

Regular Town Board Meeting of the Town Board of the Town of Van Buren, held on October 4, 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
Ms. Mary Frances Sabin	Councilor
Mr. Howard Tupper	Councilor
Mr. Ronald Dudzinski	Councilor
Ms. Patricia Dickman	Councilor
Mr. Claude Sykes	Supervisor

Also present:

Mr. Kevin Gilligan	Town Attorney
Mr. Jason Hoy	Town Engineer
Mr. Greg Maxwell	Comptroller
Ms. Lynn Precourt	Town Clerk

Pledge of Allegiance and Roll Call.

Citizens Comments: None

Approve minutes of the Regular Town Board Meeting on September 20, 2016:

195-16-000 MOTION BY Ms. Dickman, seconded by Mr. Tupper, to approve the minutes of the Regular Town Board Meeting on September 20, 2016 as published.

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

Motion Carried & Adopted

Public Hearing on Local Law E-2016 which amends Marion Meadows PUD:

196-16-039 MOTION BY Mr. Dudzinski, seconded by Ms. Sabin, to recess regular meeting, open public hearing and waive reading the legal notice published in the *Post Standard* on September 22, 2016.

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

All Ayes – Motion Carried & Adopted

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Mr. D'Arrigo a developer with Marion Meadows, said they are asking to straighten out the line in the back of the commercial lot. He said this will allow a slightly larger building to be constructed. He said the Planning Board has given conditional approval and a positive recommendation.

Ms. Dickman asked if they have been approached by anyone interested in the commercial lot.

Mr. D'Arrigo said no, but, they are hopeful allowing for a larger building may be attractive.

Ms. Dickman asked if there will be a buffer between the commercial property and the home sites that back up to it.

Mr. D'Arrigo said yes, there will be a natural buffer.

Mr. Sykes asked if there was anyone to speak in favor of this change. No one spoke.

Mr. Sykes asked if there was anyone to speak against the change. No one spoke.

197-16-000 MOTION BY Ms. Dickman, seconded by Mr. Dudzinski, to close the public hearing and resume the regular meeting.

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

All Ayes – Motion Carried & Adopted

Public Hearing on Local Law F-2016 which amends Section 186-50 Schedule VIII – Stop Intersections to add three way stop at Sun Meadows Way at intersection of Cross Country Drive:

198-16-039 MOTION BY Mr. Dudzinski, seconded by Ms. Lesniak, to recess the regular meeting, open the public hearing and waive reading the legal notice published in the *Post Standard* on September 22, 2016.

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

All Ayes – Motion Carried & Adopted

Mr. Sykes asked if there is anyone to speak in favor of this proposed local law.

Mr. Ken Colton, Cross Country Drive, said the cars parked on the corner of Cross Country drive at Sun Meadows Way block the sight distance at that corner. He also asked where they will be parked once the snow starts.

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Mr. Sykes said the homeowner on the corner has been issued a violation and has 30 days to respond to the town, but, he hopes it can be resolved before winter.

M. Jack Baumgartner, Cross Country Drive, said the one additional stop sign has helped and he thinks the three way stop will be even better. He said the cars parked on the street do cause traffic to back up.

Mr. Sykes asked if there was anyone to speak against the proposed local law. No one spoke.

199-16-000 MOTION BY Ms. Dickman, seconded by Ms. Sabin, to close the public hearing and resume the regular meeting at 7:40 pm.

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

All Ayes – Motion Carried & Adopted

Consider adoption of Local Law E-2016:

200-16-030 MOTION BY Ms. Sabin, seconded by Mr. Tupper, to approve the following resolution:

WHEREAS, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law titled Local Law No. E-2016, “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,” was presented and introduced at a regular meeting of the Town Board of the Town of Van Buren held on September 20, 2016; and

WHEREAS, a public hearing was held on such proposed local law on this 4th day of October, 2016, by the Town Board of the Town of Van Buren and proof of publication of notice of such public hearing, as required by law, having been submitted and filed, and all persons desiring to be heard in connection with said proposed local law having been heard, and said proposed local law having been in the possession of the members of the Town Board of the Town of Van Buren in its final form in the manner required by Section 20 of the Municipal Home Rule of the State of New York; and

WHEREAS, the enactment of Proposed Local Law No. E-2016 was determined to be an unlisted action and will have no significant effect on the environment thus concluding the SEQR review process; and

WHEREAS, it is in the public interest to enact said Proposed Local Law No. E-2016.
NOW, THEREFORE, it is

RESOLVED that the Town Board of the Town of Van Buren, Onondaga County, New York, does hereby enact proposed Local Law No. E-2016 as Local Law No. 7-2016 as follows:

**LOCAL LAW NO.7-2016
TOWN OF VAN BUREN**

A Local Law Confirming the Zoning Designation for Certain Property as Being Zoned Planned Unit Development (PUD) in the Town of VanBuren and Amending the 2013 Marion Meadows PUD Zoning Plan

Be it enacted by the Town of VanBuren Town Board, as follows:

Section 1. The Town of VanBuren confirms the enactment of Local Law No. 8 of 2010, which approved the zoning use designation of certain lands described herein as Planned Unit Development (PUD) as that zoning classification is defined and regulated pursuant to the provisions of Chapter 200 of the Code of the Town of VanBuren and further adopts a revised development plan for the Marion Meadows PUD, prepared by Plumley Engineering, P.C., 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.

Description: Property owned by Hyacinth Land Development, LLC, consisting Of 46.29 acres located at the northwesterly corner of Ellsworth Road and VanBuren Road and being known as Town of VanBuren tax map parcel numbers 031-02-03, 031-02-4.1 and 031-02-6.2.

Section 2. The Town of VanBuren Zoning Map shall be amended to reflect the zoning use classification, as herein provided.

Section 3. This Local Law shall become effective upon its filing with the New York Secretary of State.

SCHEDULE "A"

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Van Buren, County of Onondaga and State of New York, being part of Lot No. Fourteen (14) in said town and bounded and described as follows: Beginning in the center of the State road at a point where the road running east and west by Smith's sawmill intersects said State road, and running thence southerly along the center of said State road as the same runs to lands now or formerly owned by one Anthony Cowley; thence westerly along said Cowley's north line to lands formerly owned by one Orsin Barnes and being the west line of said Lot No. Fourteen (14); thence northerly along said Barnes' east line to the center of said road running by Smith's sawmill; thence easterly along the center of said last mentioned road to the place of beginning and supposed to contain twelve (12) acres of land.

Also conveying all that lot, tract or parcel of land, situate in the Town of Van Buren, County of Onondaga and State of New York, bounded and described as follows: Beginning at the point of intersection of the center line of the public highway known as Syracuse Street with the original center line of the railroad of Syracuse and Baldwinsville Railway Company, said point being at survey station 87+06 on said center line; thence (1) Southeasterly, along the center line of Syracuse Street, to a point thirty-three (33) feet southeasterly at right angles from said railroad center line; thence (2) Southwesterly, parallel with and thirty-three (33) feet southeasterly from said railroad center line, to the dividing line between lands formerly of John J. and Hannah M. Spencer on the north and lands formerly of Anthony and Ellen Cauley on the south; thence (3) Westerly, along

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said dividing line crossing said railroad center line at survey station 95+52, to a point thirty-three (33) feet northwesterly at right angles from said railroad center line; thence (4) Northeasterly, parallel with and thirty-three (33) feet northwesterly from said railroad center line, to a point in the center line of Syracuse Street; thence (5) Southeasterly along said center line of Syracuse Street to the point of beginning.

EXCEPTING all that tract or parcel of land, situate in the Town of Van Buren, County of Onondaga and State of New York, being a part of Lot No. 14 in said town, bounded and described as follows: Beginning at the point of intersection of the center line of Ellsworth Road and the center line of Van Buren Road and thence running south $9^{\circ} 08' 20''$ east along the center and the center line of Van Buren Road 540.43 feet; thence running south $11^{\circ} 43' 10''$ east 125.89 feet to a point thence running north $85^{\circ} 15'$ west parallel to the center line of Ellsworth Road 377.11 feet to an iron pipe set in the west line of Lot No. 14; thence running north $3^{\circ} 25'$ east along the west line of said Lot No. 14, 645.52 feet to the center line of Ellsworth Road; thence running south $85^{\circ} 15'$ east along the center line of Ellsworth Road 226.71 feet to the place of beginning, containing $4 \frac{1}{2}$ acres of land.

ALSO EXCEPTING all that tract or parcel of land, situate in the Town of Van Buren, County of Onondaga and State of New York, being a part of Lot 14 in said town and bounded and described as follows: Beginning at a point in the centerline of Van Buren Road at the southeasterly corner of a parcel of land deeded to Harvey A. Fink and Joan C. Fink and recorded in Book 3186 at page 127; said point also being in the northerly line of lands formerly owned by Anthony Cowley and now owned by Bort; running thence $82^{\circ} 01' 48''$ W along the southerly line of said Fink 254.74 feet; thence $4^{\circ} 56' 38''$ E 147.25 feet; thence S $88^{\circ} 09' 11''$ E 220.64 feet to the centerline of said Van Buren Road and the easterly line of said Fink property; thence S $5^{\circ} 37' 32''$ E along said centerline 185.77 feet to the point and place of beginning.

Subject to easements, restrictions and covenants of record.

Being the same premises conveyed to the Grantors herein by deed dated July 11, 1985 and recorded July 12, 1985 in the Onondaga County Clerk's Office in Book 3186 of Deeds, Page 127&c.

ALSO:

#2 ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Van Buren (formerly Camillus), County of Onondaga and State of New York, being a part of Lot 13, bounded and described as follows: Beginning at the intersection of the center line of Ellsworth Road with the east lien of said Farm Lot 13 (also being the east line of former subdivision 6 of said Farm Lot 13); thence South 18 chains and 25 links along the East line of Farm Lot 13 to point; thence West 13 chains and 43 links to a point; thence 19 chains and 14 links to the center line of said Ellsworth Road; thence South $84 \frac{1}{4}^{\circ}$ East, along the center line of Ellsworth Road about 7 chains and 57 links to a point; thence continuing South $87 \frac{1}{2}^{\circ}$ East along the center line of Ellsworth Road about 5 chains and 91 links to the point and place of beginning.

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Subject to easements, restrictions and covenants of record.

Being the same premises conveyed to the Grantors herein by deed dated April 29, 1983 and recorded May 2, 1983 in the Onondaga County Clerk's Office in Book 3005 of Deeds, Page 339.

ALSO:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Van Buren, County of Onondaga and State of New York, being a part of Farm Lots 13 and 14 in said Town more particularly described and bounded as follows: Beginning at the most northwest corner of premises conveyed to Clarence E. and Sara I. Bort in Farm Lot 13, deeded to said Bort from Boyle by deed recorded in Book 1190 at page 271&c; thence easterly parallel to the south line of said Farm Lot 13 a distance of 1300.02 feet (19 chains 70 links), to a point on the east line of said Farm Lot 13 (which point is the west line of Fink's property by deed recorded in Book of Deeds 3186 at page 127&c; thence southerly along the west line of Fink's property aforesaid to Fink's southwest corner; thence east along Fink's south line to the northwest corner of premises of Malcom R. Bort now or formerly by deed recorded in Book 2798 at page 333&c. (which point is also the east line of the old Syracuse-Baldwinsville Railroad property); thence S 18°01'30" W along said Malcom R. Bort's property, passing through said Malcom R. Bort's southwest corner at a point 953.68 feet from the beginning of this course herein and continuing on the same course until this course intersects the northerly boundary of the Interstate Route 690 property; thence northwesterly along the northerly boundary of said Interstate Route 690 property to Grantor's west line; thence north on Grantor's west line to Grantor's northwest corner, the point and place of beginning.

Subject to easements, restrictions and covenants of record.

Being the same premises conveyed to Frontier Land Management by deed dated February 23, 1990 and recorded February 26, 1990 in the Onondaga County Clerk's Office in Book 3601 of Deeds, Page 281.

13010Mr. Zaccaria – Yes, Ms. Lesniak – Yes, Ms. Sabin – Yes, Mr. Tupper – Yes, Mr. Dudzinski – Yes, Ms. Dickman – Yes, Mr. Sykes – Yes

All Ayes – Motion Carried & Adopted

Consider adoption of Local Law F-2016:

201-16-030 MOTION BY Mr. Zaccaria, seconded by Mr. Dudzinski, to approve the following resolution:

WHEREAS, pursuant to the provisions of the Municipal Home Rule Law, proposed Local Law F-2016, "A Local Law Amending Chapter 186 of the Code of the Town of Van Buren, titled, 'Vehicles and Traffic' with respect to Stop Signs at the intersection of Sun Meadows Way and Cross Country Drive" was presented and introduced at a regular meeting of the Town Board of the Town of Van Buren held September 20, 2016; and

WHEREAS, a public hearing was held to consider said proposed Local Law No. F-2016 on October 4, 2016 by the Town Board of the Town of Van Buren and proof of publication of notice of such public hearing, as required by law, having been submitted and filed, and all persons desiring to be heard in connection with said proposed local law having been heard, and said proposed local law having been in the possession of the members of the Town Board of the Town of Van Buren in its final form in the manner required by Section 20 of the Municipal Home Rule of the State of New York; and

WHEREAS, it is in the public interest to enact said Proposed Local Law No. F-2016.

NOW, THEREFORE, it is

RESOLVED AND DETERMINED, there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQRA) with respect to the proposed enactment of said Local Law, with the result that the Town Board shall act as lead agency in this matter; and it is further

RESOLVED AND DETERMINED, the enactment of said Local Law is a Type II action pursuant to 6 N.Y.C.R.R. Part 617.5(c)(16)(20)(27) for purposes of SEQRA thus concluding the environmental review process; and it is further

RESOLVED AND DETERMINED, that the Town Board of the Town of Van Buren, Onondaga County, New York, does hereby enact Proposed Local Law No. F-2016 as Local Law No. 8-2016 as follows:

**TOWN OF VAN BUREN
LOCAL LAW NO. 8-2016**

**A LOCAL LAW AMENDING CHAPTER 186 OF
THE CODE OF THE TOWN OF VANBUREN TITLED
“VEHICLES AND TRAFFIC” WITH RESPECT TO
STOP SIGNS AT THE INTERSECTION OF
SUN MEADOWS WAY AND CROSS COUNTRY DRIVE**

BE IT ENACTED by the Town Board of the Town of Van Buren that this local law amends Chapter 186 of the Code of the Town of Van Buren, as follows:

Section 1. As authorized by §186-11 of the Town of Van Buren Code, so that Article VII, titled “Schedules”, Schedule VIII –§ 186-50 thereof, titled “Stop Intersections” is amended as follows:

Delete:

<u>Stop Sign on</u>	<u>Direction</u>	<u>At Intersection of</u>
Sun Meadows Way	North	Cross Country Drive

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

All Ayes – Motion Carried & Adopted

204-16-024 MOTION BY Mr. Tupper, seconded by Ms. Lesniak, to award Contract 1B, Mechanical Construction to Tag Mechanical Systems, Inc. in the amount of \$154,700.00.

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

All Ayes – Motion Carried & Adopted

205-16-024 MOTION BY Ms. Dickman, seconded by Mr. Dudzinski, to award Contract 1C, Plumbing to Nairy Mechanical, LLC in the amount of \$93,700.00.

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

All Ayes – Motion Carried & Adopted

206-16-024 MOTION BY Ms. Sabin, seconded by Mr. Tupper, to award Contract 1D, Electrical Construction to Knapp Electric, Inc. in the amount of \$70,650.00.

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

All Ayes – Motion Carried & Adopted

Mr. Dudzinski asked when the work will begin.

Mr. Hoy said once the contract documents are signed he will schedule a pre-construction meeting so it should be mid-November.

Set November 1, 2016 at 7:32 pm for public hearing on annual Town Budgets and Special District budgets:

207-16-039 MOTION BY Mr. Tupper, seconded by Ms. Lesniak, to set the public hearing on annual Town Budget and Special District budgets for November 1, 2016 at 7:32 pm.

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

All Ayes – Motion Carried & Adopted

Approval for Justice Van Der Water to attend annual NYS Magistrate’s Conference in Lake Placid 9/25-9/28/16 at a cost not to exceed \$650.00, which is budgeted – to re-affirm Town Board poll:

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208-16-027 MOTION BY Ms. Sabin, seconded by Ms. Dickman, to approve Justice Van Der Water's attendance at annual NYS Magistrate's Conference in Lake Placid 9/25-9/28/16 at a cost not to exceed \$650.00, a budgeted amount and reaffirm the Town Board poll for approval.

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

All Ayes – Motion Carried & Adopted

Councilor Committee Reports and Comments:

Mr. Dudzinski thanked Mr. Hoy for all his work over the past few years on the grant to construct the fishing pier at the Erie Canal Park.

Ms. Lesniak said residents of Hoag Road were mailed letters in September regarding interest in attending meetings to discuss the bridge closure. She said there has been one response. She said she hopes to hold the meetings in mid-November. Anyone who is interested in attending should contact the Town Clerk's office.

Mr. Tupper thanked the Town Historian for helping to bring more people to the Erie Canal Park with the history projects she has done on the Canal and areas in Warners and Memphis.

Highway Superintendent Comments:

Mr. Hoy said the employees are finishing up the cleaning out of the swale behind Baker Boulevard.

Supervisor Comments:

Mr. Sykes said he contacted Baldwinsville School Transportation about the possibility of moving the bus stop further east on Cross Country Drive in an effort to decrease the congestion on the corner of Cross Country Drive and Sun Meadows Way. He is waiting for their response.

Citizens Comments: None

Engineer Comments:

Mr. Hoy said the Henderson Boulevard Community Development project is underway. He said they are re-grading and putting in erosion control as they clear the swale.

Attorney Comments: None

209-16-000 MOTION BY Ms. Dickman, seconded by Mr. Dudzinski, to adjourn to the next Regular Town Board meeting on October 21, 2016 at 7:30 pm.

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Meeting closed 7:54 pm

Respectfully submitted,

Lynn Precourt
Town Clerk

Dated: 10/5/16