**	**Yes**
Jerry Marzo	**Councilor**	**Voted**	**Yes**
Nate Loughlin	**Councilor**	**Voted**	**Yes**
Michele Pirro Bailey	**Councilor**	**Voted**	**Yes**

F. Consideration of a resolution required by the NYS Department of Agriculture and Markets for the Cardiff water project. Pertaining to valuable agricultural land used for development purposes.

Attorney Jeff Brown explained that NYS law requires this to protect water availability for agricultural purposes in state-certified ag districts. It basically says we can only connect existing structures when the water system is finally put in place when we connect with Tully, or for future agricultural structures. So agricultural structures would be allowed to get connected, but if there are new residences later on built, and they're built in an ag district and they want to get connected to the water system, they would have to go through a process. It's not that they can't get connected; they would just have to go through a process through NYS Ag and Markets to say that it's a hardship.

Councilor Michelle Pirro Bailey introduced the following resolution and moved its adoption:

Town of Tully and Town of LaFayette Joint Water System Improvements Project
Lateral Restriction - Conditions on Future Service

The Town of LaFayette imposes the following conditions on the management of water lines located along NYS Route 11A, Ortloff Road, and Rowland Road, as well as the proposed backlot crossing from NYS Route 11A to the Cardiff Springhouse and proposed water tank locations within the Town of LaFayette, maps of which are attached to this resolution showing the boundaries of the agricultural district in relation to the parcels indicated:

(1) The only land and/or structures which will be allowed to connect to the proposed waterline within an agricultural district will be existing structures at the time of construction, future agricultural structures, and land and structures that have already been approved for development by the local governing body before the date of filing of the Notice of Intent by the municipality.

Land and structures that have been approved for development refer to those properties/structures that have been brought before a local governing body where approval (e.g., subdivision, site plan, special permit) is needed to move forward with project plans and the governing body has approved the action. If no local approval is required for the subdivision of land and/or the construction of structures, the municipality accepts the limitation under Public Health Law §1115 that defines a "subdivision," in part, as "any tract of land which is divided into five or more parcels." Water service will not be provided to more than a total of four residences, buildings and/or structures on any tract of land which has been divided into

parcels after the date of filing of the NOI by the municipality, where no local approval is required and the land is located within a county-adopted, State-certified agricultural district.

(2) If a significant hardship can be shown by an existing resident, the lateral restriction to the resident's property may be removed by the municipality upon approval by the Department of Agriculture and Markets (Department). It is the responsibility of the resident landowner to demonstrate that a hardship exists relative to his or her existing water supply or septic system and clearly demonstrate the need for public water service. The municipality shall develop a hardship application to be filed with the municipality, approved by the County Department of Health, and agreed to by the Department of Agriculture and Markets.

(3) If it can be demonstrated to the Department's satisfaction that the landowner requested the county to remove his or her land from an agricultural district at the time of district review and the county legislative body refused to do so, lateral restrictions may be removed by the municipality if the Department determines that the removal of the restriction for the subject parcel(s) would not have an unreasonably adverse effect on the agricultural district.

(4) If land is removed from a county-adopted, State-certified agricultural district and the district has been reviewed by the county legislative body and certified by the Commissioner for modification, lateral restrictions imposed by the municipality are no longer in effect for the parcels of land that have been removed from the agricultural district.

Seconded by Councilor Marzo.

The question of the adoption of the foregoing resolution was duly put to a vote, and upon roll call, the vote was as follows:

William McConnell	Supervisor	Voted	Yes
Melanie Palmer	Councilor	Voted	Yes
Jerry Marzo	Councilor	Voted	Yes
Nate Loughlin	Councilor	Voted	Yes
Michele Pirro Bailey	Councilor	Voted	Yes

The foregoing resolution **#R-109-26** was thereupon declared duly adopted.

G. Motion to set the Public Hearing for the 2027 proposed budget

R-110-26 Supervisor McConnell moved, and Councilor Palmer seconded the motion to set the public hearing for the 2027 Town of LaFayette Budget onThursday, November 5, 2026 at 6:00 pm. Motion carried 5-0

William McConnell	**Supervisor**	**Voted**	**Yes**
Melanie Palmer	**Councilor**	**Voted**	**Yes**
Jerry Marzo	**Councilor**	**Voted**	**Yes**
Nate Loughlin	**Councilor**	**Voted**	**Yes**
Michele Pirro Bailey	**Councilor**	**Voted**	**Yes**

H. CNY SPCA Prevention of Cruelty to Animals Contract Discussion
Current DCO (Dog Control Officer) Ken Johnson discussed concerns about a proposed SPCA contract, leading to a decision to wait for potential negotiations for "a la carte services" rather than the full package offered. This will be placed on the October 19, 2026 Budget workshop agenda.

I. NYAOT Resolutions – Supervisor McConnell spoke about attending the NYAOT conference in September. They passed 15 resolutions:

- No. 1: Preserve & Support Home Rule
- No. 2: Increase Aid & Incentives to Municipalities (AIM) and Temporary Municipal Assistance (TMA) Funding, Make TMA Permanent, and Evaluate & Update the Distribution.
- No. 3: Support Highway, Bridge, and Transportation Funding
- No. 4: Create a Dedicated Funding Program for Municipal Water & Sewer Infrastructure
- No. 5: Modernize Public Notice Requirements
- No. 6: Authorize the Designation of a SEQRA Officer
- No. 7: Authorize the Establishment of Reserve Funds for Other Post-Employment Benefits (OPEB)
- No.8: Expand Privacy Protection to Public Officers
- No. 9: Modernize Electronic Vital Records System for Birth & Marriage Records
- No. 10: Increase Permitted Returned Check Charges
- No. 11: Create a Dedicated Funding Source for Commercial Driver's License Training
- No. 12: Increase the Salary Cap for Retired Public Officials Returning to Public Service
- No. 13: Support Ways to Reduce Municipal Health Benefit Costs
- No. 14: Provide Towns with Negotiation Authority in PILOT Agreements that Impact Their Tax Base
- No. 15: Fund Real Property Tax Exemptions the State Authorizes, Including Those Offered at Location Option.

5. COMMUNICATIONS FROM THE PUBLIC – Legislator Dave Knapp advised that the County budget was approved, and that he was able to help facilitate a $ 1.3-million grant that will help finish the Cardiff Water District project. He also talked about the very successful Apple Fest that took place the previous weekend.
Other topics of discussion concerned the noise at LaFayette Motor Sports Park.

6. MONTHLY REPORTS

A. Departmental

1. Town Supervisor – Jim Pompo, Town Accountant, advised that he hopes to have the 2027 preliminary budget in about a week or so. He advised that it was a quiet month, accounting-wise, and that the Town received its Aid to Municipalities (AIM) payment from NYS this month in the amount of $36,858. He advised that we are in good shape for the last quarter of the year. He also informed the Town Board that he submitted a draft reimbursement request to NYSDOT for the Clark Hollow project, with an anticipated reimbursement of $35,861.

    a) Budget Modification:

    General Fund:

    a. Purpose: To increase the attorney -contractual line for costs relating to the DISH Bankruptcy matter.

To: A1420.4 Attorney-Contractual $5,000.00

From: A599 Appropriated Fund Balance ($5,000.00)

b. Purpose: To increase the budget line for higher-than-expected tree removal costs.
To: A8090.4 Environmental Control Contractual $950.00

From: A1996.4 Contingency ($500.00)

c. Purpose: To increase budget line for mowing of overgrown lots. To be recouped on 2027 tax bills.
To: A8175.4 Clearing Vacant Lots Contractual $1,700.00

From: A599 Appropriated Fund Balance ($1,700.00)

R-111-26 **Supervisor McConnell moved, and Councilor Pirro Bailey seconded the motion to approve the above-referenced budget modifications. Motion carried 5-0**

William McConnell	**Supervisor**	**Voted**	**Yes**
Melanie Palmer	**Councilor**	**Voted**	**Yes**
Jerry Marzo	**Councilor**	**Voted**	**Yes**
Nate Loughlin	**Councilor**	**Voted**	**Yes**
Michele Pirro Bailey	**Councilor**	**Voted**	**Yes**

2. Attorney – Attorney Jeff Brown advised that he had nothing further to report
3. Highway – Roads: Miscellaneous general maintenance to our roads, mowing, shoulders, ditches, and culverts will continue through the fall. We have been mixing our sand/salt mix on and off for the last 5 months and stacking it in our Material Storage Dome for the 2026/27 winter season. We have made approximately 3000 tons. Throughout the Town, the Emerald Ash Borer (Beetle) has killed most of the Ash trees. We started in fall 2025 by removing some dead trees within our rights-of-way. This is a 3- to 4-year plan to remove most of the dead trees that could impact utilities and our roads. Ashburn Drive "Cross Culvert pipe replacement" was completed August 20th. Highway Business: FEMA: Deer Run Project North Point Construction Services LLC was awarded the contract to upgrade this location and mitigate future flood damage. They informed me that mobilization will start on October 16th. The estimated completion time for this project is approximately 2 weeks.
4. Town Clerk - Monthly Report is on file
5. Building & Zoning Code Enforcement/SPDES - Monthly Report is on file
6. Justice Court Monthly Report

Judge Perrin had 158 cases and turned over $17,211.00 to the Town of LaFayette for September 2026.
Judge Shute had 112 cases and turned over $10,956 211.00 to the Town of LaFayette for September 2026.

7. Library – Monthly Report is on file.
8. LaFayette Fire Department - Monthly Report is on file.
9. LaFayette Ambulance Department – Monthly Report is on file.

B. Committee Reports

1. LACC

R-112-26 Supervisor McConnell moved, and Councilor Palmer seconded the motion to reappoint Craig Archer to the LACC board for an additional 1year term. Motion carried 5 – 0

William McConnell	**Supervisor**	**Voted**	**Yes**
Melanie Palmer	**Councilor**	**Voted**	**Yes**
Jerry Marzo	**Councilor**	**Voted**	**Yes**
Nate Loughlin	**Councilor**	**Voted**	**Yes**
Michele Pirro Bailey	**Councilor**	**Voted**	**Yes**

7. NEW BUSINESS – No New Business to discuss
8. Executive Session – No executive session required
9. Motion to audit & pay bills

R-113-26 Councilor Loughlin moved, and Councilor Palmer seconded the motion to audit and pay bills. Motion carried 5 – 0

William McConnell	**Supervisor**	**Voted**	**Yes**
Melanie Palmer	**Councilor**	**Voted**	**Yes**
Jerry Marzo	**Councilor**	**Voted**	**Yes**
Nate Loughlin	**Councilor**	**Voted**	**Yes**
Michele Pirro Bailey	**Councilor**	**Voted**	**Yes**

10. Motion to adjourn

R-114-26 Supervisor McConnell moved, and Councilor Marzo seconded the motion to adjourn at 7:10 pm. Motion carried 5-0

William McConnell	**Supervisor**	**Voted**	**Yes**
Melanie Palmer	**Councilor**	**Voted**	**Yes**
Jerry Marzo	**Councilor**	**Voted**	**Yes**
Nate Loughlin	**Councilor**	**Voted**	**Yes**
Michele Pirro Bailey	**Councilor**	**Voted**	**Yes**

The Town Board Meeting was adjourned at 7:10 pm.

Respectfully Submitted,

Kristin Shute Colburn, Town Clerk