

Regular Town Board Meeting of the Town Board of the Town of Van Buren, held on May 19, 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 Lesnisk	Councilor
Mr. Howard Tupper	Councilor
Ms. Patricia Dickman	Councilor via video conference
Mr. Ronald Dudzinski	Councilor
Ms. Mary Frances Sabin	Deputy Supervisor
Mr. Claude Sykes	Supervisor

Also present:

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

Mr. Sykes asked all to stand for the Pledge of Allegiance.

Mr. Sykes asked for a Roll Call of members present.

Mr. Sykes said due to Covid-19 this meeting has no audience and is being streamed live on Facebook and on Zoom.

Approve minutes of the 5/5/20 Regular Town Board Meeting:

065-20-000 MOTION BY Ms. Sabin, seconded by Mr. Dudzinski, to approve the minutes of the May 5, 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

Resolution regarding reporting standard workday and service credit to NYS Retirement for Councilor Tupper, .73 days per month:

066-20-038 MOTION BY Mrs. Van Der Water, seconded by Mr. Dudzinski, to approve or purposes of monthly reporting for the NYS Retirement System, the standard workday and service credit to be reported to the System is as follows:

Howard Tupper: .73 hours a month

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

Discussion/Action on this year's operation of town pool and summer day camp and playground operations:

Mr. Sykes said he asked you all to come prepared to discuss this tonight. There have not been a whole lot of changes since two weeks ago and what we're allowed to do. Obviously, Phase 1 is open and they are talking Phase 4 before recreation is viable and there may be special considerations even then. I sent you all a thing from the CDC regarding reopening of youth programs and camps during the Covid-19 pandemic. They have a progressive columnization of the process and we can't get out of the first column because we don't have enough area in our lodge or the large pavilion to social distance. So we can't even consider it really, when you come right down to it, does anyone else have any other comments?

Ms. Sabin said in the second column it has intensify cleaning and we also don't have staff that can go, if one person moves to one location in the pavilion or the lodge we don't have someone who can stand there and disinfect the prior location before someone else gets there.

Mr. Sykes said it would require a full time person to disinfect throughout the day. We don't have the resources for that not do we have the area for proper social distancing as required.

Mrs. Van Der Water said it's too soon to bring all these kids together.

Mr. Sykes said yes, and as was mentioned earlier we have this new Kawasaki like disease that's cropping up ad affecting children. Our main focus has to be the protection of the children, protection of our employees and obviously the protection of the Town of Van Buren.

Mr. Tupper said we can't run the concession stand the pool activities are antithetical to social distancing with people in the water, you couldn't do it.

Ms. Lesniak said I agree with Wendy, it is too early.

Mrs. Van Der Water said I understand this is going to cause a lot of inconvenience to parents that use the summer program or the camps for the kids while they are working but we can't take the liability or

the risk to the children's health. Making the decision now will give them time to get a Plan B in place for daycare.

Mr. Dudzinski asked if there is daycare available now or is that still closed.

Mr. Sykes said the County is running a daycare program but it's supposed to end around June 1<sup>st</sup>. They may extend it, I don't know.

Ms. Lesniak said it is for first responders and those on the front lines first but I think they have open space but it's not supposed to be for the general public.

Mr. Tupper said we've seen how people in other states have violated the rules and they've had to shut back down.

Mr. Sykes said it's gonna be unfortunate but we're better off erring on the side of caution. It wouldn't be said that the Town of Van Buren didn't do something exactly perfect and someone gets sick we don't need that. I think we should err on the side of caution and protect everyone involved. He asked if anyone else has any other comments.

Mr. Dudzinski said he understands our conversation is about everything that is happening in the summer, but as of right now we can still use the park to walk.

Mr. Sykes said the park is open for jogging, walking, fishing and tennis, those are all ok.

Mr. Dudzinski said it is not completely shut down it is still available to use.

Mr. Sykes said right, the disc golf is shut down, playground equipment is cordoned off because that requires constant disinfection you'd have to have someone standing right there when two or three kids leave you have to disinfect it again. We don't have that kind of staff and resources.

Mr. Dudzinski said no basketball in the park.

Mr. Sykes said the hoops are still down.

Mr. Dudzinski said what about tennis?

Mr. Sykes said tennis is allowable; the state opened that back up so that is allowable.

Ms. Sabin said Heidi has already notified us that they have had problems at the park with people not social distancing, having alcohol parties, letting dogs run wild in the park as well. So if people aren't going to social distance now when it's still mandatory, when it's less mandatory I don't think anybody is going to pay attention to it.

Mr. Dudzinski said since Mary France brought that up can we have the park open and should there start to be instances where they aren't doing it will we be able to shut the park down.

Mr. Sykes said all the gates are locked except the main gate so people can get into the office if they want to come in and it's barricaded off below the first parking area where it widens out before the pool entry

it's cordoned off there. So people can go in and park and walk, social distancing, they can jog, they can fish and they can play tennis, but that's it.

Mr. Dudzinski said if it gets out of hand?

Mr. Sykes said we can shut that down too. We can control our own park and we are obliged to control our own park.

Mr. Sykes asked if there is anymore discussion?

Mrs. Van Der Water said she wants to add that the restrooms are not open regardless if you want to attend the park to walk, jog or whatever they are not going to be open.

Mr. Sykes said right, because they require constant disinfection and we don't have the resources.

Mr. Tupper said this does not include the trail along the Erie Canal, that's still open.

Mr. Sykes said yes that is still open.

Mr. Dudzinski said I see a lot of activity out there a lot of people are out there now because it's very quiet out there.

Mr. Sykes said there are a lot of people walking, there's no question.

Mrs. Van Der Water said the temperatures are getting warmer.

Mr. Sykes said this weekend will be a good test.

Mr. Sykes asked if anyone else has any comments.

067-20-000 MOTION BY Mrs. Van Der Water, seconded by Mr. Dudzinski, to not operate the town pool, summer playground or day camp as we normally do for the year 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

Approval of 284 Agreement with Highway Superintendent:

Mr. Sykes said Doug's got a few more prices to get. Vendors with this whole thing are kinda shut down a little too, it hard to get a hold of them to get the pricing he needs. That will probably be on the agenda for next time.

Approval for fence waiver for 55 Waterfront Drive:

Mr. Sykes said Jason has been out and looked at all of these and there's no problem with any of them so we won't ask for his comments all the way through.

Mr. Hoy said it's the standard comment on all of them, small swales. The 7 Cross Country one if you remember there was an easement for a fence (rest of statement not audible)

068-20-034 MOTION BY Mrs. Van Der Water, seconded by Ms. Lesniak, to declare these actions Type II under SEQRA with no adverse environmental impacts and approve the fence waiver for 55 Waterfront Drive.

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

Approval of fence waiver for 309 Caserta Drive:

069-20-034 MOTION BY Mr. Tupper, seconded by Mr. Dudzinski, to declare these actions Type II under SEQRA with no adverse environmental impacts and approve the fence waiver for 309 Caserta Drive.

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

Approval of fence waiver for 7 Cross Country Drive:

070-20-034 MOTION BY Ms. Sabin, seconded by Mrs. Van Der Water, to declare these actions Type II under SEQRA with no adverse environmental impacts and approve the fence waiver for 7 Cross Country Drive.

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

Approval for fence waiver for 23 Naylor Circle:

071-20-034 MOTION BY Ms. Lesniak, seconded by Mrs. Van Der Water, to declare these actions Type II under SEQRA with no adverse environmental impacts and approve the fence waiver for 23 Naylor Circle.

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

Approval of shed waiver for 23 Naylor Circle:

Ms. Sabin asked if Jason could tell her where this will be in comparison to the fence waiver.

Mr. Hoy said sure, the fence waiver is actually crossing a sanitary sewer easement on the side of the property. There's one section of fence that's gonna cross that. The Board may remember that up on Naylor Circle probably five years ago we relinquished our drainage easement for three houses because the backyards slope uphill. This is the next house down the hill, same situation but they were not included when Ryan Homes came to us. So this is the same thing, the shed is going to go on the hill where we have the drainage easement but we're never gonna have water there.

072-20-034 MOTION BY Mr. Dudzinski, seconded by Mrs. Van Der Water, to declare these actions Type II under SEQRA with no adverse environmental impacts and approve the shed waiver for 23 Naylor Circle.

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

Approval of intermunicipal shared services agreement for Code Officers:

Mr. Sykes said this was distributed to you. The Village and Town of Lysander both voted on one that was originally sent over for us to consider. I didn't like the language in it so I had Kevin rewrite it. He contacted the Village attorney on it who wrote the original one and he has sent that on to the Village. The changes are that the provider will be held harmless by the municipality requesting the service. And also the new one has a mechanism for payment, compensation for the provider upon request by the providing municipality. That's the only changes from what they originally sent over.

Mr. Gilligan said and then the additional thing we discussed tonight.

Mr. Sykes said right, one thing we have to add to this tonight is that we did have a previous agreement with just the Village of Baldwinsville. We need to add a clause that this new agreement would rescind any previous agreements with the Village of Baldwinsville. So does everyone understand that and do you have questions.

Mrs. Van Der Water said she has a quick question, paragraph five talks about the general liability insurance and the public officers' liability insurance, do you need to set limits for that.

Mr. Gilligan said it is common to do such a thing generally speaking because all the municipalities have the taxpayers as the ultimate source of funding if there is insufficient insurance they would have to go their taxpayers to pay the claim.

Mr. Sykes said they all probably carry the same limits we do or more anyway. It is kinda common thing you have to have these days, you know you gotta keep your limits up there.

073-20-001 MOTION BY Ms. Sabin, seconded by Ms. Lesniak, to approve the revised intermunicipal shared services agreement for Code Officers with the addition that this agreement would rescind the 2010 agreement with the Village of Baldwinsville.

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 said she contacted Verizon FIOS because I was getting questions from Condos Two and Three from the management companies to see what was gonna happen with flags that they had put out to show where they would be installing the new cable and that got resolved. I am hoping Verizon FOIS, now that construction can begin again, I don't know where in the process it is as far as being necessary. But it is still in the process and supposed to be done this year.

Ms. Sabin said we had a Land Use Committee meeting tonight that did go out live on Facebook. We went over codes from Clay, Cicero, Fayetteville-Manlius in addition to the other 11 codes that we had looked at from other towns plus the sample. So I will be getting an updated draft out, but I am not going to give an actual date of when that will happen.

Mr. Dudzinski said I would just like to bring up what Howard said when we were talking about the park. We do have the Erie Canal Trail in Memphis. Please go out and enjoy it, there's plenty of room to walk, it's very desolate. It's quiet and there's fishing out there. It's really something you might want to go out there and give a look.

Highway Superintendent Comments:

Mr. Foster said he would like to make a couple quick comments concerning three groups of people, one being the Board, two being the employees at the highway department and third being the residents. I want to thank the Board for acting quickly and efficiently with the ever-changing situation. I think all the employees at the highest level of importance are acting quickly to safeguard their interests. I think it was a great thing to do. It's a wonderful thing to see happening that the Town Board cares about their employees that much. Two, the highway employees are utterly amazing at how well they've handled all the changes that come down daily if not hourly and for the most part they have been very good about taking it as it comes and moving on. Both sides have been great. And lastly the residents, for the most part, and I expect it's wearing on people but for the most part the residents have been very understanding. We are obviously behind, they are very understanding just trying to get their complaints listened to but they understand we'll get to the when we can get to them. So thank you to all three groups, in a bad situation it has been a bright light, to know everyone is trying to work together and do what's best so thank you.

Supervisor Comments:

Mr. Sykes said he neglected to mention this two weeks ago but I was in Arizona when all this hit and the plug got pulled. I want to thank Mary Frances for her leadership on this whole situation and getting the ball moving in the right direction and getting the town set up to do what we need to do following the guidelines issued by the state. I know it's been a lot of work since I got back and I know it was a lot of work for her. I was in touch with her daily via email and even at the outset I cannot even imagine what it was because to be honest this is the first time anybody has ever dealt with this and everybody from the federal government on down was flying by the seat of their pants with this. I appreciate your hard work and the time that you had to put in while I was on vacation so thank you.

Ms. Sabin said my sole mission was to protect the employees and make sure the building was safe and if anyone had a comment that they did not feel comfortable with people coming in we tried to act as quickly as we could to protect all the employees and still maintain some services.

Mr. Sykes said thank you again.

Mr. Sykes said we received a letter from the NYS Department of Transportation regarding the signalization of Rt. 690 and Downer Street. They are planning on doing that in the construction season of 2024. The Downer Street Corridor Study said that intersection would fail in 2015, obviously we're five years beyond that already so they're gonna be about nine years late. But it's better late than never.

Ms. Lesniak asked if we can post that letter on the website.

Mr. Sykes said we can.

Mrs. Van Der Water asked Claude if that is something you have to follow up with the DOT in 2024 and say it's time.

Mr. Sykes said it says in here that it is anticipated that both new three color signals will be constructed so I am assuming it's on their drawing board and gong through their process, it's got to be funded and everything else. If funding doesn't come it will be later than that. That's the thing we're putting it out there saying 2024, if the state doesn't fund it, it's not gonna happen.

Ms. Lesniak said in 2023 we should be prompting them.

Mrs. Van Der Water said that's my question, should we be bugging them in 2023.

Mr. Sykes said it should be on Jason's radar to contact them. I know he'll still be here then.

Ms. Sabin said and we contacted Assemblyman Magnarelli to help us out as well.

Mr. Sykes said the Assemblyman was copied on this letter as well.

Ms. Lesniak said that's the best to go at this point is the Chair of Transportation.

Mr. Sykes said I can have Lynn post it.

Ms. Lesniak said it was a hot topic at his town hall.

Mr. Sykes said the re-lighting project for Town Hall and the Park's Office they're gonna be moving in next Tuesday to start those they figure they'll be here all week. So it's four days next week all the lighting will be redone here with LED's as well as the Park Office. It's through National Grid and the company doing it is called Lime so we can look forward to savings there.

Mr. Sykes said the courts will be open tomorrow only for employees not for the public. It's so they can get caught up on their backlog and start planning for the next phases when they will open and start hearing cases again. I spoke with one of the judges and was told he got three emails in two hours and they all contradicted each other. I think they finally got it together and they are opening tomorrow.

Mr. Sykes said at the last meeting we voted to send a pick up truck to the auction, we got \$1325.00 from that and the mower we also authorized we got \$4800 and change for that at the auction.



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Ms. Sabin asked where that money goes.

Mr. Sykes said back into the General Fund.

Citizens Comments: None

Engineer Comments:

Mr. Hoy said back at our March meeting we authorized Ianuzzi & Romans to do a topographic survey in Lower Seneca Knolls and they will start that this week. We sent a letter out to all the residents last week in case they had concerns about seeing the survey vehicles out there. The letter is posted on the website as well.

Mr. Sykes said they've done the flyover part already.

Mr. Hoy said correct.

Mr. Sykes said before the leaves came on.

Mr. Hoy said their price was lower because of the flyover they did in upper Seneca Knolls in 2007 so they had a portion of the lower Knolls already.

Mr. Sykes said they will just finish up with the ground work.

Mr. Sykes said I've had a couple comments come in and messages that I left with Jason, people who have questions.

Attorney Comments: None

074-20-000 MOTION BY Ms. Sabin, seconded by Ms. Lesniak, to adjourn to the next Regular Town Board Meeting on June 2, 2020 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 7:25 pm

Respectfully submitted,

Lynn Precourt

Town Clerk

Dated: 5/20/20

