

Regular Meeting of the Town Board of the Town of Van Buren, held on December 21, 2022 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
Mrs. Wendy Van Der Water	Councilor
Mr. Howard Tupper	Councilor
Ms. Mary Frances Sabin	Supervisor

Absent: Ms. Darcie Lesniak, Councilor and Mr. Ronald Dudzinski, Councilor

Also Present:

Ms. Nadine Bell	Town Attorney
Mr. Jason Hoy	Town Engineer
Mr. Anthony Geiss	Planning Board Chair
Ms. Lynn Precourt	Town Clerk

Pledge of Allegiance and Roll Call.

Approve minutes of Regular Town Board Meeting on December 7, 2022:

180-22-000 MOTION BY Mrs. Sullivan, seconded by Mrs. Van Der Water, to approve the minutes of the Regular Town Board Meeting on December 7, 2022 as published.

Mrs. Sullivan – Yes, Mr. Hulchanski – Abstain, Mrs. Van Der Water – Yes, Mr. Tupper – Yes, Ms. Sabin – Yes

Motion Carried & Adopted

Citizens Comments: None

Accept resignation of Tony Geiss as member and chair of Planning and Zoning Board as of 12/31/22:

181-22-000 MOTION BY Mr. Hulchanski, seconded by Mr. Tupper, to accept the resignation of Tony Geiss, member and chair of the Planning and Zoning Board effective 12/31/22.

Mrs. Sullivan – Yes, Mr. Hulchanski – Yes, Mrs. Van Der Water – Yes, Mr. Tupper – Yes, Ms. Sabin – Yes

Motion Carried & Adopted

Ms. Sabin presented Mr. Geiss with a certificate of recognition for his service as member of the Planning Board from 1982 – 2022 and chair from 1996-2022 and thanked him for his service.

Mr. Geiss said the town has good codes and zoning in place for future planning and he is always willing to serve as a member of future committees. He said combining the Planning and Zoning Board of Appeal has allowed the town to streamline the planning process in a way that is good for applicants as well as the town.

Public Hearing on Local Law D of 2022 regarding establishing annual income levels for senior citizen and disabled persons income limits for tax exemption:

182-22-000 MOTION BY Mrs. Van Der Water, seconded by Mr. Hulchanski, to recess the regular meeting, open the public hearing at 7:10 pm and waive reading the legal notice published in the *Messenger* on December 13, 2022.

Mrs. Sullivan – Yes, Mr. Hulchanski – Yes, Mrs. Van Der Water – Yes, Mr. Tupper – Yes, Ms. Sabin – Yes

Motion Carried & Adopted

Ms. Sabin asked if there was anyone to speak in favor of this proposed local law. No one spoke.

Ms. Sabin asked if there was anyone to speak against this proposed local law. No one spoke.

183-22-000 MOTION BY Mrs. Van Der Water, seconded by Mr. Hulchanski, to close the public hearing and resume the regular meeting at 7:13 pm.

Mrs. Sullivan – Yes, Mr. Hulchanski – Yes, Mrs. Van Der Water – Yes, Mr. Tupper – Yes, Ms. Sabin – Yes

Motion Carried & Adopted

Consider adoption of Local Law D-2022:

184-22-030 The following resolution was offered by Mrs. Van Der Water who moved its adoption, seconded by Mr. Tupper to wit:

**WHEREAS**, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law titled, a Local Law No. D of 2022 “Amending the Annual Income Ranges for Senior Citizens and Disabled Persons as set forth in Chapter 180 of the Town Code,” was presented and introduced at a regular meeting of the Town Board of the Town of Van Buren held on December 7, 2022; and

**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, 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**, that the enactment of proposed Local Law No. D of 2022 is an Unlisted action and, as a local law amending the annual income ranges for tax exemption eligibility will have no significant effect on the environment, thus concluding environmental review under SEQR; and it is further

**WHEREAS**, a public hearing was held on such proposed Local Law on the 21<sup>st</sup> day of December, 2022 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 of the State of New York; and

**WHEREAS**, it is in the public interest to enact said Proposed Local Law No. D of 2022.

**NOW, THEREFORE**, it is

**RESOLVED AND DETERMINED**, that the enactment of Proposed Local Law No. D of 2022 is an unlisted action that there are no other involved agencies, that this Board will act as lead agency for this application and further, rendered a negative declaration for purposes of SEQR; be it further

**RESOLVED AND DETERMINED**, that proposed Local Law D of 2022 is hereby enacted as Local Law No. 4 of 2022, as follows:

**“TOWN OF VAN BUREN  
PROPOSED LOCAL LAW NO. 4 of 2022**

**A Local Law Amending the Annual Income Ranges for Senior Citizens and  
Disabled Persons as set forth in Chapter 180 of the Town Code**

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

**Section 1.**

So that the annual income ranges for persons 65 years of age or over as listed in Section 180-5(A) of the Town of Van Buren Town Code, titled “Exemption provided,” shall be revised, in its entirety, as follows:

<b>“Annual Income Ranges</b>	<b>Exemption Percentage</b>
Less than \$29,000.00	50%
More than \$29,000.01 but less than \$29,999.99	45%
More than \$30,000.00 but less than \$30,999.99	40%
More than \$31,000.00 but less than \$31,999.99	35%
More than \$32,000.00 but less than \$32,899.99	30%
More than \$32,900.00 but less than \$33,799.99	25%
More than \$33,800.00 but less than \$34,699.99	20%

<b>“Annual Income Ranges</b>	<b>Exemption Percentage</b>
More than \$34,700.00 but less than \$35,599.99	15%
More than \$35,600.00 but less than \$36,499.99	10%
More than \$36,500.00 but less than \$37,399.99	5%”

## **Section 2.**

So that the annual income ranges for disabled persons as listed in Section 180-8 of the Town of Van Buren Town Code, titled “Exemption provided,” shall be revised, in its entirety, as follows:

<b>“Annual Income Ranges</b>	<b>Exemption Percentage</b>
Less than \$29,000.00	50%
More than \$29,000.01 but less than \$29,999.99	45%
More than \$30,000.00 but less than \$30,999.99	40%
More than \$31,000.00 but less than \$31,999.99	35%
More than \$32,000.00 but less than \$32,899.99	30%
More than \$32,900.00 but less than \$33,799.99	25%
More than \$33,800.00 but less than \$34,699.99	20%
More than \$34,700.00 but less than \$35,599.99	15%
More than \$35,600.00 but less than \$36,499.99	10%
More than \$36,500.00 but less than \$37,399.99	5%”

## **Section 3. Effective Date**

This Local Law shall take effect upon filing with the office of the Secretary of State of the State of New York, as provided in Section 27 of the Municipal Home Rule 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:

Roll Call Votes: Mrs. Sullivan – Yes, Mr. Hulchanski – Yes, Mrs. Van Der Water – Yes, Mr. Tupper – Yes, Ms. Sabin – Yes

Motion Carried & Adopted

Approve IUOE contract 1/1/23-12/31/26:

185-22-010 MOTION BY Mr. Hulchanski, seconded by Mrs. Van Der Water, to approve the IUOE contract beginning 1/1/23 and ending 12/31/26.

Mrs. Sullivan – Yes, Mr. Hulchanski – Yes, Mrs. Van Der Water – Yes, Mr. Tupper – Yes, Ms. Sabin – Yes

Motion Carried & Adopted

Approve class for Planning Board member James Bowes:

186-22-027 MOTION BY Mrs. Van Der Water, seconded by Mrs. Sullivan, to approve attendance for James Bowes at the Flood Plain Workshop in Altmar, NY at a cost not to exceed \$30.00.

Mrs. Sullivan – Yes, Mr. Hulchanski – Yes, Mrs. Van Der Water – Yes, Mr. Tupper – Yes, Ms. Sabin – Yes

Motion Carried & Adopted

Introduction of Local Law E-2022:

187-22-039 Mrs. Van Der Water introduced proposed Local Law No. E-2022, revising the term and residency requirements for the Town of Van Buren Comptroller position and made the following motion, which was seconded by Mr. Hulchanski

**WHEREAS**, this Local Law shall supersede Public Officers Law § (3)(1); and

**WHEREAS**, as proposed, the amendment of Section 13-2 of the Town of Van Buren Town Code will amend the term of the Comptroller from four (4) years to two (2) years, and the amendment to Section 13-3 will allow the person holding the position of Town Comptroller to be a resident or elector of the County of Onondaga or an adjacent county; and

**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-2022 at the Van Buren Town Offices located at 7575 Van Buren Road in the Town of Van Buren on January 4, 2023, 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.

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

Motion Carried & Adopted

Councilor Committee Reports & Comments:

Mrs. Van Der Water wished everyone a Merry Christmas and thanked Mr. Geiss for his service to the town.

Mr. Hulchanski said he is impressed by the knowledge of the Planning Board and Mr. Geiss' in particular will be missed.

Mrs. Sullivan wished everyone Happy Holidays and thanked Mr. Geiss.

Mr. Tupper wished all a Merry Christmas and said Mr. Geiss deserves all the thanks and appreciation for his service over the years.

Highway Superintendent Comments: None

Supervisor Comments: None

Engineer Comments: None

Attorney Comments: None

188-22-000 MOTION BY Mrs. Van Der Water, seconded by Mrs. Sullivan, to adjourn to the Organizational Meeting on January 4, 2023 at 7:00 pm.

Mrs. Sullivan – Yes, Mr. Hulchanski – Yes, Mrs. Van Der Water – Yes, Mr. Tupper – Yes, Ms. Sabin – Yes

Motion Carried & Adopted

Meeting closed 7:23 pm

Respectfully submitted,

Lynn Precourt, Town Clerk Dated: 12/22/22