

Regular Meeting of the Town Board of the Town of Van Buren, held on February 21, 2024 at 7:00 pm at the Van Buren Town Hall, 7575 Van Buren Road, Baldwinsville, New York.

Mr. Roger Hand	Councilor
Mr. Robert Grover	Councilor
Mrs. Jennifer Sullivan	Councilor
Mr. Michael Hulchanski	Councilor
Mrs. Wendy Van Der Water	Councilor
Ms. Darcie Lesniak	Acting Supervisor

Also Present:

Mr. Rich Andino	Town Attorney
Mr. Jason Hoy	Town Engineer
Ms. Lynn Precourt	Town Clerk

Pledge of Allegiance and Roll Call.

Approve minutes of the Regular Town Board Meeting on February 7, 2024:

034-24-000 MOTION BY Mrs. Van Der Water, seconded by Mr. Hulchanski, to approve the minutes of the Regular Town Board Meeting held on February 7, 2024 as published.

Mr. Hand – Yes, Mr. Grover – Yes, Mrs. Sullivan – Yes, Mr. Hulchanski – Yes, Mrs. Van Der Water – Yes, Ms. Lesniak – Yes

Motion Carried & Adopted

Citizens Comments: None

Approve Vouchers:

035-24-007 MOTION BY Mr. Grover, seconded by Mrs. Van Der Water, to approve claims 231818-231819, 231821-231838, 231852-231890 in the amount of \$74,455.19.

Mr. Hand – Yes, Mr. Grover – Yes, Mrs. Sullivan – Yes, Mr. Hulchanski – Yes, Mrs. Van Der Water – Yes, Ms. Lesniak – Yes

Motion Carried & Adopted

Public Hearing to consider proposed Local Law C-24, Residency Requirements for Town Historian:

036-24-000 MOTION BY Mrs. Sullivan, seconded by Mr. Hulchanski, to recess the regular meeting, open the public hearing and waive reading the legal notice published in *The Messenger* on 2/14/24.

Mr. Hand – Yes, Mr. Grover – Yes, Mrs. Sullivan – Yes, Mr. Hulchanski – Yes, Mrs. Van Der Water – Yes, Ms. Lesniak – Yes

Motion Carried & Adopted

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

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

Mr. Hulchanski said expanding the residency into contiguous counties will help make it easier to find someone to serve in this role.

037-24-000 MOTION BY Mrs. Van Der Water, seconded by Mrs. Sullivan, to close the public hearing and resume the regular meeting at 7:03 pm.

Mr. Hand – Yes, Mr. Grover – Yes, Mrs. Sullivan – Yes, Mr. Hulchanski – Yes, Mrs. Van Der Water – Yes, Ms. Lesniak – Yes

Motion Carried & Adopted

Adopt Local Law C-24:

038-24-030 The following resolution was offered by Mr. Hulchanski, who moved its adoption, seconded by Mr. Grover, to wit:

WHEREAS, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law titled “A Local Law Amending Chapter 58 of the Town Code of the Town of Van Buren, titled “Residency Requirements,” with Respect to the Position of Town Historian,” was presented and introduced at a regular meeting of the Town Board of the Town of Van Buren held on February 7, 2024; and

WHEREAS, a public hearing was held on such proposed local law on this 21st day of February, 2024, 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. C-2024 has previously been determined to be an unlisted action and will have no significant effect on the environment thus concluding the SEQR review process; and

WHEREAS, it is in the public interest to enact said proposed Local Law No. C-2024.

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-2024 as Local Law No. _-2024 as follows:

**“TOWN OF VANBUREN
LOCAL LAW _C_-2024**

**A LOCAL LAW AMENDING CHAPTER 58 OF
THE TOWN CODE OF THE TOWN OF VAN BUREN, TITLED
“RESIDENCY REQUIREMENTS,” WITH RESPECT TO THE POSITION OF
TOWN HISTORIAN**

BE IT ENACTED by the Town Board of the Town of Van Buren that this Local Law amends Chapter 58 of the Code of the Town of Van Buren, as follows:

SECTION 1. LEGISLATIVE PURPOSE AND INTENT.

The Town Board of the Town of Van Buren adopts this Local Law to establish residency requirements for the appointed position of Town Historian of the Town of Van Buren.

SECTION 2. AUTHORITY.

This local law is enacted pursuant to the New York State Constitution and New York Municipal Home Rule Law § 10(1)(ii)(a)(1) that grants to local governments the authority to enact local laws regarding the qualifications of local officers. Furthermore, this Local Law recognizes that the State Legislature previously amended Public Officers Law Article 2, § 3 expanding the residency requirements for any appointed public office, thereby rendering Public Officers Law a special law with respect to any appointed town officer (*see cf* N.Y. Op. Atty. Gen (Inf.) No. 2000-5).

SECTION 3. SUPERCESSION.

This Local Law shall supersede Town Law § 23(1) in its application to the office of Historian for the Town of Van Buren.

**SECTION 4. AMENDMENT OF CHAPTER 58 OF THE TOWN OF VAN BUREN
TOWN CODE, TITLED “RESIDENCY REQUIREMENTS,” TO
ESTABLISH A NEW ARTICLE 2, SECTION 58-7 REGARDING
THE RESIDENCY REQUIREMENTS FOR THE TOWN
HISTORIAN.**

So that a new Article 2, titled “Town Officers,” with a new Section 58-7, titled “Residency, Town Historian,” of the Town of Van Buren Town Code is shall hereby read, in its entirety, as follows:

“Section 58-7 Residency, Town Historian.

The person holding the office of Town Historian for the Town of Van Buren need not be a resident or elector of the Town of Van Buren provided, however, that such person shall reside in the County of Onondaga or an adjoining county with the State of New York.”

SECTION 5. INCONSISTENCY.

All other local laws and ordinances of the Town of Van Buren that are inconsistent with the provision of this Local Law are hereby repealed; provided, however, that such repeal shall only be to the extent of such inconsistency and in all other respects this Local Law shall be in addition to such other local laws or ordinances regulating and governing the subject matter covered by this Local Law.

SECTION 6. SEVERABILITY.

If the provisions of any article, section, subsection, paragraph, subdivision or clause of this Local Law shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this Local Law.

SECTION 7. EFFECTIVE DATE.

This Local Law shall be effective upon filing with the office of the Secretary of State.”
Mr. Hand – Yes, Mr. Grover – Yes, Mrs. Sullivan – Yes, Mr. Hulchanski – Yes, Mrs. Van Der Water – Yes, Ms. Lesniak – Yes

Motion Carried & Adopted

Appoint Steve McMahon Town Historian, term to expire 12/31/24:

039-24-002 MOTION BY Mrs. Sullivan, seconded by Mrs. Van Der Water, to appoint Steve McMahon Town Historian with term to expire 12/31/24.

Mr. Hand – Yes, Mr. Grover – Yes, Mrs. Sullivan – Yes, Mr. Hulchanski – Yes, Mrs. Van Der Water – Yes, Ms. Lesniak – Yes

Motion Carried & Adopted

Appoint Linda Pease Budget Officer:

040-24-002 MOTION BY Mrs. Van Der Water, seconded by Mr. Grover, to appoint Linda Pease Budget Officer with term to expire 3/6/25.

Mr. Hand – Yes, Mr. Grover – Yes, Mrs. Sullivan – Yes, Mr. Hulchanski – Yes, Mrs. Van Der Water – Yes, Ms. Lesniak – Yes

Motion Carried & Adopted

Appoint Kaitlyn Fowler as Clerk 1 in Codes effective 2/28/24 at a rate of \$25.10 per hour:

041-24-002 MOTION BY Mr. Grover, seconded by Mr. Hulchanski, to appoint Kaitlyn Fowler as Clerk 1 in Codes Office effective 2/28/24 at a rate of \$25.10 per hour.

Mr. Hand – Yes, Mr. Grover – Yes, Mrs. Sullivan – Yes, Mr. Hulchanski – Yes, Mrs. Van Der Water – Yes, Ms. Lesniak – Yes

Motion Carried & Adopted

Award bid to Affordable Fence in the amount of \$14,320.00 for fencing in Snowdale Park, to be paid with \$8,375.00 CDBG grant and the remaining \$5,945.00 from General Fund:

042-24-037 MOTION BY Mrs. Sullivan, seconded by Mr. Grover to award bid to lowest quote, Affordable Fence in the amount of \$14,320.00 for fencing in Snowdale Park, to be paid with \$8,375.00 CDBG grant and the remaining \$5,945.00 from General Fund.

Mr. Hand – Yes, Mr. Grover – Yes, Mrs. Sullivan – Yes, Mr. Hulchanski – Yes, Mrs. Van Der Water – Yes, Ms. Lesniak – Yes

Motion Carried & Adopted

Set bid date for Maple Road sidewalk project:

043-24-054 MOTION BY Mr. Grover, seconded by Mrs. Sullivan, to set the bid date of March 13, 2024 at 10:00 am at the Town Hall for bids to be opened for the Maple Road sidewalk project.

Mr. Hand – Yes, Mr. Grover – Yes, Mrs. Sullivan – Yes, Mr. Hulchanski – Yes, Mrs. Van Der Water – Yes, Ms. Lesniak – Yes

Motion Carried & Adopted

Accept the 2023 Onondaga County Community Development Block Grant (CDBG) for pavilion in Snowdale Park in the amount of \$50,000, with \$17,500 matching town funds for this new capital project and authorize a loan in the amount of \$50,000 from General Fund until reimbursed:

Mr. Hulchanski said his neighborhood has a small park similar to this one with a pavilion and it is used often by the residents. He said they have a neighbor who coordinates its use and hangs a reserved sign when someone will be using it for parties.

044-24-023 MOTION BY Mr. Hulchanski, seconded by Mr. Grover, to Accept the 2023 Onondaga County Community Development Block Grant (CDBG) for pavilion in Snowdale Park in the amount of \$50,000, with \$17,500 matching town funds for this new capital project and authorize a loan in the amount of \$50,000 from General Fund until reimbursed.

Mr. Hand – Yes, Mr. Grover – Yes, Mrs. Sullivan – Yes, Mr. Hulchanski – Yes, Mrs. Van Der Water – Yes, Ms. Lesniak – Yes

Motion Carried & Adopted

Schedule public hearing to consider Local Law A-24, changes to Amend Chapter 200 to Revise Regulations for Solar Power and Energy Systems:

045-24-039 Mrs. Van Der Water introduced proposed Local Law No. A-2024, “A Local Law to Amend Chapter 200 (Zoning) of the Code of the Town of Van Buren to Revise the Regulation of Solar Power and Energy Systems in the Town” which Local Law would amend the Code of the Town of Van Buren, which was seconded by Mrs. Sullivan

WHEREAS, that the purpose of this Local Law is to modify the Town’s regulation of Solar Power and Energy Systems, so as to support State energy policy by promoting appropriate solar development while protecting the character of the Town, valuable farmland, and local resources; 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, requires that as early as possible an involved agency shall make a determination whether a given action is subject to the aforementioned law; 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.

NOW, THEREFORE, it is

RESOLVED AND DETERMINED, there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQRA) 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 it is further

RESOLVED AND DETERMINED, the adoption of said Local Law is an unlisted action for purposes of environmental review under SEQRA and shall require the completion of a Short Environmental Assessment Form (EAF); and it is further

RESOLVED, that the Town Board shall conduct a public hearing as to the enactment of proposed Local Law No. A-2024 at the Van Buren Town Hall, 7575 Van Buren Road, Baldwinsville, New York, on March 6, 2024, at 7:00 p.m. or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard.

Mr. Hand – Yes, Mr. Grover – Yes, Mrs. Sullivan – Yes, Mr. Hulchanski – Yes, Mrs. Van Der Water – Yes, Ms. Lesniak – Yes

Motion Carried & Adopted

Councilor Committee Reports and Comments:

Mr. Grover asked when the drainage work in Harbour Heights will be completed. Mr. Hoy said the cold patch on the road should be done by Noon tomorrow.

Mrs. Sullivan reminded everyone there is a Park & Recreation Committee meeting on February 28th at 3:00 pm at the Park Office.

Supervisor Comments:

Ms. Lesniak said the NYS Department of Transportation has reviewed our request to reduce the speed limit on Van Buren Road from Rt. 48 to the Town of Camillus line and has found it is not necessary at this time.

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Engineer Comments: None

Attorney Comments: None

046-24-000 MOTION BY Mr. Grover, seconded by Mrs. Sullivan, to adjourn to the next Regular Town Board Meeting on March 6, 2024 at 7:00 pm.

Mr. Hand – Yes, Mr. Grover – Yes, Mrs. Sullivan – Yes, Mr. Hulchanski – Yes, Mrs. Van Der Water – Yes, Ms. Lesniak – Yes

Motion Carried & Adopted

Meeting closed 7:14 pm

Respectfully submitted,

Lynn Precourt
Town Clerk

Dated: 2/22/24