

Regular Town Board Meeting of the Town Board of the Town of Van Buren, held on September 20, 2016 at 7:30 pm at the Van Buren Town Hall, 7575 Van Buren Road, Baldwinsville, New York.

Present:

Mr. Rick Zaccaria	Councilor
Ms. Darcie Lesniak	Councilor
Mr. Howard Tupper	Councilor
Mr. Ronald Dudzinski	Councilor
Ms. Patricia Dickman	Councilor
Mr. Claude Sykes	Supervisor
Absent: Ms. Mary Frances Sabin	Councilor

Also present:

Mr. Kevin Gilligan	Town Attorney
Mr. Jason Hoy	Town Engineer
Mr. Doug Foster	Highway Superintendent
Ms. Lynn Precourt	Town Clerk

Pledge of Allegiance and Roll Call.

Citizens Comments:

Ruth Troy, Canton Woods Senior Center Director, updated the Board on the events at the center for September, which is National Senior Citizens Month. She said the theme is “Find Balance at Your Center”. She said there is a fall prevention class available at the center that is run by a Physical Therapist two times a week. It is intended to strengthen core muscles and improve balance to help prevent falls.

Ms. Troy said they held the Walk for the Woods over the weekend and the weather was beautiful and it was a successful fundraiser for the center. They also had two appraisers come in and help seniors determine how much their antiques are worth. She said they will have them back since it was well attended.

Ms. Troy said Mayor Dick Clarke came by the center with the Village Engineer and talked about Village issues and answered questions.

Ms. Troy said flu shot clinics are scheduled and the first one is September 30th from 9:00 am to 11:00 am. She said it will be run by Rite Aid and to be sure to bring insurance cards. There will be two more in October.

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Ms. Troy said the end of summer Burger Bash is upcoming and the Annual Limburger Cheese Party is October 13th.

Ms. Troy said the Office of Aging is holding a Medicare overview for 2017 on October 13th from 5:30 pm to 7:00 pm.

Madison Phinney, Sun Meadows Way, read a letter to the Board saying she does not feel safe on the street because of the speeding cars and people who run the stop sign at Cross Country Drive. She said she saw three adults break the law by running the stop sign in 45 minutes one day. She said there are no consequences for these people. She asked the board to please make a change so she can feel safe in her neighborhood.

Mr. Sykes said the town can ask the Sheriff for extra patrols for enforcement.

Paula Macko, Sun Meadows Way, said she runs Superior Cleaning Service and has been notified of complaints to the town about where her employees park on Cross Country Drive. She said this issue came up last Spring and the resolution was to have them park on Cross Country Drive. She said that is where they are parking and she has letters to the Board from eight neighbors who support her and say the on street parking is not bothering anyone.

Mr. Sykes said when this issue was initially addressed one of the suggestions was to use River Mall for parking. He said this solves the problem for everyone. He said he drove there to see it for himself and can understand it does cause congestion.

Ms. Macko said the cars are way up on the side of the street and not near the corner for school bus traffic. She said she has been following the suggestion made in the Spring.

Mr. Zaccaria said he spoke with Ms. Macko in the Spring and suggested parking on Cross Country Drive and it has been a sufficient solution for a long time.

Ms. Dickman asked why parking at River Mall is not an option since it may alleviate the problem altogether.

Ms. Macko said she has two vehicles to transport employees and someone would have to walk over to drive it back. She said she owns her home and pays taxes and should be able to park at the house.

Mr. Sykes asked if the employees report to the house.

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Ms. Macko said they meet there and she has two vehicles and no more than five cars are ever parked there and they are now parking in the lawn, not on the road.

Mr. Sykes asked how that will work in the winter.

Ms. Macko said she owns her home in Sun Meadows, pays her taxes and she is being singled out and harassed. She said there is plenty of on-street overnight parking in the neighborhood and yet she is being singled out.

Mr. Sykes asked if she went before the Town's Zoning Board of Appeals for a home occupation.

Ms. Macko said her business is not at her home, no one comes in her house.

Mr. Sykes said the Code Enforcement Officer disagrees and a violation notice was mailed and signed for and requires compliance within 30 days.

Ms. Macko said she never received any notice.

Brandi Wolfe, 26 Sun Meadows Way, said she parks on the street, at this corner to drop off and pick up her kids from the bus and the cars have never been a problem. She said the parked cars are not there at the same time as the school bus. She said this is all absurd and she doesn't know why Ms. Macko is being singled out except that someone specific has nothing better to do than complain. She said she is not running a business at her house.

Mr. Foster said under Article 32 of the NYS Vehicle and Traffic Law that even if parking is prohibited, cars can still stop and stand as long as that is not expressly prohibited. If there are no parking signs posted you can still stop there and drop off and pick up children at the bus stop.

James Bowden, 24 Sun Meadows Way, said they are a close community and if a neighbor has a complaint it should be addressed with the neighbors, not the town. He said it is inappropriate to address a code violation if the letter is in the mail and has not been delivered to the homeowner. He said it makes no sense for the town to prevent someone from making a living because someone with more time on their hands makes a complaint. He asked what they, as a community, can do to help come up with a solution because we are not resolving anything here. We have to come up with suggestions on how this community can help her.

Mr. Zaccaria said Ms. Macko has been willing to take suggestions to alleviate complaints and be courteous. She is not disturbing anyone and does not know what the code violation is if it is still in the mail.

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Mr. Sykes said the violation is running a business out of her home.

Ms. Macko said she is not running a business there, they meet there and car pool. No one picks up a paycheck there.

Ms. Lesniak said a lot of new information has been received by the Board tonight. She suggested the Board regroup and determine what the complaints are and how they should be addressed. She said if this is better addressed by the neighborhood she favors that because the Board does not want to dictate the solution.

Amy Phinney, Cross Country Drive, said she is proud of her daughter for advocating for the safety of the street. She said she works for a school system and was home this past summer. She said she never saw any of the woman who work for Ms. Macko enter her house. She said if her dogs didn't bark when they met there she would not have noticed them at all. And as long as the town is collecting information, we may want to look into 30 Cross Country Drive and the traffic at that house.

Jack Baumgartner, 13 Cross Country Drive, said the covenants for the neighborhood are clear and home occupations are not allowed. He said if the neighbors want to form a Homeowner's Association it can be addressed through that entity. He said the parking is a problem and creates a traffic jam and will be an issue in the winter.

Approve minutes of the Regular Town Board Meeting on September 6, 2016:

188-16-000 MOTION BY Ms. Dickman, seconded by Mt. Dudzinski, to approve the minutes of the September 6, 2016 Regular Town Board Meeting as published.

Mr. Zaccaria – Yes, Ms. Lesniak – Yes, Mr. Tupper – Yes, Mr. Dudzinski – Yes, Ms. Dickman – Yes, Mr. Sykes – Yes

All Ayes – Motion Carried & Adopted

Receive bids on concrete floor for 3417 Walters Road:

Mr. Sykes said the town received the bids, but, the lowest one was over \$500,000. Because of the amount, the town has to re-bid the project with separate contracts for each trade involved.

189-16-025 MOTION BY Ms. Dickman, seconded by Mr. Dudzinski, to reject all the bids for the concrete floor for 3417 Walters Road.

Mr. Zaccaria – Yes, Ms. Lesniak – Yes, Mr. Tupper – Yes, Mr. Dudzinski – Yes, Ms. Dickman – Yes, Mr. Sykes – Yes

All Ayes – Motion Carried & Adopted

Mr. Dudzinski asked how soon the new bid documents will be available.

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Mr. Hoy said if approved tonight they will be available tomorrow.

Set bid date for concrete floor for 3417 Walters Road:

190-16-026 MOTION BY Ms. Dudzinski, seconded by Ms. Lesniak, to set a bid date for the concrete floor and radiant heat for 3417 Walters Road for October 3, 2016 at 10:00 am.

Mr. Zaccaria – Yes, Ms. Lesniak – Yes, Mr. Tupper – Yes, Mr. Dudzinski – Yes, Ms. Dickman – Yes, Mr. Sykes – Yes

All Ayes – Motion Carried & Adopted

Introduction of Local Law E-2016 amending Marion Meadows PUD – set public hearing for 10/4/16 at 7:30 pm:

191-16-039 MOTION BY Mr. Dudzinski,, to introduce proposed Local Law No. E-2016, titled “A Local Law Confirming the Zoning Designation for Certain Property as Being Zoned Planned Unit Development (PUD) in the Town of Van Buren and Amending the 2013 Marion Meadows PUD Zoning Plan” which Local Law would adopt a revised development plan of the Marion Meadows PUD dated August 9, 2016, depicting an amended westerly boundary of the commercial lot westerly so as to coincide with the elongation of the rear lot line for Lot 84 through Lot 90 to Caserta Drive, which was seconded by Ms. Lesniak, to wit:

WHEREAS, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a local law in the Town of Van Buren; and

WHEREAS, the Town of Van Buren’s Planning Board recommended approval of this action at its September 14, 2016 meeting; and

WHEREAS, this Planned Unit Development (PUD), was referred to the Onondaga County Planning Board in July of 2013, and that Board concluded there were no significant adverse inter-community or county-wide implications; and

WHEREAS, since there are only minor changes at this time to said PUD plan and, based upon prior discussions with County Planning Board representatives regarding when re-submission is appropriate, it was determined that no further referral to the Onondaga County Planning is required; and

WHEREAS, an EAF in support of this local law has been prepared and has been reviewed by the Town Board; and

WHEREAS, the Town Board has considered the adoption of said Local Law, has considered the criteria contained in 6 N.Y.C.R.R. Part 617.7 and has compared the impacts which may be reasonably expected to result from the adoption of said Local Law against said criteria.

NOW, THEREFORE, it is

RESOLVED AND DETERMINED, that the enactment of proposed Local Law No. E-2016 is an unlisted action, the Town Planning Board is an involved agency and shall proceed on an uncoordinated basis in this matter for purposes of SEQRA review; and it is further

RESOLVED AND DETERMINED, the Town Board upon review of the plan, EAF and project it has determined this action will have no adverse impact on the environment; that accordingly, an environmental impact statement (EIS) shall not be required; and that this resolution

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shall constitute a negative declaration under SEQRA and further ratifies and reaffirms the negative declaration of July 16, 2013; and it is further

RESOLVED AND DETERMINED, that the Town Board shall conduct a public hearing as to the enactment of proposed Local Law No. E-2016 at the Van Buren Town Offices located at 7575 Van Buren Road in the Town of Van Buren on October 4, 2016 at 7:30 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard.

Mr. Zaccaria – Yes, Ms. Lesniak – Yes, Mr. Tupper – Yes, Mr. Dudzinski – Yes, Ms. Dickman – Yes, Mr. Sykes – Yes

All Ayes – Motion Carried & Adopted

Set budget review schedule:

192-16-007 MOTION BY Mr. Dudzinski, seconded by Ms. Dickman, to set the following budget review schedule:

October 4th

6:30 pm Codes
6:40 pm Engineer
5:50 pm Town Clerk/Tax Receiver

Following Board Meeting:

+/- 8:00 pm Parks & Recreation
8:45 pm Bldgs and Grounds

October 11th

6:45 pm Justice
7:00 pm Highway

October 18th

5:30 pm Assessor
5:50 pm General Review, Special Districts, Supervisor, Town Board, Comptroller and Senior Center

November 1st Budget Public Hearing and Special District Budgets

Mr. Zaccaria – Yes, Ms. Lesniak – Yes, Mr. Tupper – Yes, Mr. Dudzinski – Yes, Ms. Dickman – Yes, Mr. Sykes – Yes

All Ayes – Motion Carried & Adopted

Discussion on installing 3 way stop sign at Sun Meadows and Cross Country Drive:

193-16-047 MOTION BY Mr. Zaccaria, seconded by Mr. Dudzinski, to introduce proposed Local Law F-2016, creating a three way stop intersection at Sun Meadows Way and Cross Country Drive and schedule a public hearing on October 4, 2016 at 7:30 pm.

Mr. Zaccaria – Yes, Ms. Lesniak – Yes, Mr. Tupper – Yes, Mr. Dudzinski – Yes, Ms. Dickman – Yes, Mr. Sykes – Yes

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All Ayes – Motion Carried & Adopted

Councilor Committee Reports & Comments:

Mr. Tupper asked Ms. Troy about the status of the roof repair at the senior center.

Ms. Troy said an architect is working on plans and she hopes to get them done this Spring.

Highway Superintendent Comments: None

Supervisor Comments:

Mr. Sykes said the NYS Comptroller has completed it's fiscal stress analysis for years 2013-2015 the town is 0%.

Mr. Sykes said the environmental stress on the town is measured using Onondaga County statistics and our town is 13% in 2014, 10% in 2014 and 12.5 % in 2015.

Citizens Comments: None

Engineer Comments:

Mr. Hoy said the sprinkler system at the new highway garage is being installed.

The Erie Canal Scenic Overlook contracts will be signed this week.

Attorney Comments: None

194-16-000 MOTION BY Ms. Dickman, seconded by Ms. Lesniak, to adjourn to the next Regular Town Board Meeting on October 4, 2016 at 7:30 pm.

Mr. Zaccaria – Yes, Ms. Lesniak – Yes, Mr. Tupper – Yes, Mr. Dudzinski – Yes, Ms. Dickman – Yes, Mr. Sykes – Yes

All Ayes – Motion Carried & Adopted

Meeting closed 8:08 pm

Respectfully submitted,

Lynn Precourt, Town Clerk

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