

Regular Town Board Meeting of the Town Board of the Town of Van Buren, held on July 5, 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. 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 June 20, 2017:

124-17-000 MOTION BY Ms. Dickman, seconded by Ms. Sabin, to approve the minutes of the Regular Town Board Meeting on June 20, 2017 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

7:30 pm Public Hearing re: extension of Connors Road Water Supply District:

125-17-000 MOTION BY Mr. Zaccaria, seconded by Mr. Dudzinski, to recess the regular meeting, open the public hearing and waive reading the legal notice published in the *Post Standard* on June 18, 2017.

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 Faith Baptist Church and Jim Nobles are willing to pay to extend the service to cover four properties. He said it is a combined assessment of \$983,500 and will cost property owners an estimated \$456.00 per year in addition to the cost to hook into the water line.

Mr. Sykes asked if anyone wished to speak in favor of this water district extension.

Mr. Gene Brock , Faith Baptist Church, said he is in favor of this water district extension and asked for those in the audience who are also in favor to stand. Several people stood to show their approval of the district extension.

Mr. Sykes asked if there was anyone to speak against the water district extension. No one spoke.

126-17-000 MOTION BY Ms. Dickman, seconded by Ms. Sabin, to close the public hearing at 7:34 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

7:30 pm Public Hearing on Local Law E-2017 amending Chapter 186 of Town Code to prohibit parking on both sides of O'Brien Road from Jones Road to Blanchard Boulevard:

127-17-000 MOTION BY Ms. Sabin, seconded by Mr. Dudzinski, to recess the Regular meeting, open the public hearing at 7:34 pm and waive reading the legal notice in the *Post Standard* on June 29, 2017.

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 said there have been complaints from those using O'Brien Road about cars parked on the side of the road during tournaments at the CNY Family Sports Center. One side of the road has been posted for no parking, but, the number of cars parking on the road is creating a hazard for motorists.

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

Mr. Tom Dodson, Hosmer Drive, said he has spoken with the Supervisor about this issue. He said it is hazardous to exit the senior living facility and Blanchard Boulevard. He said he has seen public drinking on the street and kids darting out from between cars. He also said when the cars are parked it makes it difficult for emergency vehicles to get down O'Brien Road.

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

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128-17-000 MOTION BY Ms. Dickman, seconded by Mr. Dudzinski, to close the public hearing and resume the Regular Meeting at 7:39 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 extension of Connors Road Water Supply District:

Ms. Dickman thanked the audience members for coming to support this project.

129-17-051 Councilor Tupper moved and Councilor Dudzinski seconded the following resolution.

WHEREAS, a written petition, dated June 13, 2017, in due form and containing the required signatures, has been presented to and filed with the Town Board of the Town of Van Buren, Onondaga County, New York, for the Connors Road Water Supply District, Extension No. 4, in an area generally known as Tax Map Nos. 051.-03-20.0 (7324 Van Buren Road); 051.-03-17.0 (Van Buren Road); 051.-03-18.0 (7312-7318 Van Buren Road); and 051.-03-19.0 (Van Buren Road), Town of Van Buren, New York, bounded and described as set forth on Schedule “A” attached hereto; and

WHEREAS, all costs in connection with the extension of said water district, including all legal and engineering expenses incurred by the Town, and all costs of construction of the water facilities necessary to serve said District as extended and also all costs and expenses incidental to the acquisition of necessary lands and rights-of-way therefore will be paid by the petitioners, their grantees, successors or assigns, who will subsequently execute, if necessary, an instrument conveying title to all or such portions of such water facilities including lands or rights-of-way that may be required by the Town Board of the Town of Van Buren, free and clear of all liens and encumbrances, to the said Water District extension at no expense to said District as extended or the Town of Van Buren; and

WHEREAS, an order was duly adopted by the Town Board on June 6, 2017 for the hearing of all persons interested in the matter on the 5th day of July, 2015 at 7:30 p.m., or as soon thereafter as the matter could be heard, at the Town Hall in said Town and the hearing by the said Town Board having been duly held at such time and place, and proof of posting and publication of the notice of said hearing as required by law having been received by the Town Board, and the Town Board having heard all persons interested in such matter; and

WHEREAS, the Town Board has received an engineering report from Jason Hoy, P.E., certifying that the plans for construction of water facility extensions in said District are satisfactory and meet the requirements of the Town, subject to inspection by the Town Engineers at petitioners’ sole cost and expense upon installation of the facility extensions therein; and

WHEREAS, the permission of the State Comptroller shall not be required for the extension of said District nor the construction of said improvements since the Town shall not be required to finance the cost of said improvements by the issuance of bonds, notes, certificates, or other evidences of indebtedness of the Town; and

WHEREAS, on June 6, 2017, the Town Board also determined that extension of said District and construction of improvements therein will have no significant effects on the environment and that such determination constituted a negative declaration for purposes of environmental review.

NOW THEREFORE, IT IS HEREBY RESOLVED AND DETERMINED, that:

A. The petition aforesaid is signed and acknowledged or proved as required by law, it duly complies with the requirements of Section 191 of the Town Law as to sufficiency of signers with respect to the boundaries of the proposed district extension as herein approved and it is otherwise sufficient;

B. All the property and property owners within the proposed district extension are benefited thereby;

C. All the property and property owners benefited are included within the limits of the proposed district extension;

D. It is in the public interest to grant in whole the relief sought; and it is further

RESOLVED, that all future costs and expenses of operation, maintenance and improvements in said District, including those relative to the district extension which is the subject of this resolution, shall be assessed, levied and collected from the several lots and parcels of land within the entire area of said Connors Road Water Supply District, Extension No. 4, in an area generally known as Tax Map Nos. 051.-03-20.0 (7324 Van Buren Road); 051.-03-17.0 (Van Buren Road); 051.-03-18.0 (7312-7318 Van Buren Road); and 051.-03-19.0 (Van Buren Road), Town of Van Buren, New York, deemed benefited thereby in proportion to the amount of benefit conferred upon same; and it is further

RESOLVED, that the said Connors Road Water Supply District, Extension No. 4 be extended in said Town of Van Buren, Onondaga County, New York, to include the description and boundaries, as hereinbefore described to be known as Connors Road Water Supply District, Extension No. 4, and it is further

RESOLVED, that the Town Clerk is hereby authorized and directed to cause a certified copy of this Order to be recorded and filed in accordance with the provisions of Article 12 of the Town Law.

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 of OCWA to install one (1) fire hydrant as part of the extension of the Connors Road Water Supply District with an annual charge of \$71.61:

130-17-019 MOTION BY Ms. Sabin, seconded by Ms. Lesniak, to approve the installation of one (1) fire hydrant by OCWA as part of the Connors Road Water Supply District with an annual charge of \$71.61.

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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Introduction of Local Law F-2017 regarding zone change for Billboard Overlay District – tax map 055.-04-02.1 and set public hearing:

131-17-030 Councilor Dudzinski introduced proposed Local Law No. F-2017, titled “A Local Law Amending the Zoning Map of the Town of Van Buren to Include Certain Property Zoned Planned Unit Development (PUD) in the Billboard Sign Overlay District (BSO) in the Town of Van Buren” for certain lands located on Winchell Road in said Town, which was seconded by Councilor Sabin, 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, 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 there are no other involved agencies, that the Town Board shall proceed as lead agency and the enactment of proposed Local Law No. F-2017 is an unlisted action, for purposes of SEQRA review; and it is further

RESOLVED AND DETERMINED, the Town Board upon review of the EAF and project has determined that this action, which will permit an existing billboard to advertise an off-premise use, will have no adverse impact on the environment; that accordingly, an environmental impact statement (EIS) shall not be required and that this resolution shall constitute a negative declaration pursuant to SEQRA; and it is further

RESOLVED AND DETERMINED, that this proposed local law and zone change will be referred to the Onondaga County Planning Board pursuant to New York General Municipal Law §239; 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. F-2017 at the Van Buren Town Offices located at 7575 Van Buren Road in the Town of Van Buren on July 18, 2017 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.

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

Consider adoption of Local Law E-2017:

032-17-030 The following resolution was offered by Ms. Lesniak, who moved its adoption, seconded by Ms. Dickman to wit:

WHEREAS, pursuant to the provisions of the Municipal Home Rule Law, proposed Local Law E-2017, A Local Law Amending Chapter 186 of the Code of the Town of Van Buren titled “Parking Prohibited at all Times” with respect to restrictions on parking for O’Brien Road, was

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presented and introduced at a regular meeting of the Town Board of the Town of Van Buren held June 20, 2017; and

WHEREAS, a public hearing was held to consider said proposed Local Law No. E-2017 on July 5, 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, at its June 20, 2017 meeting the Town Board determined that this proposed legislation is a Type II action for purposes of SEQR, thus concluding the environmental review process; and

WHEREAS, it is in the public interest to enact said Proposed Local Law No. E-2017.

NOW, THEREFORE, it is

RESOLVED AND DETERMINED, that the Town Board of the Town of Van Buren, Onondaga County, New York, does hereby enact Proposed Local Law No. E-2017 as Local Law No. 5-2017 as follows:

**TOWN OF VAN BUREN
LOCAL LAW NO. 5-2017**

**A LOCAL LAW AMENDING CHAPTER 186 OF
THE CODE OF THE TOWN OF VANBUREN TITLED
“VEHICLES AND TRAFFIC” WITH RESPECT TO
RESTRICTIONS ON PARKING FOR O’BRIEN 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. As authorized by §186-15 of the Town of Van Buren Code, so that Article VII, titled “Schedules”, Schedule XI –§ 186-53 thereof, titled “Parking Prohibited at all times” is amended as follows:

Modify:

<u>Street Name</u>	<u>Direction</u>	<u>Location</u>
O’Brien Road	Both	Jones to Blanchard Blvd.

Section 2. 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 3.

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

Consider approval of fence waiver for 13 Sun Meadows Way:

Mr. Sykes said the Town Engineer has looked at this and has no concerns about adverse effects on drainage.

033-17-015 MOTION BY Ms. Lesniak, seconded by Mr. Dudzinski, to approve the fence waiver for 13 Sun Meadows Way.

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 approval of waiver for retaining wall at 15 Naylor Circle:

Mr. Sykes said the Town Engineer has looked at the placement of the proposed retaining wall and said it will actually improve the drainage.

034-17-015 MOTION BY Mr. Tupper, seconded by Ms. Lesniak, to approve the waiver for a retaining wall at 15 Naylor Circle.

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 of trash hauler licenses for Syracuse Haulers and Waste Management:

035-17-021 MOTION BY Mr. Dudzinski, seconded by Ms. Dickman, to approve issuance of trash hauler licenses to Syracuse Haulers and Waste Management.

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 report from Comptroller regarding Clerk/Receiver audit:

Mr. Sykes said the Comptroller completed the audit for January through December 2016. He said the Comptroller noted that the Town Clerk handles multiple portions of the transactions,

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from receiving cash to preparing bank reconciliation. The Town Clerk receives funds from the public and enters the transactions onto the computer system. The Clerk also goes to the bank to make deposits and prepares the bank reconciliations. The Clerk's handling of several portions of the transaction is due to limited amount of staff in the Clerk's Office. This creates a problem in there is a lack of segregation of duties. No one person should be able to have physical custody of funds and perform the accounting of the transaction.

Mr. Zaccaria pointed out the Comptroller found no problems regarding the deposits, recording of transactions or financial reporting. He is just recommending a check and balance.

Mr. Sykes asked Mrs. Precourt if the town has ever had anyone check the accounts.

Mrs. Precourt said before there was an in-house Comptroller the town had an outside accountant who came monthly and balanced all department and town accounts.

Mr. Sykes said he will be meeting with the Comptroller and Town Clerk to discuss how to split some of the jobs up.

036-17-007 MOTION BY Ms. Sabin, seconded by Mr. Dudzinski, to accept report from Comptroller regarding Clerk/Receiver audit.

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

Approve park attendant for part time seasonal position:

037-17-038 MOTION BY Mr. Zaccaria, seconded by Mr. Dudzinski, to approve the hiring of Andrew Williams as a seasonal park attendant at a rate of \$11.50 an hour.

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 & Comments:

Ms. Sabin said the Cable TV Committee met and further discussed the franchise agreement with Charter Communications. She said they are waiting on some additional information for the Town of Lysander for them to determine whether they want to continue to negotiate as part of the three municipalities. She said she hopes to have more information at the next meeting, but, definitely within a month.

Ms. Dickman said she hopes everyone had a great 4th of July. She said there was a large crowd for the fireworks.

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Ms. Dickman said the Code Enforcement Officer is keeping a list of property that is not being maintained. They are given notice and a time period to clean it up but if they fail to do so the town will hire someone and place the cost on their taxes.

Highway Superintendent Comments:

Mr. Foster said in anticipation of the local law for no parking on O'Brien Road he has ordered signs and they should go up by next Tuesday.

Supervisor Comments:

Mr. Sykes said the speed limit reduction request for Perry Road was denied.

Mr. Sykes said the grand opening for Aldi's is July 17th.

Mr. Sykes said there is an electronic recycling event from 9:30 to 1:30 pm in the pink parking lot at Destiny USA on July 29th.

Citizens Comments: None

Engineer Comments: None

Attorney Comments: None

038-17-000 MOTION BY Ms. Sabin, seconded by Mr. Dudzinski, to adjourn to the next Regular Town Board Meeting on July 18, 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 7:55 pm

Respectfully submitted,

Lynn Precourt
Town Clerk

Dated: 7/7/17

