

Regular Meeting of the Town Board of the Town of Van Buren, held on January 18 , 2023 at 7:00 pm at the Van Buren Town Hall, 7575 Van Buren Road, Baldwinsville, New York.

Mrs. Jennifer Sullivan	Councilor
Mr. Michael Hulchanski	Councilor
Ms. Darcie Lesniak	Councilor
Mr. Howard Tupper	Councilor
Ms. Mary Frances Sabin	Supervisor

Absent: Mrs. Wendy Van Der Water, Councilor

Also Present:

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

Pledge of Allegiance and Roll Call.

Approve Organizational Meeting Minutes of January 4, 2023:

031-23-000 MOTION BY Mr. Hulchanski, seconded by Mrs. Sullivan, to approve the Organizational Meeting Minutes of January 4, 2023 as published.

Mrs. Sullivan – Yes, Mr. Hulchanski – Yes, Ms. Lesniak – Yes, Mr. Tupper – Yes, Ms. Sabin – Yes

Motion Carried & Adopted

Approve Regular Meeting Minutes of January 4, 2023:

032-23-000 MOTION BY Mr. Tupper, seconded by Mr. Hulchanski, to approve the Regular Town Board Meeting minutes of January 4, 2023 as published.

Mrs. Sullivan – Yes, Mr. Hulchanski – Yes, Ms. Lesniak – Yes, Mr. Tupper – Yes, Ms. Sabin – Yes

Motion Carried & Adopted

Approve minutes of the Special Town Board Meeting January 13, 2023:

033-23-000 MOTION BY Mrs. Sullivan, seconded by Ms. Lesniak, to approve the minutes of the Special Town Board Meeting on January 13, 2023 as published.

Mrs. Sullivan – Yes, Mr. Hulchanski – Abstain, Ms. Lesniak – Yes, Mr. Tupper – Yes, Ms. Sabin – Yes

Motion Carried & Adopted

Approve 2023 wages for park attendants as per memo from the Park Director:

034-23-007 MOTION BY Mr. Hulchanski, seconded by Ms. Lesniak, to approve hourly wage rates for Kim Saxon at \$18.00/hour and Robert Berry at \$17.25 per hour. New park attendants are approved at hourly rate of \$17.00 an hour.

Mrs. Sullivan – Yes, Mr. Hulchanski – Yes, Ms. Lesniak – Yes, Mr. Tupper – Yes, Ms. Sabin – Yes

Motion Carried & Adopted

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Consider approval of Resolution regarding SEQR findings for Van Buren Town Park projects to be funded by State Grant #25184:

035-23-017 MOTION BY Mrs. Sullivan, seconded by Mr. Tupper, to approve the following resolution:

RESOLVED AND DETERMINED, that there are no other involved agencies, that the Town Board of the Town of Van Buren shall act as lead agency and that the proposed improvements to the Town of Van Buren Central Park, located at 7350 Canton Street in the Town of Van Buren, is an unlisted action for purposes of environmental review pursuant to the New York State Environmental Quality Review Act (SEQRA); and it is further

RESOLVED AND DETERMINED, that after reviewing the short Environmental Assessment Form, Parts 1 and 2 which have been completed and submitted with respect to this proposed action, the Town Board makes the following “Findings” with respect to this proposed project:

SEQR FINDINGS

- The Town Board intends to install a fishing dock in the Park’s pond that is compliant with the Americans with Disabilities Act, install a walking trail around the pond and connect to an existing nature trail, and install and rehabilitate drainage improvements for the Park’s ballfields.
- The proposed action is in accordance with the Town’s Comprehensive Plan, as this area of the Town has been designated for recreational uses.
- The site is 102.33 acres, consisting of an existing park, driveways and parking areas, swimming pool, ballfields, pond, sport courts and accessory buildings.
- The total acreage of the site to be disturbed by the proposed action is approximately .67 acres. The Park’s pond is currently subject to New York State DEC SPDES General Permit I.D. No. 7-3156-00133/00001. Any potential drainage run off impacts will be small or non-existent in nature.
- By letter dated December 29, 2022, the New York State Office of Parks, Recreation and Historic Preservation concluded that “no properties, including archeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places will be impacted” by the proposed project.
- The site is served by public water.

- The proposed action is not likely to generate a substantial increase in traffic.
- Noise generated from operation is not likely to exceed ambient noise levels.
- Odors generated by operations at site should be transient in nature, only while trucks and equipment are used for construction.
- Minimal waste will be generated at the site. Trash and recycling are contracted for removal from the site.
- The Town's plans constitute limited changes to the project site, resulting in no or minor impacts to the environment.
- There are no reported "spills" and no reported contamination incidents involving the site, upon reference to the DEC data base.
- There are no historic sites in the vicinity of the site.
- It is not anticipated that herbicides or pesticides will be stored or used at the site.
- There are no unique or unusual geological features on the site.
- There are several residential properties in proximity to the proposed site which are separated from the site by wooded areas.
- Agricultural uses are prevalent around the project site.
- Although there is a wetland on the northeast corner of the property, it is outside the project area.
- There is no anticipated increase in the use of electricity at the Park as a result of the proposed project.
- It is determined that the park improvement will have no adverse environmental impacts upon the environment.

and it is further

RESOLVED AND DETERMINED, that based upon this review and the finding herein made, the Town of Van Buren Town Board hereby determines that there is unlikely to be any adverse environmental impacts resulting from the proposed action and therefore issues a Negative Declaration for purposes of SEQRA.

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

Mrs. Sullivan – Yes, Mr. Hulchanski – Yes, Ms. Lesniak – Yes, Mr. Tupper – Yes, Ms. Sabin – Yes

Motion Carried & Adopted

Consider approval of resolution for land swap between the Town of Van Buren and Playa Rienta, commonly known as Jammer's Sports Bar:

036-23-048 MOTION BY Mr. Hulchanski, seconded by Mrs. Sullivan, to approve the following resolution:

WHEREAS, the Town of Van Buren (the "Town") owns real property located at 3417 Walters Road, Tax Map No. 055.-04-02.6, consisting of approximately 4.75 acres, upon which is situated the Town of Van Buren Highway Garage (the "Town Property"); and

WHEREAS, immediately adjacent to the Town Property, located at 3535 Walters Road, Tax Map No. 055.-04-02.7, is real property consisting of approximately 2.78 acres owned by Playa Rienta, LLC, upon which is situated a restaurant use known as “Jammer’s Sports Bar & Restaurant;” and WHEREAS, it has come to the attention of the Town that certain improvements, consisting of a parking lot curb and outdoor entertainment stage, for Jammer’s Sports Bar & Restaurant are situated upon the Town Property; and

WHEREAS, to rectify the situation, a land swap has been proposed wherein the Town of Van Buren will exchange a strip of land along the eastern side the Town Property, measuring 35 feet wide by 417.85 feet long, for property owned by Playa Rienta, LLC measuring 80 feet x 160 feet adjacent to the northwest corner of the Town Property; and

WHEREAS, the property to be conveyed by the Town to Playa Rienta, LLC is not needed by the Town for its purposes due to its topography and location, and the property to be conveyed to the Town by Playa Rienta, LLC will be beneficial for use by the Town of Van Buren Highway Department for the outdoor storage of soil; and

WHEREAS, pursuant to the State Environmental Review Act (“SEQR”), the Town of Van Buren Planning Board/ Zoning Board of Appeals, in furtherance of its consideration of a duly filed subdivision application, by resolution dated December 13, 2022, completed its environmental review of the proposal and declared itself lead agency, proceeded on an uncoordinated basis, and, having classified the action as Unlisted, issued a negative declaration.

NOW, THEREFORE, be it

RESOLVED AND DETERMINED, that the conveyance in fee of a portion of real property owned by the Town of Van Buren, located at 3417 Walters Road, Tax Map No. 055.-04-02.6, to Playa Rienta, LLC be and the same is hereby granted, in accordance with the subdivision map titled “Resubdivision of Lots 1B and 5A into Lots 1C and 5B Walters Road Property Subdivision Amended 3 Part of Lot 34,” dated September 19, 2022, provided in connection therewith, prepared by CHA Consulting, Inc.; and it is further

RESOLVED AND DETERMINED, that this approval is subject to Permissive Referendum.

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

Mrs. Sullivan – Yes, Mr. Hulchanski – Yes, Ms. Lesniak – Yes, Mr. Tupper – Yes, Ms. Sabin – Yes

Motion Carried & Adopted

Accept resignation of Ron Dudzinski from the Town Board effective 1/6/23:

037-23-038 MOTION BY Mr. Tupper, seconded by Ms. Lesniak, to accept the resignation of Councilor Ron Dudzinski effective 1/6/23 with regret.

Mrs. Sullivan – Yes, Mr. Hulchanski – Yes, Ms. Lesniak – Yes, Mr. Tupper – Yes, Ms. Sabin – Yes

Motion Carried & Adopted

Ms. Sabin thanked Mr. Dudzinski for his service, he will be missed.

Councilor Committee Reports & Comments:

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Mr. Tupper attended the Warners Fire Department installation dinner with Ms. Sabin, he said it was nice to see so many volunteers be recognized.

Mr. Hulchanski said there is a park and recreation committee meeting tomorrow and they will be discussing a proposed Eagle Scout project for Harbour Heights Park.

Supervisor Comments: None

Highway Superintendent Comments:

Mr. Foster said most Christmas trees have been picked up but they will be going around once a week for a couple more weeks. He said to be sure to have the tree by the side of the road.

Engineer Comments:

Mr. Hoy said he will attend a preconstruction meeting for the Connors Road culvert on the 27th and the contractor would like to start construction in March.

Attorney Comments: None

Citizens Comments:

Ms. Mary Crego asked why the Board is still using two tiered tables for the councilors.

Ms. Sabin said it is a mobility issue.

Mr. Andy Bowes asked the Board to keep in mind green spaces, bike paths and walkable communities when discussing updating the Comprehensive Plan. He said the town should consider what affordable housing means for this town considering potential housing mandates from the state and county.

038-23-000 MOTION BY Ms. Lesniak, seconded by Mr. Hulchanski, to adjourn to the next Regular Town Board Meeting on February 1, 2023 at 7:00 pm.

Mrs. Sullivan – Yes, Mr. Hulchanski – Yes, Ms. Lesniak – Yes, Mr. Tupper – Yes, Ms. Sabin – Yes

Motion Carried & Adopted

Meeting closed 7:18 pm

Respectfully submitted,

Lynn Precourt, Town Clerk, Dated: 1/19/23