

Town of Tully
June 8, 2016

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

Supervisor Lund declared the public hearing open at 7:15pm. He explained that our attorney, Steve Primo, had sent a lengthy email in which were outlined several ideas regarding this proposed local law. Mr. Lund went on to say that the plan is for the proposed local law to be sent out to County Planning by the 17th of June, and they will meet on the 29th of June to review it, so that we should have everything in place to proceed with it at our July meeting. Attorney Courtney Hills explained that they are considering what is called an overlay district which would be a little more restrictive as far as, for instance, if there are too many applications in one area of the town, some applicants might be turned down, but that also changes the scheme of how things are approved for these types of applications. There were no comments from the floor, so after this brief discussion there was the following motion:

RESOLUTION 44-16

MOTION TO CONTINUE THE PUBLIC HEARING ON LOCAL LAW NO. 1 NEXT MONTH ON JULY 13TH AT 7:15 PM. Motion by Councilor Snavlin. Second by Councilor Speziale. Motion carried 5 ayes (Lund, Masters, Snavlin, Chapman, Speziale) 0 naves.

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, Ambulance Captain Bryan Ramsay, *The Tully News* editor Ben Bibik, Parks & Rec Director Ryan Dando, Gary Heymann, Betsy Shahan, John McMahon, John Gleason

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

MOTION TO ACCEPT THE MINUTES OF THE MAY 11TH MEETING AS WRITTEN. Motion by Councilor Masters. Second by Councilor Snavlin. Motion carried 5 ayes (Lund, Masters, Snavlin, Chapman, Speziale) 0 naves.

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

Financial Report

Mr. Chartrand reviewed the Monthly Statement of Supervisor for May and reported on court fines which are coming in strong; no activity on the highway fund; ambulance recoveries are still doing well. On the expense side, it was a quiet month.

RESOLUTION 45-16

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

Tom reviewed a transfer sheet which is as follows:

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To: Town Board
From: Tom Chartrand
Re: Budget Transfers

General From:	Townwide		Amount
A1420.4	Attorney	Contractual	8,000.00
		Total	\$8,000.00 =====
To: A1355.4	Assessor	Contractual	8,000.00
		Total	8,000.00 =====

RESOLUTION 46-16

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

Tom also mentioned that there's been no real change on the Amber ambulance situation by the Town of Otisco. Brief discussion followed.

Parks and Recreation

Newly appointed Parks and Rec Director Ryan Dando introduced himself to the board and reported that the first month has been a learning process. He has been focusing on the beach and getting that ready for the summer. Our rec programs end this weekend and next and, Ryan reported, they've started registrations for the Fall already and for some Summer soccer camps. They've got a couple of new ways to get the information out, and the feedback has been good, so they will continue with that.

Highway

John Herold reviewed highway activities as follows:

- ✚ No breakdowns this month
- ✚ Started some road repairs; cold mixed Woodmancy Road and half of Dutch Hill Road
- ✚ We continue with lawn mowing
- ✚ Cleanup Day went well, but I believe we need to make some changes. Brief discussion followed.
- ✚ Green Lake is ready to go for the summer; took 2 loads of sand down there; couple of repairs on the benches and tables need to be done, so we'll make sure it's done before the 20th
- ✚ The 1999 International truck was put on Auctions International at 3:00 this afternoon, and so far the high bid is \$8900. John will let the board know what the final bid is.
- ✚ John and his crew took out the sidewalk here at the town hall and had Dave Biggs come and replace it with a new cement sidewalk; he did a nice job for us. John would like to have W.L. Paving & Plowing come in and finish the job with some repairs to the parking lot leading up to the sidewalk

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RESOLUTION 47-16

MOTION TO AUTHORIZE THE HIGHWAY SUPERINTENDENT TO TRADE IN THE OLD 2009 PAY LOADER AND TO PURCHASE THE JOHN DEERE 544K 4WD LOADER AT A COST OF \$67,987. Motion by Supervisor Lund. Second by Councilor Snavlin. Motion carried 5 ayes (Lund, Masters, Snavlin, Chapman, Speziale) 0 naves.

RESOLUTION 48-16

MOTION TO APPROVE THE QUOTE OF \$1100 FROM W.L.PAVING & PLOWING TO FINISH THE SIDEWALK REPAIR PROJECT. Motion by Councilor Masters. Second by Councilor Snavlin. Motion carried 5 ayes (Lund, Masters, Snavlin, Chapman, Speziale) 0 naves.

Ambulance

Captain Bryan Ramsay reported on the following:

- ✚ EMS calls for May were 56; last year at this time we had 36
- ✚ We had a CPR/AED class here on May 12th for the court clerks and town and village office employees
- ✚ Pediatric electrode/defibrillation pads have been purchased for both the municipal building and Parks & Rec AEDs
- ✚ On Friday, June 17th at 9:00, we will be conducting a CPR refresher for the life guards from our Parks & Recreation Department at the fire station
- ✚ The Otisco/Amber Ambulance District has turned the CON into the State. I met with Steve Knapp today about the situation and Marcellus is not interested in the cost of obtaining the CON for the Town of Otisco which could be upwards of \$10,000 according to Steve. Both Tully and Marcellus Ambulance Districts are now awaiting any action by New York State Department of Health

Fire

No report this evening

Legal

Town Attorney Courtney Hills read a resolution regarding the proposed baseball field. The complete text is included here:

RESOLUTION 49-16

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 8th day of June, 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
Courtney M. Hills, Primo & Hills Law Firm, Attorneys for the
Town

The following resolution as drafted and proposed by the Supervisor, was moved, seconded and adopted:

WHEREAS, a Resolution of the Town Board adopted on February 8, 1988 subject to permissive referendum was duly adopted authorizing the purchase of approximately 42 acres of vacant real property from William Underwood to be used for town purposes specifically "for public parks, playgrounds and recreational areas and for necessary town buildings" and the same upon filing of the required petition of town electors was approved at a special town election held on March 22, 1988; such premises generally described in the proposition approved by Town electors as located and bounded on the east by former Roessler and other Village

residences, on the north by the former College of Forestry and Tully Central School properties, on the south by Lake Road and to the west by NYS Route 281 (see attached); and

WHEREAS, subsequent thereto, certain of such lands have been improved and are utilized as the Town and Village municipal offices, with the remainder of same remaining vacant and unimproved except for certain minor recreational facilities and a walking trail area along the perimeter of same;

WHEREAS, upon recommendation of the then Town Parks and Recreation Director, a proposal and presentation was made to the Town Board at its regular meeting held on August 12, 2015 by Doug Clay, Tully High School varsity baseball coach together with Don Mohat, junior varsity coach and a well recognized volunteer in the Tully Parks and Recreation Programs; amongst other relevant issues, it was noted that the existing varsity baseball field located on school district property, had frequent and significant maintenance issues, its location resulting in errant balls into neighboring yards, that parking was inadequate and no restroom facilities existed; and

WHEREAS, as a result, a detailed proposal for a newly constructed ball field on a portion of the Town property referenced herein was made to be constructed at no cost whatsoever to the Town and with moneys raised by Town of Tully volunteer organizations and individuals;

WHEREAS, discussions included acknowledgement that any improvements to the property would be and remain Town property and exclusively under the control of the Town Board, that any such plans for construction and ongoing use shall not result in destruction of the existing tree line, not interfere with use or enjoyment of the walking trail and in consideration of use by the varsity baseball team might also benefit from additional landscape improvements through the horticulture programs and classes at the high school; and

WHEREAS, it was also acknowledged that as public lands intended for recreational and parklands use, any standardized use arrangements would be subject to the provisions of a written priority use agreement establishing scheduled times and usage by various parties, detailing maintenance and repair responsibilities, respective liabilities and insurance requirements, and preserving the rights of the general public to such use based upon fairly imposed and applied rules, all as required by law; and

WHEREAS, in order to minimize any potential adverse environmental impacts, and notwithstanding any sovereign exemption from its own local zoning and land use requirements,

the Town Board nevertheless has been advised by legal counsel that such use as proposed is permitted within the proposed zoning, and also agrees to conduct a review pursuant to the State Environmental Quality Review Act and at regular or duly noticed and scheduled Town Board meetings for the purpose of keeping residents totally informed and minimizing any potential adverse environmental impacts;

WHEREAS, the Town Board shall retain all jurisdiction and authority over final approvals and future operations of said project and shall without further requirement of documentation have sole ownership of any improvements to the premises and no right to lien or encumber same shall vest in any party improving or maintaining same;

NOW THEREFORE, BE IT HEREBY RESOLVED, that the above paragraphs and acknowledgements are hereby incorporated in these resolutions as if fully set forth hereinafter, and it is

FURTHER RESOLVED, that subject to the foregoing conditions, the Town Board hereby elects to permit the proposed project to proceed and further subject to execution of a written agreement reflecting the foregoing and any other terms and conditions as legally or otherwise required by the Town Board prior to commencement of any work at the premises.

Prior to the resolution being voted on, there was a lengthy discussion with questions and comments by board members and residents. After the discussion, Supervisor Lund made a motion to approve the aforementioned resolution.

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Councilor Chapman seconded the motion. However, Councilor Snavlin voted nay on the resolution. He expressed his feeling that we should fix the fields we already have. Councilor Masters chose to reserve decision on the motion until we find out how many people in Tully are interested in building a new ball field and how many are actually against it. Councilor Speziale agreed with John Masters and reserved decision.

Floor

John McMahon had questions, and Jack Gleason commented on opening it up to the public and starting the process over again. Councilor Masters said he would like to see it opened up to the public to hear their comments for and against the idea. Further discussion followed after which there was the following motion to adjourn.

MOTION TO ADJOURN THE MEETING AT 8:30PM. Motion by Councilor Speziale. Second by Councilor Snavlin. Motion carried 5 ayes (Lund, Masters, Snavlin, Chapman, Speziale) 0 nays.

Respectfully submitted,

Susan Vaccaro,
Town Clerk