

Regular Town Board Meeting October 6, 2020

Regular Town Board Meeting of the Town Board of the Town of Van Buren, held on October 6, 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
Mr. Howard Tupper	Councilor
Ms. Patricia Dickman	Councilor
Mr. Ronald Dudzinski	Councilor
Ms. Mary Frances Sabin	Deputy Supervisor
Mr. Claude Sykes	Supervisor

Also present:

Ms. Rich Andino	Town Attorney
Mr. Jason Hoy	Town Engineer
Mr. Doug Foster	Highway Superintendent
Ms. Lynn Precourt	Town Clerk

Pledge of Allegiance and Roll Call.

Approve minutes of the 9/15/20 Regular Town Board Meeting:

128-20-000 MOTION BY Ms. Dickman, seconded by Ms. Sabin, to approve the minutes of the 9/15/20 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

Introduction of revised Local Law A-2020 Chapter 145 of Town Code re: Property Maintenance and Controlling Junk – sets public hearing for 10/20/20 at 7:00 pm:

Mr. Sykes said the Town Board took the public comments under advisement and the Land Use Committee met and revised this proposed local law.

Ms. Sabin said the revised local law and a summary of changes will be posted to the town’s website for review.

129-20-039 Councilor Dudzinski re-introduced proposed Local Law No. A-2020, “A Local Law to Repeal and Replace Chapter 145 of the Code of the Town of Van Buren Relative to Property Maintenance

and Controlling Junk”, which Local Law would establish regulations relative to property maintenance and controlling of junk in a manner that preserves the health, safety and general welfare of the residents of the Town, and made the following motion, which was seconded by Councilor Sabin:

WHEREAS, Local Law A-2020 was initially introduced on August 18, 2020 and a public hearing was held on September 1, 2020 and continued to September 15, 2020; and

WHEREAS, at said public hearings the Board heard numerous comments from the public and further received written comments relative to the proposed Local Law; and

WHEREAS, due to the comments the Town Board received from the residents of the Town at both public hearings, it was decided to revise the Local Law into a form that would be acceptable to the Town Board and the residents; and

WHEREAS, said amendments and changes to the proposed Local Law include revisions to §145-1 to reflect minor word changes; revisions to certain definitions such as “Antique Motor Vehicle”, “Junk”, “Junk Mobile or Manufactured Home”, “Junk Motor Vehicle”, “Junk/Scrapped Watercraft”, “Motor Vehicle”, “Rubbish”, and “Seasonal Motor Vehicle” and removal of certain definitions; revisions to §145-3 to permit a certain limited period of storage for “junk motor vehicles”; revisions to §145-4 to allow for additional exceptions including specifically a reference that the law is not to be construed to prohibit minor maintenance or repair of motor vehicles; revisions to §145-5 to increase threshold height for a violation of the maintenance of brush, grass, weeds or noxious plants to be consistent with the existing Chapter 145; and revisions to §145-7 to include a provision that all complaints must be in writing and signed by the complainant; and

WHEREAS, the Town Board previously declared the adoption of said Local Law as an unlisted action, declared itself as lead agency and issued a negative declaration for purposes of SEQRA; and

NOW, THEREFORE,

RESOLVED AND DETERMINED, the Town Board has determined this action shall have no significant adverse impact on the environment and hereby reaffirms and readopts the previous negative declaration relative to said proposed Local Law as the proposed amendments will have no adverse impact on the environment; and it is further

RESOLVED, that the Town Board shall conduct a public hearing as to the enactment of the revised and re-introduced proposed Local Law No. A-2020 at the Van Buren Town Hall, 7575 Van Buren Road, Baldwinsville, New York 13027, on October 20, 2020 at 7:00 p.m. or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard.

Roll Call Votes: 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

Consider adding six part time highway laborer positions to town roster for civil service:

Mr. Foster said he is requesting this to make sure the town has an adequate number of people to call in for wing operation while plowing this winter. He said they currently have enough staff but due to Covid and any possible restrictions, he thinks a larger pool of people is necessary.

Mr. Foster said it is a decent part time job though the hours can be random depending on weather. There is no experience necessary and training will be provided. He said this is nice way to earn some extra income and help the town.

130-20-038 MOTION BY Mr. Dudzinski, seconded by Mr. Tupper, to add six part time highway laborer positions to the town roster for civil service.

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

Consider setting public hearing regarding the posting of “no parking” (either side) on Higgins Drive from Village Blvd North to cul-de-sac per request from Condo II on 10/20/20 at 7:30 pm (Local Law C-2020):

Mrs. Van Der Water asked if the condo’s by-laws can address this issue rather than the town.

Mr. Sykes said their by-laws do restrict parking commercial vehicles and trailers on condo property and that’s why they are using the public street for parking.

131-20-038 Ms. Dickman introduced proposed Local Law No. C-2020, to amend Chapter 186 of the Code of the Town of Van Buren titled “Vehicles and Traffic” with respect to Parking Limitations on Higgins Drive, and made the following motion, which was seconded by Mr. Tupper:

WHEREAS, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a local law in the Town of Van Buren.

NOW, THEREFORE, it is

RESOLVED AND DETERMINED, there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQRA) with respect to the proposed enactment of said Local Law, with the result that the Town Board shall act as lead agency in this matter; and it is further

RESOLVED AND DETERMINED, that the enactment of proposed Local Law No. C-2020 is a Type II action and therefore will have no significant effect on the environment, thus concluding environmental review under SEQRA; and it is further

RESOLVED, that the Town Board shall conduct a public hearing as to the enactment of proposed Local Law No. C-2020 at the Town Hall located at 7575 Van Buren Road, Baldwinsville, New York on October 20, 2020 at 7:30 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard.

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 Senior Center Inter Municipal Agreement (IMA) and Release of Funds required under IMA:

132-20-001.1 MOTION BY Mr. Tupper, seconded by Ms. Dickman, to approve the following resolution:

Approval for Supervisor to execute revised 2020 Canton Woods Senior Center Inter Municipal Agreement with contingencies that assets and fund transfers are complete and that the Town of Lysander and the

Village of Baldwinsville and Canton Woods Board of Directors have executed their agreements and further that the release of funds called for in the IMA is contingent upon the modification of budget items which meet with Comptroller's approval.

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

Consider resolution supporting participation in the CNY Stormwater Coalition Staff Services and Education Compliance Assistance Program at a cost of \$3,600.00:

133-20-056 MOTION BY Ms. Sabin, seconded by Mrs. Van Der Water, to approve the following resolution:

Resolution authorizing the items listed below pursuant to requirements of the New York State Pollutant Discharge Elimination System Municipal Separate Storm Sewer System General Permit.

WHEREAS, the Town of Van Buren herein called the “Municipality”, after thorough consideration of the various aspects of the problem and consideration of available information, has hereby determined that certain work, as described in Attachment A, herein called the “Project”, is desirable, is in the public interest, and is required in order to implement the Project; and

WHEREAS, the Central New York Regional Planning & Development Board, herein called the “Board”, has provided program planning and implementation assistance pertaining to the requirements of the New York State Pollutant Discharge Elimination System (SPDES) Stormwater Phase II General Permit for Municipal Separate Storm Sewer System (MS4) operators since 2002, and

WHEREAS, the Board has proposed staff and education assistance services in support of sustaining the CNY Stormwater Coalition and to provide a regional public education, outreach and training compliance program to reduce municipal staff burdens, ensure consistency, provide widespread priority audience targeting the most efficient use of limited municipal funds by distributing total program costs over a number of entities within a twelve month timeframe as outlined in Attachment B;

NOW, THEREFORE, BE IT RESOLVED BY Van Buren Town Board

1. That Claude Sykes, Town Supervisor or such person's successor in office is the representative authorized to act in behalf of the Municipality's governing body in all matters related the Project;
2. That the Municipality agrees that it will fund its portion of the program cost in the amount of \$3,600, and that those funds will be made available to the Board upon receipt of invoice.
3. That one (1) certified copy of this Resolution will be prepared and sent to the Board upon adoption.
4. That this Resolution take effect immediately.

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 the Land Use Committee met last week to go through the comments from the public hearing and the emails that were submitted and took them under advisement in drafting the revised local law. She said the next item they will be discussing is food truck registration.

Mrs. Van Der Water said she will be scheduling a Park & Recreation Committee meeting in the next couple weeks.

Mr. Tupper said the Canton Woods Board of Directors will be discussing changes they need to make to their by-laws to conform with the new agreement.

Mr. Tupper said they have started having activities there again while adhering to the Covid restrictions.

Highway Superintendent Comments:

Mr. Foster asked anyone who is interested in part time wing operator job to please contact him at 315-635-5124. He said the no overnight parking (2 am to 6 am) starts November 15th and urged residents to please follow the law because it makes it more efficient and safe for everyone clearing snow.

Mr. Foster said delineators for lawns are ready but will not be put up until after Halloween. He said the reflectors are too high for most children to see and he doesn't want anyone getting hurt by walking into one.

Supervisor Comments:

Mr. Sykes said he has received a few calls about the job National Grid did in this area trimming trees. He said in many cases they didn't clean up after very well and in some cases cut the wrong trees. He said anyone with a complaint should contact the Forestry Unit at National Grid.

Mr. Sykes announced the following budget worksessions:

October 14th:

6:00 pm – Justice

6:30 pm – Highway

7:30 pm – Assessor

8:00 pm General Review, Special Districts, Supervisor, Town Board, Comptroller, Senior Center, Historian, Memorial Day, Vets, Street Lights, Attorney, Shared Services, Computers, Dog Control, Police, Signs, Planning, Stormwater, Landfill

October 15th:

6:00 pm – Codes

6:30 pm – Engineer

7:00 pm – Town Clerk

7:30 pm – Parks & Recreation

8:15 pm – Buildings and Grounds

Regular Town Board Meeting October 6, 2020

Wednesday, November 4th at 7:00 pm Public Hearing on 2021 Town and Special Districts Budget

Mr. Sykes said the first Board meeting in November will be Wednesday November 4th because the Town Hall is used as a polling place on Election Day.

Citizens Comments:

Ms. Amy Luke asked when the town would open up the playground equipment in Harbour Heights.

Mr. Sykes said due to Covid the town is required to clean that equipment and we do not have the personnel or the money for spray/fogging disinfectant. He said he has been in touch with the school district about how they are dealing with playgrounds and he said they are disinfecting theirs but have a fogging machine that makes that work much quicker. He said they cost \$1600.00 and the town does not have the resources for that.

Engineer Comments:

Mr. Hoy said highway department employees have been doing work on drainage ponds as part of our stormwater management program.

Mr. Foster said this work is not for beautification but for proper functioning of drainage facilities.

Attorney Comments: None

134-20-000 MOTION BY Ms. Sabin, seconded by Mr. Dudzinski, to adjourn to the next Regular Town Board Meeting on October 20, 2020 at 7:00pm.

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 7:35 pm

Respectfully submitted,

Lynn Precourt

Town Clerk

Dated: 10/7/20