

December 14, 2011
Public Hearings

**PUBLIC HEARING ON PROPOSED LOCAL LAW #5 OF 2011
PROVIDING FOR A MORATORIUM
ON GAS AND PETROLEUM EXPLORATION
AND EXTRACTION ACTIVITIES**

**HELD AT THE TOWN HALL
5833 MEETINGHOUSE ROAD
TULLY NEW YORK**

7:00pm Supervisor Lund declared the public hearing open.

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

Also Present: Town Attorney Steven Primo, Financial Officer Thomas Chartrand, Highway Superintendent John Herold, *The Tully News* Editor David Blatchley, and Sonny Battle, Bill Coffin, Joe Zilvinskis, Michael Downes, Arthur Berg, Barb Berg, John McMahon, Jeff Rothery, Rand Manzella, Lorraine Manzella, Krystin Downes, Mary Volcko, Cheryl Wayne

Notice of this public hearing was published in the Post Standard on November 28, 2011 with same being posted on November 30, 2011 at the town hall and at the Tully Post Office.

Village resident Joe Zilvinskis read a letter to the board expressing his support for the moratorium on natural gas drilling. (The letter is included in its entirety at the end of these minutes.) Krystin Downes also expressed concerns regarding the impact of natural gas in the Tully area. John McMahon asked for a member of the board to explain what the moratorium is for and what we can expect at the end of the process. Supervisor Lund responded that the present moratorium is expiring at the end of this month after being in place for nine months and that the board is looking to extend it for another six months. Mr. Lund went on to say that he, as well as our town attorney, had attended some meetings as far as how to approach this issue without putting the Town in jeopardy of lawsuit and yet controlling what happens above the ground. The board's aim is to develop a local law that would address the issue of gas exploration and extraction for the people who have signed leases and want drilling and those who do not. Rand Manzella spoke in support of the moratorium as did Lorraine Manzella who also asked the board to come up with a policy that suits the needs of the town and will sustain itself. Mr. Primo explained that we do have a draft of a local law that would allow us to regulate industrial uses including natural gas exploration and drilling. Additional discussion followed with concerns expressed by Mike Downes and Jeff Rothery as well as comments by Councilor John Snavlin involving a process used in Canada of extracting natural gas without using water and chemicals.

With no one else wishing to comment, the following motion was made:

MOTION TO CLOSE THE PUBLIC HEARING AT 7:25PM made by Councilor Snavlin, seconded by Councilor Masters and carried 5 ayes (Lund, Chapman, Speziale, Masters, Snavlin) 0 naves.

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**PUBLIC HEARING ON PROPOSED LOCAL LAW #6 OF 2011
TO ELIMINATE THE AMBULANCE COMMISSION**

7:25pm Supervisor Lund declared the public hearing open.

Notice of this public hearing was published in the Post Standard on December 8, 2011 with same being posted on December 6, 2011 on the sign boards at the town hall and December 7th at the Tully Post Office.

Steve Primo explained the purpose of proposed Local Law No. 6 which would eliminate the ambulance board. The board was needed at the time the ambulance district was set up to perform certain administrative tasks. Since that time, however, it has been determined that there is no need for commissioners. The town board handles everything now and has for many years. It oversees payment of bills. Ambulance staff are town employees. There was a question from the floor, and some discussion followed.

With no one else wishing to comment at this time, there was a

MOTION TO CLOSE THE PUBLIC HEARING AT 7:30PM made by Councilor Speziale, seconded by Councilor Snavlin and carried 5 ayes (Lund, Chapman, Speziale, Masters, Snavlin) 0 naves.

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**REGULAR TOWN BOARD MEETING
HELD AT THE TOWN HALL
5833 MEETINGHOUSE ROAD
TULLY NEW YORK**

7:30pm Supervisor Lund opened the regular town board meeting and led in the Pledge of Allegiance.

RESOLUTION 107-2011

MOTION TO APPROVE THE MINUTES OF THE NOVEMBER 9TH BUDGET HEARING AND REGULARLY SCHEDULED TOWN BOARD MEETING. Motion was made by Councilor Masters, seconded by Councilor Speziale and carried 5 ayes (Lund, Chapman, Speziale, Masters, Snavlin) 0 naves.

RESOLUTION 108-2011

MOTION TO APPROVE THE VOUCHERS AS AUDITED was made by Councilor Snavlin, seconded by Supervisor Lund; motion carried 5 ayes (Lund, Chapman, Speziale, Masters, Snavlin) 0 naves.

Financial Report

Mr. Chartrand reviewed receipts and disbursements, highlights of which were: justice court fines, host community fee from Cranesville Bloc, the highway fund and ambulance monies. Tom reported that we would be up about \$14,000 to budget on the mortgage tax when it comes in the first week in January and that we are under budget on the expenses.

RESOLUTION 109-2011

MOTION TO AUTHORIZE THE TOWN SUPERVISOR TO MAKE ANY NECESSARY BUDGET TRANSFERS RESULTING FROM THE END OF THE YEAR BILLS. Motion was made by Councilor Masters, seconded by Councilor Snavlin; motion carried 5 ayes (Lund, Chapman, Speziale, Masters, Snavlin) 0 naves.

MOTION TO ACCEPT THE FINANCIAL REPORT made by Councilor Chapman, seconded by Councilor Speziale. Motion carried 5 ayes (Lund, Chapman, Speziale, Masters, Snavlin) 0 naves.

RESOLUTION 110-2011

MOTION TO SET OUR ORGANIZATIONAL MEETING FOR JANUARY 11TH, 2012 AT 7:00PM FOLLOWED BY OUR REGULAR TOWN BOARD MEETING AT 7:30PM. Motion was made by Supervisor Lund, seconded by Councilor Masters; motion carried 5 ayes (Lund, Chapman, Speziale, Masters, Snavlin) 0 naves.

RESOLUTION 111-2011

MOTION TO APPROVE TRAINING FOR TOWN OFFICIALS AT THE ASSOCIATION OF TOWNS CONFERENCE IN NYC FROM FEBRUARY 19TH TO 22ND AND NOT TO EXCEED THE BUDGETED AMOUNT. Motion was made by Councilor Snavlin, seconded by Councilor Speziale; motion carried 5 ayes (Lund, Chapman, Speziale, Masters, Snavlin) 0 naves.

Parks and Recreation

Jayne Morse reported on the following :

5th & 6th grade basketball program – league includes Lafayette, Onondaga Central and Fabius and games to start after the 1st of the year

Replacement of parks and rec board member

Cleaning position for restrooms

Fence – all set for next spring – bid from Arrow Fence - \$4000

RESOLUTION 112-2011

MOTION TO AUTHORIZE TOWN SUPERVISOR AND TOWN CLERK TO SUBMIT TO COMMUNITY DEVELOPMENT THE FIVE-YEAR PLAN FOR TULLY WHICH WOULD INCLUDE FUNDS TO DEVELOP TULLY COMMUNITY PARK PROPERTY LOCATED WITHIN THE VILLAGE, DEVELOPMENT OF THE REAR PORTION OF THE TRAIN STATION, LANDSCAPE AND GRADE TRAIN STATION PROPERTY, INSTALL LIGHTS FOR THE TENNIS COURTS, AND DEVELOP PROPERTY LOCATED ADJACENT TO THE TRAIN STATION FOR FUTURE PARKING. Motion was made by Councilor Snavlin, seconded by Councilor Masters; motion carried 5 ayes (Lund, Chapman, Speziale, Masters, Snavlin) 0 naves.

Highway

John Herold gave a brief report on highway activities as follows:

- ✚ The Town Hall has been pressure-washed
- ✚ Repaired roof of highway building, but would like to accrue some money for roof in future
- ✚ The fire department would like to use the highway tractor for snow blowing the new fire station, and if an agreement can be worked out, the Fire Commissioners plan to spend \$3600 for a snow blower

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Highway (Cont'd)

There was a lengthy discussion regarding the use agreement (draft handed out by Steve Primo) including who would be operating the tractor/snow blower, indemnification and insurance coverages.

RESOLUTION 113-2011

MOTION TO APPROVE THE INTERMUNICIPAL SERVICES AGREEMENT BETWEEN THE JOINT FIRE DISTRICT AND THE TOWN OF TULLY WITH MODIFICATIONS.

Motion was made by Councilor Speziale, seconded by Councilor Masters; motion carried 5 ayes (Lund, Chapman, Speziale, Masters, Snavlin) 0 naves.

John also discussed the possible purchase of a sander/spreader for his town pickup truck. Mr. Herold handed out copies of a quotation he had received from STS Truck Equipment and Trailer Sales for a Smith Metal Works Stainless Steel Hopper Spreader. He informed the board this was the lowest bid received. Some discussion followed.

RESOLUTION 114-2011

MOTION TO ACCEPT THE ABOVE BID FROM STS TRUCK EQUIPMENT AND TRAILER SALES FOR THE HOPPER SPREADER. Motion was made by Councilor Snavlin, seconded by Councilor Speziale; motion carried 5 ayes (Lund, Chapman, Speziale, Masters, Snavlin) 0 naves.

RESOLUTION 115-2011

MOTION TO APPROVE THE SNOWPLOW CONTRACT BETWEEN ONONDAGA COUNTY AND THE TOWN OF TULLY. Motion was made by Councilor Speziale, seconded by Councilor Masters; motion carried 5 ayes (Lund, Chapman, Speziale, Masters, Snavlin) 0 naves.

RESOLUTION 116-2011

MOTION TO ADOPT LOCAL LAW NO. 5 OF 2011 WHICH TERMINATES THE EXISTING MORATORIUM ON NATURAL GAS EXPLORATION AND COMMENCES A NEW MORATORIUM TO EXPIRE IN JUNE OF 2012. Motion was made by Councilor Masters, seconded by Councilor Chapman; motion carried 5 ayes (Lund, Chapman, Speziale, Masters, Snavlin) 0 naves.

RESOLUTION 117-2011

MOTION TO ADOPT LOCAL LAW NO. 6 OF 2011 DISSOLVING THE AMBULANCE DISTRICT BOARD AND TERMINATING COMMISSIONER POSITIONS. Motion was made by Councilor Masters, seconded by Councilor Chapman; motion carried 5 ayes (Lund, Chapman, Speziale, Masters, Snavlin) 0 naves.

Appointments

MOTION TO APPOINT BRIAN ALBRO TO THE ZBA FOR A 5-YEAR TERM BEGINNING 1/1/2012.

Motion was made by Supervisor Lund, seconded by Councilor Masters; motion carried 5 ayes (Lund, Chapman, Speziale, Masters, Snavlin) 0 naves.

MOTION TO APPOINT WILLIAM MARINICH TO THE JOINT PLANNING BOARD FOR A 5-YEAR TERM BEGINNING 1/1/2012. Motion was made by Supervisor Lund, seconded by Councilor Masters; motion carried 5 ayes (Lund, Chapman, Speziale, Masters, Snavlin) 0 naves.

Supervisor Lund advised that the Parks and Recreation board position will be announced at the January meeting by Jayne Morse.

The Fire Commissioner position will be discussed this evening during executive session.

Floor

Art Berg had questions for the board regarding the new park in the village at the four corners. Art expressed concerns about some disparity in the land values. There were comments by board members and discussion followed.

Councilor Speziale inquired about the status of a grocery store for Tully. Brief discussion followed.

There was also some discussion about the utility lines on Assembly Park Road. It was suggested that someone from the fire department call National Grid.

And finally, some issues were raised a while back at the town hall regarding ice buildup on the roof and mold. Those have been resolved for now. EnviroTech, a company specializing in mold remediation, came in and took some air samples and did some testing and determined that there was no significant mold issue inside the building. Highway Superintendent John Herold had his crew power wash the outside of the building last Fall.

John McMahon asked the board to follow up with code enforcement on the Dollar General light shield issue which had been discussed recently.

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Legal

RESOLUTION 118-2011
MOTION TO MOVE INTO EXECUTIVE SESSION AT 8:30PM TO DISCUSS THE OPEN POSITION ON THE BOARD OF FIRE COMMISSIONERS. Motion was made by Councilor Snavlin, seconded by Councilor Speziale and carried 5 ayes (Lund, Masters, Snavlin, Chapman, Speziale) 0 naves.

Break 8:20pm

8:30pm EXECUTIVE SESSION

RESOLUTION 119-2011
MOTION TO MOVE OUT OF EXECUTIVE SESSION AND APPOINT ANTHONY BATTLE TO THE BOARD OF FIRE COMMISSIONERS FOR A TERM OF FIVE YEARS BEGINNING 1/1/2012. Motion was made by Councilor Masters, seconded by Councilor Chapman and carried 4 ayes (Lund, Masters, Snavlin, Chapman) 1 abstention (Speziale).

RESOLUTION 120-2011
MOTION TO ADJOURN THE MEETING AT 9:00PM was made by Councilor Speziale, seconded by Councilor Snavlin and carried 5 ayes (Lund, Masters, Chapman, Snavlin, Speziale) 0 naves.

Respectfully submitted,

Susan Vaccaro,
Town Clerk