

August 7th, 2024: Regular Meeting

There was a regular meeting of the Board of Trustees of the Village of Tully on Wednesday, August 7th, 2024 at 7:00pm in the Municipal Building.

Present: Erin C. Goodfellow, Mayor
Benjamin Bibik, Deputy Mayor
Roxanne Oliver, Trustee
Kathryn Vernay, Trustee
Courtney Hills, Counsel
Ruth Van Buskirk, Clerk/Treasurer
Thomas Chartrand, Accountant
Mike Hoke, DPW
Ken Teter, Engineer
Bill Davis, MRB, Engineer
Benjamin Vincent, Codes

Absent: Daniel Ray, Trustee
Roxanne Oliver, Trustee

Visitors: Frank Speziale
Jared Barney
Daniel Jean, Koester
John Michael Law
Bruce Graham

Pledge of Allegiance/Call to Order

Mayor Goodfellow led the Pledge of Allegiance and called the meeting to order at 7:01pm. Motion was made by Trustee Vernay, 2nd by Trustee Bibik to approve the minutes from the July 3rd, 2024 meeting. Ayes carried.

DPW/Engineer

Upon motion by Trustee Bibik, 2nd by Trustee Vernay it was unanimous to authorize the Mayor to sign the Curtis Power Solutions contract. All ayes carried.

Tractor Supply:

RESOLUTION APPROVING SITE PLAN

The Village Board of Trustees of the **VILLAGE 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 7th day of August, 2024 at 7:00 p.m.

Mayor Erin C. Goodfellow, and the following Trustees were present:

Benjamin Bibik, Deputy Mayor/Trustee
Kathryn Vernay, Trustee

Absent: Roxanne Oliver, Trustee
Daniel Ray, Trustee

Also present: Ruth VanBuskirk, Village Clerk
Courtney M. Hills, Village Attorney
Kenneth Teter, Village Engineer
Thomas Chartrand, Village Budget Officer
Benjamin Vincent, Code Enforcement Officer

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

WHEREAS, Hix Snedeker Companies, LLC (the “Applicant”), has previously submitted an application to the Village of Tully Board of Trustees (the “Village Board”) for site plan review of the proposed construction of a new Tractor Supply Store (the “Project”), to be located on real property known as 590 New York State Route 11, Tully, New York 13159 and designated as Tax Parcel No. 101.01-1-4.2, and located in General Business Zoning District; and

WHEREAS, the Village’s Code Enforcement Officer has determined that the proposed use is permitted under the Village’s zoning law for General Business Zoning Districts (Section 112-11A(5)); and

WHEREAS, pursuant to the Village’s Zoning Law (Section 112-18), the Village Board is authorized to review and approve, approve with modifications, or disapprove site plan review applications in accordance with the standards and procedures set forth in the Village’s Zoning Law; and

WHEREAS, prior to considering and acting on the Applicant’s site plan review application, the Village Board referred the application to the Tully Joint Planning Board (the “Planning Board”) for its consideration; and

WHEREAS, on May 16, 2024 the Planning Board held a duly noticed meeting on consider the Application, and provided the Village Board with its comments and recommendations; and

WHEREAS, prior to considering and acting on the Applicant’s site plan review application, the Village Board referred the application to the Village of Tully Zoning Board of

Appeals (the “ZBA”) for its consideration of the following area variances pursuant to the regulations of the Village of Tully Zoning Code, specifically the requirements of:

1. §112-15(I)(24), which requires 154 parking spaces. Applicant is proposing 59 parking spaces.
2. §112-11F(1)(a) which requires only one sign to identify the principal business of the occupant – applicant proposes more than one sign, specifically two (2) monument signs, one (1) pylon sign, and two (2) wall mounted signs.
3. §112-11F(1)(a) which requires all signage that is not attached to and parallel with the front of the principal building to not exceed 9 square feet. Applicant is proposing the following:
 - a. Two (2) monument signs – 75 sf each
 - b. One (1) pylon sign – 108 sf

§112-11B(2) which requires a minimum side yard setback of 10’. Applicant is proposing 4.9’, thus requiring a 5.1 variance; and

WHEREAS, on April 17, 2024 the ZBA held a duly noticed public hearing consider the foregoing area variances, and following such public hearing approved the requests in their entirety; and

WHEREAS, pursuant to GML Section 239-L and M, the Onondaga County Planning Commission reviewed the proposed Project and by resolutions dated April 17, 2024 recommended approval of the Project with modifications/comments as to the both the area variance and site plan review applications; and

WHEREAS, the Village’s Engineer, Kenneth Teter (“Village Engineer”), reviewed the Application and have advised the Village Board all of his concerns and conditions have been addressed by the Applicant; and

WHEREAS, by resolution dated March 6, 2024, the Village Board resolved that proposed action constitutes an Unlisted pursuant to the State Environmental Quality Review Act (“SEQRA”), elected to act as Lead Agency, authorized the Village Engineer to circulate notice to all involved and interested agencies of the Village’s intent to act as lead agent and conduct a coordinated review, together with a copy of the Full Environmental Assessment Form (the “Full EAF”); and

WHEREAS, on March 19, 2024, the Village’s Engineer sent letters and the completed Part 1 of the Full EAF to other potentially “Interested Agencies” and “Involved Agencies” (as these terms are defined in 6 NYCRR 617.2 of SEQRA, indicating the Village Board’s desire to serve as Lead Agency and to complete the a coordinated review of the proposed project, same being optional under 6 NYCRR 617.6 of SEQRA for Unlisted Actions; and

WHEREAS, said agencies having raised no objections that the Village Board assume the role of the SEQRA Lead Agency at its duly scheduled June 5, 2024 meeting following a duly noticed public hearing on the Project, at which time the Village Board heard additional comments and concerns from residents of the Village of Tully;

WHEREAS, on this date the Village Board reviewed and completed Part 2 and Part 3 of the Full EAF, and determined that no impacts were potentially significant and issued a Negative Declaration of Environmental Significance (the “Negative Declaration”); and

WHEREAS, on this date the Village Board discussed the Project and in particular, the following objectives: compatibility, public facilities, and whether the proposed use complies with all requirements of the Village’s Zoning Law and made the following findings:

1. As to compatibility:
 - a. The proposed use is of a character compatible with the surrounding neighborhood, noting the Project site is located within a designated General Business Zoning District;
 - b. The proposed use is in harmony with the Comprehensive Plan for the Village of Tully, noting the proposed use is a permitted use under the Village of Tully’s Zoning Law for the General Business Zoning District;
 - c. The proposed use will not have an undue adverse impact upon the natural environment or the character or integrity of any unique culturally, historically, or architecturally significant land use, noting the Village Board’s Coordinated Review pursuant to SEQRA, careful consideration of the Full EAF and Negative Declaration issued thereafter; and
2. As to Public Facilities:
 - a. The public facilities required to service the proposed use, including water supply, sewage disposal, drainage facilities, and road facilities, and any other utilities and public services are adequate for the intended level of use, noting the Village Engineer’s review and satisfaction of its noted conditions, the Village of Tully’s in depth Planning Board review and recommendation of approval of the Application; the Onondaga County Planning Commission’s approval of the proposed use, and the input received from Interested and Involved Agencies; and
3. The proposed use complies with all requirements of the Village of Tully’s Zoning Law.

WHEREAS, on this the Village Board discussed the shared road way between the Project site and the existing Kinney Drug Store, noted the existing stop sign and stop bar, and recommended the Applicant explore and implement appropriate signage to further enhance traffic safety at the site; and

NOW THEREFORE, IT IS HEREBY RESOLVED, the Village Board, after careful consideration of the criteria and objectives as set forth in the Village of Tully's Zoning Law for the site plan review, hereby approves the site plan application of Applicant, subject to the following conditions:

Upon motion made by Trustee Benjamin Bibik, and seconded by Mayor Erin C. Good Fellow, the foregoing resolution was put to a roll call, which resulted as follows:

Erin C. Goodfellow, Mayor	aye
Benjamin Bibik, Deputy Mayor, Trustee	aye
Kathy Vernay, Trustee	aye
Roxanne Oliver, Trustee	absent
Daniel Ray, Trustee	absent

Resolution was adopted on August 7, 2024.

CERTIFICATION

I, the undersigned, Village Clerk of the Village 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 Village Board of Trustees on August 7, 2024.

IN WITNESS WHEREOF, I have set my hand and affixed the seal of said Village this 7th day of August, 2024.

RESOLUTION -SEQRA REVIEW

The Village Board of Trustees of the **VILLAGE 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 7th day of August, 2024 at 7:00 p.m.

Mayor Erin C. Goodfellow, and the following Trustees were present:

Benjamin Bibik, Deputy Mayor/Trustee
Kathryn Vernay, Trustee

Absent: Roxanne Oliver, Trustee
Daniel Ray, Trustee

Also present: Ruth VanBuskirk, Village Clerk
Courtney M. Hills, Village Attorney
Kenneth Teter, Village Engineer
Thomas Chartrand, Village Budget Officer
Benjamin Vincent, Code Enforcement Officer

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

WHEREAS, Hix Snedeker Companies, LLC (the “Applicant”), has previously submitted an application to the Village of Tully Board of Trustees (“Village Board”) for site plan review of the proposed construction of a new Tractor Supply Store (the “Project”), to be located on real property known as 590 New York State Route 11, Tully, New York 13159 and designated as Tax Parcel No. 101.01-1-4.2, and located in General Business Zoning District; and

WHEREAS, the Village Board is a local agency pursuant to the New York State Environmental Quality Review Act (“SEQRA”), ECL Section 8-0101, et seq., and implementing regulations, 6 NYCRR Part 617 (the “Regulations”); and

WHEREAS, a long form Environmental Assessment Form (“EAF”) dated March 18, 2024, a copy of which is attached hereto as Exhibit “A”, was prepared by the Applicant to facilitate a review of the potential environmental impacts of the Project; and

WHEREAS, the Village of Tully’s Engineer Kenneth Teter previously reviewed the scope of the Project and advised the Village that (a) the Village Board should initially classify the Project as an Unlisted Action as that term is defined in Part 617.2 of the Regulations, (b) the Village Board should declare its intention to serve as Lead Agency (as the term is defined in the Regulations) to undertake a coordinated review of the Project, and (c) the Village Board should circulate notice to all involved and interested agencies of the Village Board’s intent to act as Lead Agency pursuant to the Regulations, together with a copy of the EAF; and

WHEREAS, the Village Board, having previously considered the nature and scope of the Project as set forth in the EAF and the recommendations provided by the Village Engineer, at their March 6, 2024 regularly scheduled Village Board meeting (a) preliminarily classified the

Project as an Unlisted Action, as such term is defined in the Regulations, and (b) authorized and directed the Village's administration, with the assistance of the Village Engineer and Village's legal counsel, to circulate notice to all Involved and Interested agencies of the Village Board's intent to act as Lead Agency in connection with a coordinated environmental review of the Project, together with a copy of the EAF; and

WHEREAS, on March 19, 2024, a notice was transmitted to all Involved and Interested agencies of the Village Board's desire to act as Lead Agency with respect to the environmental review of the Project and as of this date no agency has objected to the designation of the Village Board as Lead Agency, such applicable notice period having expired; and

WHEREAS, the Village Board at its duly noticed May 1, 2024 meeting affirmed its previously determination that it is the most appropriate agency to insure the coordination of this Project and for making the determination of significance thereon under the Regulations;

WHEREAS, the Regulations require a lead agency to issue a written determination of significance with respect to any proposed Unlisted Action and the Village Board has considered the impact on the environment of each of the components of the Project as set forth in more detail below by undertaking a thorough review of conditions and issues associated with the development, construction and operation of the Project, as well as reviewing information provided by its consultants concerning the Project including potential impacts from same and the Village Board has carefully reviewed the EAF and other information referred to herein; and

NOW THEREFORE, BE IT RESOLVED that:

1. Upon a thorough review and due consideration by the Village Board of the EAF, including the completed answers to Parts 1, 2 and 3 of such form and the attachments thereto incorporated into it, and in consideration of other information, including from involved agencies, and the reviews completed by the Village's Engineer, the Village Board makes the following findings:

a. The Village Board has considered the Project pursuant to the parameters and criteria set forth in applicable law and regulations including but not limited to as set forth in §§ 617.2 and 617.3 of the Regulations;

b. The Village Board has classified its review and approval of the Project as an Unlisted Action pursuant to § 617.4 of the Regulations;

c. The Village Board has carefully reviewed the EAF including the responses provided to Parts 1, 2 and 3 of same and the attachment to it, as well as considering the other documents referenced previously, including, but not limited to information provided by other agencies (if any), the public (if any) as well as provided by the Village's consultants, including but not limited to input concerning potential impacts from noise, and considering among other impacts, from Project operations to community character, to land, to air quality, to surface and groundwater, to aesthetic resources and other impacts as identified herein, as well as considering the other criteria set forth in § 617.7(c) of the Regulations; and

d. Based on the foregoing analyses and information, the Village Board, has thoroughly reviewed the potential relevant areas of environmental concern and finds that the Project will not result in a potential significant adverse impact on the environment for the following reasons:

Impacts to Community Character and to Land:

The Project will not have a significant adverse impact on land or on community character. Because the site will continue to be utilized for those or similar purposes when the Project is completed, no adverse impact to land is anticipated. The site is within the Village's General Business District and the planned use falls within the permitted uses identified in such district.

Groundwater/Stormwater Impacts and Wetlands Impacts:

The Project will not have any significant adverse environmental impact on water, including surface (ground) water and stormwater. The Project will not affect any protected water body. Further, in undertaking the Project, the Applicant's contractors shall comply with applicable permit requirements set forth in New York State Department of Environmental Conservation's ("NYSDEC") State Pollutant Discharge Elimination System Permit program ("SPDES") as applicable to the Project site including as necessary, the Village obtaining any applicable permits for implementing features to prevent as feasible, adverse impacts from stormwater discharges during or as the result of construction activities. In addition, Sheet flows will be directed to keep existing drainage patterns, and a reduction in impervious surfaces will reduce stormwater runoff. Stormwater will be mitigated through area reduction and on-site stormwater structures. The Project will not have any impacts on federal or state wetlands as no such wetlands have been identified within the area of the Project to be developed. There will be no significant potential adverse impact to any non-protected water body. There will be no significant potential adverse impact to surface or groundwater quality and quantity. The Project involves the use of water from public utilities but there is no evidence demonstrating that such water usage will result in a potential significant adverse environmental impact to the existing water system. In addition, the Project will not alter drainage flow or patterns in the area of the Project site or on it, nor will it impact surface water runoff, but to the extent there is any potential modification to same, it will be undertaken in accordance with applicable requirements and as may be directed by NYSDEC and pursuant to any applicable permit or approval.

Air Quality Impacts:

The Project will not result in any significant adverse impact to air quality from traffic and other operations associated with the Project, including from construction vehicles during construction of the Project, as the Village finds that there will be no significant negative impacts to air quality from the Project including from construction activities. Further, the site improvements associated with the Project are not anticipated to result in significant increases in the number of vehicle trips. As such, there is no indication that there will be significant adverse impacts to air quality from changes in the number of vehicles associated with the Project, including after the Project becomes operational.

Impacts to Plants and Animals:

The Project will not result in any significant adverse impact on plants or animals, based upon the Project review conducted by the Village's consultant, including after it reviewed and

analyzed pertinent information from among other sources, the Department of Environmental Conservation's mapper program, no threatened or endangered plant or animal species were identified.

Impacts on Agricultural Resources:

The Project will not result in any significant adverse impact on agricultural resources and no loss to agricultural resources will result from the construction of the Project.

Impacts of Aesthetic Resources:

The Project will not have any significant adverse impact on aesthetic resources given that the Project site immediately adjacent to similar uses. As a result, the Project will be consistent with the current use of the property and buildings encompassed by the Project. Thus, it is not anticipated that the Project will have any adverse impact to aesthetic resources, including to the area in which the Project work will be undertaken.

Impacts to Historic and Archeological Resources

The Project will not result in any significant adverse impact to historic or archaeological resources. The Village's consultants have indicated that the Project is not anticipated to result in any significant impacts and noted that SHPO issued a no impact letter as well.

Impacts on Open Space and Recreation:

The Project will not have any significant adverse impact on existing open space and recreation.

Impacts on Critical Environmental Areas:

The Project will not have any significant adverse impact on a Critical Environmental Area as designated pursuant to § 617.14(g) of the Regulations as the Village Board has been informed by its consultant that no such areas are encompassed by the Project.

Impacts on Transportation (Traffic):

The Project is expected to increase traffic in the area, but with minimal increase as stated in the application and Part I of the SEQRA form. Applicant has received all appropriate approvals from the NYS DOT as well.

Impact on Energy:

The Project is expected to increase the use of energy, but with minimal increase as stated in the application and Part I of the SEQRA form. Further, any energy usage from the Project is within the capacity of the service providers at issue, including any such use associated with the new structures and underground facilities to be constructed.

Impacts Related to Noise and Odors:

The Project will not have any significant adverse impact from objectionable noise and odor. While during Project construction there will be some noise and potential odors from heavy

equipment, same are not anticipated to be of any significant duration, and will be within the normal range of such noise and odor issues for construction projects of the size proposed under the Project.

Impacts on Local Utilities:

For the reasons set forth in the EAF, no adverse impact is expected on local utilities from the Project, including to such utilities after the Project becomes operational. Thus, no such significant adverse impacts are anticipated based on water usage, or from sewer usage associated with the Project and other public utilities.

2. Based on the foregoing, the Village Board finds that the Project will not have any significant adverse environmental impact in accordance with the SEQRA Regulations. The Village Board thus issues a Negative Declaration pursuant to SEQRA and directs the following be undertaken and/or makes the following additional findings:

- a. Notice of Negative Declaration shall be filed and/or published to the extent required by the Regulations, and as the Village Board may deem advisable;
- b. The findings and conclusions relating to the determination of significance contained within the Notice of Negative Declaration are hereby adopted and incorporated by reference into this Resolution as applicable;
- c. This Resolution has been prepared in accordance with the Regulations by the Village Board;
- d. The Village Board and/or those persons whom it may designate or has designated for such purpose is authorized to file the Negative Declaration in accordance with the applicable provisions of the law; and
- e. The requirements of SEQRA have been satisfied.

Upon motion made by Trustee Kathy Vernay, and seconded by Mayor Erin C. Good Fellow, the foregoing resolution was put to a roll call, which resulted as follows:

Erin C. Goodfellow, Mayor	aye
Benjamin Bibik, Deputy Mayor, Trustee	aye
Kathy Vernay, Trustee	aye
Roxanne Oliver, Trustee	absent
Daniel Ray, Trustee	absent

Resolution was adopted on August 7, 2024.

CERTIFICATION

I, the undersigned, Village Clerk of the Village 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 Village Board of Trustees on August 7, 2024.

IN WITNESS WHEREOF, I have set my hand and affixed the seal of said Village this 7th day of August, 2024.

Ruth VanBuskirk, Village Clerk
Village of Tully

Warren Street tree removal:

DPW made attempts to get quotes from Cortland Tree, Rich Carter, Grimm, Jesse Spaulding, and Bartlett. Grimm Tree removal is the only one who responded.

Upon motion by Trustee Bibik, 2nd by Trustee Vernay it was unanimous to accept Grimm Tree Service contract upon notification that prevailing wage will be paid and certified on a new written proposal subject to review by Attorney in the amount of \$3,135.00. All ayes carried.

Sidewalks on RR Street & Lincoln Avenue:

More details are needed on how much monies we can obtain from grants before we can proceed.

Lab change:

Syracuse Life Science Lab is the lab we have been using for monthly testing. They have lost their certification with the government. Department of Health is aware of the situation and is assisting in a solution.

Upon motion by Mayor Goodfellow, 2nd by Trustee Bibik it was unanimous to declare this an emergency and authorized Mike Hoke to enter a two (2) month agreement with Certified Environmental Services. All ayes carried,

Dan Jean, Koester:

Dan is assisting in bringing WWTP into the future.

Gas meters are required for confined space safety in the influent area of the WWTP, therefore the following motion was made: motion by Mayor Goodfellow, 2nd by Trustee Bibik it was unanimous to give provisional approval for two (2) meters than measure four (4) types of gas for up to \$2,300.00 provided we follow procurement policy, that every effort is used to receive two (2) quotes. All ayes carried.

MRB:

Bill Davis will work with Dan Jean and set up for the Engineering Planning Grant (EPG) and the Circle K pump station.

Upon motion by Trustee Bibik, 2nd by Trustee Vernay it was unanimous authorize the Mayor to sign and accept the proposal from MRB as written. All ayes carried.

Upon motion by Trustee Vernay, 2nd by Trustee Bibik it was unanimous to create the job of WWTP Operator trainee. All ayes carried.

Mayor will sign the paperwork and the clerk will mail to civil services.

Upon motion by Trustee Bibik, 2nd by Trustee Vernay it was unanimous to authorize the Mayor to sign the quote from Koester Associates, Inc., for operator of record services for WWTP. All ayes carried.

Public Comment

Jared Barney is looking for the turn around time regarding monies being reimbursed by the Main Street Grant.

Treasurer Report:

Upon motion by Mayor Goodfellow, 2nd by Trustee Vernay it was unanimous to accept the treasurer's report, subject to audit. All ayes carried.

Upon motion by Trustee Bibik, 2nd by Trustee Vernay it was unanimous to verify that the bank reconciliations were reviewed. All ayes carried.

Upon motion by Trustee Bibik, 2nd by Trustee Vernay it was unanimous to proceed to Executive Session which will include Village Clerk, Accountant Representative, WWTP Operator of Record (Dan Jean) and the Board. The Executive Session relative to "the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation at 9:50pm. All ayes carried.

Upon motion by Mayor Goodfellow, 2nd by Trustee Bibik it was unanimous to close executive session at 10:26pm. All ayes carried.

No decision was reached at this time.

Audit Bills

Upon motion by Mayor Goodfellow, 2nd by Deputy Mayor Bibik, it was unanimous to review and authorize the accountant to pay the bills, subject to audit.

Upon motion of Mayor Goodfellow, 2nd by Deputy Mayor Bibik it was unanimous to adjourn at 10:27pm.

Respectfully Submitted

Ruth C. Van Buskirk
Clerk/Treasurer