

Regular Town Board Meeting of the Town Board of the Town of Van Buren, held on November 1, 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. Doug Foster	Highway Superintendent
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 October 18, 2016:

217-16-000 MOTION BY Ms. Dickman, seconded by Mr. Dudzinski, to approve minutes of the Regular Town Board meeting on October 18, 2016 as published.

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 G-2016 amending Chapter 186 of Code of Town of Van Buren – parking limitation on Van Buren Road:

218-16-039 MOTION BY Mr. Zaccaria, seconded by Ms. Sabin, to recess the regular meeting, open the public hearing and waive reading the legal notice published in the *Post Standard* on October 20, 2016.

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

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All Ayes – Motion Carried & Adopted

Mr. Sykes said Ray Middle School holds four to five events a year and parking is limited in the school lot. He said people park on both sides of Van Buren Road and it creates a problem for large vehicles to pass down the street. He said this local law, if passed, would prohibit parking on the east side (school side) of the street.

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

Mrs. Sandra Polmanteer, 7718 Van Buren Road, said if the school could better organize their schedule so only one event is held at a time parking is not that bad.

Pete Clark, 7653 Van Buren Road, said he is not opposed to the law, but, he said he would like the Board to consider prohibiting parking on the west side of the road. He said there are fewer houses and driveways on that side, so would allow for more cars to park. He said people will not have to cross Van Buren Road to get to the school side of the street. He said the fire hydrants and mailboxes are all located on the side where parking will be allowed and that could create a problem as well.

Mr. Sykes asked if there was anyone opposed to this local law. No one spoke.

Mr. Sykes said the school district did send information to him that they will run a shuttle bus service from Reynolds Elementary to Ray Middle School in an effort to help with the parking issue.

219-16-000 MOTION BY Ms. Sabin, seconded by Mr. Dudzinski, to close the public hearing 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

Public Hearing on Local Law H-2016 amending Chapter 117, Article 6, Section 117-22 on flood prevention “conditions for variances”:

220-16-039 MOTION BY Ms. Lesniak, seconded by Mr. Dudzinski, to open the public hearing and waive reading the legal notice published in the *Post Standard* on October 20, 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. Sykes said the Board had to draft a new local law on flood prevention as part of the new flood maps and regulations from the federal government and NYS DEC. He said the Board did pass that law a couple months ago, but, the NYS DEC has asked for additional language regarding variances.

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

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

MOTION BY Ms. Dickman, seconded by Mr. Tupper, to close the public hearing at 7:44 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

Presentation and Public Hearing on 2017 Town Budgets and Special District Budgets:

221-16-030 MOTION BY Ms. Lesniak, seconded by Mr. Zaccaria, to open the public hearing and waive reading the legal notice published in the *Post Standard* on October 20, 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. Greg Maxwell gave the following presentation on the 2017 budget.

Mr. Maxwell said the budget is made up of various funds and depending on where you live and the services you receive, that is how your tax bill is calculated.

Mr. Maxwell said if you live in the Village of Baldwinsville you pay on the Whole Town or “A” Fund.

If you live outside the Village of Baldwinsville you pay on the Whole Town, Part Town, Highway and any Special Districts (i.e. street lights, drainage, sewer and water) that you have where you live.

Mr. Maxwell said the Whole Town fund encompasses the Town Board, Court, Comptroller, Assessor, Town Clerk, Records Management, Legal, Town Buildings including the Highway Garage, Dog Control, Highway Administration, Park & Recreation, Youth and Seniors, Historian, Landfill and Benefits.

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The General Part Town includes police, Code Enforcement, Planning and Zoning Boards, Pac-B.

Mr. Maxwell said the total town spending for 2017 is up \$36,000 dollars from last year or 0.76%. He said 52% is wages and benefits, 10% are capital costs, 33% are consumables (paper, electricity, etc.) and 5% is debt payment.

Mr. Maxwell said 2017 wages are up \$5,100. Most of the wage increases are negotiated through union contracts and all range between 0 and 5%.

Ms. Sabin noted that the Town Supervisor's salary has been capped at \$30,000 because that is the limit he can receive as a government retiree.

Mr. Maxwell said there are no new positions included in the 2017 budget and keep the following shared employees with other towns: Assessor and Dog Control Officer. He said the town did have a couple retirements in 2016 which have helped keep personnel costs down for 2017.

Mr. Maxwell said benefits are 47% of each payroll dollar. He noted that full time employees pay 25% of the health insurance premium and part time employees pay 50% of the premium. He said this is the highest employee contribution amount in Onondaga County.

Mr. Maxwell said Capital Projects for 2017 include \$350,000 for road repairs, \$15,800 for siding at the park, \$14,540 for siding on the park lodge, \$45,000 for new Buildings and Grounds vehicle, \$17,100 for repaving Town Hall parking lot and \$13,710 for replacement of air conditioners in Town Hall.

Mr. Maxwell said transfers to Reserve Funds, which the town set up years ago to help save for big ticket items. He said the town is setting aside \$100,000 in the Highway Reserve, \$5,000 each in Park, Buildings and Grounds and Code Enforcement for vehicle replacement.

Mr. Maxwell said consumables, anything that will last less than one year, like electricity, paper, insurance, professional fees, maintenance agreements, repairs and supplies are budgeted at \$21,000 less for 2017. Mr. Maxwell said the largest expenditure for consumables is road salt. The town will spend \$240,000 on road salt, \$188,000 on street lighting, \$69,000 for utilities, \$100,000 for road repairs, \$67,000 for the Canton Woods Senior Center, \$58,000 for legal fees, \$66,500 in diesel fuel, \$67,000 for sewer repairs, \$80,000 for drainage repairs, \$54,000 for insurance and \$96,000 for vehicle repairs.

Mr. Maxwell said the town's debt service or the amount we owe is \$239,000 and that is down \$9,818 or 3.95%. He said even though the town has money in reserves we still borrow for certain things. He said the town will borrow for renovation of a building purchased at a foreclosure sale for a new Highway Garage.

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Mr. Maxwell said now that we have gone over all the expenditures, where does the money come from to pay for them?

Mr. Maxwell said the town does have non- property tax sources of revenue. The largest of these is \$265,000 for plowing County roads, \$172,500 in mortgage taxes, \$140,000 in cable franchise fees, \$135,500 in Park & Recreation fees, \$67,525 in shared services agreements with other towns, \$100,000 in State revenue Sharing, \$130,553 in Payment in Lieu of Taxes (PILOT) agreements, \$90,000 Consolidated Highway Improvement Program (CHIP), \$63,000 in court fines, \$56,000 OCWA water lease, \$42,500 for building permits.

Mr. Maxwell said the town's Appropriated Fund Balance, or rainy day fund, is \$382,466.

Mr. Maxwell said this budget keeps the town under the tax cap by \$110,000 which when adjusted for inflation, is actually .67%. Taxpayers will receive a rebate from the State.

Mr. Maxwell said the assessed value in Van Buren has remained fairly flat. He said there is \$773 Million in Assessed Value in the town, \$117 Million of it is exempt from taxes, leaving \$658 Million in Taxable Assessed Value.

Mr. Maxwell said he has heard people say that neighboring town's tax rates are lower than ours. He said that is, in large part, because their taxable assessed value is much higher. He said Town of Lysander, for example, has over \$1 Billion in Taxable Assessed value.

Mr. Maxwell said under this proposed 2017 budget the owner of a home assessed at \$100,000 inside the Village of Baldwinsville will pay \$7.66 more in 2016.

Mr. Maxwell said the owner of a home assessed at \$100,000 outside the Village of Baldwinsville will see a reduction of \$13.90.

Mr. Maxwell said the special districts, lighting, sewer, drainage and water have seen some increases and some decreases in 2017 and depending on where you live and which of these apply to you they will factor into your bill as well.

Mr. Sykes thanked Mr. Maxwell for his presentation.

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

My. Sykes asked if there was anyone to speak against the budget. No one spoke.

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222-16-000 MOTION BY Mr. Dudzinski, seconded by Ms. Lesniak, to close the public hearing and resume the regular meeting at 8:15 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

Adoption of Local Law G-2016:

223-16-030 The following resolution was offered by Mr. Tupper, who moved its adoption, seconded by Mr. Dudzinski to wit:

**WHEREAS**, pursuant to the provisions of the Municipal Home Rule Law, proposed Local Law G-2016, “A Local Law Amending Chapter 186 of the Code of the Town of Van Buren, titled, ‘Vehicles and Traffic’ with respect to Parking Limitations on Van Buren Road was presented and introduced at a regular meeting of the Town Board of the Town of Van Buren held October 18, 2016; and

**WHEREAS**, a public hearing was held to consider said proposed Local Law No. G-2016 on November 1, 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. G-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

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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. G-2016 as Local Law No. 9-2016 as follows:

**TOWN OF VAN BUREN  
LOCAL LAW NO. 9-2016**

**A LOCAL LAW AMENDING CHAPTER 186 OF  
THE CODE OF THE TOWN OF VANBUREN TITLED  
“VEHICLES AND TRAFFIC” WITH RESPECT TO PARKING  
LIMITATIONS ON VAN BUREN ROAD”**

**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.** The purpose of this local law is to enact parking restrictions on Van Buren Road, a County roadway located within the Town of Van Buren pursuant to the authority provided by Section 1660 of the New York Vehicle and Traffic Law.

**Section 2.** As authorized by §186-15 of the Code of the Town of Van Buren, so that Article VII, titled “Schedules”, Schedule XI-- “Section 186-53 thereof, titled “Parking Prohibited at All Times”, is amended to add a “no parking” zone as follows:

<b>Street Name</b>	<b>Direction</b>	<b>Location</b>
Van Buren Road	North	East Side, from Ellsworth Road to New York State Route 48

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**Section 3.** This local law is enacted pursuant to the authority granted to the Town in accordance with Section 10 of the Municipal Home Rule Law and the New York State Vehicle and Traffic Law, Section 1660.

**Section 4.**

This Local Law shall take effect upon its filing with the New York Secretary of State.

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

**Adoption of Local Law H-2016:**

224-16-030 The following resolution was offered by Ms. Dickman, who moved its adoption, seconded by Mr. Zaccaria to wit:

**WHEREAS**, pursuant to the provisions of the Municipal Home Rule Law, proposed Local Law H-2016, “A Local Law Amending Chapter 117, Article 6, Section 117-22 titled, ‘Conditions for Variances’ which was presented and introduced at a regular meeting of the Town Board of the Town of Van Buren held October 18, 2016; and

**WHEREAS**, a public hearing was held to consider said proposed Local Law No. H-2016 on November 1, 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. H-2016.

**NOW, THEREFORE**, it is

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**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. H-2016 as Local Law No. 10-2016 as follows:

**TOWN OF VAN BUREN  
LOCAL LAW NO. 10-2016**

**A local law Amending Chapter 117 of the Code of the Town of Van Buren to Add the following paragraphs to Chapter 117, Article 6, Section 117-22 titled “Conditions for Variances”**

**Section 1.**

**Be it enacted** that Chapter 117, Article 6, Section 117-22, titled “Conditions for Variances” of the Code of the Town of Van Buren is amended to provide additional new language as follows:

“(6) Variances shall only be issued upon receiving written justification of:

(i) a showing of good and sufficient cause;

(ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant; and

(iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public or conflict with existing local laws or ordinances.

(7) Any applicant to whom a variance is granted for a building with the lowest floor below the base flood elevation shall be given written notice over the signature of a community official that:

(i) the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage; and

(ii) such construction below the base flood level increases risks to life and property.

Such notification shall be maintained with the record of all variance actions as required in Section 117-14H of this Chapter.”

## **Section 2.**

This local law shall become effective upon its filing with the New York Department of State.

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

### **Adoption of 2017 Town Budgets and Special Districts Budgets:**

225-16-007 MOTION BY Ms. Sabin, seconded by Ms. Lesniak, to adopt the 2017 Town and Special Districts Budgets.

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

Ms. Dickman thanked the department heads for presenting budget requests that control costs.

Mr. Zaccaria thanked Mr. Maxwell for all his work on the budget.

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Mr. Sykes said much of the budget is dedicated to the Highway Department and he said that rate is going down due in large part to Mr. Foster's good management.

Declare junk printer #0555 as surplus and authorize its disposal:

226-16-000 MOTION BY Ms. Sabin, seconded by Ms. Dickman, to declare printer #0555 junk and authorize its disposal.

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 OCWA to install 4 fire hydrants in Marion Meadows Tract – 2 on Milan Way and 2 on San Marino Path:

227-16-051 MOTION BY Mr. Dudzinski. Seconded by Mr. Zaccaria, to approve the installation of 4 fire hydrants in the Marion Meadows Tract, 2 on Milan Way and 2 on San Marino Path.

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. Zaccaria commended Ms. Breakey, Town Historian, on her monthly report and all the work she does for the town.

Ms. Dickman said we are lucky to have such a stellar Comptroller and created a very detailed budget.

Mr. Tupper said Ms. Breakey is very energetic and he is amazed at how active she is in the Historian's position.

Highway Superintendent Comments:

Mr. Foster said they will start staking corners for winter plowing. If, after the next two weeks, there is a problematic area that has not been done please contact the department.

Mr. Foster reminded everyone there is no on street parking from November 15<sup>th</sup> through April 15<sup>th</sup> from 2 am to 6 am. He said it is easier to get the streets clear when they do not go around parked cars.

Supervisor Comments: None

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Citizens Comments: None

Engineer Comments: None

Attorney Comments: None

228-16-000 MOTION BY Ms. Dickman, seconded by Ms. Lesniak, to adjourn to the next Regular Town Board Meeting on November 15, 2016 at 7:30 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

Meeting closed 8:26 pm

Respectfully submitted,

Lynn Precourt  
Town Clerk

Dated: 10/3/16