

Regular Town Board Meeting of the Town Board of the Town of Van Buren, held on August 20, 2019 at 7:00 pm at the Van Buren Town Hall, 7575 Van Buren Road, Baldwinsville, New York.

Present:

Mrs. Wendy Van Der Water Councilor  
Ms. Darcie Lesniak Councilor  
Mr. Howard Tupper Councilor  
Ms. Mary Frances Sabin Deputy Supervisor  
Mr. Claude Sykes Supervisor

Absent: Ms. Patricia Dickman, Councilor and Mr. Ronald Dudzinski, Councilor

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.

Mr. Sykes congratulated Mrs. Van Der Water on her recent marriage.

Approve minutes of the Town Board Meeting on August 6, 2019:

176-19-000 MOTION BY Ms. Sabin, seconded by Mrs. Van Der Water, to approve the minutes of the Regular Town Board meeting on August 6, 2019.

Mrs. Van Der Water – Yes, Ms. Lesniak – Yes, Mr. Tupper – Yes, Ms. Sabin – Yes, Mr. Sykes – Yes

All Ayes – Motion Carried & Adopted

Public Hearing on Local Law G-2019 – amendment of Seneca Neighborhood PUD:

177-19-000 MOTION BY Ms. Sabin, seconded by Mrs. Van Der Water, to recess the regular meeting, open the public hearing and waive reading the legal notice published in the *Post Standard* on August 11, 2019.

Mrs. Van Der Water – Yes, Ms. Lesniak – Yes, Mr. Tupper – Yes, Ms. Sabin – Yes, Mr. Sykes – Yes

All Ayes – Motion Carried & Adopted

Mr. Sykes said this is to hear comments on an amendment to the recently approved PUD for the Seneca Neighborhood. He said this plan creates two cul de sacs and preserves more green space as well as reducing the number of lots.

Mr. Sykes said the Planning Board has given a positive recommendation to this Board.

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.

178-19-000 MOTION BY Ms. Sabin, seconded by Mrs. Van Der Water, to close the public hearing and resume the regular meeting at 7:04 pm.

Mrs. Van Der Water – Yes, Ms. Lesniak – Yes, Mr. Tupper – Yes, Ms. Sabin – Yes, Mr. Sykes – Yes

All Ayes – Motion Carried & Adopted

Action on Local Law G-2019:

Mr. Sykes said the Board cannot act on this proposed local law until comments are received from the Onondaga County Planning Board.

Assessor's Report:

Ms. Golden went over the following Basic STAR Changes:

The income limit for the Basic Star exemption was reduced to 250,000 from 500,000 in the 2019 State budget. Property owners with income above 250,000 but under 500,000 can register with the state for the Star Credit check, as the income to qualify for the check remains at 500,000. The value of both the Basic and Enhanced Star exemption has been frozen at current levels. In future years the Star Credit Checks MAY increase by up to 2% but the exemptions will remain unchanged. Property owners may choose to renounce their exemption to receive the check instead.

Ms. Golden reported that the NYS Office of Real Property Tax Services has certified the 2019 equalization rate at 100%, which matches the Assessor's stated Level of Assessment for 2019.

The Town received no new supreme court filings for 2019. The only open case is Village Green Apartments first filed in 2018.

Two Petitions for Small Claim Assessment Review were filed for 2019. The Hearings are scheduled for Monday August 26, at Van Buren Town Hall.

The mailing of Senior Citizen renewals for 2020 may be delayed, as the State has not updated the required form.

Ms. Golden said we continue to work with the State to resolve Enhanced Star IVP issues. We have not removed any Enhanced Star exemptions, that we consider correct. Each exemption in question is reviewed individually and documented with the State as needed.

All sales occurring between July 1, 2018 and June 30, 2019 have been reviewed by the State deadline of August 30, 2019. These sales will be used to determine trends and LOA's for 2020.

Ms. Golden gave the Board a copy of her Recertification Credit Listing dated June 1, 2019, that indicates requirements are met for recertification in 2020. This is required to maintain the professional IAO designation.

Ms. Lesniak asked how many enhanced STAR exemptions were listed to be removed in Van Buren based on state's new Income Verification Program.

Ms. Golden said ten. In these cases her staff has been contacting state officials for more information before keeping or removing the exemption. She said in most cases the people do qualify and the income used by the state has been calculated incorrectly.

Ms. Lesniak said this program was better administered locally.

Mrs. Van Der Water asked about the tax certiorari for Village Green Apartments and if their taxes are being paid while the case works its way through the court.

Ms. Golden said yes, typically these can take two to three years to conclude. She said all companies and commercial property owners can grieve their assessments like any homeowner. She said they can schedule an informal appointment with her and/or file a Grievance to meet with the Board of Assessment Review. Though most large companies do file tax certiorari cases.

Report on proposals received for the purchase of 7895 West Dead Creek Road:

Mr. Sykes said the town received the following bids for the purchase of the old highway department garage:

Tom Shaw	\$10,500
AML Property Maintenance	\$50,000
Brad Sherlock	\$41,047.33
Gypsum Express	\$255,000
Timber Tree	\$52,000

Mr. Jon White, owner of Gypsum Express, said he intends to use the property in the same fashion as the highway department. He will use it for salt storage with hauling done by his fleet of dump trucks. He will also perform light vehicle maintenance because he has larger facilities for major repairs and fueling. Overall, the community impact will be less than that of the former highway department operation.

179-19-048 MOTION BY Mr. Tupper, seconded by Mrs. Van Der Water, to approve the following resolution:

Approving and authorizing the acceptance of the bid of \$255,000 from Gypsum Express, Ltd for the purchase of the "old highway garage" located at 7895 West Dead Creek Road, tax map parcels 034.-01-19.0 and 034.-01-20.0 as the highest bidder therefore and, in accordance with the RFP and Proposal, waiving the requirement that "no contingencies and no conditions shall be

accepted by the Town” on the basis that the Town expressly reserved to itself the power to “waive any irregularities or noncompliance with respect to any bid”, accepting the condition included that this bid is subject to variance relief to allow the bidder to operate its commercial operation from this location ( as defined in Attachment A to the bid). Absolutely no representations or warranties have been made by the Town, to the bidder with respect to any requested zoning relief. This resolution is subject to permissive referendum.

Mrs. Van Der Water – Yes, Ms. Lesniak – Yes, Mr. Tupper – Yes, Ms. Sabin – Yes, Mr. Sykes – Yes

All Ayes – Motion Carried & Adopted

Approval for Elaine McMahon to attend NYSAMCC’s Fall Conference in Syracuse 9/29-10/2/19 at a cost not to exceed \$420.00:

180-19-027 MOTION BY Mr. Tupper, seconded by Ms. Sabin, to approve Elaine McMahon to attend NYSAMCC’s Fall Conference in Syracuse 9/29-10/2/19 at a cost not to exceed \$420.00.

Mrs. Van Der Water – Yes, Ms. Lesniak – Yes, Mr. Tupper – Yes, Ms. Sabin – Yes, Mr. Sykes – Yes

All Ayes – Motion Carried & Adopted

Consider authorizing Supervisor to execute MOA for the CNY Stormwater Coalition:

Mr. Hoy said this MOA will allow for more electronic voting for members who do not regularly attend the meetings to pass items such as approval for minutes.

181-19-056 MOTION BY Ms. Sabin, seconded by Mrs. Van Der Water, to authorize the Supervisor to execute the MOA for the CNY Stormwater Coalition.

Mrs. Van Der Water – Yes, Ms. Lesniak – Yes, Mr. Tupper – Yes, Ms. Sabin – Yes, Mr. Sykes – Yes

All Ayes – Motion Carried & Adopted

Approval for Justice Van Der Water to attend NYS Magistrate’s Conference in Lake Placid 9/15 – 9/18/19 at a cost not to exceed \$600.00:

182-19-027 MOTION BY Ms. Sabin, seconded by Ms. Lesniak, to approve Justice Van Der Water’s attendance at the NYS Magistrate’s conference in Lake Placid 9/15-9/18/19 at a cost not to exceed \$600.00.

Mrs. Van Der Water – Abstain, Ms. Lesniak – Yes, Mr. Tupper – Yes, Ms. Sabin – Yes, Mr. Sykes – Yes

Motion Carried & Adopted

Consider six year appointment of Theresa Golden as sole Assessor with term ending September 30, 2025:

183-19-002 MOTION BY Ms. Sabin, seconded by Ms. Lesniak, to appoint Theresa Golden as Sole Assessor with term to end 9/30/25.

Regular Town Board Meeting August 20, 2019

Mrs. Van Der Water – Yes, Ms. Lesniak – Yes, Mr. Tupper – Yes, Ms. Sabin – Yes, Mr. Sykes – Yes

All Ayes – Motion Carried & Adopted

Ms. Lesniak said she is biased, but, thinks we have one of the best Assessor’s in Onondaga County.

Mr. Gilligan agreed.

Consider fence waiver for 21 Silversides Way:

Mr. Hoy said he has looked at this property. He said it is restricted with drainage easement and piping. He said it also has a stream and stormwater detention area. He said he is advising removable fence posts and said the piping should be exposed to ensure there are no perforations during installation.

184-19-001.1 MOTION BY Mrs. Van Der Water, seconded by Mr. Tupper, to declare these actions Type II under SEQRA with no adverse environmental impacts and approve the fence waiver for 21 Silversides Way.

Mrs. Van Der Water – Yes, Ms. Lesniak – Yes, Mr. Tupper – Yes, Ms. Sabin – Yes, Mr. Sykes – Yes

All Ayes – Motion Carried & Adopted

Councilor Committee Reports and Comments:

Ms. Sabin said she is meeting with a Verizon representative and the property manager for Condo 2 & 3 to discuss the layout for FOIS installation on September 27<sup>th</sup>.

Ms. Sabin said there are some minor changes to the solar law the Land Use Committee has been working on and she hopes to present it to the Board in September.

Highway Superintendent Comments: None

Supervisor Comments:

Mr. Sykes said all department heads have been notified their 2020 budget proposals need to be submitted by September 10<sup>th</sup>.

Engineer Comments: None

Attorney Comments: None

185-19-000 MOTION BY Ms. Sabin, seconded by Mrs. Van Der Water to adjourn to the next Regular Town Board Meeting on September 3, 2019 at 7:00 pm.

Mrs. Van Der Water – Yes, Ms. Lesniak – Yes, Mr. Tupper – Yes, Ms. Sabin – Yes, Mr. Sykes – Yes

All Ayes – Motion Carried & Adopted

Regular Town Board Meeting August 20, 2019

Meeting closed 7:41 pm

Respectfully submitted,

Lynn Precourt  
Town Clerk, Dated: 8/21/19