

Regular Town Board Meeting of the Town Board of the Town of Van Buren, held on November 20, 2018 at 7:00 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
Ms. Patricia Dickman	Councilor
Mr. Ronald Dudzinski	Councilor
Ms. Mary Frances Sabin	Councilor
Mr. Claude Sykes	Supervisor

Also present:

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

Pledge of Allegiance and Roll Call.

Approve minutes of the Regular Town Board Meeting on November 20, 2018:

226-18-000 MOTION BY Ms. Sabin, seconded by Ms. Dickman, to approve the minutes of the Regular Town Board Meeting on November 20, 2018 as published.

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

All Ayes – Motion Carried & Adopted

7:00 pm Public Hearing on Local Law F-2018 amending Chapter 200 of Town Code titled, “Zoning” to remove motorized vehicle racing as an allowed use:

227-18-000 MOTION BY Ms. Dickman, 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 November 27, 2018.

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

All Ayes – Motion Carried & Adopted

Mr. Sykes said this local law simply removes motorized vehicle racing as an allowed use.

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

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

228-18-000 MOTION BY Ms. Dickman, seconded by Mr. Dudzinski, to close the public hearing and resume the regular meeting at 7:03 pm.

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

All Ayes – Motion Carried & Adopted

Consider adoption of Local Law F-2018:

229-18-030 The following resolution was offered by Councilor Sabin, who moved its adoption, seconded by Councilor Dudzinski, to wit:

WHEREAS, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law titled Local Law No. F-2018, “A Local Law Amending Chapter 200 of the Code of the Town of Van Buren titled ‘Zoning’ to Remove Motorized Vehicle Racing as an Allowed Use” was presented and introduced at a regular meeting of the Town Board of the Town of Van Buren held on November 20, 2018; and

WHEREAS, a public hearing was held on such proposed local law on the 4th day of December, 2018 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, which took no position; and

WHEREAS, the enactment of Proposed Local Law No. F-2018 has previously been determined to be a Type I action, an environmental impact statement (EIS) was not be required; and a negative declaration was issued on November 20, 2018 pursuant to SEQRA determining that this action will have no significant effect on the environment thus concluding the SEQRA review process; and

WHEREAS, it is in the public interest to enact said Proposed Local Law No. F-2018.

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. F-2018 as Local Law No. 6 as follows:

TOWN OF VAN BUREN  
LOCAL LAW 6-2018

A LOCAL LAW AMENDING CHAPTER 200 OF  
THE CODE OF THE TOWN OF VAN BUREN TITLED “ZONING”  
TO REMOVE MOTORIZED VEHICLE RACING AS AN ALLOWED USE

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BE IT ENACTED by the Town Board of the Town of Van Buren that this local law amends Chapter 200 of the Code of the Town of Van Buren titled “Zoning” to Remove Motorized Vehicle Racing as an Allowed Use, as follows:

Section 1.

So that Section 22C (1), titled “Outdoor Recreation” is amended to read, in its entirety, as follows:

“C1 Outdoor recreation: the use of land for recreation activities conducted out-of-doors, which may include a structure for offices related to the use and related retail sales, storage, meetings and refreshments. Such activities may include, but are not limited to, wildlife areas, hiking trails, picnic areas, campgrounds, skiing, ice skating, tennis, swimming, boating, ball fields, golf, miniature golf, archery, horseback riding, fish and game clubs, golf courses, soccer fields, paintball and team sports.”

Section 2.

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

Roll Call Votes: Mr. Zaccaria – Yes, Ms. Lesniak – Yes, Mr. Tupper – Yes, Ms. Dickman – Yes, Mr. Dudzinski – Yes, Ms. Sabin – Yes, Mr. Sykes – Yes

All Ayes – Motion Carried & Adopted

Approval for engineer to attend six training sessions sponsored by E.J. Prescott from 12/12/18-4/10/19 in Syracuse at a total cost of \$60.00 plus mileage:

230-18-027 MOTION BY Mr. Tupper, seconded by Mr. Zaccaria, to approve engineer to attend six training sessions sponsored by E.J. Prescott from 12/12/18-4/10/19 in Syracuse at a total cost of \$60.00 plus mileage.

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

All Ayes – Motion Carried & Adopted

Approval of budget transfers per Comptroller’s memo:

231-18-007 MOTION BY Mr. Zaccaria, seconded by Ms. Sabin, to approve the following budget transfers:

**Budget Transfer**

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	<u>Account Number</u>	<u>Account Description</u>	<u>Amount</u>
<b>TO:</b>	A.1110.0442	Court, Membership Dues	\$ 50
	A.1220.0435	Town Supervisor, Bank fees	\$ 590
	A.1315.0401	Comptroller, Office Supplies	\$ 175
	A.1355.0408	Assessor, Postage	\$ 667
	A.1355.0401	Assessor, office Supplis	\$ 25
	A.1420.0430	Legal, Non-retainers	\$ 8,185
<b>FROM:</b>	A.1110.0413	Court, Equipment Repairs	\$ 50
	A.1220.0418	Town Supervisor Computer Software	\$ 525
	A.1220.0401	Town Supervisor Office Supplies	\$ 65
	A.1315.0441	Comptroller, Conferences	\$ 175
	A.1355.0200	Assessor, Equipment	\$ 500
	A.1355.0443	Assessor, Public Notices	\$ 192
	A.9060.0800	Health Insurance	\$ 8,185

**Explanation:**

1110, Justice Court: Over-budget is from the court clerk's notary license

1220-Town Supervisor Bank Fees is from credit card processing fees. The town has switched providers of the service, which should eliminate this cost.

1315-Comptroller-a change in bank accounts created the need to purchase blank check

1440-Legal-labor matters, including using a consultant for negotiations created the over-budget condition

**Budget Transfer**

**Explanation:**

6772, Canton Woods Town paid \$3,000 toward asbestos abatement that was budgeted

7990, Erie Canal, amount represents costs in excess of grants

**Budget Transfer**

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<u>Account Number</u>	<u>Account Description</u>	<u>Amount</u>
A.1620.0423	Bldg & Grouns-equipment repairs	\$ 2,041
A.1620.0440	Bldg & Grounds-local travel	\$ 123
A.1621.0407	Shared Srvices-Copy Machine	\$ 539
A.1621.0441	Shared Srvices-Safety Consultant	\$ 5,000
A.5132.0422	Highway Garage-Heating Fuel	\$ 10,557
A.5132.0411	Highway Garage-Repairs	\$ 782
A.6772.0400	Canton Woods	\$ 3,000
A.7110.0200	Parks-Capital Appropriations	\$ 6,177
A.7110.0420	Parks-Telephones	\$ 115
A.7110.0421	Playgrounds-electricity	\$ 917
A.7180.0413	Pools-chemicals	\$ 544
A.7189.0100	Programs-Wages	\$ 3,464
A.7310.0100	Youth Programs-Wages	\$ 685
A.7990.0410	Erie Canal	\$ 1,100
<b>FROM:</b> A.1620.0200	Bldg& Grounds-Capital Appropriation	\$ 8,672
A.1621.0401	Shared Services-Office Supplies	\$ 539
A.1621.0401	Shared Services-Telephones	\$ 1,200
A.7110.0411	Parks-Repairs	\$ 1,032
A.7180.0411	Pools-Repairs	\$ 544
A.7180.0100	Pool-Wages	\$ 2,953
A.7140.0100	Concessions-Wages	\$ 1,196
A.1620.0411	Bldg & Grounds-Repairs	\$ 18,908

<u>Account Number</u>	<u>Account Description</u>	<u>Amount</u>
<b>TO:</b> B.3620.0404	Codes-Gasoline	\$ 225
B.3620.0408	Codes-postage	\$ 130
B.3620.0412	Codes-Vehicle Repairs	\$ 234
B.3620.0420	Codes-Telephones	\$ 150
B.3620.0442	Codes-Memberships	\$ 140
<b>FROM:</b> B.1910.0450	Insurance	\$ 879

**Budget Transfer**

<u>Account Number</u>	<u>Account Description</u>	<u>Amount</u>
DB.5110.0100	Highway-Road Repair Wages	\$ 21,825
DB.5130.0412	Highway Equip-Repairs	\$ 15,681
DB.5140.0100	Snow Removal, Wages	\$ 21,825

**Explanation:**

Road Repair Wages- Wages are allocated to various expense lines based on a formula. While the actual cost may be over-budget on a specific expense, the overall cost is below budget

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

All Ayes – Motion Carried & Adopted

Accept zone change application from Brolex Properties for 7360 State Fair Blvd. (property known as Seneca Golf Course) from R-40 to PUD for proposed construction of 206 single family homes, refer to Planning Board for their recommendation and schedule a public hearing for December 18, 2018 at 7:00 pm:

MOTION BY Ms. Sabin, seconded by Mr. Dudzinski, to accept the zone change application from Brolex Properties for 7360 State Fair Blvd. (property known as Seneca Golf Course) from R-40 to PUD for proposed construction of 206 single family homes, refer to Planning Board for their recommendation and schedule a public hearing for December 18, 2018 at 7:00 pm.

Mr. Mike Fogel, attorney representing Brolex Properties, was present to address the Board. He said they are asking for the change to PUD because it offers them the flexibility to develop the residential and two commercial lots on Rt. 48. He said he understands that there is a lot more work to be done as this project is reviewed.

Mr. Gilligan asked the board to wait to schedule the public hearing at a later meeting so the Planning Board can make their recommendation and it can be referred to the Onondaga County Planning Board for their review and comments.

Mr. Sykes said Ms. Sabin and Mr. Dudzinski have agreed to be the two Town Board representatives on a PUD committee to review this application. He said the Planning Board will likely appoint two of their members at the December 11<sup>th</sup> meeting.

232-18-052 MOTION BY Ms. Lesniak, seconded by Mr. Zaccaria, to refer the zone change application from Brolex Properties for 7360 State Fair Blvd. (property known as Seneca Golf

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Course) from R-40 to PUD for proposed construction of 206 single family homes to the Planning Board for their recommendation.

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

All Ayes – Motion Carried & Adopted

Councilor Committee Reports and Comments:

Ms. Dickman scheduled Labor Negotiations Committee meetings for December 12, 2018 and December 17, 2018, both at 3:30 pm at the Town Hall.

Mr. Tupper said he will be attending the next Canton Woods Senior Center Board Meeting.

Highway Superintendent Comments:

Mr. Foster said we have had a couple of very heavy, wet snow events and asked people to remember there is no on street parking between 2:00 am and 6:00 am. He said it is much safer and more efficient for plowing if the streets are clear of parked vehicles.

Mr. Foster said the town's policy on mailbox replacement is the same as last year. He said the town will replace a mailbox that has been hit by a plow. He said the town will not replace mailboxes or posts that are damaged by heavy, wet snow as it is pushed off to the side of the road during routine snow plowing.

Ms. Sabin asked why the crossovers on Village Blvd South were not cleared after the first snowfall.

Mr. Foster apologized for that. He said they were down two trucks and were unable to clear them as well as they have during previous snowfalls. He said both of the trucks that were down are operational now and it should not be an issue again.

Mr. Foster also said the town only clears the crossovers that connect town roads. The crossovers for the condos/apartments on Village Blvd are done by the property maintenance company employed by the owners.

Supervisor Comments: None

Engineer Comments:

Mr. Hoy said the fire system at the new highway garage has been installed, tested and inspected by the Code Enforcement Officer.

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Attorney Comments:

Mr. Gilligan said he will not be at our next meeting so he wanted to wish everyone a Happy Holiday. He added it has been a pleasure working with the Board this year.

Citizens Comments:

Mrs. Akers asked how many houses will be built on the Seneca Golf Course.

Mr. Sykes said they are proposing 206.

Ms. Lesniak said she knows the owners of the golf course wanted to sell it to someone who would continue to operate it as a golf course but were unable to find any interested buyers.

Executive Session for collective bargaining contract negotiations update:

233-18-014 MOTION BY Mr. Zaccaria, seconded by Mr. Dudzinski, to recess the regular meeting and go into Executive Session at 7:19 pm to discuss ongoing collective bargaining negotiations.

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

All Ayes – Motion Carried & Adopted

234-18-014 MOTION BY Ms. Sabin, seconded by Mr. Dudzinski, to close the Executive Session and resume the regular meeting at 8:10 pm.

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

All Ayes – Motion Carried & Adopted

235-18-000 MOTION BY Ms. Sabin, seconded by Mr. Dudzinski, to adjourn to the next Regular Town Board meeting on December 18, 2018 at 7:00 pm.

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

All Ayes – Motion Carried & Adopted

Meeting closed 8:10 pm

Respectfully submitted,

Lynn Precourt

Town Clerk, Dated 12/5/18