

TOWN OF FAYETTE
TOWN BOARD MEETING MINUTES
NOVEMBER 10, 2016

Present: Supervisor Cindy Lorenzetti, Councilwoman Coreen Lowry, Councilmen Bill Goff, Jimmie Johnson and Jeff Trout, Deputy Clerk Marleen Hubbs and Attorney Joseph Midiri.

Others Present: Highway Superintendent Bill Trout, Account Clerk Sue Hensel, Dog Control Officer Dallyn Jenkins and Town Historian Thom Shanken. Residents: Andy and Cindy Brown, John Christensen, Tom Kime, Sandy Caster, Jim, Mike, David and Connie Hagadorn.

Moved by Supervisor Lorenzetti and seconded by Councilwoman Lowry to open Public Hearing to Amend Land Use Regulations at 6:50 p.m. 5 Voting Yes/0 Voting No. Carried.

Comments: Tom Kime – lives on Seneca Lake in the Town of Fayette and thought he could get a Building Permit to put up a pole barn. He has 2 ½ acres of land which is 600’ from the lake and 50’ from the nearest bordering property which is his. This property is in the Lake & Canal District on Seneca Lake and requires a different process for building. He has since cancelled his project until spring due to the process. His project is one of the accepted uses (900’ from lake and not by the water) but the problem lies in the fact that the district follows the railroad and in some place the railroad and roads are 50’ from the lake. He would have to have a new survey done, spend several thousand dollars, go before the Planning Board for a site plan review. All of this could take approximately 6 months before he could possibly put up the pole barn. Doesn’t feel he should be penalized because he lives on the lake. He could understand if he was non-conforming, but what he is putting up is clearly permitted use. A building permit would only have taken about five days to obtain. Feels the Regulations for Lake & Canal District should be reviewed again before approval. Do you really want to discourage lakefront development, e.g. restaurants and/or hotels? Does not feel Seneca County overdeveloped. No other comments.

Moved by Councilwoman Lowry and seconded by Councilman Trout to close the Public Hearing to Amend the Land Use Regulations at 7 p.m. 5 Voting Yes/0Voting No. Carried.

Moved by Supervisor Lorenzetti and seconded by Councilwoman Lowry to open the Public Hearing to Over-ride the Tax Cap at 7 p.m. 5 Voting Yes/0Voting No. Carried.

Comments: Bob Halladay asked if we have done this before and are we doing it this year. Supervisor Lorenzetti stated we have done it before and will be doing it this year, if the budget is adopted. Bob asked how much over we are – approximately \$24,000. Dallyn Jenkins asked if it was because of the Canoga Fire Protection District’s new building (\$105,000 over 30 years). Supervisor Lorenzetti explained that the residents in that district alone will pay for it in their taxes, but it did cause us to go over the Tax Cap, but wasn’t the only thing.

Copies of budget available here. She also noted that Senator Nozzolio was able to get a grant to help pay for the building. No other comments.

Moved by Councilman Trout and seconded by Councilwoman Lowry to close the Public Hearing to Over-ride the Tax Cap at 7:05 p.m. 5 Voting Yes/0Voting No. Carried.

Moved by Supervisor Lorenzetti and seconded by Councilwoman Lowry to open the Public Hearing for Fire Contract Requests at 7:05 p.m. 5 Voting Yes/0Voting No. Carried.

No comment.

Moved by Councilman Trout and seconded by Councilwoman Lowry to close the Public Hearing for Fire Contract Requests at 7:07 p.m. 5 Voting Yes/0Voting No. Carried.

Moved by Supervisor Lorenzetti and seconded by Councilwoman Lowry to open the Public Hearing regarding Review of the 2017 Preliminary Budget at 7:10 p.m. 5 Voting Yes/0Voting No. Carried.

No comment.

Moved by Councilwoman Lowry and seconded by Councilman Trout to close the Public Hearing regarding Review of the 2017 Preliminary Budget at 7:11 p.m. 5 Voting Yes/0Voting No. Carried.

Supervisor Lorenzetti called the Regular Meeting to order at 7:11 p.m. with the Pledge of Allegiance.

Privilege of the Floor:

Mike Hagadorn – regarding Hagadorn Lane – Three houses on Lane and Hagadorn’s have been maintaining it since early 80’s and would like the Town to take over maintenance of Lane. He said it use to be a road then shut down. Goes from Yellow Tavern to Watts. Wonders why it came off as a road? Supervisor Lorenzetti suggested the tax map be looked at for some answer. She is not sure and have legal counsel check it out. Councilman Trout - What would we have to do bring it up to specs.? Fayette has more miles of road than any other town in county. Would be additional tax burden on everyone else. He is not against it and worth investigating, but precedent setting. Highway Supt. Trout asked what the name of it use to be – Railroad“something”. Mr.Hagadorn felt we would only have to maintain part of it (about ¼ mile). Councilwoman Lowry felt we couldn’t just maintain part of a road. No one owns this road. Just a “Right of Way”. Robson’s and Maybury’s have property on that road too. Suggested that if they came back in December hopefully we will have some answers. Need to find out if it was ever actually a road.

Resolutions:

Moved by Supervisor Lorenzetti and seconded by Councilwoman Lowry to table “Amend Land Use Regulations” until questions brought up during Public Hearing are clarified. 5 voting yes, 0 voting no. Carried.

Moved by Supervisor Lorenzetti and seconded by Councilman Trout to Over-ride the Tax Cap. 5 voting yes, 0 voting no. Carried.

Moved by Supervisor Lorenzetti and seconded by Councilman Trout to adopt Local Law #3 of 2016 to override the tax levy limit established in General Municipal Law 3-C. 5 voting yes, 0 voting no. Carried.

Moved by Supervisor Lorenzetti and seconded by Councilman Trout to amend Local Law #3 to Local Law #2 to override the tax levy limit established in General Municipal Law 3-C. 5 voting yes, 0 voting no. Carried. (Resolution attached to minutes)

Moved by Supervisor Lorenzetti and seconded by Councilman Trout to approve the Fire Contract requests. 5 voting yes, 0 voting no. Carried.

Moved by Supervisor Lorenzetti and seconded by Councilman Trout to approve the Preliminary Budget for 2017. 5 voting yes, 0 voting no. Carried

Moved by Supervisor Lorenzetti and seconded by Councilwoman Lowry to accept the resignation of Cindy Brown as Town Clerk effective 10/6/16., with regrets. 5 voting yes, 0 voting no. Carried.

Moved by Supervisor Lorenzetti and seconded by Councilman Trout to appoint Marleen Hubbs as Interim Town Clerk effective 11/10/16. 5 voting yes, 0 voting no. Carried.

Moved by Supervisor Lorenzetti and seconded by Councilwoman Lowry to appoint Nancy Murray Deputy Clerk effective 11/10/16. 5 voting yes, 0 voting no. Carried.

Dog Control Officer: Collected \$75 in fines for the month. Issued 30 tickets for late dog renewals and has at least 30 more to check out. Has given tickets two years in a row to some with no results. Next step would be to have them arrested for failure to comply, but that has not been done yet. Feels it would put a stigma on the town. Supervisor Lorenzetti suggests Board be given more data at next meeting. Dallyn could give Board a list of who has been given late notice, given a ticket and then dropped. Maybe a policy could be written. Want to stay on top of this.

Code Enforcement Officer Report: No report.

Town Assessor Report: Report in packet. Just finished up 6 credit hours for his certification. Updated system for new exemptions and Star and sending out renewal applications by end of the week. Merging files with county for tax bills so they can go to Tax Collector on time.

Fayette Historian Report:– 11/15/16 – County Historians’ Business Meeting. 10/19/16 - Met Dr. Mark Staker, Curator Latter Day Saints Historic site. Going to be doing a multi-year historic investigation of the property and Fayette as a whole. Hopes to be coming back by end of year and it involves history, immigration, building, agricultural, particularly the 19th century. If Board has anything to share that would be good since he still does not have any available records. Ongoing for several years. If you have anything, please forward to Sue and she will get it to him. Also thanked the Board for giving him a budget for next year. Supervisor Lorenzetti suggested that he reach out to former Historian too.

Highway Superintendent: Four trees need to come down on Shannon Drive. Estimate from contractor in Clyde is \$450 for all 4. Electric company may have to take one down. Hagadorn Lane issue – Feels it is a driveway and the mailboxes are at the end. Supervisor Lorenzetti reiterated that we would have legal counsel look at “specs” and advise us. Three vehicles being put on Auctions International – 2006 truck, 1995 Ford and 2009 backhoe. After bids come in will come back to Board for approval. Asked for bids on new truck – with discount of approximately 45% total would be \$205,078.55 with a 5 year warranty. Even if ordered now it would take over a year to get. Successful Fall Clean Up.

Town Clerk Report: Total taken in by the Town Clerk \$895 - \$828 paid to Town and sent NYS \$67 in dog fees. Clerk notified the Board of the Seneca County Planning Board Meeting on November 10 at which two GML reviews were being held for the Town of Fayette and of the Association of Towns 2017 Training School & Annual Meeting – Feb. 19-22, 2017 in NY City.

Moved by Councilman Trout and seconded by Councilwoman Lowry to approve the Board Meeting Minutes of October 13, 22 (Budget Workshop) and 27, 2016. 5 voting yes, 0 voting no. Carried.

Moved by Councilwoman Lowry and seconded by Councilman Trout to approve the Budget Adjustments as written: 5 voting yes, 0 voting no. Carried.

Budget Adjustments

From A1990.4 Contingent	\$247.00	
To A1220.4 Supervisor Expense		\$ 96.00
To A1410.4 Town Clerk Expense		\$ 47.00
To A8989.4 Spring/Fall Clean-up		\$104.00
 From B1990.4 Contingent	 \$44.00	
To B8020.4 Postage		\$ 44.00
 From SW1-599 Fund Balance	 \$ 30.00	
To SW1-8310.4 Day to Day Expenses		\$ 30.00
 From SW3-8310.4 Day to Day Expenses	 \$1,265.00	
To SW3-8310.1 Payroll		\$429.00
To SW3-9030.8 Social Security		\$ 33.00

To SW3-8320.4 Purchase of Water	\$803.00
From SW5-1990.4 Contingent	\$2,156.00
From SW5-8310.4 Day to Day Ex.	\$ 686.00
To SW5-8310.1 Payroll	\$ 178.00
To SW5-9030.8 Social Security	\$ 13.00
To SW5-8320.4 Purchase of Water	\$2,651.00

Moved by Councilwoman Lowry and seconded by Councilman Trout to approve the warrants. 5 voting yes, 0 voting no, Carried.

Abstract #11 – Vouchers #427-466

General Fund – Townwide	\$35,470.03
General Fund – Outside Village	1,896.39
Highway Fund – Townwide	\$18,623.74
Highway Fund – Outside Village	\$15,746.87
Fayette Light Distr. – LD006	170.08
Canoga Light Distr. – LD001	197.15
Fayette Water Distr. #1	317.93
Indian Acres #2 – WD018	1,778.35
Cayuga Lake #3 – WD019	3,719.45
Fayette Water Distr. 5 – WD025	5,372.49
TOTAL	\$83,292.48

Supervisor’s Report: Office of the Aging, Health Dept. and delLago Day Care will be housed in the old Bonadent Building. Mental Health will be going to the Office of the Aging. There will be renovations at the County Office Building to meet “specs” for mental health. Took 2/3 of Board to vote and because a lot of absences it was tabled. She has a copy of the county budget if anyone interested.

Committee Reports:

Insurance & Assessment – Coreen – Paperwork in for insurance appraisals. She will be meeting with third interested party on Monday. Hopes to have quotes for December meeting.

Water Committee – Jeff - Will be meeting with Jason and will probably present at December meeting.

Planning & Zoning – Bill – Thought Keith would be here. He will tell him that the Land Use Regulations were tabled and go from there. Planning Board meeting will be 11/21/16.

Fire & Safety – Jim – Voting can be done next year at the Canoga Fire District

Resolutions/Motions: No other resolutions.

Old/New Business:

Moved by Councilman Trout and seconded by Councilwoman Lowry to go into Executive Session at 7:55 p.m. regarding Contractual Negotiations with Teamsters. 5 voting yes, 0 voting no. Carried.

Out of Executive Session at 8:25 p.m.

Return to Regular Session at 8:26 p.m.

Moved by Councilman Trout and seconded by Councilman Goff to accept the terms of the Union Contract January 1, 2017 to December 31, 2019. 5 voting yes, 0 voting no. Carried.

Moved by Councilman Johnson and seconded by Councilwoman Lowry to adjourn the meeting at 8:40 p.m. 5 voting yes, 0 voting no. Carried.

Respectfully submitted,

Marleen Hubbs
Town Clerk