

Regular Meeting of the Town Board of the Town of Van Buren, held on February 15, 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
Mrs. Wendy Van Der Water	Councilor
Mr. Howard Tupper	Councilor
Ms. Mary Frances Sabin	Supervisor

Absent:

Ms. Darcie Lesniak, Councilor

Also Present:

Ms. Nadine Bell	Town Attorney
Mr. Jason Hoy	Town Engineer
Ms. Theresa Golden	Assessor
Ms. Lynn Precourt	Town Clerk

Pledge of Allegiance and Roll Call.

Approve Regular Meeting Minutes of January 18, 2023:

043-23-000 MOTION BY Mrs. Van Der Water, seconded by Mrs. Sullivan, to approve the minutes of the Regular Town Board Meeting on January 18, 2023 as published.

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

Motion Carried & Adopted

Approve Regular Meeting Minutes of February 1, 2023:

044-23-000 MOTION BY Mrs. Sullivan, seconded by Mr. Tupper, to approve the Regular Meeting Minutes of February 1, 2023 as published.

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

Motion Carried & Adopted

Citizens Comments: None

Regular Town Board Meeting February 15, 2023

Consider approval of budget transfers for 2022 per Comptroller's memo:

045-23-007 MOTION BY Mr. Hulchanski, seconded by Mrs. Van Der Water, to approve the following budget transfers:

**Budget Transfer**

	<b><u>Account Number</u></b>	<b><u>Account Description</u></b>	<b><u>Amount</u></b>
<b>To:</b>	A.1110.0401	Justice Court- Office Supplies	\$ 63
	A.1220.0401	Town Supervisor- Office Supplies	\$ 49
	A.1220.0409	Town Supervisor- Late Fees	\$ 147
	A.1315.0408	Comptroller- Postage	\$ 236
	A.1355.0401	Assessor- Office Supplies	\$ 21
	A.1355.0442	Assessor- Membership Fees	\$ 40
	A.1410.0442	Town Clerk- Memberships	\$ 10
	A.1420.0429	Legal-Retainers	\$ 408
	A.1420.0430	Legal-Non-RE'tainers	\$ 1,446
<b>From:</b>	A.1110.0441	Justice Court- Interpreter	\$ 63
	A.1220.0441	Town Supervisor- Conferences	\$ 196
	A.1315.0441	Comptroller- Training	\$ 236
	A.1355.0443	Assessor- Publications	\$ 61
	A.1410.0440	Town Clerk- Travel	\$ 10
	A.1990.0400	Contingency	\$ 1,854

**Explanation:**

Legal, Non-Retainers: Amount represents higher costs related to union negotiations.

**Budget Transfer**

Regular Town Board Meeting February 15, 2023

	<u>Account Number</u>	<u>Account Description</u>	<u>Amount</u>
To:	A.1440.0441	Engineer-Training	\$ 12
	A.1620.0404	Bldg&Grds-Gasoline	\$ 614
	A.1620.0411	Bldg&Grds-Repairs	\$ 252
	A.1620.0416	Bldg &Grds- Cleaning Supplies	\$ 13
	A.1620.0422	Bldg&Grds, Heating oil	\$ 277
	A.1620.0423	Bldg&Grds-Water	\$ 81
	A.1621.0407	Shared Serves-Copy Machine	\$ 97
	A.1680.0200	Net Admin Compters	\$ 63
	A.1680.0424	Network Admin-Interenet	\$ 76
	A.1950.0451	Property Taxes-Town Property	\$ 44
	A.3510.0460	Animal Control	\$ 2
	A.5010.0401	Highway Admin-Office Supplies	\$ 82
	A.5132.0421	Highway Gar-Heat& Electric	\$ 749
	A.5132.0426	Highway Gar-Security system	\$ 489
From:	A.1440.0433	Engineer- Office Supplies	\$ 12
	A..1620.0441	Bldg&Gds- Training	\$ 1,237
	A.1621.0421	Shared Service-Electric & Gas	\$ 97
	A.5010.0412	High Admin-Vehicle Repairs	\$ 82
	A.5132.0411	Highway Garage-Repairs	\$ 1,238
	A1990.0400	Contingency	\$ 185

**Budget Transfer**

	<u>Account Number</u>	<u>Account Description</u>	<u>Amount</u>
To:	A.7020.0413	Park Admin-Equip Repairs	\$ 1
	A.7110.0100	Parks-Wages	\$ 2,007
	A.7110.0407	Parks-Equip Rentals	\$ 65
	A.7110..0411	Parks-Repairs	\$ 2,994
	A.7110.0422	Parks-Heating Oil	\$ 183
	A.7189.0100	Park Prgms-Wages	\$ 314
From:	A.7020.0442	Park Admin-Travel	\$ 1
	A.7110.0721	Parks-Electric	\$ 1,178
	A.7310.0460	Youth Prgms Training	\$ 314
	A.1990.0400	Contingency	\$ 4,071

Park Repairs, A.7110.0422, large expenditures were a plastic border in April \$4,053 fixing a water leak in May \$3,009 and material fixing a pavilion ceiling \$1,892. The amount for the water leak was recorded in the contingency account, which is not allowable

**Budget Transfer**

To:	B.3620.010	Code Enforce-Wages	\$	1,926
	B.3620.0401	Code Enforce-Office Supplies	\$	1,666
	B.3620.0409	Code Enfor-Misc	\$	107
From:	B.3620.0430	Code Enforce-Legal	\$	756
	B.3620.0406	Code Enforce-Unitforms	\$	400
	B.3620.0408	Code Enfor-Postage	\$	690
	B.3620.0412	Code Enfor-Vehicle repairs	\$	360
	B.3620.0443	Code Enforce-Codebook	\$	1,493

**Budget Transfers**

	<b><u>Account Number</u></b>	<b><u>Account Description</u></b>	<b><u>Amount</u></b>
TO:	B.5182.0423	Street Lighting	\$ 144
	B.8020.0401	Planning/Zoning-Supplies	\$ 33
	B.8020.0429	Plannin/Zoining-Legal Retainers	\$ 272
	B.8020.0430	Planning/Zoning-Non-Retainers	\$ 1,690
	B.9010.0800	NYS Retirement	\$ 3,256
	B.9055.0800	Disability	\$ 30
From	B.8020.0441	Planning/Zoning-Engineers	\$ 2,139
	B.9040.0800	Workmens Comp	\$ 1,500
	B.9060.0800	Health Insurance	\$ 1,786

**Budget Transfers**

	<b><u>Account Number</u></b>	<b><u>Account Description</u></b>	<b><u>Amount</u></b>
TO:	DB.5110.0410	Road Repairs-Materials	\$ 27,616
	DB.5110.0431	Road Repairs-Engineers	\$ 9,524
	DB.5130.0404	Highway Equip-Gasolinwe	\$ 449
	DB.5130.0405	Highway Equip-Diesel	\$ 11,464
	DB.9055.0800	NYS Retirement	\$ 3,256
	B.9055.0800	Disability	\$ 35
From	DB.5112.0200	Paving	\$ 21,650
	DB.5120.0406	Bridge repairs	\$ 30,694

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

Motion Carried & Adopted

**Public Hearing on Local Law B of 2023 regarding changes to tax exemptions for volunteer firefighter and ambulance staff:**

**046-23-000** MOTION BY Mrs. Sullivan, seconded by Mr. Tupper, to recess the regular meeting, open the public hearing and waive reading the legal notice published in *The Messenger* on February 9, 2023.

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.

Mr. Tony McIntyre, Northwest Fire District Fire Chief, said incentives like this do help them attract and retain volunteers and he thanked the Board for their consideration.

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

**047-23-000** MOTION BY Mrs. Van Der Water, seconded by Mr. Hulchanski, to close the public hearing and resume the regular meeting at 7:04 pm.

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

Motion Carried & Adopted

Approve Local Law B-2023:

048-23-030 The following resolution was offered by Mrs. Sullivan who moved its adoption, seconded by Mrs. Van Der Water to wit:

**WHEREAS**, pursuant to the provisions of the Municipal Home Rule Law and the Real Property Tax Law § 466-a, a proposed local law titled, a Local Law No. B of 2023 “A Local Law Amending Article VI of Chapter 180 of the Town of Van Buren Town Code to Continue the Property Tax Exemption for Volunteer Firefighters and Ambulance Workers Pursuant to Real Property Tax Law § 466-a,” was presented and introduced at a regular meeting of the Town Board of the Town of Van Buren held on February 1, 2023; and

**WHEREAS**, a public hearing was held on such proposed Local Law on the 15<sup>th</sup> day of February, 2023 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**, the enactment of Proposed Local Law No. B-2023 has previously been determined to be an Unlisted Action and will have no significant adverse impact on the environment thus concluding the SEQR review process; and

**WHEREAS**, it is in the public interest to enact said Proposed Local Law No. B of 2023.

**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. B of 2023 is hereby enacted as Local Law No. 2 of 2023, as follows:

**“Town of Van Buren  
Local Law No. 2 of 2023**

A Local Law Amending Article VI of Chapter 180 of the Town of Van Buren Town Code to  
Continue the Property Tax Exemption for Volunteer Firefighters and Ambulance Workers  
Pursuant to

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

**Section 1.**

So that Article VI of the Town of Van Buren Town Code, titled “Exemption for Volunteer Firefighters and Ambulance Workers,” is hereby amended pursuant to Real Property Tax Law Section 466-a, so that Article VI shall read in its entirety as follows:

“§ 180-10.1 Legislative Intent.

Having previously enacted an exemption on real property taxes for certain volunteer firefighters and ambulance workers pursuant to Real Property Tax Law § 466-g, it is the intent of the Town

Board of the Town of Van Buren to continue to provide a real property tax exemption to qualifying volunteer firefighters and ambulance workers and conform to the new Statewide exemption as set forth in Real Property Tax Law § 466-a.

§ 180-10.2 Authority.

Real Property Tax Law § 466-a authorizes the Town Board to adopt a local law providing a real property tax exemption of up to ten percent (10%) of the assessed value of real property owned by the qualifying volunteer firefighters and ambulance workers.

§ 180-10.3 Grant of exemption.

An exemption of ten percent (10%) of assessed value of property owned by an enrolled member as set forth below, or such enrolled member and their spouse, is hereby granted from taxation with respect to the real property taxes of the Town of Van Buren as long as eligibility requirements are met.

§ 180-10.4 Eligibility requirements.

Such exemption shall be granted to an enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service provided that:

- A. The property is owned by the volunteer firefighter or volunteer ambulance worker;
- B. The property is the primary residence of the volunteer firefighter or volunteer ambulance worker;
- C. The property is used exclusively for residential purposes;
- D. The volunteer firefighter or volunteer ambulance worker resides in the Town of Van Buren and the Town of Van Buren is served by such incorporated volunteer fire company or fire department or incorporated voluntary ambulance service;
- E. The volunteer firefighter or volunteer ambulance worker is certified by the authority having jurisdiction as an enrolled member of such an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service; and
- F. The volunteer firefighter or volunteer ambulance worker meets the minimum service requirement established by the Town of Van Buren, which is hereby established as five (5) years.

§ 180-10.5 Application.

A volunteer firefighter or volunteer ambulance worker must annually, on or before the applicable taxable status date, file an application for such property tax exemption with the assessor responsible for preparing the assessment roll for the Town of Van Buren, on a form as prescribed

by the New York State Commissioner of Taxation and Finance. The Town of Van Buren must maintain written guidelines, available upon request, as to the requirements of an enrolled volunteer member relating to this exemption.

§ 180-10.6 Certification.

The Town of Van Buren Town Board must annually file with the Town Assessor, prior to the applicable taxable status date, a list of the active volunteer members who are certified to meet the minimum service requirement. Such list must provide, as of the applicable taxable status date, the number of years of service served by each such enrolled member and such enrolled member's address of residence.

§ 180-10.7 No diminution of benefits.

An applicant who is receiving any benefit pursuant to Article 4 of the Real Property Tax Law as of the effective date of this Article shall not have any of those benefits diminished because of this Article.

§ 180-11 Lifetime and un-remarried spouse exemptions.

- A. Any eligible enrolled member who accrues more than 20 years of active volunteer service (as certified by the authority having jurisdiction) shall be granted the ten percent (10%) exemption as authorized by this Article for the remainder of his or her life as long as his or her primary residence is located within the Town of Van Buren.
- B. The un-remarried surviving spouse of a deceased enrolled member killed in the line of duty, as certified by the authority having jurisdiction, is qualified to continue to receive an exemption, as long as the deceased volunteer had been an enrolled member for at least five (5) years and had been receiving the exemption at the time of his or her death.”

**Section 2.** Validity and Severability.

If any clause, sentence, paragraph, section, or part of this Local Law is declared by a Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to said clause, sentence, paragraph, section or part of this Local Law.

**Section 3.** Effective Date.

This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Municipal Home Rule Law Section 27.

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

Motion Carried & Adopted



Request for zone change by Mr. Grunder and Ramin regarding PUD for CNY Sports Center:

Mr. Ramin said they are asking for a change to their PUD concerning setbacks so Mr. Grunder can build a garage.

Ms. Sabin said this will need to go to the Planning Board for a recommendation and it will also need to be sent to Onondaga County Planning Board for their review. The Town Board will need to schedule a public hearing since the only way to amend a PUD is through a zone change.

049-23-052 MOTION BY Mrs. Sullivan, seconded by Mr. Tupper, to send the request for a zone change from Mr. Grunder and Mr. Ramin for 7175 Jones Road to the Planning Board for their recommendation.

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

Motion Carried & Adopted

Consider acceptance of donation from Eagle Scout Kevin Callahan to construct a kiosk at the Harbour Heights Town Park:

Mr. Hulchanski said he and the Park Committee, along with park staff, have discussed this project and laid out the best placement.

050-23-036 MOTION BY Mr. Hulchanski, seconded by Mrs. Van Der Water, to accept the donation from Eagle Scout Kevin Callahan of a kiosk at the Harbour Heights Town Park.

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

Motion Carried & Adopted

Appoint Robert Grover to Town Board:

051-23-002 MOTION BY Mr. Hulchanski, seconded by Mrs. Sullivan, to appoint Robert Grover to the vacant Town Board position effective February 25, 2023 with a term ending 12/31/23.

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. Sullivan said the town will be mailing letters to veterans about a new program from Onondaga County called Shape Up for Veterans, which allows them to apply for money for home improvements.

Mr. Hulchanski reported on the Parks Committee that was held, he said they discussed the regrading of the baseball fields, new pavilion and they are working on the handicapped accessible deck near the pond. He said they are also looking for instructors for programs.

Supervisor Comments: None

Engineer Comments:

Mr. Hoy said work on the Connors Road culvert will begin in the next couple of weeks. He said once he has a date for road closure the school district and emergency services will be notified.

Attorney Comments: None

Mrs. Van Der Water asked Ms. Golden to discuss her February report for the Board.

Ms. Golden said the confirmed trends for the 2023 Assessment Roll are residential +5%, commercial +5% and vacant +8%. The LOA and Equalization Rate is projected to be 95% for 2023.

The 2023 Assessment Roll timeline will be as follows:

All changes to assessments or inventory by March 31

Tentative change of assessment notices mailed by April 17

Informal meetings with the assessor the week of April 24 and May 1<sup>st</sup>

Tentative roll filed on or before May 1<sup>st</sup>

Grievance Day by appointment on Tuesday May 23

Ms. Golden discussed the following changes and information for Real Property Legislation in 2022:

Senior Citizen and persons with disabilities increase of income limits on sliding scale to maximum of 50,000.

Town of Van Buren raised income limit to 37,400 (matches county)

Senior Citizen exemptions requirement for second notice.

Town of Van Buren Assessor's office mailed second notice to all property owners with Enhanced Star and not the Senior Citizen exemption.

Volunteer firefighters and ambulance workers exemption statewide option.

Town of Van Buren holding public hearing on changing to statewide option.

Ms. Golden said the Exemption Administration 2022 Summary is attached.

Ms. Golden said she earned 36 hours of continuing education credits during 2022 and the warnings have been removed. Requirements met for 2021, 2022 and 2023. The Continuing Education Status Report is attached

Regular Town Board Meeting February 15, 2023

052-23-000 MOTION BY Mr. Tupper, seconded by Mrs. Van Der Water, to adjourn to the Regular Town Board Meeting on March 1, 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 7:42 pm

Respectfully submitted,

Lynn Precourt  
Town Clerk

Dated: 2/17/23