

## June 5, 2017

The Town Board of the Town of Onondaga met at a regular meeting at 5:00 p.m. on Monday, June 5, 2017 at Town Hall, 5020 Ball Road, Syracuse New York.

Present:	Supervisor	Thomas P. Andino, Jr.
	Councilman	Charles Petrie
	Councilman	Donald Hamilton
	Councilwoman	Suzanne Belle
	Councilwoman	Mary K. Ryan
	Town Clerk	Lisa M. Goodwin
	Town Attorney	Kevin Gilligan
	Town Engineer	William Perrine

### **1. Discussion – Amended Site Plan Approval – 4827 Broad Road**

Mr. Matthew Leach, Keplinger Freeman Associates, was present. Mr. Leach explained that the plans for the proposed dentist office building on the corner of West Seneca Turnpike and Broad Road in the Town of Onondaga had to be amended to show the building at the 78' setback as approved by the Zoning Board of Appeals. The location of the sign has also been amended to show the 20' setback as required by Town Code. The covenants to run with the land have also been revised.

#### **RESOLUTION Revised Site Plan Approval for 4827 Broad Road**

**Dr. Janice Pliszcak (owner),  
formerly owned by Robert & Kathleen Vinciguerra**

**WHEREAS**, Robert and Kathleen Vinciguerra submitted an application for site plan approval to construct a dentist office at the above-referenced address, dated November 2, 2016; and

**WHEREAS**, the Town of Onondaga duly referred this to the Onondaga County Planning Agency, pursuant to New York GML Section 239 and that Board responded by resolution dated May 10, 2017; and

**WHEREAS**, the County Planning Board, by resolution dated May 10, 2017, recommended the following modifications prior to any Town approval:

“1. The municipality must submit a copy of the drainage report and lighting plan to the New York State and Onondaga County Departments of Transportation early in the planning process for approval and complete any appropriate mitigation as may be determined by the Departments.

2. The municipality and the applicant must continue to coordinate Broad Road access and work permit requirements with the Onondaga County Department of Transportation. The proposed driveway at Broad Road must be modified to meet Department commercial driveway standards.”

**WHEREAS**, the County Planning Board also offered a number of comments, which have been taken into consideration by this Board and the applicants; and

**WHEREAS**, the applicants have complied with the modifications advanced by County Planning and the New York State DOT and County DOT have indicated that they approve the drainage, lighting and access issues raised; and

**WHEREAS**, the Town has advanced and will condition approval with additional restrictions as to lighting; and

**WHEREAS**, Onondaga County WEP has indicated that no offset requirements are necessary with respect to this project; and

**WHEREAS**, the Town ZBA, by resolution dated November 15, 2016 granted area variances to this project, allowing a setback from West Seneca Turnpike of 78', permitting a reduction in the number of required parking spaces to 19 with an additional 9 parking spaces to be held in reserve in case needed in the future; and

**WHEREAS**, the Town Planning Board found the project to be in compliance with the Town's West Seneca Turnpike Overlay requirements, by resolution dated November 14, 2016; and

**WHEREAS**, the original site plan for this project was approved by this Board at its May 15, 2017 regular meeting subject to four conditions, including one requiring that the owner and Town enter into a covenant with respect to a utility easement affecting the property; and

**WHEREAS**, it was subsequently determined during the building permit process that the proposed new building was located too close to West Seneca Turnpike, in violation of area variances granted by the Town's Zoning Board of Appeals; and

**WHEREAS**, the plans have been revised to modify the building setback from West Seneca Turnpike and to move the proposed sign to comply with Town requirements of a 20 foot setback from West Seneca Turnpike.

Now, therefore, upon motion of Supervisor Andino, seconded by Councilman Hamilton, be it

**RESOLVED AND DETERMINED**, that the site plan above-referenced is hereby approved in accordance with the following plans:

- A. Cover sheet titled "Professional Office Building, Dr. Janice Pliszcak, prepared by Zausmer-Frisch, Scruton & Aggarwal Designers/Builders and Keplinger Freeman Associates, Landscape Architect, dated 6/5/17.
- B. L-1 Site Preparation Plan, latest revision 6/5/17.
- C. L-1 Site Demolition Plan, dated 9/20/16, latest revision 5/12/17.
- D. L-2 Site Grading and Drainage Plan, latest revision 6/5/17.
- E. L-3 Site Layout Plan, latest revision 6/5/17.
- F. L-4 Planting Plan, latest revision 6/5/17.
- G. L-5 Erosion Control Plan, latest revision 6/5/17.
- H. L-6 Site Lighting Plan, latest revision 6/5/17.
- I. A-201 Exterior Building Elevations, latest revision 5/8/17.
- J. A-202 Exterior Building Elevations, latest revision 5/8/17.
- K. A-203 Exterior Building Elevations – Window Types latest revision, 5/8/17.
- L. A-304 Partial Entry Elevation, latest revision 5/8/17;

And it is further

**RESOLVED AND DETERMINED** that said approval is conditioned as follows:

- A. All exterior lighting will be extinguished no later than 7:00 pm each day.
- B. The owner entering into a revised covenant with respect to the utility easement, indicating that, should the Town, the County or any other party entering the easement to effect work on the utilities thereon which disturbs the plantings, landscaping, grass, pavement or other elements of this approval, the owner will be responsible for replacement, repair or restoration in accordance with the approved plans.
- C. The owner will see to it that there is post-construction de-compaction of soils in the infiltration basin area and infiltration testing, performed by a licensed professional in accordance with NYS regulations, shall be performed to ensure the practices dewater the water quality volume (WQv, 1-year storm event) within 48 hours of the 1-year storm event and that the results be provided within 10 days to the Town of Onondaga Codes Enforcement Office.
- D. The Town, its engineers or its duly authorized representative must witness and inspect the abandonment of the existing sanitary sewer lateral servicing the existing house on this site and the installation of the new sewer lateral and cleanout within the limits of the existing utility easement.

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

Councilman	Petrie	Voted	Yes
Councilman	Hamilton	Voted	Yes
Councilwoman	Belle	Voted	Yes
Councilwoman	Ryan	Voted	Yes
Supervisor	Andino	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

**2. Discussion – Site Plan Approval – Jason Sheldon, 4849 West Seneca Turnpike**

Mr. Ben Vincent reported that the application for Site Plan Approval regarding the property located at 4849 West Seneca Turnpike in the Town of Onondaga will be referred to the Town Planning Board for Corridor Review. Mr. Vincent explained that at the time Mr. Jason Sheldon purchased the residential house, it was zoned Professional and Commercial Office (PCO). This corridor is now part of the Onondaga Hill Business District (OHB).

Mr. Sheldon would like to convert this home into office space for his insurance office. Because it was a residential home, there are modifications that need to be made to comply with the business district and the Americans with Disabilities Act (ADA) regulations. Mr. Vincent stated that the Sprinkler Review Board has submitted a letter dated June 5, 2017 authorizing a waiver for a sprinkler system with the following terms: a monitored smoke/fire alarm system will be in place, dry chemical fire extinguishers will be on the premises, lighted exit signs will be installed, and the second floor of the building will not be utilized for business or storage of personal/business contents. Mr. Sheldon proposed and agreed to these stipulations.

The following resolution was offered by Supervisor Andino, who moved its adoption, seconded by Councilman Petrie,

**WHEREAS**, an application has been received by the Codes Office for a building permit and site plan approval regarding the property located at 4849 West Seneca Turnpike in the Town of Onondaga; and

**WHEREAS**, the new owner would like to convert this residence into office space for his insurance office; and

**WHEREAS**, a Short Environmental Assessment Form has been completed and submitted; be it

**RESOLVED**, that the Town Board finds that there is no adverse environmental impact, that this is an unlisted action for the purposes of SEQR, and renders a negative declaration.

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

Councilman	Petrie	Voted	Yes
Councilman	Hamilton	Voted	Yes
Councilwoman	Belle	Voted	Yes
Councilwoman	Ryan	Voted	Yes
Supervisor	Andino	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

The following resolution was offered by Councilman Hamilton, who moved its adoption, seconded by Councilwoman Belle,

**RESOLVED**, that the application of Jason Sheldon, 4849 West Seneca Turnpike, be referred to the Town of Onondaga Planning Board for Overlay District Review.

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

Councilman	Petrie	Voted	Yes
Councilman	Hamilton	Voted	Yes
Councilwoman	Belle	Voted	Yes
Councilwoman	Ryan	Voted	Yes
Supervisor	Andino	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

Counsel will also refer the application to Onondaga County Planning Board under §239 of General Municipal Law. Their next meeting is on June 24, 2017. This application will be back before the Town Board on July 17, 2017

**3. Schedule Public Hearing – Local Law C-2017 – Amendment to Chapter 285 Zoning Code – Solar Power and Energy Systems**

Supervisor Andino explained that the Town Board had recently formed a committee to study solar panel farms and to create legislation to be used in the town. This legislation is not regarding resident usage of solar panels on their homes, this is pertaining to solar farms. Most of the commercial entities are interested in those properties that are at least twenty acres. Supervisor Andino has reviewed the proposed legislation. His concern is that it allows for solar farms in Residential and Country (R-C) Districts. He feels that this could be an intrusion of the large farms on these residential areas. He recommends that a change be made to remove the R-C District and only allow them in the Light Industrial District (LI). The Board was in agreement and asked counsel to make those changes to the proposed local law.

**TOWN OF ONONDAGA  
TOWN BOARD RESOLUTION**

**TOWN OF ONONDAGA LOCAL LAW C-2017**

(“A Local Law to Amend Chapter 285 (Zoning) of the Code of the Town of Onondaga to Add a New Section Regulating Solar Power and Energy Systems in the Town”)

Supervisor Andino introduced proposed Local Law No. C-2017, “To Amend Chapter 285 (Zoning) of the Code of the Town of Onondaga to Add a New Section Regulating Solar Power and Energy Systems in the Town” which Local Law would result in adding a new Section 285-36.1 to be titled “Solar Energy Systems” to the Zoning Code of the Town of Onondaga to permit and regulate the construction of solar energy systems in the Town of Onondaga in a manner that preserves the health, safety and welfare of the Town while also facilitating the production of renewable energy, and made the following motion, which was seconded by Councilor Petrie:

**WHEREAS**, proposed Local Law C-2017 has been introduced and will be considered for enactment pursuant to the provisions of the Municipal Home Rule Law; and

**WHEREAS**, Volume 6 N.Y.C.R.R., Sections 617.3 and 617 of the Regulations relating to Article 8 of the New York Environmental Conservation Law of New York (SEQRA), requires that as early as possible after submission of a completed application, an involved agency shall make a determination whether a given action is subject to the aforementioned law; and

**WHEREAS**, the adoption of said Local Law is a Type I action for purposes of environmental review under SEQRA; 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 Onondaga, such that there are no other involved agencies within the meaning of the SEQRA with respect to the proposed enactment of said proposed Local Law, with the result that the Town Board shall act as lead agency in this matter; and

**WHEREAS**, the Town Board has determined that a Full Environmental Assessment Form (EAF) shall be required in connection with this matter; and

**WHEREAS**, the said full 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 proposed Local Law No. C-2017 is a Type I action, there are no other involved agencies and this Board shall act as lead agency in this matter for purposes of SEQRA review; and it is further

**RESOLVED AND DETERMINED** that the Town Board has determined this action shall have no 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 SEQRA; and it is further

**RESOLVED AND DETERMINED** that the reasons for the foregoing declaration are as follows:

1. If adopted, proposed Local Law No. C-2017 will incorporate a new Section in the Town of Onondaga Zoning Code to be titled "Solar Energy Systems" to permit and regulate the construction of solar energy systems in the Town of Onondaga in a manner that preserves the health, safety and welfare of the Town while also facilitating the production of renewable energy.

2. In reviewing and regulating the placement and use of certain solar energy systems and solar farms, the Town has recognized that a carefully coordinated special use permit and site plan review will be taken by both the Zoning Board of Appeals and Town Board respectively.

3. In regulating the placement and use of solar energy systems, the Town proposed regulations are designed to minimize the impact of such uses on the environment and surrounding properties while encouraging appropriate placement of those solar energy systems in the proper circumstances.

4. While it is recognized solar energy systems may be perceived to be aesthetically detrimental to surrounding properties, especially residential neighbors, the proposed regulations provide for aesthetic impacts to be considered in the review process.

5. This local law seeks to accommodate public demand for solar energy systems, while minimizing potential adverse impacts upon neighboring uses.

6. Aesthetic impacts will be reduced as a result of this Local Law which imposes various site requirements upon these facilities, including screening, height limitations, separations, design, proliferation, landscaping, lighting, utility services, setbacks, visibility and others.

7. Enactment of proposed Local Law No. C-2017 will be more protective of the environment than the proliferation of solar energy systems in the absence of regulations.

8. Proposed Local Law No. C-2017 seeks to minimize aesthetic and other impacts of such uses on their neighbors, and as such, its adoption will have no significant effect on land use, air or water quality, traffic, solid waste production, drainage, animal or vegetation life; will not attract numbers of people to the Town; will not create any conflict with the Town's plans or goals; will not impair the character of any community or neighborhood resource; will not create any health hazard; will not result in any change in energy use; and will not create any demand for other action which would result in the above consequences; and it is further

**RESOLVED AND DETERMINED** that this Board adopts and incorporates into this Resolution the attached Notice of Negative Declaration and instructs counsel to make the required filing and publication of same; 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. C-2017 at the Town Hall located at 5020 Ball Road, Syracuse, New York 13215 on July 17, 2017 at 6:00 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard.

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

Councilman	Petrie	Voted	Yes
Councilman	Hamilton	Voted	Yes
Councilwoman	Belle	Voted	Yes
Councilwoman	Ryan	Voted	Yes
Supervisor	Andino	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

**TOWN OF ONONDAGA  
PROPOSED LOCAL LAW NO. C-2017**

**A LOCAL LAW TO AMEND CHAPTER 285 (ZONING) OF THE CODE  
OF THE TOWN OF ONONDAGA TO ADD A NEW SECTION  
REGULATING SOLAR POWER AND ENERGY SYSTEMS IN THE TOWN**

Be it enacted by the Town Board of the Town of Onondaga as follows:

**SECTION 1. LEGISLATIVE PURPOSE AND INTENT**

The purpose of this Local Law is to permit and regulate the construction of solar energy systems in the Town of Onondaga in a manner that preserves the health, safety and welfare of the Town while also facilitating the production of renewable energy.

**SECTION 2. AUTHORITY**

This local law is enacted pursuant to the New York State Constitution and New York Municipal Home Rule Law §10.

**SECTION 3. DEFINITIONS.**

Chapter 285, § 285-4 (“Definitions”) of the Code of the Town of Onondaga is hereby amended to add the following definitions:

**“NET-METERING** - A billing arrangement that allows solar customers to receive credit for excess electricity which is generated from the customer’s Solar Energy System and delivered back to the grid so that customers only pay for their net electricity usage for the applicable billing period.

**QUALIFIED SOLAR INSTALLER** - A person who has skills and knowledge related to the construction and operation of Solar Energy Systems (and the components thereof) and installations and has received safety training on the hazards involved. Persons who are on the list of eligible photovoltaic installers maintained by the New York State Energy Research and Development Authority (NYSERDA), or who are certified as a solar installer by the North American Board of Certified Energy Practitioners (NABCEP), shall be deemed to be qualified solar installers for the purposes of this definition. Persons who are not on NYSEERDA’s list of eligible installers or NABCEP’s list of certified installers may be deemed to be qualified solar installers if the Town Code Enforcement Officer or such other Town officer or employee as the Town Board designates determines such persons have had adequate training to determine the degree and extent of the hazard and the personal protective equipment and job planning necessary to perform the installation safely. Such training shall include the proper use of special precautionary techniques and personal protective equipment, as well as the skills and techniques necessary to distinguish exposed energized parts from other parts of electrical equipment and to determine the nominal voltage of exposed live parts.

**SOLAR ACCESS** - Space open to the sun and clear of overhangs or shade including the orientation of streets and lots to the sun so as to permit the use of active and/or passive Solar Energy Systems on individual properties.

**SOLAR COLLECTOR** - A solar photovoltaic cell, panel, or array or solar hot air or water collector device, which relies upon solar radiation as an energy source for the generation of electricity or transfer of stored heat.

**SOLAR ENERGY SYSTEM** - A complete system of Solar Collectors, Panels, controls, energy devices, heat pumps, heat exchangers, and other materials, hardware or equipment necessary to the process by which solar radiation is collected and converted into another form of energy including but not limited to thermal and electrical, stored and protected from dissipation and distributed. For purposes of § 285-36.1, a Solar Energy System does not include any Solar Energy System of four square feet in size or less.

**BUILDING-INTEGRATED SOLAR ENERGY SYSTEM** - A Solar Energy System incorporated into and becoming part of the overall architecture, design and structure of a building in manner that the Solar Energy System is a permanent and integral part of the building structure.



**FLUSH MOUNTED SOLAR ENERGY SYSTEM** - A Rooftop-Mounted Solar Energy System with Solar Panels which are installed flush to the surface of a roof and which cannot be angled or raised.

**GROUND MOUNTED SOLAR ENERGY SYSTEM** - A Solar Energy System that is affixed to the ground either directly or by mounting devices and which is not attached or affixed to a building or structure.

**ROOFTOP-MOUNTED SOLAR ENERGY SYSTEM** - A Solar Energy System in which Solar Collectors/Panels are mounted on the roof of a building or structure either as a flush-mounted system or as panels fixed to frames which can be tilted to maximize solar collection. Rooftop-Mounted Solar Energy Systems shall be wholly contained within the limits of the building's or structure's roof surface.

**SOLAR FARMS** - A Solar Energy System or collection of Solar Energy Systems or area of land principally used to convert solar energy to electricity, whether by photovoltaics, concentrating solar thermal devices or various experimental solar technologies, with the primary purpose of supplying electricity to a utility grid for wholesale or retail sales of electricity to the general public or utility provider.

**SOLAR PANEL** - A device which converts solar energy into electricity.

**SOLAR SKYSPACE** - The space between a Solar Energy System and the sun through which solar radiation passes.

**SOLAR STORAGE BATTERY** - A device that stores energy from the sun and makes it available in an electrical form."

**SECTION 4. SOLAR ENERGY SYSTEM REGULATIONS**

Chapter 285 of the Code of the Town of Onondaga is hereby amended to add a new § 285-36.1 titled, "Solar Energy Systems", as follows:

**"§ 285-36.1**

**Solar Energy Systems**

**A. Purpose and Intent.**

The Town of Onondaga recognizes that solar energy is a clean, readily available and renewable energy source. Development of solar energy systems offers an energy source that can prevent fossil fuel emissions, reduce the Town's energy demands and attract and promote green business development within the Town. The Town of Onondaga has determined that comprehensive regulations regarding the development of solar energy systems are necessary to protect the interests of the Town, its residents, and businesses. This Section is intended to promote the effective and efficient use of solar energy systems; establish provisions for the placement, design, construction, operation and removal of such systems in order to uphold the public health, safety and welfare; and to ensure that such systems will not have a significant adverse impact on the aesthetic qualities and character of the Town.

**B. Applicability.**

This § 285-36.1 shall apply to all solar energy systems in the Town of Onondaga which are installed or modified after the effective date of this Section. All solar energy systems which are installed or modified after the effective date of this Section shall be in compliance with all of the provisions hereof.

**C. Building-Integrated Solar Energy Systems.**

- (1) Districts where allowed. Building-Integrated Solar Energy Systems shall be permitted in all zoning districts within the Town subject to the submission of, application for and review and issuance of an applicable building permit.
- (2) Building-Integrated Solar Energy Systems shall be subject to the general requirements set forth at §285-36.1F.

**D. Rooftop-Mounted Solar Energy Systems.**

- (1) Districts where allowed. Rooftop-Mounted Solar Energy Systems shall be permitted in all zoning districts within the Town subject to the following requirements:
  - (a) A Building permit shall be required for installation of all Rooftop-Mounted Solar Energy Systems. An applicant shall submit the following application materials to the Code Enforcement Officer:

- [1] A Site Plan showing location of major components of the Solar Energy System and other equipment on the roof or legal accessory structure. This plan should represent relative locations of components at the site, including, but not limited to, location of arrays, existing electrical service

locations, utility meters, inverter locations, system orientation and tilt angles. This plan should show access and pathways that are compliant with New York State Uniform Fire Prevention and Building Code, if applicable.

- [2] One-Line or 3-Line Electrical Diagram. The electrical diagram required by NYSERDA for an incentive application and/or utilities for an interconnection agreement may also be provided here.
- [3] Specification Sheets for all manufactured components. If these sheets are available electronically, a web address will be accepted in place of an attachment, at the discretion of the Town.
- [4] All diagrams and plans must be prepared by a professional engineer or registered architect and contain the applicable professional's stamp, mark, and/or signature as required by New York State law and include the following:
  - [a] Project address, section, block and lot number of the property;
  - [b] Owner's name, address and phone number;
  - [c] Name, address and phone number of the person preparing the plans; and
  - [d] System capacity in kW-DC.
- (b) Rooftop-Mounted Solar Energy Systems shall not exceed the maximum allowed height of the principal use in the zoning district in which the System is located.
- (c) In order to ensure firefighter and other emergency responder safety, except in the case of accessory buildings under 1,000 square feet in area, there shall be a minimum perimeter area around the edge of the roof and structurally supported pathways to provide space on the roof for walking around all Rooftop-Mounted Solar Energy Systems. Additionally, installations shall provide for adequate access and spacing in order to:
  - [1] Ensure access to the roof.
  - [2] Provide pathways to specific areas of the roof.
  - [3] Provide for smoke ventilation opportunity areas.
  - [4] Provide for emergency egress from the roof.
  - [5] Exceptions to these requirements may be requested where access, pathway or ventilation requirements are reduced due to:
    - [a] Unique site specific limitations;
    - [b] Alternative access opportunities (such as from adjoining roofs);
    - [c] Ground level access to the roof area in question;
    - [d] Other adequate ventilation opportunities when approved by the Codes Office;
    - [e] Adequate ventilation opportunities afforded by panels setback from other rooftop equipment (for example: shading or structural constraints may leave significant areas open for ventilation near HVAC equipment);
    - [f] Automatic ventilation devices; or
    - [g] New technology, methods or other innovations that ensure adequate emergency responder access, pathways and ventilation opportunities.

- (2) In addition to the requirements set forth in this § 285-36.1D, Rooftop-Mounted Solar Energy Systems shall be subject to the general requirements set forth at § 285-36.1F.
- (3) Permit Review and Inspection Timeline. Permit determinations will be issued within fourteen (14) days upon receipt of complete and accurate applications.

**E. Ground-Mounted Solar Energy Systems.**

- (1) Districts where allowed. Ground-Mounted Solar Energy Systems are permitted as accessory structures in the Residential and Country District R-C, Commercial District CD, Professional and Commercial Office District PCO, Light Industrial District LI, and Planned Economic District P-E of the Town, subject to the granting of special use permit approval by the Zoning Board of Appeals and further subject to the following requirements:
  - (a) A building permit and special use permit shall be required for installation of all Ground-Mounted Solar Energy Systems.
  - (b) Ground-Mounted Solar Energy Systems are prohibited in front yards.
  - (c) Ground-Mounted Solar Energy Systems shall comply with the most restrictive area, yard and bulk regulations in each applicable zoning district in which the Ground-Mounted Solar Energy System is constructed. However, Ground-Mounted Solar Energy Systems shall only be permitted on lots which are 20,000 sq. ft. or larger.
  - (d) Setbacks. Further setbacks, area and yard requirements and bulk restrictions may be required by the Zoning Board of Appeals in addition to those set forth in §285-36.1(1)(c) above in order to protect the public's safety, health and welfare.
  - (e) The height of the Solar Collector/Panel and any mounts shall not exceed 15 feet in height when oriented at maximum tilt measured from the ground and including any base.
  - (f) As part of the special use permit review process, a Ground-Mounted Solar Energy Systems shall be screened when possible and practicable from adjoining lots and street rights of way through the use of architectural features, earth berms, landscaping, fencing or other screening which will harmonize with the character of the property and the surrounding area. The proposed screening shall not interfere with the normal operation of the Solar Collectors/Panels.
  - (g) The Ground-Mounted Solar Energy System shall be located in a manner to reasonably minimize view blockage for surrounding properties and shading of property to the north, while still providing adequate Solar Access for the Solar Energy System.
  - (h) Neither the Ground-Mounted Solar Energy System, nor any component thereof, shall be sited within any required buffer area.
  - (i) The total surface area of all Ground-Mounted Solar Energy System components shall not exceed the area of the ground covered by the building structure of the largest building on the lot measured from the exterior walls, excluding patios, decks, balconies, screened and open porches, and attached garages.
  - (j) The area beneath the Ground-Mounted Solar Energy System shall not be included as impervious surface coverage in calculating whether the lot meets the maximum permitted lot coverage requirements for the applicable zoning district. Such uses shall also not be counted toward the limitation on the number of accessory structures or uses permitted on a parcel.
  - (k) The criteria for a special use permit as set forth in § 285-39C shall also be demonstrated for each application.
- (2) Districts where prohibited. Ground-Mounted Solar Energy Systems shall not be permitted in the One-Family Residential District R-1, One-Family Residential District R-2, One-Family Residential District R-3, Neighborhood Shopping District NS, Neighborhood Shopping District Nedrow NS-N, Planned Residential Community District P-RC, Planned Residential District P-R, Planned Mobile Home District P-MH, Wind Energy Conversion System Overlay Zone, and the Onondaga Hill Business and Institution District.

**F. General Requirements Applicable to Building-Integrated, Rooftop-Mounted and Ground-Mounted Solar Energy Systems.**

- (1) All Solar Energy System installations must be performed by a Qualified Solar Installer.
- (2) Solar Energy Systems, unless part of a Solar Farm, shall be permitted only to provide power for use by owners, lessees, tenants, residents or other occupants of the premises



on which they are erected, but nothing contained in this provision shall be construed to prohibit the sale of excess power through a net-metering arrangement in accordance with New York Public Service Law §66-j or similar state or federal statute. However, Solar Energy System applications in a residential setting and serving a residential use on a single parcel or lot shall be limited to 15 kW or less

- (3) Prior to operation, electrical connections must be inspected by a Town Code Enforcement Officer and by an appropriate electrical inspection person or agency, as determined by the Town.
- (4) Any connection to the public utility grid must be inspected by the appropriate public utility and proof of inspection shall be provided to the Town.
- (5) Solar Energy Systems shall be maintained in good working order.
- (6) Solar Energy Systems shall be permitted only if they are determined by the Town to be consistent in size and use with the character of surrounding neighborhood.
- (7) Solar Energy Systems shall be permitted only if they are determined by the Town not to present any unreasonable safety risks, including but not limited to:
  - (a) Weight load;
  - (b) Wind resistance; and
  - (c) Ingress or egress in the event of fire or other emergency.
- (8) All Solar Energy Systems described in this § 285-36.1 shall meet and comply with all relevant and applicable provisions of the New York State Uniform Fire Prevention and Building Code Standards. To the extent the provisions of the New York State Uniform Fire Prevention and Building Code are more restrictive than the provisions set forth in this Section, the provisions of the New York State Uniform Fire Prevention and Building Code shall control.
- (9) If solar storage batteries are included as part of the Solar Energy System, they must be placed in a secure container or enclosure meeting the requirements of the New York State Uniform Fire Prevention and Building Code when in use and when no longer used shall be disposed of in accordance with the laws and regulations of the Town and other applicable laws and regulations.
- (10) All utility services and electrical wiring/lines shall be placed underground and otherwise be placed within the walls or unobtrusive conduit. No conduits or feeds may be laid on the roof. Feeds to the inverter shall run within the building and penetrate the roof at the solar panel location.
- (11) If a Solar Energy System ceases to perform its originally intended function for more than 12 consecutive months, the property owner shall completely remove the System, mount and all other associated equipment and components by no later than 90 days after the end of the 12-month period or within 10 days of written notice from the Town.
- (12) To the extent practicable, Solar Energy Systems shall have neutral paint colors, materials and textures to achieve visual harmony with the surrounding area.
- (13) The design, construction, operation and maintenance of the Solar Energy System shall prevent the direction, misdirection and/or reflection of solar rays onto neighboring properties, public roads, public parks and public buildings.
- (14) Marking of equipment.
  - (a) Solar Energy Systems and components shall be marked in order to provide emergency responders with appropriate warning and guidance with respect to isolating the solar electric system. Materials used for marking shall be weather resistant. For residential applications, the marking may be placed within the main service disconnect. If the main service disconnect is operable with the service panel closed, then the marking should be placed on the outside cover.
  - (b) In the event any of the standards in this Subsection for markings are more stringent than applicable provisions of the New York State Uniform Fire Prevention and Building Code they shall be deemed to be guidelines only and the standards of the State Code shall apply.

**G. Solar Farms.**

- (1) Districts where allowed. Subject to the issuance of site plan approval and a special use permit and other requirements as set forth herein, Solar Farms shall not be a permitted use in any zoning district other than the Light Industrial District LI within the Town.

- (2) Districts where prohibited. Solar Farms shall be prohibited in the, Commercial District CD, Professional and Commercial Office District PCO, and Planned Economic District P-E One-Family Residential District R-1, One-Family Residential District R-2, One-Family Residential District R-3, Residential and Country District R-C; Neighborhood Shopping District NS, Neighborhood Shopping District NS-N, Planned Residential Community District P-RC, Planned Residential District P-R, Planned Mobile Home District P-MH, Wind Energy Conversion System Overlay Zone, and the Onondaga Hill Business and Institution District.
- (3) Lot Area and Yard Regulations. The following lot area and yard regulations shall apply to Solar Farms located in Light Industrial District LI within the Town.
  - (a) Minimum Street Frontage: 300 feet
  - (b) Minimum Lot Area: 15 acres
  - (c) Minimum Front Yard Setback: 250 feet
  - (d) Minimum Rear Yard Setback: 100 feet
  - (e) Minimum Side Yard Setback: 100 feet
- (4) Permits required. No person, firm or corporation, or other entity being the owner, occupant, or lessee of any land or premises within the Town of Onondaga shall use or permit the use of land or premises for the construction or installation of a Solar Farm without obtaining a building permit, a special use permit issued by the Zoning Board of Appeals and a site plan approval issued by the Town Board as hereinafter provided.
- (5) Special use permit.
  - (a) In addition to the criteria established pursuant to § 285-39C, the following criteria are hereby established for purposes of granting a special use permit for a Solar Farm under this Chapter:
    - [1] Scenic viewsheds. A Solar Farm shall not be installed in any location that would substantially detract from or block the view(s) of all or a portion of a recognized scenic viewshed, as viewed from any public road, right-of-way or publicly owned land within the Town of Onondaga or that extends beyond the border of the Town of Onondaga. For purposes of this subsection, consideration shall be given to any relevant portions of the current, amended and/or future Town of Onondaga Comprehensive Plan and/or any other prior, current, amended and/or future officially recognized Town planning document or resource.
    - [2] Emergency shutdown/safety. The applicant shall demonstrate the existence of adequate emergency/safety measures. The applicant shall post an emergency telephone number so that the appropriate entities may be contacted should any Solar Panel or other component of the Solar Farm need immediate repair or attention. This emergency telephone number should be clearly visible and in a location which is convenient and readily noticeable to someone likely to detect a problem.
    - [3] Security. All Solar Farms shall be secured to the extent practicable to restrict unauthorized access. See § 285-36.1G(6)(a)[17].
    - [4] Access road. To the greatest extent possible, existing roadways shall be used for access to the site and its improvements. In the case of constructing any roadways necessary to access the Solar Farm, they shall be constructed in a way that allows for the passage of emergency vehicles in the event of an emergency. Each application shall be accompanied by correspondence from the responding fire department and emergency care provider as to the acceptability of the proposed ingress to and egress from the Solar Farm site.
    - [5] The development and operation of the Solar Farm shall not have a significant impact on fish, wildlife, animal or plant species or their critical habitats, or other significant habitats identified by the Town of Onondaga or federal or state regulatory agencies.
    - [6] Setbacks. Additional setbacks may be required from those set forth in § 285-36.1G(3) by the Zoning Board of Appeals in order to provide for the public's safety, health and welfare.
  - (b) Waiver. The Zoning Board of Appeals may, upon exercise of its reasonable discretion, waive one or more of the submission requirements imposed herein. Relief from all other requirements must be made by way of an area or use variance from the Zoning Board of Appeals.

- (6) Site plan review.
  - (a) The following submission requirements must be observed regarding a site plan application for a Solar Farm. The Town Board may also require any of the requirements of § 285-23 as part of the submission.
    - [1] A completed application form as supplied by the Town of Onondaga for site plan approval for a Solar Farm.
    - [2] Proof of ownership of the premises involved or proof that the applicant has written permission of the owner to make such application.
    - [3] Plans and drawings of the proposed Solar Farm installation signed, marked and/or stamped by a professional engineer registered in New York State e showing the proposed layout of the entire Solar Farm along with a description of all components, whether on site or off site, existing vegetation and proposed clearing and grading of all sites involved. Clearing and/or grading activities are subject to review by the Town Board and shall not commence until the issuance of site plan approval. The plans and development plan shall be drawn in sufficient detail and shall further described:
      - [a] Property lines and physical dimensions of the proposed site, including contours at 5-foot intervals.
      - [b] Location, approximate dimensions and types of all existing structures and uses on the site.
      - [c] Location and elevation of the proposed Solar Farm and all components thereof.
      - [d] Location of all existing aboveground utility lines within 1,200 linear feet of the site.
      - [e] Where applicable, the location of all transmission facilities proposed for installation. All transmission lines and wiring associated with a Solar Farm shall be buried underground and include necessary encasements in accordance with the National Electric Code and Town requirements. The Town Board may recommend waiving this requirement if sufficient engineering data is submitted by the applicant demonstrating that underground transmission lines are not feasible or practical. The applicant is required to show the locations of all proposed overhead electric utility/transmission lines (if permitted) and underground electric utility/transmission lines, including substations and junction boxes and other electrical components for the project on the site plan. All transmission lines and electrical wiring shall be in compliance with the public utility company's requirements for interconnection. Any connection to the public utility grid must be inspected by the appropriate public utility.
      - [f] Location of all service structures proposed as part of the installation.
      - [g] Landscape plan showing all existing natural land features, trees, forest cover and all proposed changes to these features, including size and type of plant material. The plan shall show any trees and/or vegetation which is proposed to be removed for purposes of providing greater Solar Access.
      - [h] A berm, landscape screen, or any other combination acceptable to the Town capable of screening the site, shall be provided along any property line.
      - [i] Soil type(s) at the proposed site.
    - [4] Photographic simulations shall be included showing the proposed Solar Farm along with elevation views and dimensions and manufacturer's specifications and photos of the proposed Solar Energy Systems, Solar Collectors, Solar Panels and all other components comprising the Solar Farm or from other vantage points selected by the Town Board.
    - [5] Certification from a professional engineer or architect registered in New York State indicating that the building or structure to which a Solar Panel or Solar Energy System is affixed, is capable of handling the loading

requirements of the Solar Panel or Solar Energy System and various components.

- [6] One or three-line electrical diagram detailing the Solar Energy System installation, associated components, and electrical interconnection methods, with all disconnects and over-current devices.
- [7] Documentation of access to the project site(s), including location of all access roads, gates, parking area etc.
- [8] A plan for clearing and/or grading of the site and a Stormwater Pollution Prevention Plan (SWPPP) for the site. *See also* § 285-23F.
- [9] Documentation of utility notification, including an electric service order number.
- [10] Sunchart. Where deemed appropriate, the Town Board may require that the applicant submit a sunchart for the proposed site indicating the sun angle for the southern boundary of the site for a minimum four-hour continuous period during the time of the highest sun angle on December 21, along with the potential for existing buildings, structures, and/or vegetation on the site or on adjacent sites to obstruct the Solar Skyspace of the proposed Solar Farm. The sunchart shall also indicate the potential for obstructions to the Solar Skyspace of the proposed Solar Farm under a scenario where an adjacent site is developed as otherwise permitted by applicable provisions of Chapter 285 of the Code of the Town of Onondaga with a building/structure built to maximum bulk and height at the minimum setback. Where no standards for setback are established, this scenario shall assume a maximum setback of five feet from the property line. The sunchart shall be kept on file at the Town Code Enforcement Office and determine the minimum setback required for any solar collectors from the south property line as well as the Solar Skyspace that should be considered when development of neighboring properties occurs. This section in no way places responsibility on the Town for guaranteeing the Solar Skyspace of a Solar Energy System in the event setbacks are waived at the applicant's request.
- [11] The manufacturer's or installer's identification and appropriate warning signage shall be posted at the site and be clearly visible.
- [12] Solar Energy Systems shall be marked in order to provide emergency responders with appropriate warning and guidance with respect to isolating the electric systems. Materials used for marking shall be weather resistant. The marking shall be placed adjacent to the main service disconnect location clearly visible from the location where the lever is operated.
- [13] The average height of the solar panel array shall not exceed 20 feet measured from the ground and including any base or supporting materials.
- [14] Color. Neutral paint colors, materials and textures may be required for Solar Farm components, buildings and structures to achieve visual harmony with the surrounding area as approved by the Town Board.
- [15] The design, construction, operation and maintenance of the solar energy system shall prevent the direction, misdirection and/or reflection of solar rays onto neighboring properties, public roads, public parks and public buildings.
- [16] Artificial lighting of Solar Farms shall be limited to lighting required for safety and operational purposes, shall be shielded from all neighboring properties and public roads.
- [17] Solar Farms shall be enclosed by perimeter fencing to restrict unauthorized access as otherwise approved by the Town Board. Style and type of fence shall be approved by the Town Board as part of the site plan.
- [18] Only signage used to identify the location of the Solar Farm shall be allowed and such signage shall otherwise comply with the Town's sign regulations and requirements.
- [19] All applications shall be accompanied by a full environmental assessment form for purposes of environmental review under the New York State Environmental Quality Review Act (SEQRA), including a

visual impact analysis/visual environmental assessment form. The following additional material may be required by the Town Board:

- [a] A digital-elevation-model-based project visibility map showing the impact of topography upon visibility of the project from other locations, to a distance radius of three miles from the center of the project. Scaled use shall depict a three-mile radius as not smaller than 2.7 inches, and the base map shall be a published topographic map showing cultural features.
  - [b] No fewer than four color photos taken from locations within a 3-mile radius from the proposed location, as selected by the Town Board and computer-enhanced to simulate the appearance of the as-built aboveground Solar Farm components as they would appear from these locations.
- (b) Site plan review criteria. In addition to the above and subject to the criteria from § 285-23, no site plan shall be approved unless the Town Board determines that the proposed Solar Farm complies with the following:
- [1] The use is oriented in its location upon the site as to layout, coverage, screening, means of access and aesthetics so that:
    - [a] The flow control and safety of traffic and human beings shall not be adversely affected to an unreasonable degree;
    - [b] There is reasonable compatibility in all respects with any structure or use in the surrounding area, actual or permitted, which may be directly substantially affected;
    - [c] There shall not be any unreasonable detriment to any structure or use, actual or permitted, in the surrounding area;
    - [d] There is a reasonable provision for open space and yard areas as appropriate to the surrounding area.
- (7) Public hearing. No action shall be taken by the Zoning Board of Appeals to issue a special use permit or by the Town Board to issue site plan approval, nor the Zoning Board of Appeals to grant a use or area variance in relation to an application for a Solar Farm until after public notice and a public hearing. Proper notice of a hearing before a board shall be given by legal notice published in the official newspaper of the Town of Onondaga at least 5 days before the date set for such public hearing(s) and written notice mailed to the applicant or his agent at the address given in the application to be considered. The applicant shall be responsible for notifying, by certified mail, all property owners of record within 500 feet of the outside perimeter of the boundary line of the property involved in the application of the time, date and place of such public hearing at least 10 days prior to such hearing. Notice shall be deemed to have been given if mailed to the property owner at the tax billing address listed on the property tax records of the Town Assessor or at the property address. At least 7 days prior to such hearing, the applicant shall file with the board his/her affidavit verifying the mailing of such notices. Failure of the property owners to receive such notice shall not be deemed a jurisdictional defect.
- (8) Compliance with New York State Uniform Fire Prevention and Building Code.
- (a) Building permit applications shall be accompanied by standard drawings of structural components of the Solar Farm and all its components (including but not limited to Solar Panel, Solar Collector, Solar Energy System etc.). Drawings and any necessary calculations shall be certified, in writing, by a New York State registered professional engineer that the system complies with the New York State Uniform Fire Prevention and Building Code. This certification would normally be supplied by the manufacturer.
  - (b) Where the structure, components or installation vary from the standard design or specification, the proposed modification shall be certified by a New York State registered professional engineer for compliance with the structural design provisions of the New York State Uniform Fire Prevention and Building Code.
- (9) Compliance with state, local and national electric codes.
- (a) Building permit applications shall be accompanied by a line drawing identifying the electrical components of the Solar Farm to be installed in sufficient detail to allow for a determination that the manner of installation conforms with the National Electric Code. The application shall include a statement from a New York State registered professional engineer indicating that the electrical system conforms with good engineering practices and complies with the National Electric Code, as well as applicable state and local electrical codes. This certification



- would normally be supplied by the manufacturer. All equipment and materials shall be used or installed in accordance with such drawings and diagrams.
- (b) Where the electrical components of an installation vary from the standard design or specifications, the proposed modifications shall be reviewed and certified by a New York State registered professional engineer for compliance with the requirements of the National Electric Code and good engineering practices.
- (10) Following construction/installation of the Solar Farm, all disturbed areas where soil has been exposed shall be reseeded with grass and/or planted with low level vegetation capable of preventing soil erosion and airborne dust.
- (11) Post Construction/Installation Certification. Following the construction/installation of the Solar Farm, the applicant shall provide a post-construction/installation certification from a professional engineer registered in New York State that the project complies with any and all applicable codes and industry practices and has been constructed and is operating according to the drawings and development plan(s) submitted to the Town and this § 285-36.1.
- (12) Insurance. The applicant, owner, lessee or assignee shall maintain a current insurance policy which will cover installation and operation of the Solar Farm at all times. Said policy shall provide a minimum of \$2,000,000 property and personal liability coverage.
- (13) Inspections. The Building Inspector, Zoning Enforcement Officer, Code Enforcement Officer and/or Town Engineer shall have the right at any reasonable time to enter, in the company of the owner or his agent, the premises on which a Solar Farm is being or is constructed, to inspect all parts of said Solar Farm installation and require that repairs or alterations be made if, in his judgment, there exists a deficiency in the operation or the structural stability of the Solar Farm or any component thereof. If necessary, the Building Inspector or Town Engineer may order the system secured or to otherwise cease operation. It shall not be required that the owner or agent be present in the event of an emergency situation involving danger to life, limb or property.
- (14) Power to impose conditions. In granting any site plan approval, special use permit or variance for a Solar Farm, the Zoning Board of Appeals or Town Board, as the case may be, may impose reasonable conditions to the extent that such board finds that such conditions are necessary to minimize any adverse effect or impacts of the proposed use on neighboring properties and to protect the general health, safety and welfare of the Town.
- (15) Decommissioning and Removal of Solar Farm Facilities.
- (a) The applicant shall agree, in writing, to remove the entirety of the Solar Farm and all accessory structures and components thereof if the Solar Farm ceases to be used for its intended purpose for 12 consecutive months. Removal of such obsolete and/or unused Solar Farm components shall take place within 3 months thereafter. Such agreement shall also include a commitment by the applicant to impose a similar obligation to remove any unused and/or obsolete Solar Panels upon any person subsequently securing rights to relocate the Solar Panels.
- (b) Bond/Security. The applicant shall be required to execute and file with the Town Clerk a bond, or other form of security acceptable to the Town Attorney and Engineer, in an amount sufficient for the faithful performance of the terms and conditions of the permit issued under this Chapter, and to provide the decommissioning removal and restoration of the site subsequent to the removal of the Solar Farm. The amount of the bond or security shall be no less than 150% of the cost of the removal of the Solar Panels and restoration of the site, and shall be reviewed and adjusted at 5 year intervals. In the event of a default upon performance of such condition or any of them, the bond or security shall be forfeited to the Town, which shall be entitled to maintain an action thereon. The bond or security shall remain in full force and effect until the complete removal of the Solar Panels and site restoration is finished.
- (16) Fees. Fees for applications and permits under this section shall be established by resolution of the Town Board of the Town of Onondaga. In accordance with the requirements of Chapter 91 ("Development Fee Deposits"), it shall be the applicant's responsibility to reimburse the Town for any and all reasonable and necessary legal, engineering and other professional fees incurred by the Town in reviewing and administering an application for a Solar Farm under this Section.
- (17) Waiver. The Town Board or the Zoning Board of Appeals may, under appropriate circumstances, waive one or more of the submission requirements contained herein.

**SECTION 5. AMENDMENT OF § 285-8.**

§ 285-8 Residential and County District R-C is hereby amended to add a new § 285-8B(5) as follows:

“(5) Ground-Mounted Solar Energy Systems. (subject to the granting of special use permit; see § 285-36.1).”

**SECTION 6. AMENDMENT OF § 285-14.**

§ 285-14 Commercial District C-D is hereby amended to add a new § 285-14B(4) as follows:

“(4) Ground-Mounted Solar Energy Systems. (subject to the granting of special use permit; see § 285-36.1).”

**SECTION 7. AMENDMENT OF § 285-15.**

§ 285-15 Professional and Commercial Office District PCO is hereby amended to add a new § 285-15B(3) as follows:

“(3) Ground-Mounted Solar Energy Systems. (subject to the granting of special use permit; see § 285-36.1).”

**SECTION 8. AMENDMENT OF § 285-16.**

§ 285-16 Light Industrial District LI hereby amended to add a new § 285-16B(3) as follows:

“(3) Ground-Mounted Solar Energy Systems. (subject to the granting of special use permit; see § 285-36.1).”

**SECTION 9. AMENDMENT OF § 285-20.**

§ 285-20 Planned Economic District is hereby amended to add a new § 285-8D as follows:

“D. Permitted accessory uses.

(1) Ground-Mounted Solar Energy Systems. (subject to granting of special use permit; see § 285-36.1).”

**SECTION 10. AMENDMENT OF § 285-16.**

§ 285-16 Light Industrial District LI is hereby amended to add a new § 285-16C(2) as follows:

“(2) Solar Farms. (See § 285-36.1).”

**SECTION 11. 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 12. EFFECTIVE DATE.**

This Local Law shall be effective upon filing with the office of the Secretary of State.

**4. Schedule Public Hearing – Local Law D-2017 – Development Fee Deposits and Reimbursement of Fees for Site Plan and Special Permit Reviews**

Supervisor Andino explained that years ago, the Town of Onondaga put in place a local law that established the requirement for developer fees for subdivision application and reviews. The proposed local law that is now being presented will add site plan, special permit and variance reviews to these cost requirements. In summary, the developers will be required to deposit money with the Town to cover the costs of legal and engineering fees that are incurred during these reviews. Town Attorney, Kevin Gilligan explained that currently a large portion of the Town’s budget for legal and engineering fees are going toward their review of these applications. The tax payers are paying for these costs. This proposed local law will make these costs the responsibility of those that are requesting these approvals.

**TOWN OF ONONDAGA  
TOWN BOARD RESOLUTION**

**TOWN OF ONONDAGA LOCAL LAW D-2017**

“(A Local Law to Amend Chapter 91 (Development Fee Deposits) of the Code of the Town of Onondaga to Require Development Fee Deposits and Reimbursement of Fees and Expenses to the Town for Additional Land Use Approvals Including Variances, Site Plan Review and Special Permit Uses”)

Supervisor Andino introduced proposed Local Law No. D-2017, “A Local Law to Amend Chapter 91 (Development Fee Deposits) of the Code of the Town of Onondaga to Require Development Fee Deposits and Reimbursement of Fees and Expenses to the Town for Additional Land Use Approvals Including Variances, Site Plan Review and Special Permit Uses” which local law will amend the Code of the Town of Onondaga to protect the general taxpayers of the Town of Onondaga to require that the

costs to the Town of reviewing certain development proposals be borne by the individuals who seek to benefit from the developments and projects, which was seconded by Councilor Belle:

**WHEREAS**, proposed Local Law D-2017 has been introduced and will be considered for enactment pursuant to the provisions of the Municipal Home Rule Law; and

**WHEREAS**, Volume 6 N.Y.C.R.R., Sections 617.3 and 617 of the Regulations relating to Article 8 of the New York Environmental Conservation Law of New York (SEQRA), requires that as early as possible after submission of a completed application, an involved agency shall make a determination whether a given action is subject to the aforementioned law; and

**WHEREAS**, the adoption of said Local Law is an Unlisted action for purposes of environmental review under SEQRA; 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 Onondaga, such that there are no other involved agencies within the meaning of the SEQRA with respect to the proposed enactment of said proposed Local Law, with the result that the Town Board shall act as lead agency in this matter; 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 Short 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 proposed Local Law No. D-2017 is an Unlisted action, there are no other involved agencies and this Board shall act as lead agency in this matter for purposes of SEQRA review; and it is further

**RESOLVED AND DETERMINED** that the Town Board has determined this action shall have no 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 SEQRA; 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. D-2017 at the Town Hall located at 5020 Ball Road, Syracuse, New York 13215 on June 19, 2017 at 6:00 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard.

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

Councilman	Petrie	Voted	Yes
Councilman	Hamilton	Voted	Yes
Councilwoman	Belle	Voted	Yes
Councilwoman	Ryan	Voted	Yes
Supervisor	Andino	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

**TOWN OF ONONDAGA  
LOCAL LAW NO. D- 2017**

**A LOCAL LAW TO AMEND CHAPTER 91 (DEVELOPMENT FEE DEPOSITS) OF THE CODE OF THE  
TOWN OF ONONDAGA TO REQUIRE DEVELOPMENT  
FEE DEPOSITS AND REIMBURSEMENT OF FEES AND EXPENSES  
TO THE TOWN FOR ADDITIONAL LAND USE APPROVALS  
INCLUDING SITE PLAN REVIEW AND SPECIAL PERMIT USES**

Be it enacted by the Town Board of the Town of Onondaga as follows:

**SECTION 1. LEGISLATIVE PURPOSE AND INTENT**

In order to protect the health, safety and welfare of the residents of the Town of Onondaga and to ensure that applications for land use approvals and development proposals are reviewed in a competent manner and in conformity with all applicable laws, codes, rules and regulations it is necessary that the Town Board retain qualified legal, engineering and/or other professional consultants to assist in the review of said applications for land use approvals and development proposals. The Town Board hereby finds that the costs, fees and expenses of retaining said legal, engineering and/or other professional

consultants should ultimately be borne by those who seek to benefit from such developments and projects, i.e. the applicants and developers. Chapter 91 (“Development Fee Deposits”) of the Code of the Town of Onondaga currently requires applicants and developers to reimburse the Town for the legal and engineering fees incurred by the Town in reviewing subdivision and planned district applications. The purpose of this Local Law is to amend Chapter 91 to provide that the costs, fees and expenses of the legal, engineering and/or other professional consultants which the Town retains to assist in the review of applications for variances, site plan approval and special permit uses, as well as the review of proposals to create and/or extend districts within the Town should likewise be borne by those who seek to benefit from such developments and projects; the applicants and developers and not the general taxpayers of the Town of Onondaga.

**SECTION 2.            AUTHORITY**

This local law is enacted pursuant to the New York State Constitution and New York Municipal Home Rule Law §10.

**SECTION 3.            AMENDMENT OF § 91-1 OF THE CODE OF THE TOWN OF ONONDAGA.**

Chapter 91, § 91-1 (“Legislative findings, intent and purpose.”) of the Code of the Town of Onondaga is hereby amended to read as follows:

- “A. The Town Board hereby finds and determines that in order to protect and safeguard the Town of Onondaga, its residents and their property with respect to certain land developments and projects within the Town, all buildings and related improvements, highways, drainage facilities, utilities and parks within said developments and projects should be designed and constructed in a competent and worker like manner and in conformity with all applicable governmental laws, codes, rules and regulations and should be dedicated and conveyed to the Town in a legally sufficient manner. To assure the foregoing, it is essential for the Town to have and to retain competent engineers and other professional consultants to review and approve plans and designs, make recommendations to the Town Board, Planning Board and Zoning Board of Appeals, inspect the construction of highways, drainage facilities, utilities and parks to be dedicated to the Town and to recommend their acceptance by the Town and for the Town to have and retain competent attorneys to assist in the application review process, to negotiate and draft appropriate agreements with developers, to obtain, review and approve necessary securities, insurance and other legal documents, to review proposed deeds and easements to assure that the Town is obtaining good and proper title, to render legal opinions and to generally represent the Town with respect to any legal disputes and issues which may arise regarding such developments and projects. The cost of retaining such competent engineers, attorneys and other professional consultants should ultimately be paid by those who seek to benefit from such developments and projects, including variances, site plans, and special permit uses rather than by general Town funds which are raised by assessments and/or general taxes paid by taxpayers of the Town.
- B. This chapter is enacted by local law under the authority of Municipal Home Rule Law § 10, Subdivision 1(ii)(a)(12) and (d)(3), and the Municipal Home Rule Law § 22. To the extent that Town Law §§ 274-a, 276 and 277 do not authorize the Town Board, Town Planning Board and/or the Town Zoning Board of Appeals to require reimbursement to the Town of legal, engineering and other professional consulting fees, expenses and costs incurred by the Town in connection with the review and consideration of applications for subdivision approval, and for the approval, amendment or extension of planned districts, for the approval, formation, amendment or extension of a district and for the review and consideration of applications for variances, site plans and special permit uses under Chapter 285, Zoning, of the Code of the Town of Onondaga it is the expressed intent of the Town Board to change and supersede such statutes. More particularly, to the extent that such statutes do not authorize the deferral or withholding of such consideration, review, acceptance or approvals in the event that such fees, expenses and costs are not paid to the Town, it is the expressed intent of the Town Board to change and supersede Town Law §§ 274-a, 276 and 277 to empower the Town to require such payment as a condition to such consideration, review, acceptance or approvals.”

**SECTION 4.            AMENDMENT OF § 91-2 OF THE CODE OF THE TOWN OF ONONDAGA**

The following definitions contained within Chapter 91, § 91-2 (“Definitions.”) of the Code of the Town of Onondaga are hereby amended to read as follows:

- “APPLICANT – Any person, firm, partnership, association, corporation, company or organization of any kind who or which requests the Town of Onondaga Planning Board, Zoning Board of Appeals or Town Board to approve a development, approve the formation, amendment or extension of a district and/or to grant an application for a variance, a site plan or a special permit use.”
- “DEVELOPER – Any person, firm, partnership, association, corporation, company or organization of any kind who or which constructs or proposes to construct one or more

highways, drainage facilities, utilities or parks within or in conjunction with a development with the intent to convey or dedicate the same to the Town, or requests the Town to approve the formation, amendment or extension of a district, or requests the Town to approve an application for a subdivision, variance, site plan or special permit use.”

**SECTION 5. AMENDMENT OF § 91-2 OF THE CODE OF THE TOWN OF ONONDAGA**

Chapter 91, § 91-2 (“Definitions.”) of the Code of the Town of Onondaga is hereby amended to add the following new definitions as follows:

“DISTRICT – Any special district under the Town Law of the State of New York.

SITE PLAN – Any site plan review pursuant to Chapter 285 (Zoning) of the Code of the Town of Onondaga.

SPECIAL PERMIT USE – A use which because of its unique characteristics requires individual consideration through a procedure of review by the Town of Onondaga Zoning Board of Appeals, in order to determine whether a use should be allowed, conditionally allowed or denied pursuant to Chapter 285 (Zoning) of the Code of the Town of Onondaga.

VARIANCE – An area or use variance as those terms are defined in Chapter 285 (Zoning) of the Code of the Town of Onondaga.”

**SECTION 6. AMENDMENT OF § 91-3 OF THE CODE OF THE TOWN OF ONONDAGA**

Chapter 91, § 91-3 A.(1) is hereby amended to read as follows:

“(1) The applicant for approval of a subdivision in the Town shall reimburse the Town for all reasonable and necessary legal, engineering and other professional consulting fees, expenses and costs incurred by the Town in connection with the review and consideration of a subdivision.”

**SECTION 7. AMENDMENT OF § 91-3 OF THE CODE OF THE TOWN OF ONONDAGA**

Chapter 91, § 91-3 is hereby amended to add new sections § 91-3 C. and D. as to read as follows:

“C. Districts.

- (1) An applicant for approval, formation, amendment or extension of a district in the Town shall reimburse the Town for all reasonable and necessary legal, engineering, and other professional consulting fees, expenses and costs incurred by the Town in connection with the review and consideration of said application.
- (2) A developer who constructs or proposes to construct one or more buildings, highways, drainage facilities, utilities or other improvement within or in conjunction with a district in the Town shall reimburse the Town for all reasonable and necessary legal, engineering, and other professional consulting fees and expenses incurred by the Town in connection with the granting of any building permit and in connection with the inspection and acceptance by the Town of such highways, drainage facilities, utilities and other improvements and the dedication of the same to the Town.

D. Variances, site plans and special permit uses.

- (1) An applicant or developer making application for the approval of a site plan or a special permit use or seeking approval of an application for a variance shall reimburse the Town for all reasonable and necessary legal, engineering and other professional consulting fees, expenses and costs incurred by the Town in connection with the review and consideration of such application.”

**SECTION 8. AMENDMENT OF § 91-5 OF THE CODE OF THE TOWN OF ONONDAGA.**

Chapter 91, § 91-5 (“Deposit of funds; payment of fees.”) of the Code of the Town of Onondaga is hereby amended to read as follows:

“A. Simultaneously with the filing of an application for approval of a development, or the approval, formation, amendment or extension of a district, or the filing of an application for approval of a variance, a site plan or a special permit use, and prior to the commencement of any construction of buildings, highways, drainage facilities, utilities or parks therein, the applicant or developer, as the case may be, shall deposit with the Town Supervisor a sum of money, as determined in § 91-6



this chapter, which sum shall be used to pay the costs incurred by the Town for legal, engineering and other professional consulting services as described in this Chapter.

- B. Upon receipt of such sums, the Town Supervisor shall cause such monies to be placed in a separate non-interest-bearing account in the name of the Town and shall keep or cause to be kept a separate record of all such monies so deposited and the name of the applicant or developer and the application, development or district for which such sums were deposited.
- C. Upon receipt and approval by the Town Board of itemized vouchers from an attorney, engineer and/or other professional consultant for services rendered on behalf of the Town pertaining to the development or the approval, formation, amendment or extension of a district, or the application for a variance, site plan or special permit use, the Town Supervisor shall cause such vouchers to be paid out of the monies so deposited and shall debit the separate record of such account accordingly. The engineer and attorney shall furnish copies of such vouchers to the applicant or developer immediately after such vouchers are submitted to the Town.
- D. The Town Board, shall review and audit all such vouchers and shall approve payment of only such legal, engineering, and/or other professional consulting fees, expenses, costs and fees as are reasonable in amount and necessarily incurred by the Town in connection with the review, consideration and approval of developments or districts, the inspection and acceptance of highways, drainage facilities, utilities and parks within or in conjunction with such developments or districts and the review, consideration and approval of applications for variances, site plans and special permit uses. For purposes of the foregoing, an expense, cost or fee or part thereof is reasonable in amount if it bears a reasonable relationship to the average charge by engineers or attorneys to the Town for services performed in connection with approval or construction of a similar development, project, or application and in this regard the Town may take into consideration the size, type, value and number of buildings to be constructed, the amount of time to complete the development or project, the topography of the land on which such development is located, soil conditions, surface water, drainage conditions, the nature and extent of highways, drainage facilities, utilities and parks to be constructed and any special conditions or considerations the Town may deem relevant. For purposes of the foregoing, a fee, expense or cost, or part thereof is necessarily incurred if it was charged by the attorney, engineer or other professional consultant for a service which was rendered in order to protect or promote the health, safety or other vital interests of the residents of the Town, protect public or private property from damage from uncontrolled surface water runoff and other factors, to assure the proper and timely construction of highways, drainage facilities, utilities and parks and otherwise to protect the legal interests of the Town, including receipt by the Town of good and proper title to dedicated highways and other facilities and the avoidance of claims and liability and such other interests as the Town may deem relevant or to assure the proper and timely review and consideration of an application for a variance, controlled site plan or a specific permit.
- E. If at any time during or after the processing of such applications or the construction, inspection or acceptance of buildings, highways, drainage facilities, utilities or parks or during or after the processing of an application for a variance, site plan, or special permit use there shall be insufficient monies on hand to the credit of such applicant or developer to pay the approved vouchers in full, or if it shall reasonably appear to the Town Supervisor that such monies will be insufficient to meet vouchers yet to be submitted, the Town Supervisor shall cause the applicant or developer to deposit additional sums as the Supervisor deems reasonably necessary or advisable in order to meet such fees, expenses and costs or anticipated fees, expenses and costs.
- F. In the event that the applicant or developer fails to deposit such funds or such additional funds, the Town Supervisor shall notify the Town Board and, as applicable, the Chair of the Planning Board, the Chair of the Zoning Appeals Board, and the Town's Codes Enforcement Officer of such failure, and any review, approval, building permit or certificates of occupancy shall be withheld by the appropriate board, officer or employee of the Town until such monies are deposited.
- G. After final approval, acceptance and/or the issuance of a certificate of occupancy relating to any specific development, or any requested variance, site plan or special permit use and after payment of all approved vouchers submitted regarding such development or application, any sums remaining on account to the credit of such applicant or developer shall be returned to such applicant or developer, along with a statement of the vouchers so paid."

**SECTION 9. AMENDMENT OF § 91-6 OF THE CODE OF THE TOWN OF ONONDAGA.**

Chapter 91, § 91-6 ("Deposit amounts.") of the Code of the Town of Onondaga is hereby amended to read as follows:

“The amount of the initial deposit for the various developments and/or applications covered by this Chapter shall be as set forth in a schedule of deposits established from time to time by the resolution of the Town Board. Said schedule shall remain in effect and shall apply to all applicants and developers until amended or revised by subsequent resolution of the Town Board.”

**SECTION 10. AMENDMENT OF § 91-7 OF THE CODE OF THE TOWN OF ONONDAGA.**

Chapter 91, § 91-7 (“Application fees.”) of the Code of the Town of Onondaga is hereby amended to read as follows:

“The deposits required by this Chapter shall be in addition to any application fees as may be required by other laws, rules, regulations or ordinances of the Town or of any other body having jurisdiction with respect to a development, drainage facility, highway, utility or park or to an application for a variance, site plan or a special permit use and shall not be used to offset either the Town’s general expenses for legal, engineering or other professional consulting fees, expenses or costs for the several boards of the Town or its general administration expenses.”

**SECTION 11. AMENDMENT OF CHAPTER 91 OF THE CODE OF THE TOWN OF ONONDAGA.**

Chapter 91 of the Code of the Town of Onondaga is hereby amended to add a new § 91-8, titled “Severability” which shall read as follows:

**“§ 91-8. Severability.**

If any clause, sentence, paragraph, subdivision, section or part of this Chapter shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not impair or invalidate the remainder thereof but shall be limited in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the proceeding in which such judgment is rendered.”

**SECTION 12. 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 13. EFFECTIVE DATE.**

This Local Law shall be effective upon filing with the office of the Secretary of State.

**5. Highway Superintendent’s Report**

Highway Superintendent, Mr. John Wheatley was present. Mr. Wheatley reported that there were several flash floods in the area today as 2.75” of rain fell in a 45 minute period. Several trees were down in resident’s yards, and there were power outages throughout the town. His crews will be out tomorrow to do repairs and begin the cleanup.

Mr. Wheatley also reported that Carl (CJ) Haynes will be retiring, effective June 16, 2017. CJ has worked for the Town since 1987. On behalf of himself and the entire department, they wish CJ and his family all the best in his retirement. Supervisor Andino seconded this statement. He explained that CJ has been the union steward for many years so he has had the opportunity to really get to know him during the contract negotiations. It’s been a good relationship, and CJ has been a good employee for the Town.

**6. Parks & Recreation Report**

None

**7. Codes Officer’s Report**

Codes Officer, Mr. Ben Vincent was present along with Mr. Keith Ducett from the Taunton Fire Department. Mr. Vincent reminded the Board that back in August 2016, it was presented to the Town Board that there is a fire hydrant on Fay Road that has been covered with an invasive species. When it was before the Board previously, it was misunderstood that the replacement hydrant was going to be on the Grace Assembly of God’s private property. This is not true. The replacement hydrant will actually be in the road right-of-way. The current hydrant will be removed from the district, and the new replacement hydrant will be added to the district. The Onondaga County Water Authority (OCWA) is also recommending an additional hydrant be installed at 2606 Bellevue Avenue. This hydrant will also be added to the district in which it lies. The hydrant that is currently on Fay Road will be left in place to be used by OCWA as a blow-off hydrant.

Supervisor Andino explained that they have received a letter from OCWA with the costs for the installation and annual maintenance rates. Supervisor Andino would like to pay the installation costs for

the hydrant on Bellevue Avenue from the consolidated water district fund, and bond the cost for the hydrant to be installed on Fay Road.

The following resolution was offered by Supervisor Andino, who moved its adoption, seconded by Councilwoman Ryan,

**WHEREAS**, on August 15, 2016, the Town Board resolved to approve the discontinuance of a fire hydrant located on Fay Road that has been overgrown by an invasive species; and

**WHEREAS**, in error, the resolution on August 15, 2016 indicated that the replacement fire hydrant would be located on private property on Fay Road; and

**WHEREAS**, the maintenance fees for the current fire hydrant will be removed from the water district, however, the hydrant will remain in place and will be used as a blow-off by the water authority; and

**WHEREAS**, the replacement fire hydrant will be located at 4220 Fay Road in the road right-of-way, and an additional fire hydrant is being recommended by the OCWA to be located at 2606 Bellevue Avenue, also in the road right-of-way; be it

**RESOLVED**, that the Town Board approve the discontinuance and addition of fire hydrants located on Fay Road and Bellevue Avenue as recommended by the OCWA; and

**RESOLVED**, that the Town Board approve the annual maintenance rates as provided by OCWA to be added to the Consolidated Water District; and

**RESOLVED**, that the Town Board approve the installation cost of the new fire hydrant to be located at 4220 Fay Road to be added to the Consolidated Water District at an annual rate over a thirty year period as provided by OCWA; and

**RESOLVED**, that the Town Board approve the installation cost of the new fire hydrant to be located at 2606 Bellevue Avenue be paid from the Consolidated Water District Fund.

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

Councilman	Petrie	Voted	Yes
Councilman	Hamilton	Voted	Yes
Councilwoman	Belle	Voted	Yes
Councilwoman	Ryan	Voted	Yes
Supervisor	Andino	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

Mr. Vincent also reported that he has received a request for fire hydrants to be installed in the Crown Point Extension, Section 2. This is a new development; therefore, the developer, Cordelle Development, is required to pay for the installation of the hydrants, and the annual maintenance fees will be added to the district. Mr. Vincent indicated that he has sent a letter to the Fire Chief of the Southwood Fire Department. He also stated that the Parade of Homes will be held at this location in September, 2018.

The following resolution was offered by Councilwoman Belle, who moved its adoption, seconded by Councilman Hamilton,

**RESOLVED**, that the Town Board approve the installation of four (4) fire hydrants in the Crown Point Extension, Section 2 in accordance with the recommendation of the Onondaga County Water Authority.

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

Councilman	Petrie	Voted	Yes
Councilman	Hamilton	Voted	Yes
Councilwoman	Belle	Voted	Yes
Councilwoman	Ryan	Voted	Yes
Supervisor	Andino	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

Mr. Vincent also asked for the Board's consideration regarding re-hiring a summer employee.

The following resolution was offered by Councilwoman Ryan, who moved its adoption, seconded by Councilwoman Belle,

**RESOLVED**, that the Board approve the hiring of Alex Crylser as a summer laborer in the Codes Office at the budgeted salary.

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

Councilman	Petrie	Voted	Yes
Councilman	Hamilton	Voted	Yes
Councilwoman	Belle	Voted	Yes
Councilwoman	Ryan	Voted	Yes
Supervisor	Andino	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

**8. Attorney’s Report**

Town Attorney, Mr. Kevin Gilligan was present. He had nothing additional to report.

**9. Engineer’s Report**

Town Engineer, Mr. Bill Perrine was present. Mr. Perrine reported that he held a pre-construction meeting with the developer of Crown Point Extension, Section 2 on May 22<sup>nd</sup>. They would like to begin work as soon as possible, weather permitting.

Mr. Perrine also reported that he has begun preliminary discussions with the Onondaga County Department of Drainage and Sanitation regarding the sewer trunk line in Southwood and its connection to the proposed development in the City of Syracuse, Brighton Mews. Mr. Perrine reported that Mr. Christopher Deitman has informed him that the county is not interested in taking over this sewer main at this time. Discussion took place regarding the options that the Town has. Mr. Perrine stated that the Onondaga County Department of Water Environment Protection (WEP) will still be responsible for the maintenance of this sewer line even though they do not own it. Mr. Perrine also stated that Onondaga County is confident that this sewer line can accommodate all of the current and future development of this area. Counsel will not do anything further until hearing from the Board.

Discussion took place regarding the Howlett Hill Meadow Subdivision and the work that needs to be done there by the developer. The developer has indicated that he will be contracting to have the required work completed.

**10. Committee Reports**

The following resolution was offered by Councilman Petrie, who moved its adoption, seconded by Councilman Hamilton,

**RESOLVED**, that the Town Board approve the addition of Jessica Stala, Shaayaiah Williams, Jacob Becher, and Scott Keefe to the membership of the Onondaga Hill Fire Department; and

**RESOLVED**, that the Town Board approve the addition of Michael Lyons to the membership of the Nedrow Volunteer Fire Department.

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

Councilman	Petrie	Voted	Yes
Councilman	Hamilton	Voted	Yes
Councilwoman	Belle	Voted	Yes
Councilwoman	Ryan	Voted	Yes
Supervisor	Andino	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

Councilwoman Ryan reported that she has planted the geraniums at Town Hall.

Supervisor Andino reminded the Board that the Town has been without a Historian since January 1<sup>st</sup> when Mary Nowjy resigned. There have been candidates that have been recommended by the Historical Society; however, those people were not interested at this time. The Historical Society has since recommended Natatlie Williams-Dardaris. She has been a member of the community for years. She worked with previous Historian, Jane Tracey, and at one point was a member of the Historical Society. The Supervisor met with Ms. Dardaris, and she is very interested in this position. He asked the Board to consider appointing her to this position.

The following resolution was offered by Supervisor Andino, who moved its adoption, seconded by Councilwoman Belle,

**RESOLVED**, that the Town Board appoint Ms. Natalie Williams-Dardaris to be the Historian for the Town of Onondaga.

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

Councilman	Petrie	Voted	Yes
Councilman	Hamilton	Voted	Yes
Councilwoman	Belle	Voted	Yes
Councilwoman	Ryan	Voted	Yes
Supervisor	Andino	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

Supervisor Andino also reported that the County Executive has sent the proposed contract between the County Department of Transportation and the Town of Onondaga to continue to plow 22.41 miles of county road during the winter months. This renewal will contract through 2022.

The following resolution was offered by Councilman Petrie, who moved its adoption, seconded by Councilwoman Ryan,

**RESOLVED**, that the Board authorize the Supervisor to execute the contract with the Onondaga County Department of Transportation to plow 22.41 miles of county road; a contract to expire the end of 2022.

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

Councilman	Petrie	Voted	Yes
Councilman	Hamilton	Voted	Yes
Councilwoman	Belle	Voted	Yes
Councilwoman	Ryan	Voted	Yes
Supervisor	Andino	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

The following accounts were audited and approved for payment on this date, June 5, 2017:

- All General Fund Accounts on Abstract 11, numbers 492 through 557 inclusive, totaling \$45,905.85.
- All Highway Fund Accounts, Abstract No. 11, numbers 183 through 205 inclusive, totaling \$9,697.26.
- All Parks Accounts on Abstract No. 11, numbers 64 through 87 inclusive, totaling \$19,958.40.
- All Sewers Accounts on Abstract No. 11, numbers 57 through 63 inclusive, totaling \$479.62.
- All Consolidated Drainage Accounts, Abstract 9, numbers 33 through 35 inclusive, totaling \$2,499.95.
- All Consolidated Lighting Accounts on Abstract No. 6, number 6 inclusive, totaling \$20,501.43.
- All Fire Protection Districts, Abstract No. 5, numbers 28 through 29 inclusive, totaling \$18,455.14.
- All Capital Accounts on Abstract No. 10, numbers 29 through 31 inclusive, totaling \$208,057.32.

**11. Meeting Minute Approval – May 15, 2017**

The following resolution was offered by Councilman Hamilton, who moved its adoption, seconded by Councilwoman Ryan,

**RESOLVED**, that the meeting minutes of the May 1, 2017 Town Board meeting be accepted as prepared by the Town Clerk.

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

Councilman	Petrie	Voted	Yes
Councilman	Hamilton	Voted	Yes
Councilwoman	Belle	Abstained	-----
Councilwoman	Ryan	Voted	Yes
Supervisor	Andino	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

The following resolution was offered by Supervisor Andino, who moved its adoption, seconded by Councilwoman Belle,

**RESOLVED**, that the Board move into Executive Session to discuss a personnel matter concerning the history of a particular person or persons and the possibility of leading to the promotion of those employees.

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



**Town Board Meeting**

June 5, 2017

Page | 24

Councilman	Petrie	Voted	Yes
Councilman	Hamilton	Voted	Yes
Councilwoman	Belle	Voted	Yes
Councilwoman	Ryan	Voted	Yes
Supervisor	Andino	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

The Town Board of the Town of Onondaga adjourned to meet in Executive Session to discuss a personnel matter at 6:10 p.m. on Monday, June 5, 2017. The Town Board returned from Executive Session at 6:45 p.m. The following actions were taken:

The following resolution was offered by Supervisor Andino, who moved its adoption, seconded by Councilwoman Belle,

**RESOLVED**, that the Town Board promote Benjamin Vincent from the position of Deputy Codes Officer to Codes Officer for the Town of Onondaga, effective June 12, 2017.

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

Councilman	Petrie	Voted	Yes
Councilman	Hamilton	Voted	Yes
Councilwoman	Belle	Voted	Yes
Councilwoman	Ryan	Voted	Yes
Supervisor	Andino	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

The following resolution was offered by Councilman Hamilton, who moved its adoption, seconded by Councilwoman Ryan,

**RESOLVED**, that the Town Board appoint Paul Votra to the position of Deputy Codes Officer, effective June 12, 2017.

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

Councilman	Petrie	Voted	Yes
Councilman	Hamilton	Voted	Yes
Councilwoman	Belle	Voted	Yes
Councilwoman	Ryan	Voted	Yes
Supervisor	Andino	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

The following resolution was offered by Councilman Petrie, who moved its adoption, seconded by Councilman Hamilton,

**RESOLVED**, that there being no further business to come before the Town Board, the Executive Session and Town Board Meeting be adjourned.

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

Councilman	Petrie	Voted	Yes
Councilman	Hamilton	Voted	Yes
Councilwoman	Belle	Voted	Yes
Councilwoman	Ryan	Voted	Yes
Supervisor	Andino	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

Executive Session and Town Board Meeting adjourned at 6:52 p.m.

Lisa M. Goodwin, Town Clerk