

Regular Town Board Meeting of the Town Board of the Town of Van Buren, held on December 15, 2021 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

Absent:

Ms. Patricia Dickman	Councilor
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Also present:

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

Pledge of Allegiance and Roll Call.

A moment of silence was held to remember Frederick Thomas, who recently passed away and was a Van Buren Planning Board member for 48 years.

Mr. Sykes announced this is his last meeting as Town Supervisor after serving for 14 years. He thanked the Board and all the department heads and employees for their support over the years. He thanked Mr. Maxwell, who is also retiring, for his counsel over the years.

Approve minutes of the Regular Meeting on November 17, 2021:

197-21-000 MOTION BY Ms. Sabin, seconded by Ms. Lesniak, to approve the minutes of the Regular Town Board Meeting on November 17, 2021 as published.

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

Declare obsolete computers as surplus and authorize their destruction per listing provided:

198-21-000 MOTION BY Mr. Tupper, seconded by Mr. Dudzinski, to declare the following computers surplus and authorize their destruction:

Lenovo Thinkpad P71	FCOAE8OB2614	
Dell Latitude laptop	2HW5851	562
Dell OptiPlex 3010 tower	F3VNHX1	569
Dell OptiPlex 3010 tower	F3VPHX1	566
Dell OptiPlex 3020 tower	7WSQB42	584
Dell Power Edge T320 server	G8ZTGX109M1D2	

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

Resolution regarding SEQRA declaration(s) for Snowdale Park Playground project:

199-21-017 MOTION BY Ms. Sabin, seconded by Mr. Dudzinski, to approve the following SEQR resolution:

WHEREAS, Snowdale Park is an existing Town-owned park, located on Snowdale Drive in the Seneca Knolls Subdivision; and

WHEREAS, Snowdale Park currently provides informal areas for hiking and ball playing; and

WHEREAS, the Town of Van Buren Town Board is considering the installation of certain improvements at Snowdale Park consisting of new playground equipment and a half basketball court, with benches and perimeter fencing (the “Project”); and

WHEREAS, pursuant to the New York State Environmental Quality Review Act (“SEQR Act”) and the regulations adopted pursuant thereto by the New York State Department of Environmental Conservation, being 6 NYCRR Part 617, as amended, the Town desires to comply with the SEQR Act and regulations with respect to the Project; and

WHEREAS, the proposed Snowdale Park improvements are supported by the Town of Van Buren Comprehensive Plan, which identifies the provision of recreational opportunities as a valued land use goal.

NOW, THEREFORE, be it

RESOLVED, that the Town of Van Buren Town Board is the sole agency with the authority to regulate, operate and maintain Town-owned parks and recreational facilities; be it further

RESOLVED, that the Town Board hereby declares itself lead agency for purposes of its environmental review pursuant to the SEQR Act and does further determine that the Project constitutes an Unlisted Action and renders a negative declaration for purposes of SEQR, upon review of the Short Environmental Assessment Form, dated December 15, 2021, having determined that there are no identifiable adverse environmental impacts likely to result from installing the proposed improvements in Snowdale Park, which shall consist of new playground

equipment, a half basketball court, benches and perimeter fencing, which is intended to promote recreational opportunities within the Town and improve the quality of life for Town residents.

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

Budget transfers per Comptroller's memo:

200-21-007 MOTION BY Mr. Dudzinski, seconded by Mr. Tupper, to approve the following budget transfers:

Budget Transfer

	<u>Account Number</u>	<u>Account Description</u>	<u>Amount</u>
To:	A.1220.0401	Town Supervisor- Office Supplies	\$ 50
	A.1220.0408	Town Supervisor- Postage	\$ 150
	A.1220.0443	Town Supervisor-Publications	\$ 397
	A.1620.0420	Bldg& Grounds-Phones	\$ 100
	A.1620.0441	Bldg& Grounds-Training	\$ 199
	A.1620.0426	Bldg&Grounds-Security Systems	\$ 62
	A.1621.0407	Shared Services-Copier	\$ 350
	A.1910.0450	Unallocated Insurance	\$ 295
	A.5010.0404	Highway Admis-gasoline	\$ 500
From:	A.1315.0408	Comptroller-Postage	\$ 150
	A1620.0415	Bldg& Grounds-Trash	\$ 200
	A.1620.0411	Bldg&Grounds-Bldg Repairs	\$ 161
	A.5010.0420	Highway Admin-Phones	\$ 350
	A.5010.0441	Highway Admin-Conferences	\$ 150
	A.1990.0400	Contingency	\$ 1,092

Explanation:

Town Supervisor: Amount represents the renewal of the annual newspaper subscription expense

Highway Admin, gasoline: Using the county refueling facilities allows the Town to more accurately record costs. This represents the cost for the Highway Superintendent's vehicle

Unallocated Insurance: A cost adjustment \$295 for cybersecurity insurance, which more than doubled from 2020, an increase of \$3,250 caused the additional budget shortfall

Budget Transfer

	<u>Account Number</u>	<u>Account Description</u>	<u>Amount</u>
To:	A.5132.0415	Highway Garage-trash	\$ 300
	A.5132.0406	Highway Garage-Security	\$ 613
	A.7990.0410	Erie Canal-Repairs	\$ 800
	A.8160.0400	Landfill-Repairs	\$ 10,500
	A.9010.0800	NYS Retirements	\$ 8,054
From:	A.5132.0421	Highway Garage-Electricity	\$ 300
	A.9060.0800	Health Insurance	\$ 8,054
	A.1990.0400	Contingency	\$ 11,913

Highway Garage: Cost of annual monitoring of the security system by CP Alarms was not included in the 2021 budget

Landfill: Under the terms of the closing of the Town’s landfill, the town is responsible for testing and repairs of the water service at several residential location. A new sulfur filter and water filter, in addition to increased testing was required at one location, which exceeded the budgeted amount.

NYS Retirement: The rates paid by the Town increased to an average of 15.97% of eligible payroll compared to a budget forecasted at 14.3%.

Budget Transfer

	<u>Account Number</u>	<u>Account Description</u>	<u>Amount</u>
To:	B.9010.0800	NYS Retirement	\$ 171
From:	B.9060.0800	Health Insurance	\$ 171

Budget Transfer

	<u>Account Number</u>	<u>Account Description</u>	<u>Amount</u>
To:	DB.5130.0404	Highway-Gasoline	\$ 2,500
	DB.5130.0407	Highway-Equipment Rentals	\$ 450
	DB.9010.0800	NYS Retirement	\$ 1,947
From:	DB.8130.0405	Highway-Diesel	\$ 2,500
	DB.9060.0800	Health Insurance	\$ 2,397

Budget Admendment

	<u>Account Number</u>	<u>Account Description</u>	<u>Amount</u>
Increase	B.9951.0900	Transfer To Other Funds	\$ 40,000

This funds the Town's portion of the 2021 Community Development Grant Total project cost is estimated at \$160,000 with Community Development supplying \$120,000.

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 resolution regarding partial payments on real property taxes as referred by Tax Receiver:

201-21-000 MOTION BY Ms. Sabin, seconded by Ms. Lesniak to approve the following resolution:

WHEREAS, New York State Real Property Tax Law 928a authorizes the Town of Van Buren to accept partial payments of real property taxes; and

WHEREAS, it is in the interest of the Town of Van Buren to afford taxpayers the opportunity to pay taxes in installments and it will benefit the Town of Van Buren to have the ability to accept partial payments of real property taxes;

NOW THEREFORE, IT IS HEREBY RESOLVED AND DETERMINED, that the Town of Van Buren Receiver of Taxes/Tax Collector hereby is authorized to accept partial payments of real property taxes, special ad valorem levies and special assessments and to apply such partial payments to the amount owed; and be it further

RESOLVED, partial payments shall be subject to the following conditions:

1. Each payment shall be any amount of the total unpaid current-year real property taxes, special ad valorem levies and special assessments;
2. No more than four partial payments may be accepted during the ninety-day collection period;
3. The first partial payment shall be made at any time; however, if the first payment is made after the initial penalty-free period, the collection penalties will be applied to the payment based on the penalty schedule;

RESOLVED, that acceptance of partial payments shall not be deemed to alter or limit any liens and powers of the Town of Van Buren conferred by general, special or local law, and the Town of Van Buren shall continue to have all rights and powers to enforce collection of taxes and liens, together with interests, penalties and other lawful charges.

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

Acceptance of retirement resignation of Comptroller, Greg Maxwell, effective 12/31/21:

202-21-038 MOTION BY Ms. Lesniak, seconded by Mr. Dudzinski, to accept the letter of retirement resignation for Greg Maxwell with regrets.

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

Introduction of Local Law E-2021:

203-21-014 Mrs. Van Der Water introduced proposed Local Law No. E-2021, relating to the ability of the Town of Van Buren to establish a prohibition on tobacco smoke, cannabis smoke and smoking on Town of Van Buren Property and made the following motion, which was seconded by Mr. Dudzinski,

WHEREAS, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of Local Laws in the Town of Van Buren, such that there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act

(SEQR) 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

WHEREAS, the adoption to said Local Law is an unlisted action for purposes of environmental review under SEQR; and

WHEREAS, the Town Board has determined that a short environmental assessment form (EAF) shall be required in connection with this matter; and

WHEREAS, the said EAF has been prepared and has been reviewed by the Town Board; and

WHEREAS, the Town Board has considered the adoption of said Local Law, has considered the criteria contained in 6 N.Y.C.R.R. Part 617.7 and has compared the impacts which may be reasonably expected to result from the adoption of said Local Law against said criteria.

NOW, THEREFORE, IT IS

RESOLVED AND DETERMINED that the enactment of this proposed local law is an unlisted action under SEQR, that there are no other involved agencies, and the Town Board shall act as lead agency; and it is further

RESOLVED AND DETERMINED, the Town Board has determined this action shall have no significant adverse impact on the environment; that, accordingly, an environmental impact statement (EIS) shall not be required; and that this resolution shall constitute a negative declaration under SEQR; and it is further

RESOLVED AND DETERMINED that the Town Board shall conduct a public hearing as to the enactment of proposed Local Law No. E-2021 at the Van Buren Town Offices located at 7575 Van Buren Road in the Town of Van Buren on January 5, 2022, at 7:00 p.m. or as soon thereafter as the matter can be heard, at which time all persons interested on the subject shall be heard.

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

Approve electrical class reimbursement for Luke Chapin:

204-21-038 MOTION BY Mr. Dudzinski, seconded by Ms. Lesniak, to approve reimbursement of \$169.00 to Luke Chapin upon successful completion of BOCES electrical wiring level 1.

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

Accept resignation from Marie Giannone:

205-21-038 MOTION BY Mr. Tupper, seconded by Ms. Lesniak, to accept the resignation of Marie Giannone with regrets.

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

Approve software renewal for Codes Office:

206-21-000 MOTION BY Mrs. Van Der Water, seconded by Mr. Dudzinski, to approve the Williamson Law Book software renewal for the Codes Office in the amount of \$714.00.

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

Councilor Committee Reports and Comments:

Ms. Sabin said she has been in touch with Verizon and they are working on plans for interior FOIS wiring in the remaining sections of Village Green.

Ms. Sabin said she the franchise negotiations with Verizon are ongoing.

Ms. Sabin wished Ms. Dickman the best in her retirement from the Board.

Mr. Tupper congratulated Mr. Sykes on his retirement.

Mr. Sykes thanked Mr. Tupper for his support over the years.

Mr. Dudzinski congratulated all those retiring this year and wished them the best.

Highway Superintendent Comments:

Mr. Foster said with the good weather they have been doing tree work and putting up delineators for plowing. He said if anyone has any problem areas to give him a call. He also asked that people keep their cars off the roads when the snow does come and they star plowing.

Ms. Sabin said the neighbors near Red Coach Apartments have been very happy with the work they did to clear the easement.

Supervisor Comments:

Mr. Sykes said it has been a pleasure working with everyone here.

Citizens Comments: None

Engineer Comments: None

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Attorney Comments: None

207-21-000 MOTION BY Ms. Sabin, seconded by Mr. Dudzinski, to adjourn to the Organizational and Regular Town Board Meeting on January 5, 2022 at 7:00 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

Meeting closed 7:28 pm

Respectfully submitted,

Lynn Precourt

Town Clerk

Dated: 12/16/21