

September 10th, 2024 LaFayette Town Board Meeting Minutes

Minutes of the Regular Town Board Meeting held by the LaFayette Town Board on September 10th, 2024 at 6:30 p.m. at LaFayette Town Hall and live on Facebook.

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

Deputy Supervisor: Mark Distler
Recording Secretary: Kristin Shute Colburn, Town Clerk
Attorney: Jeff Brown
Budget Officer: Jim Pompo & Marty Knapp
Information Officer: Sue Marzo
Others Present: Ralph Lamson, Bldg. & Code Enforcement
Dave Prince, Parks
Ashlie Carrier, LaFayette Ambulance & TOL Facilities Manager
Steve Pitoniak, Safety Manager
Jacqueline Novak, Barton & Loguidice
Several other residents

- 1. Meeting called to order at 6:30 pm
- 2. Town Clerk Kristin Shute Colburn took the roll. All present.
- 3. Pledge to our U. S. Flag led by Councilor Loughlin
- 4. Motion to accept minutes of August 10, 2024 regular Town Board meeting.

R-121-24 Councilor Palmer moved and Councilor Loughlin seconded the motion to accept the August 10th regular meeting minutes as submitted by Town Clerk Kristin Shute Colburn. Motion carried 5-0.

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

5. COMMUNICATIONS

A. Apple Festival Mass Gathering Permit

R-122-24 Councilor Dwyer moved and Councilor Palmer seconded the motion to approve the public assembly permit for the 52nd Annual Apple Festival. Motion carried 5-0.

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

Nate Loughlin Councilor Voted Yes

B. Hamlet Allowed Uses - Local Law - Set Public Hearing

Attorney Jeff Brown explained that the public hearing to amend, the allowed uses in the Hamlet district, will be during the October 8, 2024 regular Town Board meeting. Currently, inns, hotels, motels are not permitting within the Hamlet district. They are only permitted in the Industrial Zone and the Business District.

R-123-24 Councilor Palmer moved and Councilor Marzo seconded the motion to introduce Local Law 1-2024 and set the public hearing for October 8, 2024 at 6:30pm to amend Chapter 290 (Zoning) Article II (District Regulations), Section 290-7 (Hamlet District) of the Code for the Town of LaFayette. Motion carried 5 - 0

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

C. Crossroads Update - Deputy Supervisor Mark Distler provided an updated schedule of activities for the Crossroads Project.

<u>Date</u>	<u>Process</u>
Sept. 9, 2024	LRC formally approves PSA with Morgan's
Sept. 10, 2024	LRC & Town close on purchase of properties by the LRC
Sept. 17, 2024	Town holds a pre-bid meeting for stabilization work
Sept. 25, 2024	LRC/ Morgan's execute purchase contract
Sept. 27, 2024	Town awards stabilization contracts
Oct. - Dec 2024	Contractor conducts stabilization work

Attorney Jeff Brown also clarified that for the closing, the Town Board has already approved the sale of the property to the LRC for \$1, and that the closing will take place following tonight's Board meeting.

Deputy Supervisor Distler asked to make the decision for awarding the contract(s) soon after receipt of bids by sharing the bid results with the Town Board, recommending a selection, and getting their confirmation.

R-124-24 Supervisor McConnell moved and Councilor Marzo seconded the motion to award the stabilization contracts based on the recommendations of Town Attorney Jeff Brown and Deputy Supervisor Mark Distler subject to confirmation by the Town Board. Motion carried 5 -0

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

D. Cardiff Water District Expansion

Jacqueline Novak of Barton & Loguidice gave an update on the Cardiff Water Project.

Funding

- Preliminary positive movement of \$1.125M from Congressional appropriation
- Applied for \$2.936M NYSEFC Grant
 - Received IUP score 135 points, which is an excellent score
- Next funding application is the USDA Rural Development (RD)

District Expansion

- \$804k more for potentially 41 more users
- Will reduce overall user costs for entire district
- Anticipated funding through RD grant

SCHEDULE OF UPCOMING ACTIVITIES:

ACTIVITIES	PROPOSED SCHEDULE
Board Meeting: - Map, Plan & Report - Call Public Hearing for district expansion - Resolution for Notice of Intent to Submit RD funding application	October 8, 2024
Board Meeting: - Public Hearing - District Formation - Bond Resolution Revision	November 7, 2024
RD Funding Application	November 13, 2024
Funding Announcements	Winter 2024
Design Authorization BAN	January 2025
Intermunicipal Agreement with Village & Town of Tully	Spring 2025
"SHOVEL READY" and Funding Eligible (CDBG)	
Funding Applications - CDBG Application	Summer 2025
Regulatory Approvals	Winter 2025

Funding Announcements	Winter 2025
Town Board Decides if Moving on to Bidding	
Project Bidding	January 2026
Construction Begins (must be within 6 mo. of CDBG Award)	June 2026
Construction Ends (must be within 2 yr. of CDBG Award)	2027

R-125-24 Councilor Loughlin moved and Councilor Marzo seconded the motion to engage Barton & Loguidice to proceed with the USDA Rural Development grant process. Motion carried 5 - 0

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

R-126-24 Councilor Dwyer moved and Councilor Palmer seconded the motion to allow Barton & Loguidice to move forward with the map, plan and report for the potential expansion of the Cardiff Water District. Motion carried 5 - 0

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

R-127-24 Councilor Loughlin moved and Councilor Marzo seconded the motion to accept the amendment to Owner Engineer Agreement, amendment no. 1, exhibit K, which approves the pursuit of funding for the district expansion. Motion carried 5 - 0

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

6. COMMUNICATONS FROM THE PUBLIC - 3 MINUTE LIMIT PER SPEAKER
 Two residents from the Town of Otisco in attendance inquiring where the Town of LaFayette stands with the surrounding towns in regards to the potential Maple Harvest wind energy project. They also thanked the Town for their efforts in this matter.

8. REPORTS

A. Departmental

1. Town Supervisor – Bookkeeper Marty Knapp advised that we are on track with the current budget with our revenue at about 94% in, and spending at about 82%.

a. July Monthly Audit is to be completed by Councilor Palmer at the close of this meeting and the approval will be at the October 8th, 2024 meeting.

b. August Monthly Audit is to be completed by Councilor Loughlin at the close of this meeting and the approval will be at the October 8th, 2024 meeting.

c. Transfer of appropriations (if necessary) – Bookkeeper Marty Knapp advised that no transfers were required at this time.

2. Attorney – Attorney Brown advised he had two quick discussion items.

1. A suggestion was made by a member of the Planning Board to eliminate “sketch plan” meetings. He explained that these are informal meetings where the applicant comes before the board and explains the project, then at the next month’s meeting it goes to a public hearing. If necessary, the board could extend the public hearing. It was agreed that this could be done in one meeting. Attorney Brown proposed polling both the Planning & Zoning boards for their input and then bring back to the Town Board to amend the Local Law.

2. Employee Handbook – Attorney Brown advised that discussion has been made with regard to updating the employee handbook. Supervisor McConnell advised that he will reach out to Town Clerk, Highway Superintendent, and Library Director to set up a meeting before the October Town Board meeting to review the handbook for any potential necessary updates. Councilor Palmer agreed to participate on behalf of the Town Board.

3. Highway

a. Superintendent’s Report

Roads: Our second round of Surface Treatment and paving will be completed in September. The highway department started in late August cutting brush back and trimming trees along our rights of way. This will help increase sight distance for motorist and predestines traffic. They anticipate completion in mid to late September. Miscellaneous repairs and general maintenance to our roads, ditches and culverts will continue through the fall months and into winter.

Highway Business: Superintendent Robson is still working with FEMA, State of New York, and C&S Engineers on our first appeal for 2026 Clark Hollow Road.

4. Town Clerk

- a. Town Clerk Kristin Shute Colburn advised that the monthly report for August 2024 is in their packets for review
 - b. She provided an example of some out of the ordinary things that are done in her office. She provided a service to issue a marriage license to a terminal patient so they could get married before he passed. She was advised shortly before this meeting that they were married on Friday and he passed on Saturday.
 - b. Spectrum Changes - Town Clerk Kristin Shute Colburn informed the Board that we adjusted our Spectrum account to remove unnecessary channels but increase our internet speed from 100 mbs to 300 mbs.
5. Building & Zoning Code Enforcement/SPDES
- a. August 2024 building permit report is in packet for their review.
 - b. Code Officer Ralph Lamson informed the Board that he obtained a quote for a new computer, from our IT officer Jerry Brown. The total was \$1,472.37 including installation. He did some research and found that quote to be less than any costs he found online.

R-128-24 Supervisor McConnell moved and Councilor Marzo seconded the motion to approve the purchase of a new computer for the Building & Codes department at the cost of \$1,472.37. Motion carried 5 - 0

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

6. Justice Court
- a. August 2024 Justice Reports
 - Judge Perrin had 194 cases and turned over \$14,464.00 to the Town of LaFayette for August 2024.
 - Judge Shute had 226 cases and turned over \$16,920.00 to the Town of LaFayette for August 2024.
7. Library Director - Written report is on file with the Town Clerk's office
8. LCC - Written report is on file with the Town Clerk's office
9. LaFayette Fire / Ambulance Department - Written report is on file with the Town Clerk's office
10. Parks - Councilor Nate Loughlin advised that they would like to obtain 3 additional AEDs to be located at the Vinegar Hill Sports complex, the former

TOOLAN fields, and Stafford Park South. He has provided 3 quotes and wishes to go forward with the lowest quote of \$3,437.25 from American AED

R-129-24 Supervisor McConnell moved and Councilor Marzo seconded the motion to authorize to the Town Supervisor to move forward with the purchase of new batteries and 3 new AED's for the above referenced locations at a cost of \$3,437. The cost of which to be split between the parks department and LCC. Motion carried 5 -0

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

B. Committee Reports

1. LACC - Report is on file with the Town Clerk. Chair, Payton Kremers, advised that for the Stafford Park Memorial Program three new trees and two new benches have been requested and installed for this year.

2. Community Development

- Community Center Update - Supervisor McConnell informed that the kitchen project is underway. Councilor Dwyer hopes to order the kitchen on 9/11/24. Advising that there will be plenty of storage, granite counters, stainless steel appliances, and more. Supervisor McConnell said that residents could start using the center at the beginning of October. He advised that he is working on getting prices for the upstairs to make it climate controlled for the historic items that will potentially be donated by Historian Emeritus J. Roy Dodge. Amidon Construction will be working this week on the repair of the NW corner of the building which will be overseen by Jeff Palin our former C & S Engineer.

3. Safety & Facility Maintenance (Ashlie Carrier & Steve Pitoniak) Report is on file with the Town Clerk's office.

9. NEW BUSINESS - Supervisor McConnell explained that we have received a proposal from C & S with regard to pursuing funding for the cleanup of the former highway garage property. The EPA has opened a grant program for up to \$500k, which could be used to remediate approximately 3600 cubic feet of soil where one of the three subsurface tanks had leaked. In order for the grant deadline to be met, C & S would need to begin soon. C & S feels confident that we are in a good position to obtain this grant and if not, it would be open to the appeal process. The initial cost to

apply for the funding is approximately \$13K. In order for this to take place the property would need to be transferred to a non-profit other than the Town of LaFayette, as it caused the Contamination. Supervisor McConnell suggested that potentially the property would be transferred to the LRC and after the remediation it could be transferred back to the Town or sold by the LRC on behalf of the Town. Deputy Supervisor Distler and Attorney Jeff Brown advised that the LRC may need to apply for 501(c)(3) status to make them non-profit on the federal level. That cost would be about \$3K.

R-130-24 Councilor Palmer moved and Councilor Dwyer seconded the motion to approve the proposal to allow C & S Engineers to apply for the EPA grant to remediate the property at the former town highway garage. Motion carried 5 -0

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

10. Executive Session (if necessary) An executive session was not required.

11. Motion to audit & pay bills

<u>Fund</u>	<u>Check #'s</u>	<u>Total</u>
General Fund	21867,20723,21326, 21794, 21870 - 21896, 21903, 21904, 21910	\$94,962.51
Highway Dept.	21869, 21872, 21881, 21897- 21902, 21905-21907	\$55,179.67
Cardiff Water Dist.	21908	\$371.54
Library Fund	21872 & 21881	\$2,600.00
LaFayette Fire Dept.	21868	\$12,600.00
Coye Road Water Dist.	21909	\$745.06
NE & SH Water Dist.	21909	\$1,448.73

R-131-24 Councilor Dwyer moved and Councilor Palmer seconded the motion to audit and pay the above listed bills. Motion carried 5 - 0.

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

12. Motion to adjourn

R-132-24 Supervisor McConnell moved and Councilor Palmer seconded the motion to adjourn at 7:55 pm. Motion carried 5-0

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

Respectfully submitted,

Kristin Shute Colburn, Town Clerk