

Regular Town Board Meeting of the Town Board of the Town of Van Buren, held on June 2, 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 via video conference
Mr. Howard Tupper	Councilor
Ms. Patricia Dickman	Councilor via video conference
Ms. Mary Frances Sabin	Deputy Supervisor
Mr. Claude Sykes	Supervisor

Absent: Mr. Ronald Dudzinski, Councilor

Also present:

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

Treybrook representatives

Andy Bowes, resident

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 Zoom.

Approve minutes of the 5/21/20 Regular Town Board Meeting:

075-20-000 MOTION BY Ms. Sabin, seconded by Mrs. Van Der Water, to approve the minutes of the May 21, 2020 Regular Town Board meeting as published.

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

All Ayes – Motion Carried & Adopted

Mr. Sykes said there will be three public hearings tonight, the first will be for sanitary sewer district, the second for the drainage district and the third for the lighting district. These districts are necessary so they can get all the utilities in there. This will only impact the people who will live in that development, no one else.

Public Hearing on Treybrook Sanitary Sewer District:

076-20-000 MOTION BY Mr. Tupper, seconded by Ms. Sabin, to recess the regular meeting, open the public hearing and waive reading the legal notice published in *The Post Standard* on May 17, 2020.

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

All Ayes – Motion Carried & Adopted

Mr. Sykes said okay, we are in the public hearing and you have the resolution in front of you that was prepared by the attorney and you're probably gonna tell me something about SEQRA aren't ya?

Mr. Gilligan said yeah, we did the SEQR when we introduced the districts.

Mr. Sykes asked if there was anyone to speak against the Treybrook Sanitary Sewer District formation.

Mr. Andy Bowes said he would like to speak for.

Mr. Sykes asked if there was anyone else opposed to the sanitary sewer district formation.

Mr. Sykes asked if there was anyone to speak in favor of the Treybrook Sanitary Sewer District formation.

Mr. Sykes asked Josh if he wanted to speak and advised where to stand for camera.

Josh said as the Project Sponsor we support the creation of the sanitary sewer district.

Mr. Sykes said very good and you'll probably want to do that for the next two also.

He said yes I will.

Mr. Sykes asked if there was anyone else to speak in favor.

Ms. Sabin said Andy.

Mr. Sykes said Andy Bowes.

Mr. Sabin and Mr. Sykes directed Mr. Bowes where to stand.

Mr. Bowes suggested tape on the floor.

Mr. Bowes said he wanted to say thank you to the town and to Treybrook for what they are doing. They keep showing up and trying to do the right thing. One interesting thing is they wanted to clean up the roadside to the entrance to their development and they were proactive about cleaning that up and I think that's very important and thank you for doing that.

Mr. Sykes asked if there was anyone else to speak in favor of the formation of the sanitary sewer district for Treybrook. Hearing none I ask for a motion to close the public hearing.

077-20-039 MOTION BY Mrs. Van Der Water, seconded by Ms. Sabin, to close the public hearing and resume the regular meeting at 7:10 pm.

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

All Ayes – Motion Carried & Adopted

Public Hearing on Treybrook Drainage District:

078-20-039 MOTION BY Mrs. Van Der Water, seconded by Mr. Tupper, to recess the regular meeting, open the public hearing and waive reading the legal notice published in *The Post Standard* on May 17, 2020.

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

All Ayes – Motion Carried & Adopted

Mr. Sykes said we are in public hearing mode on the Treybrook Drainage District.

Mr. Sykes asked if there was anyone to speak against the formation of this drainage district.

Mr. Sykes said hearing none, is there anyone who wants to speak in favor of the formation of this drainage district.

Mr. Brandon Jacobsen said he is in favor.

Mr. Sykes asked if anyone else wants to speak in favor.

Mr. Gilligan said you should state for the record who he is.

Mr. Jacobsen said, „Brandon Jacobsen, Project Sponsor, Brolex Properties.

Mr. Sykes said anyone else wishing to speak in favor of the formation of the drainage district.

Mr. Bowes said I have a question.

Mr. Sykes said come on up.

Mr. Bowes said your land is a little low lying and you have a sewer pump station for the drainage district.

Mr. Sykes said no.

Mr. Bowes said it is not required, *inaudible*, that comes out the back of the property.

Mr. Sykes said it all flows to the river.

Mr. Bowes said yeah, okay, thank you.

Mr. Sykes asked if there was anyone else to speak in favor.

Mr. Sykes said he will entertain a motion to close the public hearing.

079-20-039 MOTION BY Mrs. Van Der Water, seconded by Ms. Sabin, to close the public hearing and resume the regular meeting at 7:12 pm.

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

All Ayes – Motion Carried & Adopted

Public Hearing on Treybrook Lighting District:

080-20-039 MOTION BY Mr. Tupper, 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 May 17, 2020.

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

All Ayes – Motion Carried & Adopted

Mr. Sykes asked if there was anyone in opposition to the lighting district.

Mr. Sykes said hearing none is there anyone to speak in favor of the Treybrook Lighting District.

Mr. Brandon Jacobsen, Brolex Properties, Project Sponsor, we are in favor.

Mr. Sykes asked if there was anyone else to speak in favor of the lighting district.

Mr. Andy Bowes said he is in favor of the lighting district and asked do we have dark skies provisions for the lights.

Mr. Sykes said I am not familiar with dark sky provision. My assumption is you're gonna go through National Grid and they'll map that out.

Mr. Bowes said dark skies is so that the light is all down facing and I would respectfully request the town consider all new districts have dark skies lighting, basically the light goes down and does not go up. It's a thing, it's not that hard to find, thank you.

Mr. Sykes said thank you Andy.

Mr. Sykes said anyone else wishing to speak in favor.

Mr. Sykes said hearing none I would entertain a motion to close the hearing.

081-20-039 MOTION BY Mrs. Van Der Water, seconded by Ms. Sabin, to close the public hearing and resume the regular meeting at 7:15 pm.

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

All Ayes – Motion Carried & Adopted

Approval of Treybrook Sanitary Sewer District:

082-20-045

The following Resolution was moved by Ms. Sabin seconded by Mrs. Van Der Water and passed:

WHEREAS, a written Petition, in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Van Buren, Onondaga County, New York for the establishment of a Sanitary Sewer district in said Town, to be bounded and described as set forth in the Boundary Description attached hereto and made a part hereof; and

WHEREAS, it is proposed that Brolex Properties, LLC install the necessary 180' ± - 4-inch SDR 35, 7,660' ± - 8-inch SDR 35 sanitary sewer piping, new manholes, cleanouts and appurtenances, as shown on the engineering drawings and specifications, with connection to an existing sanitary sewer manhole located on the northeast side of Van Ness Road South to serve the Treybrook Subdivision located on State Fair Boulevard (New York State Route 48) in the Town of Van Buren; and

WHEREAS, the cost of the formation of the district and the cost of the Sanitary Sewer facilities will be paid directly by Brolex Properties, LLC; and complies with the provisions of Article 12 of the Town Law, and that there is annexed to said Petition a Map, Plan and Report showing the boundaries of the proposed Treybrook Sanitary Sewer District and a general plan of the proposed district; and it is

FOUND, ORDERED AND DETERMINED, by the Town Board of the Town of Van Buren that it is in the public interest to grant the whole relief sought by said Petition and that

all the property, property owners and interested persons within said proposed district are benefitted thereby, and that all property or property owners benefitted are included, and that no property or property owners or interested persons benefitted thereby have been excluded therefrom; and it is further

ORDERED, that the establishment of the Treybrook Sanitary Sewer District be approved; that the improvements proposed in said petition be constructed and the service therein mentioned provided at the sole cost and expense of Brolex Properties, LLC; and that such district shall be designated and known as the Treybrook Sanitary Sewer District and shall be bounded and described as set forth in the Boundary Description attached hereto and made a part hereof; and it is further

FOUND, ORDERED AND DETERMINED, that pursuant to Article 12 of the Town Law, the expenses of the Sanitary Sewer District shall be assessed, levied, and collected from the several lots and parcels of land within the Sanitary Sewer District for such purpose, in proportion as nearly may be to the benefit which each lot or parcel will derive therefrom as determined by the Town Board as provided by law; and it is further

FOUND, ORDERED AND DETERMINED, the cost of the formation of the district and the cost of the Sanitary Sewer facilities will be paid directly by Brolex Properties, LLC; and it is further

ORDERED, that the Town Clerk shall, within ten (10) days after the adoption of this Resolution and Order, file a certified copy thereof, in the office of the County Clerk of the County of Onondaga at Syracuse, New York; and it is further

ORDERED, that this Resolution and Order shall take effect immediately.

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

All Ayes – Motion Carried & Adopted

Boundary Description

Trey Brook Subdivision Sanitary Sewer District

Town of Van Buren, Onondaga County, New York

PROPOSED DESCRIPTION OF TREY BROOK SUBDIVISION, TOWN OF VAN BUREN, ONONDAGA COUNTY, STATE OF NEW YORK.

All that tract or parcel of land situate in the Town of Van Buren, County of Onondaga and State of New York and being part of Lots 15, 23 and 43 in said Town and being more particularly bounded and described as follows:

Beginning at the intersection of the centerline of New York State Route No. 48 with the north line of Seneca Knolls, Section Das shown on a map of said tract filed in the Onondaga County Clerk's Office as map No. 3952,

Thence $N42^{\circ}22'47''W$, along said centerline, a distance of 476.00 feet to an angle point therein;
Thence $N42^{\circ}50'59''W$, along said centerline, a distance of 640.03 feet to the southerly corner of a parcel of land described in deed to Trapp and Evans, recorded in said Clerk's Office in Book of Deeds 4750 at page 115;

Thence $N55^{\circ}34'02''E$, along the southeast line of said parcel and through an iron pipe near said centerline, a distance of 385.49 feet to an iron pipe at the east corner of said parcel;

Thence $N38^{\circ}57'43''W$, along the northeast line of said parcel and the northeast line of a parcel of land described in a deed to Capria recorded in said Clerk's Office in Book of Deeds 4744 at page 823, a distance of 199.25 feet to an iron pipe at the east corner of said Capria parcel;

Thence $S55^{\circ}34'06''W$, along the northwest line of said Capria parcel, a distance of 89.79 feet;
Thence $N38^{\circ}07'03''W$, a distance of 150.01 feet along the northwestern line of said parcel and the northeast line of Lot I Seneca Golf Course, as shown on Filed Map No. 12262 made by J. Stephen Sehnert, LLS, dated June 22, 2016 recorded in said Clerk's Office on October 13, 2016; Thence $S55^{\circ}34'06''W$, a distance of 300.00 feet to said centerline;

Thence $N37^{\circ}56'27''W$, along said centerline, a distance of 324.05 feet to the northwest line of lands described in a deed to Route Forty-Eight Corp. recorded in said Clerk's Office in Book of Deeds 2543 and page 685; thence the following five courses and distances along the said northwest line:

1. $N57^{\circ}47'53''E$, a distance of 113.50 feet;
2. $N37^{\circ}52'49''W$, a distance of 78.03 feet to an iron;
3. $N52^{\circ}45'02''E$, a distance of 239.00 feet;
4. $N34^{\circ}22'18''W$, a distance of 135.85 feet to an iron;
5. $N50^{\circ}51'18''E$, a distance of 925.86 feet to an iron pipe on the southwesterly line of Van Ness Road South;

Thence $N46^{\circ}07'17''W$, along said southwesterly road, a distance of 177.09 feet;

Thence $N86^{\circ}21'07''E$, across said road, a distance of 135.58 feet to the southwest line of lands of the Erie-Lackawanna Railroad Co.;

Thence $S46^{\circ}07'17''E$, along said southwest line, a distance of 1043.26 feet to a point of curve;
Thence southeasterly on a curve to the left having a radius of 6589.40 feet, a length of arc of 668.96 feet to a railroad monument at the point of tangency;

Thence $S51^{\circ}56'17''E$, a distance of 15.59 feet to the northerly corner of Lot 2, Seneca Golf Course as shown on a map by Applied Earth Technologies, Stephen Sehnert, Land Surveyor, filed in the Onondaga County Clerk's Office as map No. 12262;

Thence $S45^{\circ}39'08''W$, along the northwest line of said lot, a distance of 68.99 feet to the westerly corner of said lot;

Thence $S45^{\circ}47'34''E$, along the southwesterly line of said lot, a distance of 435.00 feet to the south corner of said lot;

Thence N45°39'08"E along the southeasterly line of said lot, a distance of 115.97 feet to the east corner of said lot and the southwesterly line of said railroad;

Thence S51°56'17"E, along said railroad, a distance of 1217.30 feet to a widening in said railroad lands;

Thence S03°26'17"E, a distance of 22.03 feet; Thence S51°56'17"E, a distance of 115.29 feet to the easterly extension of the north line of Seneca Knolls, Section C as shown on a map of said tract filed in said Clerk's Office as map No. 3893;

Thence S86°13'53"W, along said extension and the north line of Seneca Knolls sections C and D, a distance of 2380.82 feet to the point of beginning.

Excepting there from a small triangular parcel in the westerly corner of the above described parcel appropriated by the People of the State of New York as Parcel No. 29, Map No. 26 and recorded in said Clerk's Office in Book of Deeds 2033 at page 376.

The above containing 90.28± acres of land.

References:

1. A deed filed in the Onondaga Clerk's Office having Instrument No. 2019-00020746, on 06/13/2019 with First Party 1 being Brolex Properties LLC, First Party 2 being Massett, James R..
2. A Map made by J. Stephen Sehnert, LLS, dated June 22, 2016 and filed in the Onondaga Clerk's Office on October 13, 2016 as Map No. 12262 both depicting and describing Lot 1. Seneca Golf Course.
3. A deed filed in the Onondaga Clerk's Office having Instrument No. 2019-00011242, on 03/25/2019 with First Party 1 being Route Forty Eight Corp, First Party 2 being Brolex Properties LLC.

Approval of Treybrook Drainage District:

083-20-013

The following Resolution was moved by Ms. Sabin seconded by Mrs. Van Der Water and passed:

WHEREAS, a written Petition, in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Van Buren, Onondaga County, New York for the establishment of a Drainage district in said Town, to be bounded and described as set forth in the Boundary Description attached hereto and made a part hereof; and

WHEREAS, it is proposed that Brolex Properties, LLC construct the two stormwater management wet ponds, bio-retention facilities, install the 940'± - 6-inch perforated HDPE storm sewer piping, 6,494'± - 8-inch - 24-inch HDPE storm sewer piping, storm manholes, catch basins, end sections and appurtenances, as shown on the engineering drawings and specifications, to serve

the Treybrook Subdivision located on State Fair Boulevard (New York State Route 48) in the Town of Van Buren; and

WHEREAS, the cost of the formation of the district and the cost of the Drainage facilities will be paid directly by Brolex Properties, LLC; and complies with the provisions of Article 12 of the Town Law, and that there is annexed to said Petition a Map, Plan and Report showing the boundaries of the proposed Treybrook Drainage District and a general plan of the proposed district; and it is

FOUND, ORDERED AND DETERMINED, by the Town Board of the Town of Van Buren that it is in the public interest to grant the whole relief sought by said Petition and that all the property, property owners and interested persons within said proposed district are benefitted thereby, and that all property or property owners benefitted are included, and that no property or property owners or interested persons benefitted thereby have been excluded therefrom; and it is further

ORDERED, that the establishment of the Treybrook Drainage District be approved; that the improvements proposed in said petition be constructed and the service therein mentioned provided at the sole cost and expense of Brolex Properties, LLC; and that such district shall be designated and known as the Treybrook Drainage District and shall be bounded and described as set forth in the Boundary Description attached hereto and made a part hereof; and it is further

FOUND, ORDERED AND DETERMINED, that pursuant to Article 12 of the Town Law, the expenses of the Drainage District shall be assessed, levied, and collected from the several lots and parcels of land within the Drainage District for such purpose, in proportion as nearly may be to the benefit which each lot or parcel will derive therefrom as determined by the Town Board as provided by law; and it is further

FOUND, ORDERED AND DETERMINED, the cost of the formation of the district and the cost of the Drainage facilities will be paid directly by Brolex Properties, LLC; and it is further

ORDERED, that the Town Clerk shall, within ten (10) days after the adoption of this Resolution and Order, file a certified copy thereof, in the office of the County Clerk of the County of Onondaga at Syracuse, New York; and it is further

ORDERED, that this Resolution and Order shall take effect immediately.

The question of the adoption of the foregoing Resolution and Order was duly put to a vote and upon roll call the vote was as follows:.

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

All Ayes – Motion Carried & Adopted

Boundary Description
Trey Brook Subdivision Drainage District
Town of Van Buren, Onondaga County, New York

PROPOSED DESCRIPTION OF TREY BROOK SUBDIVISION, TOWN OF VAN BUREN, ONONDAGA COUNTY, STATE OF NEW YORK.

All that tract or parcel of land situate in the Town of Van Buren, County of Onondaga and State of New York and being part of Lots 15, 23 and 43 in said Town and being more particularly bounded and described as follows:

Beginning at the intersection of the centerline of New York State Route No. 48 with the north line of Seneca Knolls, Section Das shown on a map of said tract filed in the Onondaga County Clerk's Office as map No. 3952,

Thence N42°22'47"W, along said centerline, a distance of 476.00 feet to an angle point therein;
Thence N42°50'59"W, along said centerline, a distance of 640.03 feet to the southerly corner of a parcel of land described in deed to Trapp and Evans, recorded in said Clerk's Office in Book of Deeds 4750 at page 115;

Thence N55°34'02"E, along the southeast line of said parcel and through an iron pipe near said centerline, a distance of 385.49 feet to an iron pipe at the east corner of said parcel;

Thence N38°57' 43"W, along the northeast line of said parcel and the northeast line of a parcel of land described in a deed to Capria recorded in said Clerk's Office in Book of Deeds 4744 at page 823, a distance of 199.25 feet to an iron pipe at the east corner of said Capria parcel;

Thence S55°34'06"W, along the northwest line of said Capria parcel, a distance of 89.79 feet;
Thence N38°07'03"W, a distance of 150.01 feet along the northwestern line of said parcel and the northeast line of Lot I Seneca Golf Course, as shown on Filed Map No. 12262 made by J. Stephen Sehnert, LLS, dated June 22, 2016 recorded in said Clerk's Office on October 13, 2016; Thence S55°34'06"W, a distance of 300.00 feet to said centerline;

Thence N37°56'27"W, along said centerline, a distance of 324.05 feet to the northwest line of lands described in a deed to Route Forty-Eight Corp. recorded in said Clerk's Office in Book of Deeds 2543 and page 685; thence the following five courses and distances along the said northwest line:

1. N57°47'53"E, a distance of 113.50 feet;
2. N37°52'49"W, a distance of 78.03 feet to an iron;
3. N52°45'02"E, a distance of 239.00 feet;
4. N34°22'18"W, a distance of 135.85 feet to an iron;
5. N50°51'18"E, a distance of 925.86 feet to an iron pipe on the southwesterly line of Van Ness Road South;

Thence N46°07'17"W, along said southwesterly road, a distance of 177.09 feet;

Thence N86°21'07"E, across said road, a distance of 135.58 feet to the southwest line of lands of the Erie-Lackawanna Railroad Co.;

Thence S46°07'17"E, along said southwest line, a distance of 1043.26 feet to a point of curve; Thence southeasterly on a curve to the left having a radius of 6589.40 feet, a length of arc of 668.96 feet to a railroad monument at the point of tangency;

Thence S51°56'17"E, a distance of 15.59 feet to the northerly corner of Lot 2, Seneca Golf Course as shown on a map by Applied Earth Technologies, Stephen Sehnert, Land Surveyor, filed in the Onondaga County Clerk's Office as map No. 12262;

Thence S45°39'08"W, along the northwest line of said lot, a distance of 68.99 feet to the westerly corner of said lot;

Thence S45°47'34"E, along the southwesterly line of said lot, a distance of 435.00 feet to the south corner of said lot;

Thence N45°39'08"E along the southeasterly line of said lot, a distance of 115.97 feet to the east corner of said lot and the southwesterly line of said railroad;

Thence S51°56'17"E, along said railroad, a distance of 1217.30 feet to a widening in said railroad lands;

Thence S03°26'17"E, a distance of 22.03 feet; Thence S51°56'17"E, a distance of 115.29 feet to the easterly extension of the north line of Seneca Knolls, Section C as shown on a map of said tract filed in said Clerk's Office as map No. 3893;

Thence S86°13'53"W, along said extension and the north line of Seneca Knolls sections C and D, a distance of 2380.82 feet to the point of beginning.

Excepting there from a small triangular parcel in the westerly corner of the above described parcel appropriated by the People of the State of New York as Parcel No. 29, Map No. 26 and recorded in said Clerk's Office in Book of Deeds 2033 at page 376.

The above containing 90.28± acres of land.

References:

1. A deed filed in the Onondaga Clerk's Office having Instrument No. 2019-00020746, on 06/13/2019 with First Party 1 being Brolex Properties LLC, First Party 2 being Massett, James R..
2. A Map made by J. Stephen Sehnert, LLS, dated June 22, 2016 and filed in the Onondaga Clerk's Office on October 13, 2016 as Map No. 12262 both depicting and describing Lot 1. Seneca Golf Course.
3. A deed filed in the Onondaga Clerk's Office having Instrument No. 2019-00011242, on 03/25/2019 with First Party 1 being Route Forty Eight Corp, First Party 2 being Brolex Properties LLC.

Approval of Treybrook Lighting District:

Mr. Tupper said he wanted to comment on Andy's dark skies proposal. That is a requirement in a few states, Arizona for one because they have so many astronomy observatories. I don't know if that would apply here or not. We are surrounded by a lot of stray light applications, the shopping center, Seneca Knolls and others. It is only used for skylight that is interfering with other observations. I don't know how it would benefit anybody here and it is very expensive.

Mr. Sykes said he will check with National Grid to see if they subscribe to that or not and what would be involved with it.

Mr. Gilligan said this normally comes up in commercial development like Destiny and big shopping centers.

Mr. Tupper said billboards, things like that.

Mr. Gilligan said billboards where there is a possibility of spillover light where they have commercial development next to residential development. Even a Byrne Dairy can have spillover light and that's where it usually comes up not in a residential subdivision.

Mr. Bowes said there are lighting *inaudible* in the zoning regulation where light cannot go across property lines and it's a commercial thing. It is not expensive because the light is kind of a shroud, the light has to go so far *inaudible*. It's pretty simple in that context and the town can regulate and enforce the regulations of stray lights. *inaudible*... There will be solar rays and different things *inaudible* and can be *inaudible* on residential having light. The fact that it goes down and not sideways is not an expensive thing and the Board and the town can regulate it.

Mr. Sykes said I will call National Grid and check on it.

Mr. Gilligan said this would be something for the Planning Board.

Mr. Sykes said I will check with Dave Hess and pass the information on to Tony

084-20-032

The following Resolution was moved by Mrs. Van Der Water seconded by Mr. Tupper and passed:

WHEREAS, a written Petition, in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Van Buren, Onondaga County, New York for the establishment of a Lighting district in said Town, to be bounded and described as set forth in the Boundary Description attached hereto and made a part hereof; and

WHEREAS, it is proposed that Brolex Properties, LLC will pay all expenses incidental to the formation of said Lighting district including, but, not limited to, all legal and engineering expenses incurred by the Town and by petitioners in connection therewith; and

WHEREAS, the petition for formation is intended only to form the Lighting district; the There is no obligation by petitioner to install and construct Lighting facilities. This Lighting district is being formed for the sole purpose of forming this district at the same time other districts are being formed; and

WHEREAS, upon formation of the Lighting district, to execute an instrument conveying title to any lands and rights-of-way as may be required by the Town Board of the Town of Van Buren, free and clear of all liens and encumbrances, to the Town of Van Buren on behalf of the Town of Van Buren, Treybrook Lighting District, at no expense to the said Town of Van Buren; and it is

FOUND, ORDERED AND DETERMINED, by the Town Board of the Town of Van Buren that it is in the public interest to grant the whole relief sought by said Petition and that all the property, property owners and interested persons within said proposed district are benefitted thereby, and that all property or property owners benefitted are included, and that no property or property owners or interested persons benefitted thereby have been excluded therefrom; and it is further

ORDERED, that the establishment of the Treybrook Lighting District be approved; and that such district shall be designated and known as the Treybrook Lighting District and shall be bounded and described as set forth in the Boundary Description attached hereto and made a part hereof; and it is further

FOUND, ORDERED AND DETERMINED, that pursuant to Article 12 of the Town Law, the expenses of the Lighting District shall be assessed, levied, and collected from the several lots and parcels of land within the Lighting District for such purpose, in proportion as nearly may be to the benefit which each lot or parcel will derive therefrom as determined by the Town Board as provided by law; and it is further

FOUND, ORDERED AND DETERMINED, the cost of the formation of the district will be paid directly by Brolex Properties, LLC; and it is further

ORDERED, that the Town Clerk shall, within ten (10) days after the adoption of this Resolution and Order, file a certified copy thereof, in the office of the County Clerk of the County of Onondaga at Syracuse, New York; and it is further

ORDERED, that this Resolution and Order shall take effect immediately.

The question of the adoption of the foregoing Resolution and Order was duly put to a vote and upon roll call, the vote was as follows:

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

All Ayes – Motion Carried & Adopted

Boundary Description

Trey Brook Subdivision Lighting District

Town of Van Buren, Onondaga County, New York

PROPOSED DESCRIPTION OF TREY BROOK SUBDIVISION, TOWN OF VAN BUREN, ONONDAGA COUNTY, STATE OF NEW YORK.

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Thence N42°22'47"W, along said centerline, a distance of 476.00 feet to an angle point therein; Thence N42°50'59"W, along said centerline, a distance of 640.03 feet to the southerly corner of a parcel of land described in deed to Trapp and Evans, recorded in said Clerk's Office in Book of Deeds 4750 at page 115;

Thence N55°34'02"E, along the southeast line of said parcel and through an iron pipe near said centerline, a distance of 385.49 feet to an iron pipe at the east corner of said parcel;

Thence N38°57' 43"W, along the northeast line of said parcel and the northeast line of a parcel of land described in a deed to Capria recorded in said Clerk's Office in Book of Deeds 4744 at page 823, a distance of 199.25 feet to an iron pipe at the east corner of said Capria parcel;

Thence S55°34'06"W, along the northwest line of said Capria parcel, a distance of 89.79 feet; Thence N38°07'03"W, a distance of 150.01 feet along the northwestern line of said parcel and the northeast line of Lot I Seneca Golf Course, as shown on Filed Map No. 12262 made by J. Stephen Sehnert, LLS, dated June 22, 2016 recorded in said Clerk's Office on October 13, 2016; Thence S55°34'06"W, a distance of 300.00 feet to said centerline;

Thence N37°56'27"W, along said centerline, a distance of 324.05 feet to the northwest line of lands described in a deed to Route Forty-Eight Corp. recorded in said Clerk's Office in Book of Deeds 2543 and page 685; thence the following five courses and distances along the said northwest line:

1. N57°47'53"E, a distance of 113.50 feet;
2. N37°52'49"W, a distance of 78.03 feet to an iron;
3. N52°45'02"E, a distance of 239.00 feet;
4. N34°22'18"W, a distance of 135.85 feet to an iron;
5. N50°51'18"E, a distance of 925.86 feet to an iron pipe on the southwesterly line of Van Ness Road South;

Thence N46°07'17"W, along said southwesterly road, a distance of 177.09 feet;

Thence N86°21'07"E, across said road, a distance of 135.58 feet to the southwest line of lands of the Erie-Lackawanna Railroad Co.;

Thence S46°07'17"E, along said southwest line, a distance of 1043.26 feet to a point of curve; Thence southeasterly on a curve to the left having a radius of 6589.40 feet, a length of arc of 668.96 feet to a railroad monument at the point of tangency;

Thence S51°56'17"E, a distance of 15.59 feet to the northerly corner of Lot 2, Seneca Golf Course as shown on a map by Applied Earth Technologies, Stephen Sehnert, Land Surveyor, filed in the Onondaga County Clerk's Office as map No. 12262;

Thence S45°39'08"W, along the northwest line of said lot, a distance of 68.99 feet to the westerly corner of said lot;

Thence S45°47'34"E, along the southwesterly line of said lot, a distance of 435.00 feet to the south corner of said lot;

Thence N45°39'08"E along the southeasterly line of said lot, a distance of 115.97 feet to the east corner of said lot and the southwesterly line of said railroad;

Thence S51°56'17"E, along said railroad, a distance of 1217.30 feet to a widening in said railroad lands;

Thence S03°26'17"E, a distance of 22.03 feet; Thence S51°56'17"E, a distance of 115.29 feet to the easterly extension of the north line of Seneca Knolls, Section C as shown on a map of said tract filed in said Clerk's Office as map No. 3893;

Thence S86°13'53"W, along said extension and the north line of Seneca Knolls sections C and D, a distance of 2380.82 feet to the point of beginning.

Excepting there from a small triangular parcel in the westerly corner of the above described parcel appropriated by the People of the State of New York as Parcel No. 29, Map No. 26 and recorded in said Clerk's Office in Book of Deeds 2033 at page 376.

The above containing 90.28± acres of land.

References:

1. A deed filed in the Onondaga Clerk's Office having Instrument No. 2019-00020746, on 06/13/2019 with First Party 1 being Brolex Properties LLC, First Party 2 being Massett, James R..
2. A Map made by J. Stephen Sehnert, LLS, dated June 22, 2016 and filed in the Onondaga Clerk's Office on October 13, 2016 as Map No. 12262 both depicting and describing Lot 1. Seneca Golf Course.
3. A deed filed in the Onondaga Clerk's Office having Instrument No. 2019-00011242, on 03/25/2019 with First Party 1 being Route Forty Eight Corp, First Party 2 being Brolex Properties LLC.

Resolution to approve Treybrook HOA covenants:

Mr. Sykes asked Kevin if he wants to speak on that before we get into it.

Mr. Gilligan said I think we should pass a resolution that reaffirms and ratifies the negative declaration that was issued by this Board on June 4, 2019 and authorize and approve the covenants as they've been reviewed and approved by counsel.

Mr. Sykes asked to entertain a motion to that effect.

Ms. Sabin said during the planning process we talked about having the HOA be professionally managed and so Kevin has assured me that that is in there so I'm comfortable with that. Thank you.

Mr. Foster asked if the plowing is addressed *inaudible* and the one fire entrance.

Mr. Sykes said it will be gated on the east side.

Mr. Foster said how it will be maintained.

Mr. Sykes said Brandon, can you speak to that or Josh.

Mr. Brandon Jacobsen said where the two subdivisions kinda come together we'll have two separate HOA's so to speak with traditional home lots *inaudible* HOA and taking care of the green space and detention areas. We're not at that section of the development yet but when we get to that section which is basically Phase 2 which we hope to be by the end of this year we will have *inaudible* full service HOA maintaining that fire gate for snow removal because that will be where the townhome community starts. As we get there, obviously we'll have it in place, the snow removal will be part of that.

Mr. Sykes said so the HOA is gonna handle the snow removal in that gated area

085-20-052 MOTION BY Ms. Sabin, seconded by Mrs. Van Der Water, to reaffirm and ratify the negative declaration that was issued by this Board on June 4, 2019 and authorize and approve the covenants as they've been reviewed and approved by counsel.

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

All Ayes – Motion Carried & Adopted

Resolution to approve Treybrook Developer Agreement and authorize Supervisor to execute same:

Mr. Sykes asked Kevin if he has any comments on this one.

Mr. Gilligan said yes, once again I think we should reaffirm and ratify the negative declaration issued for SEQR on June 4, 2019 and we can approve the Supervisor to sign the agreement, which I haven't got, by the way. The agreement subject to our receipt and acceptance of securities and insurance and *inaudible* I will be holding, I'll get the Supervisor to sign it and holding it in escrow until everything else is, the insurance, the security, everything is clear.

Mr. Sykes said the developer agreement is who is responsible for what and we do this with all developers, the road paving and this and that and the other thing like grading and all that stuff.

Mr. Bowes said the maintenance of drainage ponds.

Mr. Sykes said it is the HOA.

086-20-001.1 MOTION BY Mr. Tupper, seconded by Mrs. Van Der Water, to reaffirm and ratify the negative declaration issued for SERQ on June 4, 2019 and approve the Supervisor to execute the Treybrook Developer Agreement subject to review and acceptance of insurance and securities.

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

All Ayes – Motion Carried & Adopted

Approval and acceptance of Treybrook’s securities:

Mr. Sykes said Kevin do you want to speak to that.

Mr. Gilligan said we’re gonna scratch that one we just got it today at 3:30 this afternoon so I will have Nadine review those and if everything is cop esthetic we’ll let ya know.

Mr. Sykes asked if we want to pass it contingent upon attorney’s approval.

Mr. Gilligan said no, we don’t want to act on the securities, that’s’ usually just done by counsel.

Mr. Sykes said that’s it for Treybrook then.

Mr. Sykes asked if you have any building permits in for Codes.

One of the representatives said we have one with three more on the way.

Approval of 284 Agreement with Highway Supt.:

Mr. Sykes said you all have a copy of this and it outlines the work Doug plans to do this year. This is the agreement that tells Doug that we will pay for the work he’s laid out.

Mr. Sykes asked Doug if he wants to go through it.

Mr. Foster said sure. He said very quickly Village Boulevard South from the circle all the way to Rt. 48 by the bank is going to be milled and filled with two inches of hot mix asphalt. All of sun Meadows and the newer section of Harbour Heights will have a fiber micro pave. And then there’s a whole bunch of chip seal surface treatment which is more maintenance on a lot of our country roads in the southeast quadrant of town. The reason for Village Boulevard just for quick explanation there are sections of that road that are starting to get pretty bad and there are other sections that are not horrible but that road is so heavily traveled if we let it go it would be bad and break apart quickly. The index of paving, where it’s at right now for this year it makes sense to try to get that done this year. It’s a section we can get a lot done for the money, establish it back to a small crown with a one to two percent slope to get the water off the road. That’s part

of the problem the water is not getting to the drainage spots and that should take care of the problem.

Mr. Sykes asked if there are any questions on this.

Mr. Foster went over all the roads to be treated this year:

Village Boulevard South, both lanes will be milled and filled with hot asphalt.

Sun Meadows Way, Cross Country Drive, Naylor Circle, Silversides Way, Sea Lion Path, Dolphin Drive and Sand Lance Drive will all be fiber macro paved

Turner Road, Haney Road East, Ellsworth Road, north Brickyard Road, Jenda drive, Farwood Drive, Dunn Hill Drive, Highview Drive will all have chip seal surface treatment

Various roads will have crack fill and sealing.

Mr. Tupper asked what percentage of roads is this.

Mr. Foster said not much, we've got about 45 miles of roads that we own, one section is one mile.

Mr. Tupper said so not even 10% then.

Mr. Foster said no our budget doesn't even come close.

Mr. Sykes said it would be nice if we could do ten percent of the roads.

Mr. Foster said we might be able to surface treat with oil and stone that much.

Mr. Sykes said he has a couple comments, all the Board members need to sign this so before you leave you have to sign it on both sides. He said we are looking at probably some cuts to the CHIPS funding and so Doug has pared back his work this year to adjust for what we think may not be coming from the state. We've made those adjustments so it doesn't impact other areas of Doug's budget to make up for it. Unfortunately this thing, there's gonna be a lot of cuts on all levels of government and that's one of them is roads.

087-20-024 MOTION BY Ms. Sabin, seconded by Mrs. Van Der Water, to approve the Section 284 Agreement with the Highway Superintendent as written.

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

All Ayes – Motion Carried & Adopted

Consider sending speed reduction request to NYSDOT for review for Connors Rad from Canton Street to Rt. 31:

Mr. Sykes said he got an email from Jack Gardner on Connors Road requesting a speed limit reduction on Connors Road from Canton Street to Rt. 31.

Mr. Sykes read the email:

I am asking that the stretch of Connors Road in Baldwinsville between Canton Street and Rt. 31 be considered for a speed limit of 45 mph. The last three years traffic has greatly increased and subsequently so has the speed of many vehicles. An increase in motorcycles, sports cars and high speed traffic causes unsafe situation for the increased bicycle and pedestrian traffic. Please consider my request at your next Board meeting.

Jack Gardner, 2209 Connors Road

088-20-046 MOTION BY Ms. Sabin, seconded by Mr. Tupper, to send speed reduction request to NYSDOT for review for Connors Road from Canton Street to Rt. 31.

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

All Ayes – Motion Carried & Adopted

Approval for Supervisor to utilize NYSOGS mini-bid system to procure new truck for Buildings and Grounds Dept. and approval to execute all documents for purchase of said vehicle. Cost to be covered by insurance recovery and from Buildings and Grounds Reserve Fund:

Mr. Maxwell asked to have a not to exceed \$20,000 from the Reserve Fund.

Mr. Sykes said yes. The truck this is going to replace was involved in an accident about 2 weeks ago, the truck is totaled. It wasn't the employee's fault. We are going to get \$11,041.00 in insurance recovery. It was a 2008 Ford F-250 so we're gonna put about \$20,000 with that out of the Reserve Fund and buy a new vehicle off the state contract system.

Ms. Dickman asked how long it takes to get the vehicle.

Mr. Sykes said about 90 days it takes a couple days for the minibid and then once we award it, it will be at least 90 days.

089-20-005 MOTION BY Ms. Sabin, seconded by Ms. Lesniak, to approve for Supervisor to utilize NYSOGS mini-bid system to procure new truck for Buildings and Grounds Dept. and approval to execute all documents for purchase of said vehicle. Cost to be covered by insurance recovery and from Buildings and Grounds Reserve Fund not to exceed \$20,000.

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

All Ayes – Motion Carried & Adopted

Consider fence waiver for 102 Golfside Drive:

Mr. Sykes said Mr. Hoy has looked at this, it backs up to Rt. 690 and none of the water goes towards our drainage system.

090-20-000 MOTION BY Mrs. Van Der Water, seconded by Ms. Sabin, to declare these actions Type II under SEQRA with no adverse environmental impacts and approve the fence waivers for 102 Golfside Drive.

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

All Ayes – Motion Carried & Adopted

Councilor Committee Reports and Comments:

Ms. Sabin said she is meeting with Mr. Tupper and Mr. Andino from the attorney's office this Thursday to go over the changes the attorney is suggesting to the draft property maintenance law.

Highway Superintendent Comments: None

Supervisor Comments:

Mr. Sykes said we opened at 50% staff here yesterday and Lynn had about 20 people come in and did a passport in the afternoon, it was busy for the first day, today was a little less. We even met people outside for codes issues and today we had someone come in about STAR and the assessment clerk met them outside so they didn't even have to come in the building. The clerk's office is using a window under the canopy on the front of the building and this helps eliminate people coming into the building, they won't get wet if it rains, and they can transact their business without even coming in the building so that is advantageous. The employees need to be commended for their adaptability through this whole thing, since March 17th they've been good all the way through the process so I commend the employees. Right from the guys that do the cleaning everyday to every person in the office.

Citizens Comments:

Mr. Andy Bowes said he would like to commend the town for all their efforts during this pandemic to help stay functioning. He said I was here last week in January and asked what happens and it's very important that we all *inaudible* and there are a lot of unknowns. I want to commend the Town Board's efforts, they continued to do the town business.

Ms. Dickman said The Governor said today that summer day camps can open June 20th. I know we, along with many, many others canceled and I wondered if you could address it.

Mr. Sykes said all towns and city parks are all different and they may be able to conduct these day camps and social distancing. Our facilities aren't large enough to allow that and when you look at what goes on in those I think what will be allowed you're gonna see a lot of the activities

eliminated and the activities are gonna be such that you can social distance and my guess is they are not gonna be as fun as they used to be. It is not feasible with the social distancing and wearing the mask and I think you'll see quite a few reductions in the number of people attending those. They had the Village of North Syracuse Park Director on the news tonight and they normally have 165 people and she expects to have 75. Some out of fear of the virus and others may realize they are not gonna be as much fun because of the precautions that have to be taken. Here we made the decision based on our facilities and our resources, some of these places are a lot bigger than we are. Under the CDC guidelines we simply could not do it with our facilities.

Ms. Dickman asked if you can mention some of the other towns that are doing the same and canceling their programs.

Mr. Sykes said Clay, DeWitt, Van Buren, Lysander Park isn't doing anything as far as I know based on their meeting, Skaneateles is closed. Camillus was gonna wait and see before they make a decision but I know their splash pad as well as Lysander's is closed. Salina is waiting on their pools for guidance but I don't know what's gonna happen with that. We do a weekly call with Supervisors and that's how we keep up with what other towns are doing. The main thing is the social distancing, many just can't achieve it.

Engineer Comments: None

Attorney Comments:

Mr. Gilligan said I don't but I do need some signatures from you and the Town Clerk.

Mr. Sykes asked Mrs. Precourt if she had a comment.

Mrs. Precourt said yes, I was very uncomfortable throughout this meeting having somebody stand two feet behind me who should not have been in the building.

Mr. Sykes said noted and we will make sure all the doors are locked. I unlocked the one so you all could get in but I guess we can't do that.

091-20-000 MOTION BY Mrs. Van Der Water, seconded by Ms. Sabin, to adjourn to the next Regular Town Board Meeting on June 16, 2020 at 7:00 pm.

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

All Ayes – Motion Carried & Adopted

Meeting closed 7:36 pm

Respectfully submitted,

Lynn Precourt, Town Clerk, Dated: 6/5/20

