

Regular Town Board Meeting of the Town Board of the Town of Van Buren, held on December 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. Jason Hoy	Town Engineer
Ms. Lynn Precourt	Town Clerk

Pledge of Allegiance and Roll Call.

Approve minutes of the Regular Town Board Meeting on November 21, 2017:

228-17-000 MOTION BY Ms. Dickman, seconded by Mr. Dudzinski, to approve the minutes of the Regular Town Board Meeting on November 21, 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 on Charter Cable Franchise:

229-17-000 MOTION BY Ms. Sabin, seconded by Mr. Tupper, to recess the regular meeting, open the public hearing and waive reading the legal notice published in *The Messenger* on November 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

Ms. Sabin said this is a ten year franchise agreement that is negotiated by Van Buren, Lysander and the Village of Baldwinsville. She said there were a few changes, mostly language that the attorneys requested. She said there are no changes to the monetary support PAC-B will receive.

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She said it is also important to note that the towns cannot negotiate the fees charged to subscribers.

This agreement cannot be different than the one the town has with Verizon.

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

Mr. Sykes asked if there was anyone to speak against the agreement. No one spoke.

230-17-000 MOTION BY Ms. Sabin, seconded by Ms. Dickman, to close the public hearing and resume the regular meeting at 7:33 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

Budget Transfers per Comptroller memo:

231-17-007 MOTION BY Mr. Tupper, seconded by Ms. Lesniak, to approve the following budget transfers:

Budget Transfer

	<u>Account Number</u>	<u>Account Description</u>	<u>Amount</u>
TO:	A.1010.0440	Town Board-Travel	\$ 16
	A.1110.0442	Justice Court-Membership	\$ 55
	A.1220.0435	Town Supervisor-Bank Fees	\$ 125
	A.1220.0442	Town Supervisor-Membership	\$ 60
	A.1315.0418	Comptroller-Computer Software Maint	\$ 163
	A.1355.0413	Assessor-Maint	\$ 104
	A.1420.0430	Lega-Non retainers	\$ 9,765
FROM:	A.1010.0401	Town Board-Supplies	\$ 16
	A.1110.0441	Justice Court-Training	\$ 55
	A.1220.0401	Town Supervisor-Supplies	\$ 185
	A.1315.0441	Comptroller-Conferences	\$ 163
	A.1355.0408	Assessor-Postage	\$ 104
	A.1990-0400	Contingency	\$ 9,765

Explanation:

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

1220-Town Supervisor membership over-budget if due to the secretary renewing her Notary license.

1315-Comptroller-cost to update software to issue year end health care forms increased by \$150, more than expected

1440-Legal-attorney costs to represent the Town in a labor dispute

Budget Transfer

	<u>Account Number</u>	<u>Account Description</u>	<u>Amount</u>
TO:	A.1620.0420	Bldg & Grounds-Telephone	\$ 100
	A.1620.0423	Bldg & Grouns-water	\$ 70
	A.1670.0443	Public Notices	\$ 798
	A.1950.0451	Property Taxes on town Property	\$ 395
	A.5010.0412	Highway Admin-Vehicle Repairs	\$ 138
	A.5132.0411	Highway Garage-Repairs	\$ 782
	A.7110.0409	Parks-Supplies	\$ 15
	A.7110.0415	Parks-Trash Removal	\$ 43
	A.7110.0416	Parks-Cleaning Supplies	\$ 18
	A.7140.0411	Playgrounds-Repairs	\$ 118
	A.8160-0400	Landfill	\$ 2,419
	A.9040.0800	Workmens Comp Ins	\$ 491
FROM:	A.1620.0441	Bldg& grouns-Training	\$ 170
	A.5010.0441	Highway Admin-Training	\$ 138
	A.5132.0432	Highway Garage-Heating	\$ 782
	A.7110.0200	Parks-equipment	\$ 76
	A.7140.0100	Playgrounds-wages	\$ 118
	A.9050.0800	Unemployment	\$ 491
	A.1990.0400	Contingency	\$ 3,612

Explanation:

1950, Taxes on Town Property- Taxes on the new Highway Garage, which was obtained at auction created the overspent condition

Landfill- Repairs to an adjacent property required under the DEC consent decree is the reason why the account is over-spent

Budget Transfer

	<u>Account Number</u>	<u>Account Description</u>	<u>Amount</u>
TO:	B.3310.0400	Traffic Signs	\$ 1,408
	B.3620.0401	Codes-Office Supplies	\$ 109
	B.3620.0408	Codes-Postage	\$ 140
	B.3620.0420	Codes-Telephones	\$ 225
	B.3620.0442	Codes-Memberships	\$ 5
FROM:	B.3620.0200	Codes-Equipment	\$ 479
	B.3120.0400	Sheriffs	\$ 1,408

Budget Transfer

<u>Account Number</u>	<u>Account Description</u>	<u>Amount</u>
Db.5010.0460	First Aid Supplies	\$ 331
DB.5110.0100	Highway-Road Repair Wages	\$ 21,757
DB.5110.0407	Highway-Road Repair Equip Rentals	\$ 3,550
DB.5130.0404	Highway Equip-Gasoline	\$ 250
DB.5130.0412	Highway Equip-Repairs	\$ 4,433
DB.5140.0100	Snow Removal, Wages	\$ 21,757
DB.5110.0410	Road Repairs-Materials	\$ 3,550
DB.5130.0413	Equipment-Supplies	\$ 5,014

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

All Ayes – Motion Carried & Adopted

Approval of 2018 Animal Cruelty Contract of 2018 with the CNYSPCA:

232-17-001.1 MOTION BY Ms. Lesniak, seconded by Ms. Sabin, to approve the 2018 Animal Cruelty

Contract with the CNYSPCA and authorize the Supervisor to execute the contract.

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 Renewal of Franchise Agreement with Charter Communications:

233-17-009 MOTION BY Ms. Sabin, seconded by Ms. Lesniak, to approve the following resolution:

An application has been duly made to the Board of the Town of Van Buren, County of

Onondaga, New York, by Time Warner Cable Northeast LLC, I/k/a Charter Communications,

a limited liability company organized and existing in good standing under the laws of State of

Delaware doing business at 6005 Fair Lakes Road, East Syracuse, NY 13057, for the approval of

a renewal agreement for Time Warner Cable's cable television franchise for ten (10) years

commencing with the date of approval by the Public Service Commission.

The Franchise Renewal Agreement would bring the franchise into conformity with certain

provisions of the Federal Cable Communications Policy Act of 1984, as amended, and certain

court rulings.

A public hearing was held in the Town of Van Buren, New York on December 5, 2017 at 7:31 P.M. and notice of the hearing was published in the *The Baldwinsville Messenger* on November 29, 2017.

NOW, THEREFORE, the Board of the Town of Van Buren finds that:

1. Time Warner Cable Northeast LLC has substantially complied with the material terms and conditions of its existing franchise and with applicable law; and
2. Time Warner Cable Northeast LLC has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached; and
3. Time Warner Cable Northeast LLC can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.

BE IT FURTHER RESOLVED that the Board of the **Town of Van Buren** hereby grants the cable television franchise of Time Warner Cable Northeast LLC and the **Town of Van Buren** for ten (10) years commencing with the date of approval by the Public Service Commission and expiring ten (10) years hence.

BE IT FURTHER RESOLVED that the Board of the **Town of Van Buren** hereby confirms acceptance of this Franchise Renewal Agreement.

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:

Mr. Tupper said there is a Canton Woods Senior Center Board of Directors meeting this Thursday at 7:45 am at the center and it is open to the public.

Highway Superintendent Comments: None

Supervisor Comments: None

Engineer Comments:

Mr. Hoy said the geotechnical report for the salt shed has been completed and he will start the design work.

Attorney Comments: None

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234-17-000 MOTION BY Ms. Dickman, seconded by Ms. Lesniak, to adjourn to the next Regular Town Board Meeting on December 19, 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 7:37 pm

Respectfully submitted,

Lynn Precourt
Town Clerk

Dated: 12/6/17