

Town of Tully
May 24, 2017

**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 Frank Speziale
Councilor Christopher Chapman

Others present: Village Mayor Beth Greenwood, Town Attorney Steven Primo

6:00pm Supervisor Lund called meeting to order and led in Pledge of Allegiance.

RESOLUTION 29-17

MOTION TO ACCEPT THE CHANGE IN ASSESSMENT FROM \$1,600,000 TO \$1,350,000 TO SETTLE THE BEST WESTERN CERTIORARI CASE. Motion by Councilor Speziale. Second by Councilor Chapman. Motion carried 5 ayes (Lund, Masters, Speziale, Snavlin, Chapman) 0 naves.

Next, there was a lengthy discussion regarding the PROPOSED baseball field.

Town Attorney Steven Primo arrived at 6:10pm. Mr. Primo reviewed each question on the SEQR form for the baseball field after which came the following resolution:

RESOLUTION 30-17

IN THE MATTER

Of

**Town Board Special Authorization
Pursuant to Chapter 280 Town of Tully
Code for the Tully Baseball field Inc.
Baseball Field and Related Improvements**

**RESOLUTION APPROVING
TOWN BOARD
SPECIAL AUTHORIZATION
AND PERMIT**

The **TOWN BOARD OF THE TOWN OF TULLY**, in the County of Onondaga, State of New York, met in regular session at the Municipal Building in the Town of Tully, located at 5833 Meetinghouse Road, Tully, New York 13159, on the 24th day of May, 2017 at 6:00 p.m. The meeting was called to order by William Lund, Supervisor, and the following were present, namely:

William Lund	Supervisor
John Masters	Councilor
Frank Speziale	Councilor
John Snavlin	Councilor
Christopher Chapman	Councilor

WHEREAS, an application from Tully Baseball field Inc./Zeke Mohat consisting of: (a) Town of Tully General Planning and Zoning application form; (b) Preliminary Site Plan of Environmental Design and Research dated 2/22/17, (c) survey map of Paul James Olzewski, PLS, LLS 11/22/16, (d) SEQRA Short Environmental Assessment Form having been made to the Town Board of the Town of Tully seeking the use of Town owned lands located just within the boundaries of the Village for the construction and development of a baseball diamond/field and related improvements such as dugouts water/electric service and the like, and the Town board electing to, under the authority granted under the MONROE COUNTY case (4th

Department) assert its zoning and planning jurisdiction, but determining that such jurisdiction and determination be best preliminarily made by the joint village/town planning board; and

WHEREAS, the application was thus heard before the joint planning board on April 19, 2017 at which time it was found and determined (the following to be conditions of the special authorization herein) that the plans and specifications submitted showed that the natural grade away from the Village wellhead would be maintained, but that signed plans and specs and record drawings i.e. as-built need be submitted post construction that are consistent therewith; all water and electric connections shall be compliant with New York uniform/international code requirements. The SWPPP shall be in form and implemented satisfactory to the Town or Village SWCO, the CEO. The Applicants and School District shall confirm in writing that their field maintenance plan is subject to the Education Law restriction that substantially restricts use of pesticides; except upon consent of Town and Village Board which shall not unreasonably be withheld. All signage and lighting as per further Town and Village approval except for safety or directional signage, lighting, the Town Board next reviewed the project in light of its standards for special authorization approval, specifically, whether it would be consistent with the comprehensive plan, recognizing that recreation is a goal of the plan and that the trails would be preserved and no additional parking requirements would be created because this would be a replacement field, in effect. The Board also recognized this would be consistent with the lawful use of neighboring properties, the existing and surrounding uses being ball fields at present, and;

WHEREAS, no excessive additional need for public services or traffic would be created, nor would there be any environmental effects that are not within those reasonably expected. Noise from baseball events, intermittent traffic, pedestrian traffic are already experienced. The area utilized appears as meadow that once may have been farmed and is not likely prime habitat for wildlife especially with 30 adjacent acres nearby, and;

WHEREAS, the Village Board having next reviewed the Short SEQRA EAF submitted by the developer's consultant, and proposed part 2 submitted by Counsel, and having determined to assume Lead Agency status for review, and to conduct an uncoordinated review,

WHEREAS, it was also acknowledged that the Board's earlier Resolution IS LIKEWISE INCORPORATED HEREIN, specifically finding that as public lands intended for recreational and parklands use, any standardized use arrangements shall 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 that 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 premises, paragraphs and acknowledgements are hereby incorporated in these resolutions as if fully set forth hereinafter, and following review of each specific question in part 2 of the SEQRA Form answering same accordingly in the negative making and issuing a:

NEGATIVE DECLARATION PURSUANT TO SEQRA, AND; THE SPECIAL AUTHORIZATION IS HEREBY ISSUED AND AUTHORIZED, AND SUBJECT TO THE CONDITIONS HERETOFORE SPECIFIED.

Approved/Resolved: May 24, 2017,

William Lund	Aye
John Masters	Aye
Frank Speziale	Aye

John Snavlin

Aye

Christopher Chapman

Aye

Susan Vaccaro, Town Clerk

Town of Tully
Onondaga County, New York

The undersigned does hereby accept the foregoing Special Permit/Authorization and agrees to perform all of the terms and conditions thereof.

By: _____
Name:

STATE OF NEW YORK)
COUNTY OF ONONDAGA) ss:

On the ____ day of _____ in the year 2017 before me, the undersigned, personally appeared _____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individuals(s) acted, executed the instrument.

Notary Public

I, **SUSAN VACCARO**, Town Clerk of the Town of Tully, **DO HEREBY CERTIFY** that the preceding Resolution was duly adopted by the Town Board of the Town of Tully at a regular meeting of the Board duly called and held on the 24th day of May, 2017; that said Resolution was entered in the minutes of said meeting; that I have compared the foregoing copy with the original thereof now on file in my office; and that the same is a true and correct transcript of said Resolution and of the whole thereof.

I HEREBY CERTIFY that all members of said Board had due notice of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Tully, this 7th day of June, 2017.

DATED: _____, 2017
Tully, New York

SUSAN VACCARO
Town Clerk of the Town of Tully

Councilor Chapman left the meeting at 6:35pm.

Floor

There were no comments from the floor.

RESOLUTION 31-17

MOTION TO MOVE INTO EXECUTIVE SESSION TO DISCUSS THE EMPLOYMENT HISTORY OF A PARTICULAR INDIVIDUAL. Motion by Councilor Speziale. Second by Supervisor Lund. Motion carried 4 ayes (Lund, Masters, Speziale, Snavlin) 0 naves.

EXECUTIVE SESSION

MOTION TO MOVE OUT OF EXECUTIVE SESSION WITH NO ACTION TAKEN. Motion by Councilor Speziale. Second by Supervisor Lund. Motion carried 4 ayes (Lund, Masters, Speziale, Snavlin) 0 naves.

MOTION TO ADJOURN THE MEETING AT 6:55PM. Motion by Councilor Masters. Second by Councilor Speziale. Motion carried 4 ayes (Lund, Masters, Speziale, Snavlin) 0 naves.

Respectfully submitted,

Susan Vaccaro,
Town Clerk