

**Town of Tully**  
**May 11, 2016**

**CONTINUATION OF PUBLIC HEARING ON**  
**LOCAL LAW NO. ONE (1) OF THE YEAR 2016**

Supervisor Lund declared the public hearing open at 7:15pm. Mr. Lund asked for comments from the floor. There were no comments at this time. Mr. Lund asked our town attorney if there was any problem continuing the public hearing next month. Attorney Courtney Hills advised that that was perfectly fine and that whenever you amend your zoning code, the proposed local law has to go to County Planning anyway so they can review it. Brief discussion followed after which there was the following motion:

**RESOLUTION 32-16**

**MOTION TO CONTINUE THE PUBLIC HEARING NEXT MONTH ON JUNE 8<sup>TH</sup> AT 7:15PM** was made, seconded and carried unanimously by the Town Board 5 ayes (Lund, Masters, Speziale, Chapman, Snavlin) 0 nays.

The regular meeting of the Tully Town Board was convened at 7:30pm.

**REGULAR TOWN BOARD MEETING**  
**TOWN OF TULLY**  
**TOWN HALL**  
**5833 MEETING HOUSE RD TULLY NY**

Members Present: Supervisor William A. Lund, Jr.  
Councilor John Snavlin  
Councilor John Masters  
Councilor Christopher Chapman  
Councilor Frank Speziale

Others present: Financial Officer Thomas Chartrand, Town Attorney Courtney Hills, Highway Superintendent John Herold, The Tully News Editor Ben Bibik, Fire Commissioner Ed Wortley, Jr., John McMahon, Maryanne Ralbovsky, Sonny Battle, Natalia Garcia, Denise Cardamone, Carol Gleason, Betsy Weinstein Shahan, Joe Pellettiere, Mike Vaccaro, Michael Johnson, Rachael Morrison, Chris C., Linda Millis, Brad Corbin, Rob Hughes, Annabeth Hayes, Gary Heymann and Sara Payne.

7:30pm Supervisor Lund called meeting to order and led in Pledge of Allegiance.

**MOTION TO ACCEPT THE MINUTES OF THE APRIL 13<sup>TH</sup> MEETING AS WRITTEN.** Motion by Councilor Masters. Second by Councilor Snavlin. Motion carried 5 ayes (Lund, Masters, Snavlin, Chapman, Speziale) 0 nays.

**MOTION TO ACCEPT THE VOUCHERS.** Motion by Councilor Speziale. Second by Councilor Chapman. Motion carried 5 ayes (Lund, Masters, Snavlin, Chapman, Speziale) 0 nays.

**Financial Report**

Mr. Chartrand reviewed the receipts and disbursements for April including court fines and reported they were right about where they should be for budget; interest and penalties on taxes came up to \$657 shy of what we budgeted; there was a small refund; ambulance recoveries just under \$19,000, so looking good on that. On the expense side, general abstract #4 was a pretty good size. One area of concern is in the assessor's line with the certiorari charges. We had budgeted some to cover that, but that has been exhausted at this point.

Tom also asked about the bath house, when it was opened for the season and who was appointed to clean it. John Herold reported that it was opened the second week of April, and Doug Clay was appointed to do the cleaning at the same rate as in the past.

Tom also reported that there would be a SOTS meeting May 23<sup>rd</sup> in Pompey to review the procurement policy and also to review the bids for the next contract.

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Tom also reviewed a transfer sheet which is as follows:

TOWN OF TULLY

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To: Town Board

From: Tom Chartrand

Re: Budget Transfers

GENERAL	Townwide		
From:			
A1220.4	Supervisor	Contractual	450.00
A1991.4	Workshops	Contractual	1,000.00
A4289.4	Drug Testing	Contractual	250.00
		Total	<u>\$1,700.00</u>
			=====
To:			
A1910.4	Unallocated Insurance	Contractual	1,700.00
		Total	<u>\$1,700.00</u>

**RESOLUTION 33-16**

**MOTION TO ACCEPT THE AFOREMENTIONED TRANSFER SHEET.** Motion by Councilor Speziale. Second by Councilor Masters. Motion carried 5 ayes (Lund, Masters, Snavlin, Chapman, Speziale) 0 naves.

**RESOLUTION 34-16**

**MOTION TO ACCEPT THE FINANCIAL REPORT FOR APRIL 2016.** Motion by Councilor Snavlin. Second by Councilor Masters. Motion carried 5 ayes (Lund, Snavlin, Masters, Speziale, Chapman) 0 naves.

Supervisor Lund reported that the board would like to increase the town clerk's petty cash by \$300 in order to have money on hand to pay Parks & Rec umpire fees in cash as they occur.

**RESOLUTION 35-15**

**MOTION TO INCREASE THE TOWN CLERK'S PETTY CASH FROM \$40 TO \$340 FOR THE THE PURPOSE OF PAYING UMPIRE FEES IN CASH.** Motion by Councilor Speziale. Second by Councilor Chapman. Motion carried 5 ayes (Lund, Snavlin, Chapman, Masters, Speziale) 0 naves.

**RESOLUTION 36-15**

**MOTION THAT THE TOWN BOARD HAS AUDITED THE TAX COLLECTOR'S RECORDS FOR 2015.** Motion by Councilor Masters. Second by Councilor Snavlin. Motion carried 5 ayes (Lund, Snavlin, Chapman, Masters, Speziale) 0 naves.

**School Budget Overview**

Superintendent Robert Hughes and Business Administrator Brad Corbin presented an overview of the 2016-2017 school budget as follows:

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### **Primary budget increases/decreases:**

- ❖ Athletics - Fitness Equipment (potentially open for community usage) = \$32K
- ❖ Buildings & Grounds - Equipment replacement = \$33K
- ❖ BOCES - Career and Tech Ed student programs (13 less slots) = -\$91K
- ❖ BOCES - New Tech Academy student programs (2 slots at Seven Valleys Tech) = \$33K
- ❖ Special Ed - reduction in BOCES student services = -\$37K
- ❖ Salaries & Benefits - Health Ins. Premiums and salary adjustments = \$164K
- ❖ School Security Aide - new position to enhance school safety = \$30K
- ❖ Co-curricular salaries - extracurricular clubs (14 new advisor stipends) = \$29K
- ❖ Transportation - reduction in fuel, natural gas (mostly due to economy) = -\$56K

### **NY State Aid**

- ❖ Potential State Aid increase = 2.7% (primarily due to GEA restoration)

### **Tax Levy**

- ❖ Tax Levy Limit = 1.23%, with an actual Tax Levy = 1.20% or \$115K
- ❖ Projected increase on \$100,000 home (using 2015 assessment and equalization data) = \$8.73

### **Propositions**

- ❖ **Proposition 1**  
Overall budget = \$19,830,196 and a budget-to-budget increase = \$138K or 0.70%
- ❖ **Proposition 2**  
Bus Lease = \$360,000 (over 5 years) = (4) 66-passenger & (1) 30-passenger bus
- ❖ **Proposition 3**  
Tully Free Library = \$166,222

### **Bus Lease**

- ❖ (4) 66-passenger & (1) 30-passenger bus
- ❖ 4<sup>th</sup> year of lease - Approx. 20 of 27 buses will be 4 yrs. old or less
- ❖ Reduction in fuel & maintenance costs (3-year bumper to bumper warranty & 5-year power train)

### **Property Tax Freeze Credit (year 3)**

- ❖ Homeowners - same guidelines as P/Y (primary residence, STAR eligible, income < \$275K
- ❖ School=Budget at/below levy limit, submit NYS approved Efficiency Plan (BOCES completed)

### **Contingent Budget**

- ❖ Limited community use, no equipment purchases, and a tax levy same as P/Y (0% increase)

### **Board Member Election**

- ❖ 2 seats open - (Mark Drumm and Dee Cardamone both running again)

Library Director Annabeth Hayes talked about programs for children offered at the library, summer workshops and is asking for a 5% increase in the library budget.

The school budget vote is next Tuesday, May 17<sup>th</sup> for which we will be voting on the budget, propositions, money for the library, and open positions on the school board.

### **Parks and Recreation**

Gary Heymann, a member of the Parks and Rec Board, announced to the town board that Ryan Dando has been selected to take Jayne Morse's place as Parks and Rec Director for the Town of Tully.

### **RESOLUTION 37-16**

**MOTION TO APPOINT RYAN DANDO AS RECREATION SUPERVISOR COMMENCING MAY 1, 2016 AT A SALARY OF \$12,850 PER YEAR. Motion by Councilor Masters. Second by Councilor Chapman. Motion carried 5 ayes (Lund, Snavlin, Masters, Speziale, Chapman) 0 nays.**

## Town of Tully

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### **Highway**

John Herold reviewed highway activities as follows:

- 🚧 Currently we are filling in potholes and ditching
- 🚧 We have paved Woodmancy and Dutch Hill roads
- 🚧 We've had Earth Day cleanup, and the community did a nice job cleaning up roads, etc.

- ✚ Spring Cleanup Day is this Saturday, May 14<sup>th</sup>
- ✚ Grass mowing has started, and John reported he would like to rehire Jake Pitman this year and increase his pay to \$10 an hour

**RESOLUTION 38-16**

**MOTION TO HIRE JAKE PITMAN AT \$10 AN HOUR FOR THE SUMMER MOWING.** Motion by Supervisor Lund. Second by Councilor Snavlin. Motion carried 5 ayes (Lund, Snavlin, Masters, Speziale, Chapman) 0 naves.

**RESOLUTION 39-16**

**MOTION TO HIRE DAVID BIGGS TO DO THE CONCRETE WORK ON THE TOWN HALL SIDEWALKS AND HAVE JOHN HEROLD OVERSEE THE WORK.** Motion by Councilor Masters. Second by Councilor Snavlin. Motion carried 5 ayes (Lund, Snavlin, Masters, Speziale, Chapman) 0 naves.

**RESOLUTION 40-16**

**MOTION TO DECLARE SURPLUS THE 1999 SNOW PLOW TRUCK AT A MINIMUM RESIDUAL VALUE OF \$8,000.** Motion by Councilor Speziale. Second by Councilor Snavlin. Motion carried 5 ayes (Lund, Snavlin, Masters, Speziale, Chapman) 0 naves.

**RESOLUTION 41-16**

**MOTION TO DECLARE SURPLUS A VICTOR 1250 CALCULATOR SERIAL NO. 806-38516125 FROM THE TAX COLLECTOR'S OFFICE.** Motion by Councilor Masters. Second by Councilor Snavlin. Motion carried 5 ayes (Lund, Snavlin, Masters, Speziale, Chapman) 0 naves.

**Ambulance**

Captain Bryan Ramsay reported on the following:

- ✚ EMS calls for April were 50.
- ✚ Cory Walsh has been hired as a full-time staff member.
- ✚ The highway department staff was trained in CPR/AED on April 25<sup>th</sup> and was given their AED and case to be installed at the DPW garage.
- ✚ The Court Clerks, Village and Town office staff will be trained in CPR/AED tomorrow, May 12<sup>th</sup> at 10:30am. The course should run about 3 hours.
- ✚ We will be receiving a check in the amount of \$761.78 as a supplemental payment for Medicaid reimbursement.
- ✚ No word yet on the Amber ambulance situation.
- ✚ Bryan will be working with a subcommittee with regard to the Syracuse-Onondaga Consensus Group Report as it pertains to emergency medical services in the county.

**Fire**

Ed Wortley was present, but had nothing to report this evening.

**Floor**

Resident Betsy Shahan asked that careful consideration be given to the request that a baseball field be constructed within the parkland on Meetinghouse Road. Natalia Garcia and John McMahon expressed some concerns and had questions regarding the visual effects of such a project. Betsy asked that a document titled Proposed Baseball Field Considerations be included in the minutes of this meeting. Brief discussion ensued. (The full text of the document is included at the end of the minutes.)

Sonny Battle asked that a meeting be set up with the planning board and our town attorneys to update the Comprehensive Plan and vote on it. Discussion followed.

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Councilor Speziale raised concerns about juveniles using skateboards and bikes in the pavilion behind the town hall. Discussion followed.

**Legal**

Town Attorney Courtney Hills discussed the moratorium on wind energy that was adopted as a local law back in September of 2015. At that time, not realizing that solar energy would be an issue as well, and as it has now come to the forefront, she would like the board to adopt a resolution extending the moratorium on wind energy for three months so that the solar energy applications can be addressed first, and then the Town Board can continue its research on the impact of wind energy applications.

#### RESOLUTION 42-2016

The Town Board Members of the TOWN OF TULLY, in the County of Onondaga, State of New York, met at a regular meeting held in the Municipal Building, located at 5833 Meetinghouse Road, Tully, on the 11<sup>th</sup> day of May, 2016 at 7:30 p.m.

William Lund, Supervisor, and the following board members were present:

Chris Chapman  
Frank Speziale  
John Snavlin  
John Masters

Absent: None

Also present: Susan Vaccaro, Town Clerk  
Steven J. Primo, Attorney for the Town

The following resolution was moved, seconded and adopted:

**WHEREAS**, on September 9, 2015 the Town Board adopted Local Law No. 2 of 2015, imposing a Six (6) month moratorium on applications or proceedings for applications for, or the issuance of approvals or permits for the construction of all wind power facilities as defined therein; and

**WHEREAS**, Local Law No. 2 of 2015 took effect on October 9, 2015 upon its filing in the Office of the Secretary of State and its initial six (6) month term expired on April 9, 2016; and

**WHEREAS**, Local Law No. 2 of 2015 further provided that the moratorium and prohibition established thereunder could be extended, for (up to) two additional periods of three (3) months each, upon a finding of good cause therefore, and resolution of the Town Board adopting such extending the term(s) hereof; and

**WHEREAS**, the Town has proceeded diligently with respect to studying the impacts, effects, and possible controls over such activities, as well as considering amendments to the Town's zoning laws to address same; and

accordingly warrants the Town Board continuing its research, evaluation and consideration of a proper local regulatory scheme; and

**WHEREAS**, to enable the Town to continue to stay the applications or proceedings for applications for, or the issuance of approvals or permits for the construction of all wind power facilities as defined in Local Law No. 2 of 2015, for an additional reasonable time, and so as to allow the Town Board such additional time to study the impacts, effects, and possible controls over such activities and amendments to the Town's zoning laws to address the same, the Town Board finds that an additional three (3) month extension of the moratorium established in Local Law No. 2 of 2015, subject to the same provisions, terms and conditions of such Local Law No. 2 of 2015, and for the reasons and rationale hereinbefore set forth, will achieve an appropriate balancing of interests between (on the one hand) the public need to safeguard the character and other resources of the Town of Tully and the health, safety and general welfare of its residents, and the rights of individual property owners or businesses desiring to conduct such activities during such period; and

**WHEREAS**, the Town Board has determined, based upon the foregoing, that there is the requisite just cause for such additional three (3) month extension; and

**WHEREAS**, the Town Board directed that the moratorium be extended and the appropriate resolution prepared provide for same at its May 11, 2016 meeting; and

**WHEREAS**, the Town Board has likewise determined that in relation to review under the State Environmental Quality Review Act, the prior determinations of the Town Board are likewise affirmed and accordingly, has determined this a Type II action, not subject to SEQRA review; and

**NOW THEREFORE, be it**

**RESOLVED**, the Town Board subject and pursuant to all such provisions of Local Law No. 2 of 2016, hereby extends the moratorium on applications or proceedings for applications for, or the issuance of approvals or permits for the construction of all wind power facilities established by Local Law No. 2 of 2015 for an additional three (3) months effective from April 9, 2016 and expiring on July 9, 2016;

Upon motion made by Councilor Masters, and seconded by Councilor Snavlin, the foregoing resolution was put to a roll call, which resulted as follows:

William Lund, Supervisor	_____
Frank Speziale, Councilperson	_____
Chris Chapman, Councilperson	_____
John Masters, Councilperson	_____
John Snavlin, Councilperson	_____

Resolution was adopted on May 11, 2016.

**CERTIFICATION**

I, the undersigned, Town Clerk of the Town of Tully, Onondaga County, New York, do hereby certify: that the above is a true copy of the original resolution passed at a meeting of the Tully Town Board on May 11, 2016.

IN WITNESS WHEREOF, I have set my hand and affixed the seal of said Town this 31<sup>st</sup> day of May 2016.

\_\_\_\_\_  
Susan Vaccaro, Town Clerk  
Town of Tully

Continuing with the legal portion of the meeting, Ms. Hills advised the board that since the Village has applied for a \$500,000 improvement grant on its behalf and that of the Town of Tully through the New York State Dormitory Authority, the Town Board would need to adopt a resolution indicating that the Town has had a long history of municipal cooperation with the Village and that it clearly intends to continue to share its municipal infrastructure and plowing services/equipment with the Village for at least the next five years. After a brief discussion came the following resolution:

**RESOLUTION 43-16**

The Town Board Members of the TOWN OF TULLY, in the County of Onondaga, State of New York, met at a regular meeting held in the Municipal Building, located at 5833 Meetinghouse Road, Tully, on the 11<sup>th</sup> day of May, 2016 at 7:30 p.m.

William Lund, Supervisor, and the following board members were present:

	John Masters
	Chris Chapman
	Frank Speziale
	John Snavlin
Absent:	None

Also present: Susan Vaccaro, Town Clerk  
Steven J. Primo, Attorney for the Town

The following resolution as drafted and proposed by the Attorney for the Town, was moved, seconded and adopted:

**WHEREAS**, the Village of Tully, on its behalf and that of the Town of Tully, has applied for an improvement grant as more specifically described below ("Grant") through the State and Municipal Facilities Program administered by the New York State Dormitory Authority ("DASNY"); and

**WHEREAS**, said Grant is for the reimbursement of capital costs of construction, improvements or rehabilitation of municipal owned infrastructure, a grant amount of \$500,000 having been secured for the rehabilitation of the Tully Municipal Building and Highway Barn ("Tully Infrastructure Repairs Project"); and

**WHEREAS**, DASNY having indicated its reluctance to approve the Grant although otherwise advisable and favorable due to the infrastructure being solely owned by Town and not the Village; and

**WHEREAS**, the Mayor of the Village in attempting to work out a resolution resulting in approval of the Grant has indicated to DASNY that while the Village does not own the infrastructure, the Village and Town have long history of municipal cooperation with respect to the sharing of infrastructure and services, more specifically the Village maintains its offices within the Town owned municipal building and relies on the Town to plow all Village roads using Town personnel and equipment; and

**WHEREAS**, DASNY has indicated that DASNY may favorably consider same but is requesting the Town and Village respective Boards adopt a resolution expressing its clear intent continue to sharing its municipal infrastructure and plowing services/equipment for at least the next five (5) years; and

**WHEREAS**, the Town and Village having the power, authority and responsibility to enter into municipal cooperation agreements pursuant to New York General Municipal Law Article 5-G; §119-o, the Town Board desires to do so and to authorize a duly certified copy of such resolution be delivered to DASNY for purposes of such consideration; and

**NOW THEREFORE, BE IT RESOLVED** that the Town Board of the Town of Tully hereby authorizes:

1. The Village of Tully to maintain its municipal offices within the Town owned municipal building located at 5833 Meetinghouse Road, Tully, New York for the next five (5) years at minimum; and
2. The Town of Tully Highway Department to continue plowing Village of Tully owned roads located within the Town boundary lines, using Town owned equipment, for the next five (5) years at minimum.

**RESOLVED**, that the general intermunicipal agreement between the Town of Tully and Village of Tully will be as necessary appended with an addendum reflecting this resolution; and it is further

**RESOLVED**, the Town Clerk and/or Attorney for the Town is/are hereby authorized to perform such acts and to execute and deliver such documents as are necessary to effect the foregoing resolutions.

Upon motion made by Councilor Masters and seconded by Councilor Speziale, the foregoing resolution was put to a roll call, which resulted as follows:

William Lund, Supervisor	aye
Frank Speziale, Councilperson	aye
Chris Chapman, Councilperson	aye
John Masters, Councilperson	aye
John Snavlin, Councilperson	aye

Resolution was adopted on May 11, 2016.

**CERTIFICATION**

I, the undersigned, Town Clerk of the Town of Tully, Onondaga County, New York, do hereby certify: that the above is a true copy of the original resolution passed at a meeting of the Tully Town Board on May 11, 2016.

IN WITNESS WHEREOF, I have set my hand and affixed the seal of said Town this \_\_\_\_ day of May, 2016.

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Susan Vaccaro, Town Clerk  
Town of Tully

**MOTION TO ADJOURN THE MEETING AT 8:50PM. Motion by Councilor Speziale. Second by Councilor Masters. Motion carried 5 ayes (Lund, Masters, Snavlin, Chapman, Speziale) 0 nays.**

Respectfully submitted,

Susan Vaccaro,  
Town Clerk