

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
Mr. Ronald Dudzinski	Councilor
Ms. Mary Frances Sabin	Deputy Supervisor
Mr. Claude Sykes	Supervisor

Excused: Ms. Patricia Dickman Councilor

Also present:

Mr. Ken Bush	County Legislator
Ms. Kevin Gilligan	Town Attorney
Mr. Jason Hoy	Town Engineer
Mr. Doug Foster	Highway Superintendent
Ms. Kathryn Halleron	Deputy Town Clerk

Pledge of Allegiance and Roll Call.

Approve minutes of the Regular Town Board Meeting on September 14, 2021:

165-21-000 MOTION BY Mr. Dudzinski seconded by Mr. Tupper, to approve minutes to the September 14, 2021 Regular Town Board Meeting as published.

Ms. Van Der Water- Yes, Ms. Lesniak – Yes, Mr. Tupper – Yes, Mr. Dudzinski- Yes, Ms. Sabin – Yes, Mr. Sykes – Yes

All Ayes – Motion Carried & Adopted

Public Hearing on Local Law C-2021 opting out of licensing and establishing consumption establishments within the town

166-21-000: MOTION BY Mr. Dudzinski seconded by Ms. Sabin, to recess the regular meeting, open the public hearing and waive reading the legal notice. Mrs. Van Der Water – Yes, Ms. Lesniak – Yes, Mr. Tupper – Yes, Mr. Dudzinski – Yes, Ms. Sabin – Yes, Mr. Sykes – Yes All Ayes – Motion Carried & Adopted

Mr. Sykes asked if there was anyone to speak in favor of this proposed local law. Four members of the public in attendance who were in favor of the local law.

Mr. Sykes asked if there was anyone to speak against this proposed local law. Two members of the public were against the proposed local law.

167-21-000 MOTION BY Mrs. Sabin, seconded by Mr. Dudzinski, to close the public hearing at 7:14 pm. Mrs. Van Der Water – Yes, Ms. Lesniak – Yes, Mr. Tupper – Yes, Mr. Dudzinski – Yes, Ms. Sabin – Yes, Mr. Sykes – Yes All Ayes – Motion Carried & Adopted

Consider adoption of Local Law C-2021:

168-21-000: MOTION BY Mr. Dudzinski seconded by Ms. Van Der Water
Ms. Van Der Water- Yes, Ms. Lesniak – Yes, Mr. Tupper – Yes, Mr. Dudzinski- Yes, Ms. Sabin – Yes, Mr. Sykes – Yes All Ayes – Motion Carried & Adopted

**TOWN OF VAN BUREN
TOWN BOARD RESOLUTION**

October 6, 2021

LOCAL LAW NO. C-2021

(A Local Law Pursuant to Cannabis Law §131 Opting Out of Licensing and
Establishing On-Site Consumption Establishments Within the Town of Van Buren

The following resolution was offered by Councilor Dudzinski who moved its adoption, seconded by Councilor Van Der Water, to wit:

WHEREAS, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law titled Local Law No. C-2021, a local law to opt out of licensing and establishing on-site consumption establishments within the Town of Van Buren was presented and introduced at a regular meeting of the Town Board of the Town of Van Buren held on September 15, 2021; and

WHEREAS, a public hearing was held on such proposed local law on October 6, 2021, 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 Law of the State of New York; and

WHEREAS, Volume 6 N.Y.C.R.R., Section 617 of the Regulations relating to Article 8 of the New York State Environmental Conservation Law of New York (SEQRA), requires that as early as possible in the consideration of a proposed action, an involved agency shall make a determination whether a given action is subject to the aforementioned law; and

WHEREAS, on September 15, 2021, the Town Board declared itself lead agency and determined that the enactment of proposed Local Law No. C-2021 is an unlisted action and will have no significant effect on the environment, issuing a negative declaration, thus concluding environmental review under State Environmental Quality Review Act; and

WHEREAS, the enactment of proposed Local Law No. C-2021 was subject to a permissive referendum pursuant to Municipal Home Rule Law §24 as set forth in Cannabis Law §131; and

WHEREAS, it is the determination of this Board that it is in the public interest of the residents of the Town of Van Buren to enact said proposed Local Law No. C-2021.

NOW, THEREFORE, it is

RESOLVED that the Town Board of the Town of Van Buren, Onondaga County, New York, does hereby enact Proposed Local Law No. C-2021 as Local Law No. 2-2021 as follows:

**“TOWN OF VAN BUREN
LOCAL LAW NO. 2 OF 2021**

**A LOCAL LAW PURSUANT TO CANNABIS LAW §131 OPTING OUT
OF LICENSING AND ESTABLISHING ON-SITE CONSUMPTION
ESTABLISHMENTS WITHIN THE TOWN OF VAN BUREN**

Be it enacted by the Town of Van Buren Town Board, as follows:

SECTION 1. AUTHORITY.

This Local Law is enacted pursuant to the New York State Constitution and New York Municipal Home Rule Law §10 and Cannabis Law §131.

SECTION 2. INTENT.

It is the intent of the Town Board of the Town of Van Buren to opt the Town out of hosting on-site cannabis consumption establishments within its boundaries.

SECTION 3. LOCAL ON-SITE CONSUMPTION OPT-OUT.

The Town Board of the Town of Van Buren, County of Onondaga, hereby opts-out of allowing on-site cannabis consumption establishments from locating and operating within the boundaries of the Town of Van Buren.

SECTION 4. VALIDITY & SEVERABILITY.

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

SECTION 5. EFFECTIVE DATE.

This local law shall take effect immediately upon filing with the New York State Department of State. Pursuant to Cannabis Law §131, this local law is subject to a permissive referendum and thus may not be filed with the Secretary of State until the applicable time period has elapsed to file a petition or a referendum has been conducted approving this local law.”

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

Wendy Van Der Water	Councilor	Voted	Yes
Darcie Lesniak	Councilor	Voted	Yes
Mary Frances Sabin	Councilor	Voted	Yes
Howard Tupper	Councilor	Voted	Yes
Ronald Dudzinski	Councilor	Voted	Yes
Patricia Dickman	Councilor	Absent	
Claude Sykes	Supervisor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

DATED: October 6, 2021

Create position of budget officer for civil service roster and appoint Michelle Vona to position:

169-21-000: MOTION BY Mr. Tupper seconded by Ms. Sabin, to create the position of budget officer for civil service roster and appoint Michelle Vona to the position.

Ms. Van Der Water- Yes, S. Lesniak – Yes, Mr. Tupper – Yes, Mr. Dudzinski- Yes, Ms. Sabin – Yes, Mr. Sykes – Yes All Ayes – Motion Carried & Adopted

Consider reaffirming approval of lease agreement with TJA for solar farm on closed Kingdom Road landfill site:

170-21-000: MOTION BY Mr. Dudzinski seconded by Ms. Van Der Water, to consider reaffirming approval of lease agreement with TJA for solar farm on closed Kingdom Road landfill site.

Ms. Van Der Water- Yes, Ms. Lesniak – Yes, Mr. Tupper – Yes, Mr. Dudzinski- Yes, Ms. Sabin – Yes, Mr. Sykes – Yes All Ayes – Motion Carried & Adopted

Accept Comptroller’s audit of the Town Clerk/Receiver of Taxes

171-21-000: MOTION BY Ms. Van Der Water seconded by Ms. Lesniak to accept Comptroller’s audit of the Town Clerk/ Receiver of Taxes

Ms. Van Der Water- Yes, Ms. Lesniak – Yes, Mr. Tupper – Yes, Mr. Dudzinski- Yes, Ms. Sabin – Yes, Mr. Sykes – Yes All Ayes – Motion Carried & Adopted

Announce 2022 budget work sessions: Wednesday, October 13th and Thursday, October 14th beginning at 6:00 pm and set budget and special district budget public hearing for 11/3/21 at 7:00 pm

172-21-000: MOTION BY Ms. Van Der Water seconded by Ms. Lesniak to Announce 2022 budget work sessions: Wednesday, October 13th and Thursday, October 14th beginning at 6:00 pm and set budget and special district budget public hearing for 11/3/21 at 7:00 pm

Ms. Van Der Water- Yes, Ms. Lesniak – Yes, Mr. Tupper – Yes, Mr. Dudzinski- Yes, Ms. Sabin – Yes, Mr. Sykes – Yes All Ayes – Motion Carried & Adopted

Resolution regarding Rt. 81

173-21-000: MOTION BY Ms Van Der Water seconded by Ms. Lesniak to accept the resolution regarding Rt.81

MEMORIALIZING THE INTENT OF THE TOWN BOARD OF THE TOWN OF VAN BUREN, COUNTY OF ONONDAGA, REGARDING THE NEED TO MAINTAIN THE EXISTING ALIGNMENT OF INTERSTATE 81 THROUGH SYRACUSE

WHEREAS, for the last 50 years, Interstate 81 has served as a vital backbone for the economy of the Central New York, connecting commuters, businesses, tourists, visitors, and through travelers alike; and

WHEREAS, among its important functions, Interstate 81 provides vital links with access to downtown Syracuse, all of our hospitals, Syracuse University, Destiny USA, present and future businesses and residents along 81 corridor, to business and residents within the Town of Van Buren; and

WHEREAS, although there are a variety of ways to deal with I-81's aging infrastructure, the existing "Interstate" function and designation must be preserved, because any solution which would remove I-81's vital function from its present alignment would irreparably harm the regional economy and corresponding employment dependent upon the highway network in addition to negatively impacting local neighborhoods and quality of life; and

WHEREAS, redirecting Interstate 81 to Route 481 is not smart environmental policy because the distance traveled for through traffic and further stop and go intercity commuting traffic is increased. This is polluting, inefficient, requires the use of greater amounts of petroleum-based fuels, hurts the regional economy, and is detrimental to social welfare and the environment; and

WHEREAS, the future of I-81 presents one of the greatest planning decisions to face New York State in decades and the outcome will impact our region for the next 100 years; and

WHEREAS, it is the consensus of the Van Buren Town Board that any decision reached by the NYS DOT should satisfy function first, and should be closely tailored to satisfy that function; and

WHEREAS, we support smart growth and the creation of a new and welcoming entrance to Syracuse, and the integration of the hospitals and university areas with the rest of downtown, we believe it must not be accomplished by compromising one of the most significant advantages of living, working, doing business and visiting Onondaga County;

WHEREAS, Van Buren Town Board supports a balanced, comprehensive approach, a regional transportation plan that ensures smart choices are made, a plan that can provide environmental, social and economic benefits to all of Central New York; and where the Grid only

option does not achieve this end; now, therefore be it

RESOLVED, that the Van Buren Town Board memorializes its determination that the existing Interstate 81 alignment through Syracuse and Central New York must remain and its function and designation as an interstate highway must not be removed or impaired; and, be it further

RESOLVED, that the Supervisor of the Town of Van Buren is hereby directed to cause a copy of this resolution to be transmitted to the New York State Department of Transportation, to the Syracuse Metropolitan Transportation Council, and to the various legislative members representing Onondaga County at the state level.

Ms. Van Der Water- Yes, Ms. Lesniak – Yes, Mr. Tupper – Yes, Mr. Dudzinski- Yes, Ms. Sabin – Yes, Mr. Sykes – Yes All Ayes – Motion Carried & Adopted

Ms. Lesniak wished to thank Assembly Magnarelli for backing the support of the hybrid model.

Waiver of board room use fee for monthly Little League Meetings

174-21-000: MOTION BY Ms. Van Der Water seconded by Ms. Sabin to waive the board room use fee for monthly Little League Meetings.

Ms. Van Der Water- Yes, Ms. Lesniak – Yes, Mr. Tupper – Yes, Mr. Dudzinski- Yes, Ms. Sabin – Yes, Mr. Sykes – Yes All Ayes – Motion Carried & Adopted

Ms. Sabin discussed the renewal of the franchise agreement with Fios. She said the Village as well as the Towns of Lysander and Van Buren were not happy with what Fios provided and they will continue to negotiate.

Mr. Dudzinski wanted thank the Building and Grounds Department for removing a tree on the Erie Canal Trail that was about to fall onto a residents property and no significant damage.

Highway Superintendent Comments: Mr. Foster said the Highway Department has about 350 reflector stakes that they will be putting up after Halloween. The department waits until after Halloween because the stakes have a tendency of disappearing.

Mr. Foster also said he is looking for wing operators to work part time this winter. He said no experience is necessary and training is available. Anyone interested should contact the department at 315-635-5124

Supervisor Comments: None but turned comments over to Mr. Bush

Regular Town Board October 8, 2021

Mr. Bush thanked the Town for their support and resolution regarding the Interstate 81 project. He states that he agrees that the Interstate should be improved and not removed.

Mr. Bush said that the Towns application for a new basketball court at Snowdale Park has been approved in the amount of \$41,000.

Mr. Bush discussed the water chestnuts in the Seneca River. He advised that 700,000 pounds of plants have been removed within the area.

Mr. Bush is going to set up a meeting with the Canal Corporation to talk about the current flooding situation and also discuss how they operate.

Engineer Comments: Snowdale Community Development project is wrapping up and should be completed by next week

Attorney Comments: None

Citizens Comments: None

175-21-000 MOTION BY Ms. Sabin, seconded by Mr. Dudzinski, to adjourn to the next Regular Town Board meeting on October 20, 2021 at 7:00 pm. Mrs. Van Der Water – Yes, Ms. Lesniak – Yes, Mr. Tupper – Yes, Mr. Dudzinski – Yes, Ms. Sabin – Yes, Mr. Sykes – Yes

Meeting closed at 7:37PM

Respectfully submitted,

Kathryn Halleron
Deputy Town Clerk

Dated: 10/7/2021