

A regular meeting of the Lysander Town Board was held at 7:00 p.m. on August 22, 2011 at 8220 Loop Road, Baldwinsville, New York.

MEMBERS PRESENT Brian F. May, Deputy Supervisor
 Arthur C. Levy, Councilor
 Edward T. Reed, Councilor

MEMBERS ABSENT: Barry W. Bullis, Supervisor
 Jack F. Krisanda, Councilor

STAFF ATTENDING: P. David Twichell, Town Attorney; Bruce Reeves, Highway Superintendent; Hugh Kimball, member of the Planning Board; Frank Costanzo; member of the Zoning Board of Appeals and Lisa Dell, Town Clerk.

OTHERS ATTENDING: Jim Stirushnik, 8961 Dinglehole Road; Joe Loffredo, PAC TV; Norm Ashbarry, 3128 Hidden Lake Drive; Billy Palmer, 104 Melvin Lane; Fred Burtch, 8865 Plainville Road; Brian Licourt, 2166 Connell Terrace; Jeff Dack, 8389 Twin Flowers Road; Kevin Rode, 6278 Mourning Dove; Chris Patrick, 8243 Ashington Drive; Bob Tassone, 7983 Collington Pointe Way; Aaron Bullis, 4115 Wafer Ash Way; Jason Bullis, 8174 Dexter Parkway; Brian Bixby, 2274 Crego Street; Melinda Shimer, Elizabeth Street; Elizabeth Quilter, 8526 Whisper Ridge Circle; John Salisbury, 87 W. Genesee Street; Bob Vanderberg, 2 Brooks Place; Bob Ellis, 8813 Wheaton Road; Jim Jellett, 8088 Dog Harbor Road; John Shields, The Timbers, L.L.C. and Erin Wisneski, Eagle Newspapers.

APPROVAL OF MINUTES

August 8, 2011

RES. #120/2011 Motion by May, Second by Levy

RESOLVED that the minutes from the regular Town Board meeting of August 8, 2011 be approved.

VOTE:

Deputy Supervisor May	Yes
Councilor Levy	Yes
Councilor Reed	Yes

All Ayes, Motion Carried and Adopted

SCHEDULED CITIZENS' CONCERNS

None

REPORTS

Town Board:

DEXTER PARKWAY DRAINAGE IMPROVEMENT PROJECT

Deputy Supervisor May asked Bruce Reeves, Highway Superintendent, for a status/update report on the Dexter Parkway Drainage Improvement Project. Superintendent Reeves replied that they expect to start the road restoration next week and the drainage should have been completed today.

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ANHEUSER BUSCH
DRAINAGE

Councilor Levy asked Superintendent Reeves if he had information about the pipe that was being installed by Anheuser Busch on Loop Road. Superintendent Reeves replied he did not have specific information about the project other than he approved the road cut.

Citizen, Fred Burtch, advised the Board that it is a new line that is going from the plant to the treatment plant which they receive gas and fertilizer from the wastewater. They expect to install under Loop Road by this fall and next year it will be installed under NYS Route 31.

CITIZENS' COMMENTS ON AGENDA ITEMS

TRANSFER OF FUNDS FROM SALES TAX ACCOUNT

Jim Jellett, Dog Harbor Road, questioned the Board about the transfer for funds from the sales tax account, to cover the cost of the new truck body and plow/ wing from Henderson Products Inc. in the amount of \$55,656. Mr. Jellett commented that the Highway has a budget of over 2.5 million dollars and feels it is inappropriate to take that sales tax money considering the amount of debt the Town is holding right now, adding that it would be more appropriate to pay down some debt than increase the Highway budget.

Deputy Supervisor May advised that this is an approved budgeted expense that the Board has planned since the budget was approved last year to use for this specific purchase among other things. The idea is to not have the Town take on any more debt and that part of the use of the sales tax money was to actually eliminate some of the long term debt that the Town has for other equipment.

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TOWN BOARD MEETING
AGENDA

Chris Patrick, Ashington Drive, addressed the Board and said he noticed that the Recognition of Citizens portion of the agenda has been removed and asked if this was permanent.

Deputy Supervisor May relayed the following to Mr. Patrick. The Town Supervisor sets the agenda and the Town Supervisor presides over the meeting. In the past year the Town Board meetings have become less focused on Town business and more focused on political agendas. The sentiment from the Board is that the Board has to change some aspects on how the meetings are conducted. Towns across the state conduct their meetings in a variety of different ways and what one may see now is a little more order to how citizens speak during the meetings. There will be a continued opportunity to speak, but that opportunity may involve citizens being put on the agenda or another of a variety of different ways.

Elizabeth Quilter, Whisper Ridge Circle, commented that if citizens are scheduled ahead of the agenda items then it doesn't give the citizens enough time to digest the business and to be able to comment back. Ms. Quilter suggested that if it will be only one time on the agenda for the opportunity for citizens to speak, then she asked that it be placed on the agenda after business items are discussed.

Billy Palmer, Melvin Lane, asked if this means that citizens will not be able to comment on the budget and added that he personally thinks it is wrong if citizens are not allowed to speak.

Deputy Supervisor May explained that citizens will be able to comment because the budget is subject to the public hearing process. **Attorney Twichell** added that public hearing is a different process where the public is allowed to speak regarding the topic of the public hearing.

Aaron Bullis, Wafer Ash Way, commended the Board for taking this step as he has been to numerous school and town board meetings where political issues do take precedent and he is glad the Town is avoiding this to discuss Town business only.

Fred Burtch, Plainville Road, commented that it is a form of censorship on the Board's part and he believes that the Board has to vote on this measure.

Attorney Twichell replied that it is not a matter for the Board to vote on as the Supervisor controls the agenda.

Aaron Bullis, Wafer Ash Way, stated he disagrees with **Mr. Burtch**, stating it is not censorship, it will be moved to a different part of the meeting and one will still have the opportunity to speak.

Fred Burtch, Plainville Road, asked the Board if a citizen will still have five minutes to speak and **Deputy Supervisor May** said he did not know at this time but that there will be some structure to the process.

Councilor Levy commented that a town board meeting, anywhere, not just Lysander, is the Board's meeting, not the public's meeting and public participation other than at a public hearing is at the discretion of the Supervisor. There is no provision in the law that he is aware of that provides for public comment ever, other than a public hearing. Councilor Levy further stated that he is making this point simply because all the conversations that everyone has been a party to at a meeting has been at the discretion of the Supervisor and it is not required.

OLD BUSINESS

None

NEW BUSINESS

WEST ENTRY PUMP STATION

RES. #121/2011 Motion by May, Second by Reed

RESOLVED that the Supervisor be authorized to release contract retainage for the West Entry Pump Station Generator Replacement Project No. 587513, in the amount of \$\$4,859.50 to the Onondaga County Department of Water Environment Protection.

VOTE:

Deputy Supervisor May Yes
Councilor Levy Yes
Councilor Reed Yes

All Ayes, Motion Carried and Adopted

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**TOWN HALL PARKING LOT
SEALING/STRIPING**

RES. #122/2011 Motion by May, Second by Levy

RESOLVED that the Supervisor be authorized to sign the agreement with the Armourseal Co. of Cicero, NY for sealing and striping services at the town hall parking lot in the amount of \$3,647.00.

VOTE:

Deputy Supervisor May Yes
Councilor Levy Yes
Councilor Reed Yes

All Ayes, Motion Carried and Adopted

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TRANSFER OF FUNDS

RES. #123/2011 Motion by May, Second by Reed

RESOLVED to amend the 2011 Annual Budget by transferring \$3,647.00 from account A0-01990-400 Contingency, to account A0-01620-402 Building Contractual.

VOTE:

Deputy Supervisor May Yes
Councilor Levy Yes
Councilor Reed Yes

All Ayes, Motion Carried and Adopted

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**TRAFFIC STUDY REQUEST
NYS ROUTE 370
HICKS ROAD**

RES. #124/2011 Motion by May, Second by Levy

RESOLVED that the Town Clerk be authorized to submit a Traffic Study Speed and Signage Evaluation request to the NYS Department of Transportation for NYS Route 370 from the Village of Baldwinsville line to the intersection with River Road and on Hicks Road between Camerondale Road and the intersection with NYS Route 370.

VOTE:

Deputy Supervisor May Yes
Councilor Levy Yes
Councilor Reed Yes

All Ayes, Motion Carried and Adopted

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TIMBER BANKS RESIDENTIAL GOLF COMMUNITY
ACCEPTANCE OF STREET AND UTILITIES*

RESOLVED that the street and utilities of Long Shadow Drive .20 miles (From the intersection with Timber Banks Crossing to the end of the Long Shadow Drive cul-de-sac) in the Timber Banks subdivision Section 2A, Phase III, be accepted as an official Town road upon recommendation of the Town Engineer and subject to the approval of the Town Attorney.

**This item was tabled to next agenda on September 12, 2011*

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TIMBER BANKS RESIDENTIAL GOLF COMMUNITY
SET SECURITY AND GUARANTEE

RES. #125/2011 Motion by Reed, Second by Levy

RESOLVED that the securities for Long Shadow Drive .20 miles, in the Timber Banks subdivision be set at \$26,000 for the punch list security and \$72,625 for the maintenance guarantee security.

VOTE:

Deputy Supervisor May	Yes
Councilor Levy	Yes
Councilor Reed	Yes

All Ayes, Motion Carried and Adopted

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TRANSFER OF FUNDS

RES. #126/2011 Motion by May, Second by Reed

RESOLVED to authorize the transfer of funds from the sales tax account, to cover the cost of the new truck body and plow/ wing from Henderson Products Inc. in the amount of \$55,656.

VOTE:

Deputy Supervisor May	Yes
Councilor Levy	Yes
Councilor Reed	Yes

All Ayes, Motion Carried and Adopted

OTHER BUSINESS

None

ADJOURNMENT

As there was no further business, at 7:27 p.m., the Deputy Supervisor adjourned the meeting to 7:00 p.m. on September 12, 2011. There was no dissent.

This is a true and complete recording
of the action taken at this meeting.

Lisa Dell, Town Clerk