

Regular Meeting of the Town Board of the Town of Van Buren, held on July 3, 2024 at 7:00 pm at the Van Buren Town Hall, 7575 Van Buren Road, Baldwinsville, New York.

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

Also Present:

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

Pledge of Allegiance and Roll Call.

Approve Meeting Minutes of June 19, 2024:

138-24-000 MOTION BY Mrs. Van Der Water, seconded by Mrs. Sullivan, to approve the minutes of the Regular Town Board Meeting on June 19, 2024 as published.

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

All Ayes – Motion Carried & Adopted

Citizens Comments: None

Approve vouchers:

139-24-007 MOTION BY Mr. Grover, seconded by Mrs. Van Der Water, to approve claims 232350-232367, 232369-132370, 232372-232424 in the amount of \$203413.79.

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

All Ayes – Motion Carried & Adopted

Approve budget transfers:

140-24-007 MOTION BY Mrs. Sullivan, seconded by Mr. Hand, to approve the following budget transfer:

FROM:	A.0000.0909	GENERAL FUND FUND BALANCE	\$
			(30,000.00)
TO:	A.1620.0411	BUILDING AND GROUNDS REPAIRS	\$
			30,000.00

Emergency Repair of Pond

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

All Ayes – Motion Carried & Adopted

Public Hearing on the Van Buren Consolidated Water District Ext. No. 3:

141-24-000 MOTION BY Mr. Grover, seconded by Mrs. Sullivan, to recess the regular meeting, open the public hearing and waive reading the legal notice published in the *Post Standard* on June 20, 2024.

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

All Ayes – Motion Carried & Adopted

Ms. Lesniak asked if there was anyone to speak in favor, or against, this proposed water district extension. No one spoke.

142-24-000 MOTION BY Mrs. Van Der Water, seconded by Mr. Grover, to close the public hearing and resume the regular meeting at 7:08 pm.

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

All Ayes – Motion Carried & Adopted

Consider approval of the Van Buren Consolidated Water District Ext. No 3:

**IN THE MATTER OF THE EXTENSION NO. 3
OF THE
VAN BUREN CONSOLIDATED WATER DISTRICT
in the Town of Van Buren,
County of Onondaga, State of New York**

143-24-051 Councilor Van Der Water moved and Councilor Grover seconded the following resolution.

WHEREAS, the Town Board of the Town of Van Buren (the “Town Board” and the “Town”, respectively), in the County of Onondaga, State of New York, received a Petition pursuant to Article 12 of the Town Law, for the establishment of the Van Buren Consolidated Water District, Extension No. 3 (the “Water District Extension”) in an area generally known as Tax Map Nos.: 055.-02-02.0; 055.-02-03.0, Town of Van Buren, New York, which Petition is signed by the owners of the taxable real property situate in the proposed Water District Extension, owning in the aggregate at least one-half of the assessed valuation of all the taxable real property of the proposed Water District Extension, as shown upon the latest completed assessment roll of said Town, and including the signatures of resident owners of taxable real property owning taxable real property aggregating at least one-half of the assessed valuation of all the taxable real property of the proposed Water District Extension, owned by resident owners according to the latest completed assessment roll; and

WHEREAS, all costs in connection with the Water District Extension, including all legal and engineering expenses incurred by the Town, and all costs of construction of the water facilities necessary to serve said Water District Extension and also all costs and expenses incidental to the acquisition of necessary lands and rights-of-way therefore will be paid by the petitioners, its grantees, successors or assigns, who will subsequently execute, if necessary, an instrument conveying title to all or such portions of such water facilities including lands or rights-of-way that may be required by the Town Board of the Town of Van Buren, free and clear of all liens and encumbrances, to the said Water District Extension at no expense to said District as extended or the Town of Van Buren; and

WHEREAS, an order was duly adopted by the Town Board on June 5, 2024 for the hearing of all persons interested in the matter on the 3rd day of July, 2024 at 7:00 p.m., or as soon thereafter as the matter could be heard, at the Town Hall in said Town and the hearing by the said Town Board having been duly held at such time and place, and proof of posting and publication of the notice of said hearing as required by law having been received by the Town Board, and the Town Board having heard all persons interested in such matter; and

WHEREAS, the plans for construction of the improvements within the Water District Extension are satisfactory and meet the requirements of the Town, subject to inspection by the Town Engineer at petitioners’ sole cost and expense upon installation of the facility extensions therein; and

WHEREAS, the permission of the State Comptroller shall not be required for the extension of said District nor the construction of said improvements since the Town shall not be required to finance the cost of said improvements by the issuance of bonds, notes, certificates, or other evidences of indebtedness of the Town; and

WHEREAS, on June 5, 2024, the Town Board also determined that the Water District Extension and construction of improvements therein will have no significant effects on the environment and that such determination constituted a negative declaration for purposes of environmental review.

NOW THEREFORE, IT IS HEREBY RESOLVED AND DETERMINED, that:

A. The petition aforesaid is signed and acknowledged or proved as required by law, it duly complies with the requirements of Section 191 of the Town Law as to sufficiency of signers with respect to the boundaries of the proposed district extension as herein approved and it is otherwise sufficient;

B. All the property and property owners within the proposed district extension are benefited thereby;

C. All the property and property owners benefited are included within the limits of the proposed district extension;

D. It is in the public interest to grant in whole the relief sought; and it is further

RESOLVED AND DETERMINED, that all future costs and expenses of operation, maintenance and improvements in said District, including those relative to the Water District Extension which is the subject of this resolution, shall be assessed, levied and collected from the several lots and parcels of land within the entire area of said Van Buren Consolidated Water District, Extension No. 3, in an area generally known as Tax Map Nos.: 055.-02-02.0; 055.-02-03.0, Town of Van Buren, New York, deemed benefited thereby in proportion to the amount of benefit conferred upon same; and it is further

RESOLVED, that the said Van Buren Consolidated Water District, Extension No. 3 hereby be established in said Town of Van Buren, Onondaga County, New York, to include the description and boundaries as set forth in Schedule "A", as hereinbefore described to be known as Van Buren Consolidated Water District, Extension No. 3, and it is further

RESOLVED, that the Town Clerk is hereby authorized and directed to cause a certified copy of this Order to be recorded and filed in accordance with the provisions of Article 12 of the Town 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: Mr. Burke – Yes, Mr. Hand – Yes, Mr. Grover – Yes, Mrs. Sullivan – Yes, Mrs. Van Der Water – Yes, Ms. Lesniak – Yes

All Ayes – Motion Carried & Adopted

Approve issuance of trash hauler licenses for Butler Disposal, Dependable Disposal and Morgan Rubbish Removal:

144-24-021 MOTION BY Mr. Grover, seconded by Mrs. Van Der Water, to approve issuance of trash hauler licenses to Butler Disposal, Dependable Disposal and Morgan Rubbish Removal.

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

All Ayes – Motion Carried & Adopted

Approve contract with Grossman St. Amour to perform Justice Court audit for years 2021-2023 in the amount of \$16,000:

145-24-010 MOTION BY Mrs. Sullivan, seconded by Mr. Hand, to approve the contract with Grossman St. Amour to perform Justice Court audit for years 2021-2023 in the amount of \$16,000.

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

All Ayes – Motion Carried & Adopted

Accept resignation of Mary Frances Sabin as Confidential Secretary to the Supervisor effective July 10, 2024:

146-24-038 MOTION BY Mrs. Van Der Water, seconded by Mrs. Sullivan, to accept the resignation of Mary Frances Sabin as Confidential Secretary to the Supervisor effective July 10, 2024.

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

All Ayes – Motion Carried & Adopted

Appoint Lori Smith as Confidential Secretary to the Supervisor effective July 8, 2024 at a rate of \$19.00/hr:

147-24-038 MOTION BY Mrs. Van Der Water, seconded by Mrs. Sullivan to appoint Lori Smith as Confidential Secretary to the Supervisor effective July 8, 2024 at a rate of \$19.00/hr.

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

All Ayes – Motion Carried & Adopted

Designate the Town of Van Buren Deputy Fire Marshall to enforce the provisions of Chapter 145 (Property Maintenance Law):

148-24-052 MOTION BY Mr. Hand, seconded by Mrs. Sullivan, to approve the following resolution:

WHEREAS, pursuant to Section 145-7 of the Town of Van Buren Town Code, the Town of Van Buren Town Board may authorize an individual, in addition to the Code Enforcement Officer, the ability to enforce the provisions of Chapter 145 and to commence any enforcement action or proceeding upon the personal knowledge of the Code Enforcement Officer or upon the sworn statement of another individual; and

WHEREAS, the Town Board of the Town of Van Buren does desire to designate the Town of Van Buren Deputy Fire Marshal as an individual who is empowered to enforce the provisions of Chapter 145 under the supervision and direction of the Town of Van Buren Code Enforcement Officer.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town Van Buren does hereby grant the Town of Van Buren Deputy Fire Marshal, acting under the supervision and direction of the Town of Van Buren Code Enforcement Officer, the authority to enforce Chapter 145 of the Town of Van Buren Town Code, which authority shall include the ability to issue and serve appearance tickets and such other process as may be required and/or authorized by Chapter 145 and may commence any enforcement action or proceeding upon the personal knowledge of the Code Enforcement Officer or upon the sworn statement of another individual.

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

All Ayes – Motion Carried & Adopted

Approve resolution establishing 7.21 days worked per pay period for Justice O’Kane for NYS Retirement reporting based on three month log:

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149-24-034 MOTION BY Mrs. Van Der Water, seconded by Mr. Grover, to establish 7.21 days worked per pay period for Justice O’Kane for NYS Retirement Reporting based on three month log.

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

All Ayes – Motion Carried & Adopted

Councilor Committee Reports and Comments:

Mr. Grover said he is finished going over the proposed regulations on smoke shops and it will be ready for the Board’s review and input shortly.

Mrs. Sullivan said the electric speed limit sign is deterring speeding on Idlewood Blvd.

Supervisor Comments: None

Engineer Comments: None

Attorney Comments: None

150-24-000 MOTION BY Mrs. Van Der Water, seconded by Mr. Grover, to adjourn to the next Regular Town Board Meeting on July 17, 2024 at 7:00 pm.

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

All Ayes – Motion Carried & Adopted

Meeting closed 7:15 pm

Respectfully submitted,

Lynn Precourt

Town Clerk, Dated: 7/5/24