

October 15, 2018

The Town Board of the Town of Onondaga met at a regular meeting at 5:00 p.m. on Monday, October 15, 2018 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 Goodwin
	Town Attorney	Kevin Gilligan
	Town Engineer	William Perrine

1. Highway Superintendent's Report

Highway Superintendent, Mr. John Wheatley was present. Mr. Wheatley reported that Kyle Wenzel will not be returning this winter for the seasonal position. Mr. Wheatley asked the Board to consider hiring Joshua Harris as the fulltime seasonal employee. Josh is currently an employee of the Parks Department, but will not be needed in that department for the winter. He resides on Beef Street in the Town of Onondaga.

TOWN BOARD RESOLUTION

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

RESOLVED, that the Town Board approve the hiring of Joshua Harris to the Highway Department to the fulltime seasonal position at the budgeted salary of \$17.18 per hour, effective November 13, 2018.

The question 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. Wheatley also reported that Mr. John Ellis has contacted him regarding lowering the speed limit on Onondaga Boulevard from Whedon Road to the end. Mr. Ellis said that there are people that come down there and "burnout". Mr. Wheatley doesn't feel that people that are doing burnouts are going to pay attention to a speed limit anyway. Supervisor Andino and Mr. Wheatley met with Mr. Ellis at this site. Some of the signs have been spray painted. Photos were shared with the Town Board. The signs will be replaced after Halloween. The Supervisor agreed that a change in the speed limit will not be beneficial. The Supervisor will meet with a representative from the Sheriff's Department about the signs and enforcing the no parking and speed limit that's already in place. Mr. Ellis also asked about "no parking" on Onondaga Boulevard beyond Whedon Road which is a county road. He was referred to the county for that. Mr. Ellis also complained about trash that the neighbors had piled up. That has been picked up with the Fall Clean Up. Mr. Ellis also asked that the ditch get cleaned out. Mr. Wheatley explained that when there are heavy rains, there are no issues. The ditch serves a purpose to prevent flooding to his neighbor, and Mr. Wheatley does not want to disturb that flow of water. The ditch is doing what it's supposed to do so it will be left alone.

Mr. Wheatley reported that the paving projects are complete for this year. The Highway Garage will hold its Open House this Saturday from 10:00 a.m. to 2:00 p.m.

2. Parks & Recreation Report

Director of Parks and Recreation, Ms. Charry Lawson was present. Ms. Lawson reported that the Kelley Park pavilion is up, and the concrete pad is done. The stone for the handicapped walkway is done and ready for paving. The picnic tables are in place. Ms. Lawson asked the Board to consider a pay increase for the dance instructor, Andrianna Gaj.

TOWN BOARD RESOLUTION

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

RESOLVED, that the Town Board approve the pay increase for Parks and Recreation employee, Andrianna Gaj to \$15.00 per hour.

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

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

The foregoing resolution was thereupon declared duly adopted.

Ms. Lawson also reported that she has received quotes for the sealing of the parking lot at Santaro Park. She received quotes from two of the companies. Tarvia Seal Corporation's quote is \$11,750, and CNY Sealing's quote is \$8,750.

TOWN BOARD RESOLUTION

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

RESOLVED, that the Town Board authorize the Director of Parks and Recreation to contract with CNY Sealing to perform the work to seal the parking lot at Santaro Park for a price of \$8,750.

The question 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.

3. Codes Officer's Report

Codes Officer, Mr. Ben Vincent was present. Mr. Vincent reported that he would like to purchase a new vehicle to replace the 2010 Ford Escape currently being used by Paul Votra in the Codes Office. The Escape has some costly repairs that are needed, and it makes sense to replace it at this time. Mr. Vincent has been in contact with Joe Basil Chevrolet and has received a quote of \$24,809.25 for the purchase of a 2019 Chevy Equinox. This price is from a State Contract. Mr. Vincent is unsure at this time if the old Ford Escape will be sold at auction or traded for the purchase.

TOWN BOARD RESOLUTION

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

BE IT RESOLVED, that the Town Board authorize the purchase of a 2019 Chevy Equinox for the Codes Office use; and

BE IT RESOLVED, that the Codes Officer will purchase the 2019 Chevy Equinox off of the NYS Contract No. PC66681 from Joe Basil Chevrolet at a purchase price of \$24,809.25.

The question 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.

4. Schedule Public Hearing

TOWN BOARD RESOLUTION

Supervisor Andino introduced proposed Local Law No. C-2018, Amending Chapter 60 of the Town of Onondaga to Permit and Regulate All-Terrain Vehicles Operating on Certain Public Roads in the Town, and made the following motion, which was seconded by Councilwoman Ryan:

NOW, THEREFORE, it is

RESOLVED, 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 New York State Environmental Quality Review Act (SEQR) with respect to the proposed enactment of said Local Law, with the result that the Town Board shall act as lead agency in this matter; and it is further

RESOLVED AND DETERMINED, that the enactment of proposed Local Law No. C-2018 is a Type II action and therefore will have no significant effect on the environment, thus concluding environmental review under SEQR; and it is further

RESOLVED, that the Town Board shall conduct a public hearing as to the enactment of proposed Local Law No. C-2018 at the Town Hall located at 5020 Ball Road in the Town on November 5, 2018 at 5:30 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 enactment 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 OF 2018**

**A LOCAL LAW TO ADD A NEW CHAPTER 60 TO THE CODE OF THE
TOWN OF ONONDAGA
TO PERMIT AND REGULATE ALL-TERRAIN VEHICLES
OPERATING ON CERTAIN PUBLIC ROADS IN THE TOWN**

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

SECTION 1.

The Code of the Town of Onondaga is hereby amended to add a new Chapter 60 titled, "All-Terrain Vehicles (ATVs)", as follows:

**"CHAPTER 60
ALL-TERRAIN VEHICLES (ATVs)**

§ 60-1. Legislative Purpose and Intent.

It is the purpose of this Chapter to designate certain highways or portions thereof within the Town of Onondaga highway system as being open for travel by all-terrain vehicles (ATVs) pursuant to authority granted in §2405 of the Vehicle and Traffic Law of the State of New York.

§ 60-2. Authority.

This local law is enacted pursuant to the New York State Constitution, New York Municipal Home Rule Law §10 and §2405 of the Vehicle and Traffic Law of the State of New York.

§ 60-3. Definitions.

The terms, words or phrases herein used shall have the same meaning as such terms, words and phrases defined in §2401 of the Vehicle and Traffic Law of the State of New York.

Town: The Town of Onondaga, New York.

§ 60-4. Findings.

The Town Board hereby finds that the opening of the designated roads and portions thereof to ATV use and travel is necessary in order for ATVs to gain access to areas and/or trails adjacent thereto which would otherwise be impossible to access without the use of such Town highways.

§ 60-4. Designated Roads.

- A. The following Town roads or the indicated portions thereof are hereby designated as open to travel by all-terrain vehicles as it is otherwise impossible for all-terrain vehicles to gain access to areas or trails adjacent to said designated roads other than by the use of such designated roads. Only the following Town roads are hereby designated for the operation of all-terrain vehicles as authorized by Section 2405 of the Vehicle and Traffic Law, Article 48-C:

- (1) Hunt Road, from Buckwheat Road to Fish Gulf Road;
- (2) Fish Gulf Road, from Hunt Road to Otisco Town Line; and
- (3) Fox Road from Curtis Road to Fish Gulf Road.

§ 60-5. Conditions and Restrictions.

- A. The following rules, conditions and restrictions shall be applicable to all Town roads opened to ATV use pursuant to this Chapter:
- (1) The use of the designated roads by ATVs shall be only and solely for the purpose of traveling directly from one public ATV trail or area to another.
 - (2) No person shall operate an ATV on any designated road at any time from October 1st to April 1st of the following year.
 - (3) ATVs may only be operated on the designated roads between the hours of 7:00 a.m. and 10:00 p.m.
 - (4) All persons operating an ATV on a designated road shall keep as far right as practicable, except as necessary to gain access to or egress from such areas.
 - (5) No person shall operate an ATV more than one (1) abreast in a single lane on any portion of a designated road.
 - (6) A maximum speed limit of twenty-five (25) miles per hour shall be observed. Operators shall strictly observe and obey all traffic signs, as well as any and all rules and regulations applicable to vehicular traffic.
 - (7) It shall be unlawful for any person without a valid state driver's license to operate an ATV on designated Town roads unless, if under the age of sixteen, accompanied by a parent or legal guardian and must possess a New York State ATV safety certificate issued by the Commissioner. If over the age of sixteen without a valid state driver's license, must have said New York State ATV safety certificate. Anyone with a suspended driver's license may not operate an ATV on the designated roads.
 - (8) No person shall operate an ATV on a designated road or segment in such a manner as to create loud, unnecessary, or unusual noise, so as to disturb or interfere with the peace and quiet of the Town's people.
 - (9) No ATV shall be operated on any designated road or segment open for ATV use except in accordance with the provisions of the Vehicle and Traffic Law of the State of New York, Article 48-C.
 - (10) No ATV shall be operated on any designated road or segment open for ATV use unless properly equipped, registered and insured as required by the Vehicle and Traffic Law of the State of New York, Article 48-C.
 - (11) ATVs shall not be allowed to operate, unless and until such time as proper signs and markers are installed, which clearly identify the road and areas designated in § 60-4 of this Chapter.

§ 60-6. Violations.

Failure to comply with any provision of this Chapter shall be deemed a violation, and in the case of the first offense, the violator shall be liable for a fine of not less than One Hundred Dollars (\$100.00) or more than Three Hundred Fifty Dollars (\$350.00); a second offense within eighteen months of first offense shall carry a fine of not less than One Hundred Dollars (\$100.00) or more than Five Hundred Dollars (\$500.00); and a third offense within eighteen months of the first offense shall carry a fine of not less than One Hundred Dollars (\$100.00) or more than One Thousand Dollars (\$1,000.00).

§ 60-7. Severability.

If the provisions of any article, section, subsection, paragraph, subdivision or clause of this Chapter 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 Chapter.

§ 60-8. Posting of Designations and Regulations.

In accordance with Section 2405 of the Vehicle and Traffic Law, the Town Superintendent of Highways shall install signs and markers identifying the designated roads.

SECTION 2. 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 3. EFFECTIVE DATE.

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

5. Attorney's Report

Town Attorney, Mr. Kevin Gilligan was present. Mr. Gilligan reported that his office has been working with Mr. Robert DeForest regarding the deed and designation of the connector road for Crown Point Extension, Section 2. The following motion was offered:

TOWN BOARD RESOLUTION

**Accepting Conveyance of Highways, Sewer and Drainage
Pursuant to the Alternate Highway, Sewer and Drainage
Construction and Maintenance Agreement
(Section 2 - Crown Point Extension, Part of Lots 135 and 149, Subdivision)**

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

WHEREAS, by resolution dated February 5, 2018, the Town of Onondaga Town Board accepted One Hundred Twenty-Five Thousand Five Hundred and 00/100 Dollars (\$125,000.00) as revised and reposted security equal to one hundred fifty percent (150%) pursuant to Article 9(A) of the Alternate Highway, Sewer and Drainage Construction and Maintenance Agreement (hereinafter the "Agreement") dated May 15, 2017, between Cordelle Development Corporation and the Town of Onondaga; and

WHEREAS, Cordelle Development Corporation has subsequently proposed the dedication and conveyance to the Town of Onondaga of the highways, sewers and drainage in Section 2 – Crown Point Extension, Part of Lots 135 & 149 Tract in the Town of Onondaga.

NOW THEREFORE, BE IT RESOLVED, the Town of Onondaga Town Board does hereby accept the dedication and authorize the conveyance of the highways, sewers and drainage in Section 2 – Crown Point Extension, Part of Lots 135 & 149 Tract in the Town of Onondaga, subject to the following conditions:

1. receipt of a fully executed Dedication of Land and Release of Damages Pursuant to the Highway Law Section 171 and a fully executed Bill of Sale;
2. receipt of a fully executed Affidavit of No Liens;
3. receipt of a fully executed Interim Certificate of Completion;
4. receipt of fully executed Warranty Deed;
5. payment of all outstanding fees associated with the development; and
6. satisfactory completion of any outstanding real estate items identified by the Town's attorneys.

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 reported that New York State has mandated that all employers have a sexual harassment policy in place. The Town of Onondaga has a policy in place and has had one for years. The Town Attorney has reviewed the policy and has found it to be a "good" policy that complies with what the state is requiring; however, the state has added a couple of items that should be included. The state is also requiring mandated training of all employees to be completed in 2019. The Town Board has received the updated policy for their review. The policy will be considered for approval at the next Town Board meeting and then distributed to the employees. The employees will be required to sign a statement that they've received the policy. The town attorney's office will provide the training to the employees in 2019. This will be an annual training.

6. Engineer's Report

Town Engineer, Mr. Bill Perrine was present. Mr. Perrine reported that the startup of the pump station for Crown Point Extension has begun. It should be done this week. This will complete the sanitary sewer portion of this development. Once that's complete, it will have to be sent to the county so they can issue the permit.

Mr. Perrine also reported that Sal Suiga has received approval from the Planning Board to begin construction of Velasko Village, Section 2. There are six (6) lots in this section. Discussion took place regarding conditioning approvals upon all engineering and attorney fees being paid.

TOWN BOARD RESOLUTION

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

RESOLVED, that the Town Board authorize the Supervisor to sign the semi-annual MS4 Report as prepared by the Town Engineer on behalf of 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
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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. Perrine reported that the GIS online website is a tool that is used very regularly by the Town Highway Superintendent and the Codes Officer. The last time a tax parcel update was done was in 2014. Mr. Perrine recommends that another update be done in early 2019. He said that this will be a onetime, special engineering project fee of \$3,000 to keep it up to date. He asked that the Board consider this when putting together the 2019 budget.

7. Committee Reports

Supervisor Andino reminded the Board that this coming Saturday and Sunday is when the Town Historical Association will be doing their presentation about the history of the town at the Parade of Homes. The hours of the Parade of Homes are 11 a.m. to 6 p.m. on Saturdays and Sundays and 1 p.m. to 8 p.m. Monday through Friday.

Councilwoman Ryan reported that she attended the meeting at the Onondaga Free Library in September. Channel 9 news had been to the library to interview the Director, Susan Morgan. The interview can be found on the library's Facebook page. She also reported that the library will be applying for a construction grant to make changes to the driveway. They are hoping for a \$55,000 grant.

TOWN BOARD RESOLUTION

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

WHEREAS, in an effort to keep account balances positive, the Director of Finance has asked for transfer of funds in the General Fund and the Highway Fund.

BE IT RESOLVED, that the Town Board approve the budget transfers as follows:

General Fund

Account	Name	From	To
A1990.4	Contingent	\$10,453.00	
A1010.401	Town Board Books & Misc.		\$ 33.00
A1330.2	Tax Receiver Equipment		\$ 420.00
A1620.2	Buildings & Grounds Equipment		\$10,000.00
A9040.8	Workers Compensation	\$ 9,032.00	
A3650.401	Demolition of Unsafe Buildings		\$ 9,032.00

Highway Fund

Account	Name	From	To
DA5142.1	Personal Services Snow	\$ 100.00	
DA5110.1	Personal Services Road Repair		\$ 100.00
DA5142.11	Personal Services Snow OT	\$ 2,060.00	
DA5110.11	Personal Services Road Repair OT		\$ 2,060.00

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 reported that Town Hall will be closing at 3:30 p.m. on Thursday, November 1, 2018 for a mandatory town employee meeting to discuss the 2019 health insurance policies, and the premiums of those policies, with our insurance agent.

The following accounts were audited and approved for payment on October 1, 2018:

- All General Fund Accounts on Abstract No. 19, numbers 965 through 996 inclusive, totaling \$16,760.37.
- All Highway Fund Accounts, Abstract No. 19, numbers 432 through 454 inclusive, totaling \$22,277.77.
- All Parks Accounts on Abstract No. 19, numbers 191 through 199 inclusive, totaling \$918.16.
- All Sewer Accounts on Abstract No. 18, numbers 106 through 112 inclusive, totaling \$492.88.
- All Consolidated Drainage Accounts on Abstract 18, numbers 77 through 82 inclusive, totaling \$1,978.92.

- All Water Accounts on Abstract No. 6, number 6 inclusive, totaling \$584.00.

The following accounts were audited and approved for payment on this date, October 15, 2018:

- All General Fund Accounts on Abstract No. 20, numbers 997 through 1064 inclusive, totaling \$65,668.91.
- All Highway Fund Accounts, Abstract No. 20, numbers 455 through 480 inclusive, totaling \$46,190.31.
- All Parks Accounts on Abstract No. 20, numbers 200 through 208 inclusive, totaling \$2,030.04.
- All Sewer Accounts on Abstract No. 19, numbers 113 through 115 inclusive, totaling \$387.08.
- All Consolidated Drainage Accounts on Abstract 19, numbers 83 through 85 inclusive, totaling \$818.90.
- All Consolidated Lighting Accounts on Abstract No. 10, number 10 inclusive, totaling \$21,748.80.

8. Meeting Minute Approval – September 17, 2018 and September 24, 2018

TOWN BOARD RESOLUTION

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

RESOLVED, that the Town Board accept the meeting minutes of the Town Board Meeting held September 17, 2018 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	Voted	Yes
Councilwoman	Ryan	Voted	Yes
Supervisor	Andino	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

TOWN BOARD RESOLUTION

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

RESOLVED, that the Town Board accept the meeting minutes of the Special Town Board Meeting held September 24, 2018 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	Voted	Yes
Councilwoman	Ryan	Voted	Yes
Supervisor	Andino	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

TOWN BOARD RESOLUTION

The following resolution was made by Supervisor Andino, who moved its adoption, and was seconded by Councilman Hamilton,

RESOLVED, that there being no further business to come before the Town Board, the 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.

Town Board Meeting adjourned at 5:56 p.m.

Lisa M. Goodwin, Town Clerk