

## August 20, 2018

The Town Board of the Town of Onondaga met at a regular meeting at 5:00 p.m. on Monday, August 20, 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	Wendy Lougnot
	Town Engineer	William Perrine

### 1. Library Director's Report

Onondaga Free Library Director, Ms. Susan Morgan was present. Ms. Morgan distributed copies of the Library's Fall Program to the Town Board. Ms. Morgan also reported to the Town Board some of the "preliminary" summer data. She said that June was a great month for adult programming in particular. The Onondaga Senior Center's Artists Reception had 50 plus people attend its annual event. Split Rock Explosion speaker, Dr. Laurel Saiz from OCC was fantastic. July was a record breaker month at the library. There were 26,761 physical items checked out, and 11,263 people visited the library just in July. The library held 84 programs in July, and 1,783 people attended these programs. The adult summer reading program had 182 readers participate. Last Friday was the last day of summer programming. The gate count for one day was 433 people in the library on just one day! Ms. Morgan is very pleased with these numbers. She also reported that over 500 kids participated in the reading challenge, and over 7,400 books have been reported thus far. This is still increasing as the data is coming in.

Ms. Morgan also reported on programs that are coming in the fall. There will be several "coding" events for families brought by a grant through Senator DeFrancisco's Office. This program includes two Family Coding Nights on October 11<sup>th</sup> and November 19<sup>th</sup>, a KinderCode event and a Homeschoolers Code class. Friends of the Onondaga Free Library will hold their annual Fall Book Sale September 27<sup>th</sup> – 30<sup>th</sup>. Donations are being accepted September 17<sup>th</sup> – 26<sup>th</sup>. The Friends will be hosting a series of events commemorating the 100<sup>th</sup> anniversary of Armistice Day. A special ceremony honoring all veterans will be held on Saturday, November 10<sup>th</sup> at 11:00 a.m. Ms. Morgan stated that sign-ups for fall programs are ongoing already. Please visit the website. The week of November 12<sup>th</sup> – 18<sup>th</sup> is "Food for Fines" week. During this week, people can bring in non-perishable, undamaged, unexpired food items for a reduction in their fines up to \$10. All food items will be donated to a local food pantry. Lastly, Ms. Morgan reported that the Library will be applying for the Best Library Award from the Syracuse New Times. She hopes to win the award again.

### 2. Highway Superintendent's Report

Highway Superintendent, Mr. John Wheatley was excused from the meeting. Supervisor Andino reported that the crews are continuing to pave the roads throughout the town. Brush pick up is ongoing, and fall trash pickup begins the week of Labor Day and will run through October.

### 3. Parks & Recreation Director's Report

Parks and Recreation Director, Ms. Charry Lawson was present. Ms. Lawson reported that the summer programs have wrapped up. The Our Town is scheduled to come out at the end of the week. The Kelley Park Community Development project is still on schedule, and the projects at the Senior Center are almost complete with the exception of the accordion door which will be installed when it comes in.

### 4. Codes Officer's Report

Codes Officer, Mr. Ben Vincent was present. Mr. Vincent reported that he has received a request from Mr. William McConnell of Old Winding Way for the closure of the road for a neighborhood block party.

## TOWN BOARD RESOLUTION

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

**RESOLVED**, that the Board approve the road closure of Old Winding Way between both of its intersections with St. John Drive for a block party to be held September 15, 2018 from 3:00 PM to 9:00 PM.

The question of the adoption of the foregoing order 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.

**5. Public Hearing – Local Law B-2018 – Zone Change PCO to LI – Rock Cut Road**

Supervisor Andino introduced the public hearing and the proposed local law. He stated that Proof of Publication and Affidavit of Posting are on file. The Supervisor explained that the proposed local law is to change the zoning from Professional Commercial Office (PCO) to Light Industrial (LI). A large area contiguous to this location is already zoned light industrial. The two parcels that would be changed is property that is currently owned by Onondaga County Resource Recovery Agency (OCRRA), and a smaller parcel that is owned by Brian Bushneck. The Supervisor declared the Public Hearing open.

Mr. Fred Palmer, attorney for Brian Bushneck was present. Mr. Palmer spoke in favor of the proposed local law. He explained that the property that Mr. Bushneck owns is currently being used to repair his trucks. Mr. Bushneck does not reside on the property. He has spent a lot of time cleaning the property up and feels that a Light Industrial zoning is what the zoning should be to coincide with his use. Given the proximity of the property next to the incinerator, no one would want office space or a home on this property. Mr. Andrew Radin, Onondaga County Resource Recovery Agency, also spoke in favor of the proposed local law. There was no one else present to speak in favor of or in opposition to the proposed local law. The Supervisor declared the public hearing closed.

**TOWN BOARD RESOLUTION**

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

**WHEREAS**, pursuant to the provisions of the Municipal Home Rule Law, proposed Local Law B-2018 amending the Zoning Map of the Town of Onondaga to Change the Zoning Designation for Certain Property from Being Zoned Professional Commercial Office (PCO) to Light Industrial (LI) in the Town of Onondaga was presented and introduced at a regular meeting of the Town Board of the Town of Onondaga held August 6, 2018; and

**WHEREAS**, a public hearing was held on said proposed Local Law No. B-2018 on August 20, 2018 by the Town Board of the Town of Onondaga and proof of publication of notice of such public hearing, as required by law, having been submitted and filed, and all persons desiring to be heard in connection with said proposed local law having been heard, and said proposed local law having been in the possession of the members of the Town Board of the Town of Onondaga in its final form in the manner required by Section 20 of the Municipal Home Rule of the State of New York; and

**WHEREAS**, copies of proposed Local Law B-2018 and the Notice of Public Hearing were sent to the Clerks of the Town of Dewitt and the City of Syracuse as adjoining municipalities, pursuant to NYS Town Law §264; and

**WHEREAS**, copies of proposed Local Law B-2018 and the Notice of Public Hearing were sent to the property owners affected by the change on the Zoning Map of the Zoning Designation, being Brian Bushneck and Onondaga County Resource Recovery Agency; and

**WHEREAS**, a GML 239 Referral Notice was sent to the County Planning Agency. At their meeting, they took no position and indicated the determination could be made by the Town of Onondaga Town Board on a local basis; and

**WHEREAS**, at its August 6, 2018 meeting the Town Board determined that this proposed legislation is an Unlisted action and issued a negative declaration for purposes of SEQR based on the following reasons:

1. The properties subject to the proposed zone change are: (1) 5890 Rock Cut Road in the Town of Onondaga surrounded by property owned by Onondaga County Resource Recovery Agency (OCRRA) to the North, South, and West and which is currently being used and operated as a Trash and Recycling Disposal Facility, an industrial operation; and (2) 5808 Rock Cut Road, a parcel owned by OCRRA and used for part of OCRRA's recycling operations;
2. The parcels border a large area of land zoned Light Industrial (LI), the requested zoning designation, which contains the OCRRA Facility described above;
3. The current zoning of the parcels as Professional and Commercial Office (PCO) is not the most appropriate zoning designation in light of the current and historical use of the properties for vehicle storage and repair of highway vehicles (a use permitted in the Light Industrial (LI) District) and for the aforementioned recycling operations;
4. Changing the zoning of the parcels from PCO to LI will not result in any impact to the surrounding area in light of the current zoning classifications and uses in the general vicinity which are generally industrial/commercial in nature;

5. The topography of the area will prevent any potential impacts the change in zoning to LI may have on other parcels zoned PCO in the area; and it is further; and

**WHEREAS**, this legislation conforms the zoning designation for the involved properties to be more aligned with actual use of such properties; and

**WHEREAS**, it is in the public interest to enact said Proposed Local Law No. B-2018.

**NOW, THEREFORE**, it is

**RESOLVED AND DETERMINED**, that the Town Board of the Town of Onondaga, Onondaga County, New York, does hereby enact Proposed Local Law No. B-2018 as Local Law No. 3-2018 as follows:

**TOWN OF ONONDAGA  
LOCAL LAW NO. 3 OF 2018**

**A Local Law Amending the Zoning Map of the Town of Onondaga to Change the Zoning Designation for Certain Property from Being Zoned Professional Commercial Office (PCO) to Light Industrial (LI) in the Town of Onondaga**

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

**Section 1. Amendment of the Zoning Map of the Town of Onondaga (Section 285-4 of the Code of the Town of Onondaga).**

The Zoning Map of the Town of Onondaga, as provided for in Section 285-4 of the Code of the Town of Onondaga and filed with the Town Clerk, shall be amended to change the zoning use designation of certain lands described herein in **Schedule "A"** from Professional Commercial Office (PCO) to Light Industrial (LI) as such zoning districts are defined and regulated pursuant to the provisions of Chapter 285 of the Code of the Town of Onondaga.

**Section 2. Parcels Subject to Zone Change**

The parcels of land which shall be the subject of said zoning change are as follows: the Parcel designated as Tax Map Parcel ID No. 032.-01-14.0 situated at 5890 Rock Cut Rd (formerly 5910 Rock Cut Rd) and totaling approximately 1.81 acres (current owner Brian S. Bushneck); and the Parcel designated as Tax Map Parcel ID No. 032.-01-13.0 situated at 5808 Rock Cut Rd and totaling approximately 17.44 acres (current owner Onondaga County Resource Recovery Agency) – see **Schedule "A"**.

**Section 3.**

The Town of Onondaga Zoning Map shall be amended and shall incorporate the change of zoning classification, as herein provided.

**Section 4. Effective Date.**

This Local Law shall become effective upon its filing with the New York Secretary of State.

**SCHEDULE "A"**

5890 Rock Cut Road – Tax Map ID No. 032.-01-14.0 (Bushneck)

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the TOWN OF ONONDAGA, COUNTY OF ONONDAGA AND STATE OF NEW YORK, AND SITUATED ON FARM LOT No. 122 in the said Town of Onondaga BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING IN THE CENTER OF THE HIGHWAY KNOWN AS JAMESVILLE PLANK ROAD AT A POINT 420 FEET WEST OF THE EAST LINE OF SAID FARM LOT LINE IS ALSO THE LINE BETWEEN THE TOWN OF ONONDAGA AND THE TOWN OF DEWITT; THENCE SOUTHERLY ON A LINE PARALLEL WITH SAID EAST LINE OF FARM LOT No. 122, ONE HUNDRED TWENTY FEET; THENCE WESTERLY PARALLEL WITH THE CENTER OF SAID HIGHWAY 200 FEET; THENCE NORTHERLY PARALLEL WITH SAID EAST LINE OF FARM LOT no. 122, ONE HUNDRED TWENTY FEET TO THE CENTER OF SAID HIGHWAY; THEN EASTERLY ALONG THE CENTER OF SAID HIGHWAY 200 FEET TO THE PLACE OF BEGINNING, BEING THE SAME PREMISES DESCRIBED IN A WARRANTY DEED FROM JAMES D. STOWELL AND KATHRYN E. STOWELL, HIS WIFE TO PARTIES OF THE FIRST PART, DATED MARCH 28, 1925 and recorded in ONONDAGA COUNTY CLERK'S OFFICE APRIL 3, 1925 in book 542 of DEEDS AT PAGE 453 c. ALSO, ALL THAT TRACT OR PARCEL OF LAND, SITUATED IN THE TOWN OF ONONDAGA, COUNTY OF ONONDAGA AND STATE OF NEW YORK BEING PART OF LOTS Nos. 110 and 122. IN THE ONONDAGA RESERVATION BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE BOUNDARY LINE BETWEEN THE TOWN OF ONONDAGA AND THE TOWN OF DEWITT, ONE HUNDRED AND TWENTY (120) FEET SOUTHERLY FROM THE CENTER OF THE SYRACUSE JAMESVILLE HIGHWAY; THENCE

WESTERLY, ON THE LINE PARALLEL WITH THE CENTER LINE OF SAID HIGHWAY ONE HUNDRED AND TWENTY (120) FEET DISTANT SOUTHERLY THEREFROM TO A POINT NINETY (90) FEET WESTERLY FROM THE NORTHWEST CORNER OF LAND CONVEYED BY JAMES D. STOWELL AND WIFE TO IRENE ZDAROZINSKI, THENCE NORTHERLY PARALLEL WITH THE WESTLY LINE OF THE LAND DESCRIBED IN THE LAST MENTIONED DEED, PASSING THROUGH THE CENTER OF A WELL, TO THE CENTER OF LINE OF SAID SYRACUSE JAMESVILLE HIGHWAY; THENCE EASTERLY, ALONG THE CENTER LINE OF SAID HIGHWAY TO THE POINT OF INTERSECTION OF IT WITH THE TOWNSHIP LINE OF ONONDAGA AND DEWITT

5808 Rock Cut Road – Tax Map ID No. 032.-01-13.0 (Onondaga County Resource Recovery Agency [OCRRA])

All that tract or parcel of land situate in the Town of Onondaga, County of Onondaga and State of New York, being part of Farm Lot 122 in said Town, being all or part of lands acquired by the City of Syracuse by the following 2 deeds:

- 1) from Robert Levy dated February 7, 1972 and recorded in Onondaga County Clerk's Office in Book 2469 of Deeds at Page 944;
- 2) from Joseph Lorini dated October 4, 1972 and recorded in Onondaga County Clerk's Office in Book 2486 at Page 1029;

and being more particularly described as follows:

Beginning at a point in the existing southerly boundary of Rock Cut Road (Jamesville Toll Road, C.R. No. 103), said point being the southwesterly corner of Parcel No. 74 of lands acquired by the People of the State of New York for Interstate Route 571-1-1, Forest Interchange to Jamesville as shown on Appropriation Map No. 40 filed in Onondaga County Clerk's Office in Book 2559 of Deeds at Page 1038; running thence along said existing road boundary, the following 4 courses and distances:

- 1) N 89° 02' 53" E, 363.80 feet;
- 2) S 83° 39' 48" E, 192.67 feet;
- 3) S 89° 43' 00" E, 674.12 feet;
- 4) southeasterly, following a curve to the left having a radius of 525 feet and a central angle of 5° 44' 17" whose chord bears S 64° 04' 58" E, an arc distance of 52.58 feet to its intersection with the westerly boundary of lands described in a deed from Alfred J. Moorhead to Russell E. Kitchner dated July 11, 1980 and recorded in Onondaga County Clerk's Office in Book 2813 of Deeds at Page 272; thence S 6° 00' 24" E, passing through an existing well, a distance of 106.49 feet to the southwesterly corner of said lands of Kitchner; thence easterly along the southerly boundary of said lands, following a curve to the left having a radius of 620.25 feet and a central angle of 25° 55' 22" whose chord bears S 84° 41' 46" E, an arc distance of 280.62 feet to a point of tangency; thence N 82° 20' 34" E continuing along said southerly boundary of said lands of Kitchner, a distance of 472.70 feet to a point on the division line between the Town of Onondaga on the west and the Town of Dewitt on the east, said Town Line being the division line between lands of General Crushed Stone Company (reputed owner) on the east and said lands of City of Syracuse on the west; then S 6° 00' 24" E along said division line, a distance of 281.81 feet to the southeasterly corner of said lands of City of Syracuse; thence along the division line between said lands of General Crushed Stone Company (reputed owner) on the south and said lands of City of Syracuse on the north, the following 7 courses and distances:

- 1) N 86° 41' 41" W, 56.94 feet;
- 2) S 84° 53' 49" W, 768.24 feet;
- 3) S 89° 04' 49" W, 563.64 feet;
- 4) N 86° 20' 41" W, 288.83 feet;
- 5) N 76° 38' 11" W, 89.48 feet;
- 6) N 74° 28' 41" W, 174.35 feet;
- 7) N 64° 46' 47" W, 215.25 feet to the southeasterly corner of Parcel No. 49 of the aforementioned lands acquired by the People of the State of New York as shown on said Appropriation Map No. 40; thence N 11° 58' 02" E along the easterly boundary of said lands, a distance of 293.43 feet to the point of beginning, containing 17.488 acres, more or less.

The question of the adoption of the foregoing order 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.

## 6. Attorney's Report

Town Attorney, Wendy Lougnot was present. Ms. Lougnot reported that their office has begun working on the local law to allow all terrain vehicles in certain areas.

**7. Engineer's Report**

Town Engineer, Mr. Bill Perrine was present. Mr. Perrine gave an update on subdivision construction. He stated that National Grid has nearly completed their part for the Parade of Homes, and things are still moving forward. Hallinan Meadows is installing sub pump laterals. Mr. Perrine has met onsite at Skyland Meadows, Section 5, with JK Tobin for a paving schedule. The paving will be done before this winter. Mr. Perrine also stated that he has reached out to four contractors to perform the work on the Sycamore Hills Sewer District. Two contractors will be pricing it. That pricing has not come in yet. He will have the numbers by the next meeting.

**8. Committee Reports**

**TOWN BOARD RESOLUTION**

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 Matthew Calley to the membership of the Navarino Fire Department; and

**RESOLVED**, that the Town Board approve the addition of Alexis Massey to the membership of the Taunton Fire Department.

The question of the adoption of the foregoing order 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, August 20, 2018:

- All General Fund Accounts on Abstract No. 16, numbers 801 through 857 inclusive, totaling \$60,480.28.
- All Highway Fund Accounts, Abstract No. 16, numbers 367 through 392 inclusive, totaling \$25,858.57.
- All Parks Accounts on Abstract No. 16, numbers 154 through 161 inclusive, totaling \$604.74.
- All Sewer Accounts on Abstract No. 15, numbers 92 through 95 inclusive, totaling \$213.85.
- All Consolidated Drainage Accounts on Abstract 15, numbers 63 through 68 inclusive, totaling \$1,205.54.
- All Trust & Agency Accounts on Abstract No. 8, numbers 48 through 52 inclusive, totaling \$8,078.24.

**TOWN BOARD RESOLUTION**

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

**RESOLVED**, that the Town Board move into Executive Session to discuss a personnel matter.

The question of the adoption of the foregoing order 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 Town Board of the Town of Onondaga adjourned to meet in Executive Session to discuss a personnel matter at 5:42 p.m. on Monday, August 20, 2018. The Town Board returned from Executive Session at 6:20 p.m. There was no action taken.

**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 Executive Session and 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.

Executive Session and Town Board Meeting adjourned at 6:23 p.m.

Lisa M. Goodwin, Town Clerk