

Regular Town Board Meeting of the Town Board of the Town of Van Buren, held on December 15, 2020 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 via Zoom
Mr. Howard Tupper	Councilor
Ms. Patricia Dickman	Councilor
Mr. Ronald Dudzinski	Councilor
Ms. Mary Frances Sabin	Deputy Supervisor
Mr. Claude Sykes	Supervisor

Absent:

Also present:

Mr. Rich Andino	Town Attorney
Mr. Jason Hoy	Town Engineer
Mr. Greg Maxwell	Comptroller
Mr. Douglas Foster	Highway Superintendent
Ms. Lynn Precourt	Town Clerk

Pledge of Allegiance and Roll Call.

Approve minutes of the 11/17/2020 Regular Town Board Meeting:

165-20-000 MOTION BY Mrs. Van Der Water, seconded by Ms. Sabin, to approve the minutes of the 11/17/2020 Regular Town Board Meeting as published.

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

All Ayes – Motion Carried & Adopted

Presentation by Frank Mento – Onondaga County Water Environment Protection on lease of sewer districts by County:

Mr. Frank Mento and Shannon Harty from WEP presented a powerpoint on a proposal to the town to lease our sewer districts to the County.

Mr. Mento said the town's sewers are within the Baldwinsville/Seneca Knolls sewer district service area boundaries and the sewerage flows to a County treatment plant. He said

consolidation at the County level would promote economic development, asset renewal and compliance.

He said currently there is segmented ownership, the homeowner owns the pipe out of the house, the town is responsible for the lines and the County operates the treatment plant. Because of infiltration and inflow issues (water that does not need to be treated, such as groundwater from breaks in the lines, or illegal hookups for water that does not need to be treated, sump pumps, washing machines, etc.) the County will have to increase capacity of the treatment plants which is a very costly endeavor.

The County is proposing a consolidated system in which we are responsible for the sewers and there is no more segmented ownership. He said the County can then find the infiltration and inflow (I & I) and fix the problems, spread the cost of repairs over the entire service area and not just within the residents of the sewer district and preserve the current capacity at the treatment plants.

He said sewers falling under one jurisdiction will allow for one sewer charge. Currently homeowners are charged a sewer district charge from the town for maintenance and repair and debt and a unit charge from the County for the treatment plant usage. He said if consolidated there would be only one charge on the tax bill making it easy for homeowners to know how much they are paying for sewers. He said their estimates show a consolidation could save homeowners around \$100 a year.

He said the town is currently responsible for 24 miles of sewers and they are approximately 40 years old. The town has 557 manholes, 3830 connections and seven pump stations, four of which will need control upgrades. He said Van Buren's system is relatively new and mostly PVC pipe which makes it attractive for this phase of consolidation. He said the County has already taken over the Meadowbrook/Limestone service area and started fixing the numerous problems creating I & I and they need a smaller, newer system to come onboard to help with cost.

He said the County currently does the town's sewer maintenance under an annual agreement responding to about 100 calls a year. He said there were 34 house calls in 2019 with 55% of the problems found to be on the homeowner's side. He said 30% of the time the problem is the homeowner put something down the sewer that should not have gone in it. He said 15% of the time it is a structural issue and they fix two to three laterals a year.

He said the County currently bills the town at a subsidized rate and charged \$74,000. If the County were to adjust for true operation and maintenance cost that amount would double. If the County were to increase fees to EPA level compliance, it would be just under \$200,000.

Me. Mento said the lease agreement has been through SEQR and is in the process of being approved by the County Legislature. The last step is for the three municipalities, Van Buren Lysander and the Village to approve it and sign.

Ms. Dickman asked if the County does smoke testing to find and eliminate the I & I.

Ms. Harty said they use flow meters and televising lines.

Ms. Lesniak asked if there is a breakdown of the amounts of I & I by service area.

Mr. Mento said no. He said he could probably get them but it varies by service area due to age of the systems.

Mr. Sykes asked about debt in sewer districts. He said the town will still have to keep our sewer districts and maintain a line on the bill.

Mr. Mento said you are not dissolving the sewer districts and the County will provide \$200,000 for debt relief. Mr. Sykes said this would apply only to Marion Meadows.

Ms. Lesniak asked if the money has to stay with the sewer district.

Mr. Maxwell said yes, all revenues have to stay with the district and any excess money would have to be returned to the property owners in the district. He said the town may have to get the State Legislature's approval.

Ms. Lesniak asked if the money can be kept with the district to be used in case anything came up and it was needed.

Ms. Harty said these are local decisions that the Board would have to make.

Ms. Dickman said if we leased our system would it be combined with the Village of Baldwinsville's system which is considerably older than ours and would likely require more repairs. Would we be paying to upgrade their system.

Mr. Mento said yes, the costs would be spread out across the consolidated district.

Mr. Sykes said the lease agreement states that the town will need an opinion from bond counsel and asked who pays for that.

Ms. Harty said she will look into that.

Mr. Sykes said the lease agreement also states by virtue of the lease the County will assume exclusive right to maintain, plan and control sewer development. He said he has assurance from County executive McMahan that he doesn't intend to stop any development but he can't speak for future administrations. He asked how much input the town will have for future development.

Mr. Mento said the town will still have all the same control it does now. The Town Board and planning Board of the town will have same procedures that include the County approving any new sewers.

Mr. Sykes asked about Section 5.4.1 that deals with easements and rights of way. He said he would like to see additional language about asphalt repair. He said any work done that requires the road to be disturbed can be repaired but have settling issues for a couple years after. He said he would like language included that the County or it's contractors will make the repairs.

Mr. Mento said the language in the lease agreement cannot be changed at this point but there may be something else the County can do to address that concern.

Ms. Harty said if the town issues work permits it could possibly be addressed through the permit.

Ms. Sabin said if our sewer system is 40 years old on average how soon can we expect to see major repairs beign necessary.

Mr. Mento said once a sewer system hits 40 to 50 years old it starts to need repair. He said the clay tiles are often broken by tree roots and need repair.

Mr. Sykes said the agreement also refers to us holding the County harmless if there are compliance issues involving hazardous conditions. He said if the town is no longer in control of the sewers how would we know if those conditions exist?

Ms. Harty said this is for any existing conditions the town knows of before the consolidation.

Mr. Andino asked if formation of new sewer districts or property owners who wish to connect to existing sewers will follow the same process of making petition to the town and following a permissive referendum and then does the debt service get combined with operation and maintenance charge.

Mr. Mento said no, the amount would be reflected in unit charge across the whole district.

Ms. Harty said they may need to look into that further and get an answer to the Board.

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Ms. Sabin asked about the process if existing property owners want to connect to a new district but the State Comptroller says the cost is too high, would consolidating help in that scenario?

Mr. Mento said he thinks it would, but would like to confirm with legal before answering.

Mrs. Van Der Water asked Mr. Hoy how the sewer system is currently monitored.

Mr. Hoy said the County targets certain areas to look for I & I, clean the lines and responds to calls and charges the town.

Mrs. Van Der Water asked how often the entire system is inspected.

Mr. Hoy said it is mostly problem driven.

Mrs. Van Der Water asked what percentage of the town is serviced by sewers.

Mr. Hoy said probably between 35 and 40% and it is all east of rt. 690.

Ms. Dickman asked if the County would every consider running a sewer line under Rt. 690.

Mr. Hoy said the town looked into ways to do that a few years ago and it is very costly. He said the town could always bond for it like we did for the pump station in Marion Meadows but either way the property owners pay for it.

Budget transfers per Comptroller's memo:

166-20-007 MOTION BY Ms. Sabin, seconded by Ms. Dickman, 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.1110.0200	Justice Court, Equipment	\$ 818
	A.1110.0401	Justice Court, Office Supplies	\$ 150
	A.1110.0442	Justice Court, Memberships	\$ 15
	A.1110.0443	Justice Court, Publication	\$ 356
	A.1220.0420	Supervisor, Telephones	\$ 200
	A.1315.0418	Comptroller, Software	\$ 171
	A.1355.0401	Assessor, Supplies	\$ 50
	A.1355.0408	Assessor, Postage	\$ 275
	A.1355.0443	Assessor, Public Notices	\$ 31
<b>FROM:</b>	A.1110.0460	Justice Court, Conferences & Training	\$ 1,339
	A.1220.0440	Supervisor, Travel	\$ 200
	A.1620.0415	Bldg & Grounds, Trash	\$ 150
	A.1315.0441	Comptroller, Conferences	\$ 171
	A.1355.0441	Assessor, Training	\$ 356

**Explanation**

1110,Justice Court: Bought a shredder (\$818); updated law books

1220, Supervisor: Acquired a second cell phone for general use due to covid-19

1315, Comptroller: Cost for the software to produce IRS Form 1095 increased \$200 over the prior year.

**Budget Transfer**

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	<u>Account Number</u>	<u>Account Description</u>	<u>Amount</u>
<b>TO:</b>	A.1410.0443	Town Clerk, Publications	\$ 20
	A.1620.0200	Bldg & Grounds, Equipment	\$ 20
	A.1620.0411	Bldg & Grounds, Building Repairs	\$ 2,054
	A.1620.0406	Bldg & Grounds, Uniforms	\$ 79
	A.1620.0412	Bldg & Grounds, Equip repairs	\$ 564
	A.1620.0416	Bldg & Grounds, Cleaning supplies	\$ 200
	A.1620.0420	Bldg & Grounds, Telephones	\$ 500
	A.1620.0426	Bldg & Grounds, Security Systems	\$ 251
	A.1621.0401	Shared Services, Supplies	\$ 222
	A.1670.0443	Public Notices	\$ 168
	A.1680.0200	Computers, Equipment	\$ 3,825
	A.1680.0417	Computers, Repairs	\$ 3,099
<b>FROM:</b>	A.1410.0441	Town Clerk, Training	\$ 20
	A.1620.0415	Bldg & Grounds, Trash Removal	\$ 1,000
	A.1621.0441	Shared Services, Safety Training	\$ 2,500
	A.1990.0400	Contingency	\$ 7,482

**Explanation**

1410, Town Clerk- Municipal law books updates

1620, Bldg & Grounds-Building repairs are due to costs to fix a door at the Town Hall and installing an intercom at the entrance due to Covid-29;

1621, Shared Services-face masks and related costs due to covid-19

1680, Computers-increases due to installing software on the new server, including the accounting and payroll migration which required to be done by KVS and not anticipated; repairs are higher to costs associated with setting up and troubleshooting machines that were used at home for several departments when the Town Hall was either closed or partially open

**Budget Transfer**

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	<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
<b>TO:</b>	A.5010.0442	Highway Super-Membership	\$ 60
	A.5132.0409	Highway Garage-Cleaning Supplies	\$ 1,100
	A.7110.0426	Parks-Security	\$ 88
<b>FROM:</b>	A.5010.0401	Highway Super-Supplies	\$ 308
	A.5132.0200	Highway Garage-Equipment	\$ 852
	A.7110.0411	Parks-Repairs	\$ 88

**Explanation**

5132, Highway Garage-Cleaning supplies is due to Covid-19

**Budget Transfer**

	<u>Account Nun</u>	<u>Account Name</u>	<u>Amount</u>
TO:	A.9010.0800	NYS Retirement	\$ 391
	A.9050.0800	NYS Unemployment	\$ 2,265
FROM:	A.9040.0800	Workmens Compensation	\$ 2,656

**Budget Transfer**

	<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
<b>TO:</b>	B.3620.0443	Codes, Codebook Updates	\$ 183
	B.8020.0441	Zoning/Planning, Training	\$ 30
	B.8020.0443	Zoning/Planning, Pub Notices	\$ 788
<b>FROM:</b>	B.3620.0430	Codes, Other legal	\$ 213
	B.9010.0800	NYS Retirement	\$ 818

**Budget Transfer**

	<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
<b>TO:</b>	DB.5110.0407	Highway, Equipment Rentals	\$ 5,078
	DB.5110.0410	Highway, Material Road repairs	\$23,586
<b>FROM:</b>	DB.5112.200	Paving	\$ 28,664

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

All Ayes – Motion Carried & Adopted

Ms. Lesniak asked for the amount spent on Covid-19 related items. She said she would like to draft a letter to the County Executive that he can use to help illustrate how much local government is paying to fight this pandemic. She said it may help convince those at the federal level that money for local governments is necessary.

Appoint Morgan Campbell-Palmer as part time court clerk:

167-20-038 MOTION BY Ms. Sabin, seconded by Mrs. Van Der Water, to appoint Morgan Campbell-Palmer as part time Court Clerk I at a rate of \$13.16 an hour to start December 21, 2020.

Mrs. Van Der Water – 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. Sabin congratulated Van Buren resident Stacey Pope who is a featured artist for the Genesee Valley Conservancy. Her work can be viewed on their website [geneseevalleyconservancy.org/gv100](http://geneseevalleyconservancy.org/gv100).

Mrs. Van Der Water wished everyone a Merry Christmas and Happy New Year.

Ms. Dickman wished everyone a Merry Christmas and Happy New Year.

Mr. Tupper said Mrs. Van Der Water will be taking over for him on the Canton Woods Senior Center board of Directors.

Ms. Lesniak wished everyone a Happy Hanukah.

Highway Superintendent Comments:

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Mr. Foster reminded everyone that winter parking rules are in effect. No on street parking between 2am and 6am.

He is still hiring for part time wing operators. This position is an on-call as needed employee to ride in the plow truck and operate the wig. Training is provided and the pay is \$21.71 an hour.

Mr. Foster asked for patience this winter. He said response time for clearing roads will be affected if quarantines are required due to Covid.

Supervisor Comments:

Mr. Sykes read a letter from Mr. Ruddock, retiring Planning Board member and thanked him for his years of service to the town:

Claude and members of the Van Buren Town board,

I would like to take this opportunity to thank you for allowing me to serve the Town of Van Buren. I appreciate your support for my current appointment to the Planning Zoning Board. This appointment has one year remaining, however, for personal reasons I will resign/retire this December 31, 2020.

Since 1991, when I first started as chair of the Planning Board, I have enjoyed being involved with the planning and design of projects that have benefited the growth and development within the Town. I have been impressed by the credentials of the professionals the Town Board has appointed to the Planning/Zoning Boards, members, and legal and engineering consultants, over the years. I have enjoyed working with Town Board members on a number of sub-committees. I commend the Board for its commitment to excellence.

After 30 years, I look forward to passing the baton of responsible planning to the younger generation of design professionals.

Thank you,

Sincerely,

Jim

James E. Ruddock AIA

Citizens Comments: None

Engineer Comments:

Mr. Hoy said the landfill sampling has been done and he will get report to Department of Health once report is complete.

Attorney Comments: None

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168-20-014 MOTION BY Ms. Sabin, seconded by Mr. Dudzinski, to go into executive Session to discuss a real estate contract at 8:19 pm.

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

All Ayes – Motion Carried & Adopted

169-20-000 MOTION BY Ms. Dickman, seconded by Mrs. Van Der Water, to resume the Regular Town Board Meeting at 8:42 pm.

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

All Ayes – Motion Carried & Adopted

170-20-000 MOTION BY Ms. Dickman, seconded by Ms. Sabin, to adjourn to the Organizational Meeting on January 6, 2021 at 7:00 pm.

Mrs. Van Der Water – 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 8:42 pm

Respectfully submitted,

Lynn Precourt  
Town Clerk

Dated: 12/16/20