

Regular Town Board Meeting of the Town Board of the Town of Van Buren, held on May 2, 2017 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
Ms. Lynn Precourt	Town Clerk

Pledge of Allegiance and Roll Call.

Citizens Comments: None

Approve minutes of the Regular Town Board Meeting on April 18, 2017:

081-17-000 MOTION BY Ms. Dickman, seconded by Mr. Tupper, to approve the minutes of the Regular Town Board Meeting on April 18, 2017 as published.

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

Motion Carried & Adopted

Consider adoption of Local Law B-2017:

Mr. Sykes said the town has held a public hearing on this and the Board has received comments back from the County Planning Department. He said the town disagrees with their findings that a traffic study and wetland delineation is necessary. He said this zone change does not impact any of these areas. Mr. Sykes said he wished they had spent as much time looking at the 440 apartments being built on Downer Street.

082-17-030 The following resolution was offered by Mr. Zaccaria who moved its adoption, seconded by Mr. Dudzinski, to wit:

WHEREAS, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law titled Local Law No. B-2012, “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 1999 Property Rezoning Plan – Ragonese Commercial Park”, was presented and introduced at a regular meeting of the Town Board of the Town of Van Buren held on March 21, 2017; and

WHEREAS, a public hearing was held on such proposed local law on the 18th day of April, 2017, 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, this proposed local law was referred to the Onondaga County Planning Board, as required by General Municipal Law for their review and comments; and

WHEREAS, the OCPB session having taking place, the OCPB recommended in OCPB Case # Z-17-127, by Resolution dated April 19, 2017, the following modification relative to the pending Local Law:

“[t]he Onondaga County Department of Transportation has determined that the applicant is required to submit ITE Trip Generation Figures and a gap analysis at AM/ PM peak hours for full build-out relating to the proposed action to meet Department requirements and to submit it to the Department for approval;” and

WHEREAS, in addition the OCPB offered the following comments in Case # Z-17-127:

“Should the Town approve the zone change / law, the Board also offers the following comments for the next stage of development:

1. The New York State Department of Environmental Conservation recommends that wetland delineations be reassessed after 5 years, and delineated wetland boundaries must be confirmed by the Department and the U.S. Army Corps of Engineers.
2. The applicant is advised that any existing driveways that access Van Buren Road must meet the requirements of the Onondaga County Department of Transportation. The applicant is required to obtain an Onondaga County Department of Transportation permit prior to any proposed work within a county road right-of-way. No additional access to Van Buren Road will be permitted.
3. Per the Onondaga County Department of Transportation, the Town is advised to ensure appropriate access agreements are in place for any shared driveways on Van Buren Road. Per the Onondaga County Department of Transportation, any existing or proposed shared driveways must have maintenance responsibilities added to the deeds.

4. The applicant and Town are advised that a portion of the site is located outside of the Onondaga County Sanitary District boundary and as such, any development requiring wastewater accommodation on site must be located within the service area. Any proposed development on public wastewater outside of the service area must go through a formal expansion process through the Town and Onondaga County Department of Water Environment Protection and be certified by county legislature”; and

WHEREAS, the OCPB further considered the proposal relative to the zone change request in OCPB Case # Z-17-118, and, by Resolution dated April 19, 2017, recommended the following modification relative to the pending Local Law:

“[t]he Onondaga County Department of Transportation has determined that the applicant is required to submit ITE Trip Generation Figures and a gap analysis at AM/ PM peak hours for full build-out relating to the proposed action to meet Department requirements and to submit it to the Department for approval;” and

WHEREAS, in addition the OCPB offered the following comments in Case # Z-17-118:

“Should the Town approve the zone change, the Board also offers the following comments for the next stage of development:

1. The New York State Department of Environmental Conservation recommends that wetland delineations be reassessed after 5 years, and delineated wetland boundaries must be confirmed by the Department and the U.S. Army Corps of Engineers.

2. The applicant is advised that any existing driveways that access Van Buren Road must meet the requirements of the Onondaga County Department of Transportation. The applicant is required to obtain an Onondaga County Department of Transportation permit prior to any proposed work within a county road right-of-way. No additional access to Van Buren Road will be permitted.

3. Per the Onondaga County Department of Transportation, the Town is advised to ensure appropriate access agreements are in place for any shared driveways on Van Buren Road. Per the Onondaga County Department of Transportation, any existing or proposed shared driveways must have maintenance responsibilities added to the deeds.

4. The applicant and Town are advised that a portion of the site is located outside of the Onondaga County Sanitary District boundary and as such, any development requiring wastewater accommodation on site must be located within the service area. Any proposed development on public wastewater outside of the service area must go through a formal expansion process through the Town and Onondaga County Department of Water Environment Protection and be certified by County Legislature”; and

WHEREAS, the Town Board, having reviewed the submitted documentation and given extensive consideration to the minimal vehicular traffic anticipated to be generated by the proposed storage use, has determined that requiring the applicant to submit ITE Trip Generation Figures and a gap analysis at AM/ PM peak hours for full build-out is not necessary; and

WHEREAS, the Town Board further noted that because shared driveways are not proposed, access easement agreements, as recommended, are neither required nor appropriate; and

WHEREAS, because proposed “Area – D” does not lie within the boundary of the wetlands or even the 100 foot wetlands buffer line, as depicted on the “Rezoning Plan, Sheet 1,” dated January 1, 2017, last revised March 1, 2017, prepared by Fisher Civil Engineering, the Town Board has determined that further confirmation by the New York State Department of Environmental Conservation and the U.S. Army Corps of Engineers of the wetland boundaries is not required; and

WHEREAS, the enactment of Proposed Local Law No. B-2017 has previously been determined to be an unlisted action, an environmental impact statement (EIS) was not be required; and a negative declaration was issued on March 21, 2017 pursuant to SEQRA determining that this action 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. B-2017.

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. B-2017 as Local Law No. 3-2017 as follows:

**“LOCAL LAW NO. 3-2017
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 Van Buren and Amending the 1999 Property
Rezoning Plan – Ragonese Commercial Park PUD Zoning Plan**

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

Section 1. The Town of Van Buren confirms the enactment of Local Law No. 3 of 1999, 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 Van Buren and further adopts a revised zoning plan for the 1999 Property Rezoning Plan – Ragonese Commercial Park - PUD, prepared by Fisher Civil Engineering, dated January 3, 2017, last revised March 1, 2017, depicting certain lands described herein in **Schedule “A”** as a new Area – D, formerly zoned Area – C, which shall allow as permitted uses enclosed storage and outdoor storage, sales storage and display.

Section 2. The Town of Van Buren 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.

Regular Town Board Meeting May 2, 2017

Roll Call Votes: 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

Accept bids on Town Hall Air Conditioner Replacement Project TOVB 2017-2:

Mr. Sykes said the town received one bid.

083-17-048 MOTION BY Mr. Tupper, seconded by Ms. Dickman, to accept the bid from Klein Heating & Cooling in the amount of \$14,785.00.

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

Award bid on Town Hall Air Conditioner Replacement Project 2017-2:

084-17-048 MOTION BY Ms. Dickman, seconded by Mr. Dudzinski, to Klein Heating & Cooling in the amount of \$14,785.00.

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

Set bid date for various improvements to Highway Garage at 3417 Walters Road:

Mr. Sykes said this is to keep the project moving along and will be done after the floor is complete.

085-17-026 MOTION BY Mr. Dudzinski, seconded by Ms. Sabin, to set the bid opening date on June 2, 2017 at 10:00 am for overhead doors, steel work and installation of insulation.

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:

Ms. Dickman said the Memorial Day Parade is May 30th at 6:00 pm and she encouraged people to come to the ceremony following the parade.

Mr. Tupper said a new poster has been placed at the Old Erie Canal Trail in Memphis.

Highway Superintendent Comments:

Mr. Foster said they are just about done with lawn repairs. He said anyone who still has damage from winter plowing that has not been repaired to contact the department.

Regular Town Board Meeting May 2, 2017

Supervisor Comments:

Mr. Sykes said he attended a meeting today hosted by the Department of State to discuss the Governor's local government shared services initiative. He said it is being rolled out so quickly no one has good answers yet as to how it will be addressed. All Village Mayors, Town Supervisors and the County Executive will sit on a panel to put together the plan to be submitted to the State after a series of public hearings. It also calls for consultation with labor unions. He said this is all supposed to happen before August 1st.

Mr. Sykes said the fear is that Onondaga County will submit the Consensus Report, which contains a lot of missing information with numbers that do not add up.

Ms. Dickman asked if they will take into consideration the things we have already done to share services.

Mr. Sykes said no they will not consider those things.

Citizens Comments:

Mr. Andy Bowes asked if the money for the overhead doors at the Highway Garage is budgeted.

Mr. Sykes said yes.

Mr. Bowes asked if the development next to Town Hall is complying with stormwater requirements.

Mr. Hoy said the permanent stormwater facilities are not constructed yet, but, once they are and the grass comes back it should be much drier there.

Mr. Bowes said he knows the towns and village work together already as far as Consensus is concerned.

Mr. Bowes said he works in the city of Syracuse and they have been borrowing heavily from their rainy day fund. He said they will be bankrupt after the next budget and this will affect this area. He said other towns and villages may be in the same shape.

Mr. Sykes said not Van Buren, we have been given an excellent rating by the NYS Comptroller's Office.

Mr. Bowes said it is important for people to get involved and asked if the town could put a flyer in with the tax bills of area representatives for our residents. He said we should be looking at ways to reach out to residents.

Regular Town Board Meeting May 2, 2017

Mr. Sykes said the town has a website that contains up to date information on the town. He said the board has been considering a survey for town residents to complete since there are some big decisions that need to be made. He gave the example of the pool at the park and said if minimum wage rises to \$15.00 an hour and general tax money is needed to subsidize the cost of running the pool, is that something people would favor?

Engineer Comments: None

Attorney Comments: None

086-17-000 MOTION BY Ms. Dickman, seconded by Mr. Zaccaria, to adjourn to the next Regular Town Board Meeting on May 16, 2017 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 7:50 pm

Respectfully submitted,

Lynn Precourt
Town Clerk

Dated: 5/3/17