

Regular Town Board Meeting of the Town Board of the Town of Van Buren, held on October 2, 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 September 18, 2018:

179-18-000 MOTION BY Ms. Dickman, seconded by Mr. Dudzinski, to approve the minutes of the Regular Town Board Meeting on September 18, 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

Public Hearing – 7 pm to hear comments on Local Law D-2018, parking prohibition on Warners Road and Downer Street:

180-18-000 MOTION BY Ms. Sabin, seconded by Mr. Dudzinski, to recess the regular meeting, open the public hearing and waive reading the legal notice on September 23, 2018 published in the *Post Standard*.

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

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Mr. Sykes said this will prohibit parking on Warners Road from Sorrell Hill to Brickyard Road and on Downer Street on both sides from Meigs Road to Sun Meadows Way.

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

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

Mr. Sykes said the town received the following letter from Paul Dreher-Wiberg, Warners Road resident:

On the advice of Mr. Foster of the Town of Van Buren Highway Department, I write to request that signs be posted on Rt. 173 (Warners Road) opposite our home similar to those now posted on Brickyard Road just northeast of the intersection with Rt. 173, prohibiting the parking of vehicles over 18,000 pounds,. It is my understanding that placing such signs would require the action of the town board.

We live 7/10 of a mile west of Sysco's large distribution facility, and on a frequent basis, are awakened in the middle of the night by the sound of tractor trailers that have parked there, running their generators or refrigeration equipment. The shoulder directly across from our home is wide, and a magnet for truckers who arrive in the very early hours of the morning on their way to Sysco. Apparently, Sysco has restrictions about who can pull in during the night and wait for the facility to open in the morning, and so the shoulder across our house has become the de facto staging area for such vehicles. This happens several times a month. Not only do we lose sleep, but my wife is nervous about having strangers in such close proximity to our home in the middle of the night.

Currently, it means that I must get up, get dressed, grab a flashlight, cross the road and ask the trucker to move, explaining that they are keeping us awake and that the State Police have told us it is unsafe for them to park there, and that we have been told to call the State Police to come and tell them to move. Usually the truckers are cooperative and move on. Occasionally, they become hostile and argumentative and at such times I return home and call the troopers. It will often take hours for a trooper to arrive. I have, on occasion, feared for my own safety.

We do not want to restrict all parking, since the deep ditch in front of our home prohibits parking on our side of the road, leaving the other side as the only place where our guests can park during the day.

I respectfully request that the town council act to authorize the Highway Department to place appropriate signage across the road from our home. Thank you in advance for acting on our request. If there is to be a public hearing of some sort on this matter, please advise me so we can attend.

Signed, Paul Dreher-Wiberg

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181-18-000 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 D-2018 – parking prohibitions on Warners Road and Downer Street:

182-18-030 The following resolution was offered by Mr. Tupper, who moved its adoption, seconded by Mr. Dudzinski to wit:

WHEREAS, pursuant to the provisions of the Municipal Home Rule Law, proposed Local Law D-2018, “A Local Law to Amend Chapter 186 of the Code of the Town of Van Buren, titled, ‘Vehicles and Traffic’ with respect to restrictions on parking on Warners Road and Downer Street Road” was presented and introduced at a regular meeting of the Town Board of the Town of Van Buren held September 18, 2018; and

WHEREAS, a public hearing was held to consider said proposed Local Law No. D-2018 on October 2, 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, at its regular meeting held on September 18, 2018, this Board, as lead agency, determined it would act as lead agency pursuant to SEQR and further determined that the enactment of this Local Law is a Type II action pursuant to 6 N.Y.C.R.R. Part 617.5(c)(16)(20)(27) thus concluding the environmental review process; and

WHEREAS, it is in the public interest to enact said Proposed Local Law No. D-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. D-2018 as Local Law No. 4-2018 as follows:

**TOWN OF VAN BUREN
LOCAL LAW NO. 4-2018**

**A LOCAL LAW AMENDING CHAPTER 186 OF THE CODE OF
THE TOWN OF VANBUREN TITLED “VEHICLES AND
TRAFFIC” WITH RESPECT TO RESTRICTIONS ON PARKING
ON WARNERS ROAD AND DOWNER STREET ROAD**

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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>
Downer Street Road	Both	From Meigs Road to Sun Meadows Way

Section 2.

Chapter 186 of the Code of the Town of Van Buren shall be amended to add a new Section 186-15.1 as follows:

“186-15.1 Parking prohibited at all times; 9 tons or greater gross vehicle weight.

No person shall park a vehicle weighing 9 tons or more at any time upon the streets or parts thereof described in Schedule XXIII (§186-65), attached to and made a part of this Chapter.”

Section 3.

Chapter 186 of the Code of the Town of Van Buren shall be amended to add a new Schedule XXIII, Section 186-65 thereto, as follows:

“§186-65. Schedule XXIII: No Parking; Vehicles in excess of 9 tons.

In accordance with the provisions of §186-15.1, no person shall park a vehicle weighing 9 tons or greater at any time, upon any of the following described streets, road or parts thereof.

<u>Street Name</u>	<u>Direction</u>	<u>Location</u>
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Warners Road

East

**From East Sorrell Hill
Road to Brickyard Road**

Section 4.

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 5.

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

Consider waiver for retaining wall at 9 Naylor Circle:

Mr. Hoy said he has looked at the property and the homeowner wants to move the swale back a bit to make the backyard a little larger. He said he doesn't see a problem with the wall, it will actually improve the town's access. He said the homeowner understands that the flow line will need to be re-established.

183-18-015 MOTION BY Ms. Sabin, seconded by Mr. Zaccaria, to approve retaining wall at 9 Naylor Circle.

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. Sabin said she held a Land Use Committee meeting before the worksession and they discussed changes to the code for fences. She said at this time the only change they are requesting is that the "good" side of the fence be facing out.

Ms. Dickman congratulated Canton Woods on their 40th anniversary.

Ms. Dickman said the Labor Committee has met and contract negotiations will begin soon with the Operating Engineers Union.

Mr. Tupper also congratulated Canton Woods on their anniversary and commented they had a very good turnout at the party.

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Highway Superintendent Comments: None

Supervisor Comments:

Mr. Sykes said the 2019 budget has been distributed and meetings with department heads are scheduled.

Engineer Comments: None

Attorney Comments: None

Citizens Comments: None

184-18-000 MOTION BY Ms. Dickman, seconded by Mr. Dudzinski, to adjourn to the next Regular Town Board Meeting on October 16, 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

Respectfully submitted,

Lynn Precourt
Town Clerk

Dated: 10/4/18