

A regular meeting of the Lysander Town Board was held at 7:00 p.m. on July 25, 2011 at 8220 Loop Road, Baldwinsville, New York.

MEMBERS PRESENT: Barry W. Bullis, Supervisor  
Brian F. May, Councilor  
Jack F. Krisanda, Councilor  
Arthur C. Levy, Councilor  
Edward T. Reed, Councilor

MEMBERS ABSENT: None

STAFF ATTENDING: P. David Twichell, Town Attorney; 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; Bob Edgett, PAC TV; Bob Ellis, 8813 Wheaton Road; Norm Ashbarry, 3128 Hidden Lake Drive; Billy Palmer, 104 Melvin Lane; Lee Strache and Mark Windhausen, 8781 Dinglehole Road; Brian Licourt, 2166 Connell Terrace; Jeff Dack, 8389 Twin Flowers Road; Joe Mastroianni, Baldwinsville, NY; Geoff Hillenbrand, 8232 Loop Road; Kevin Rode, 6278 Mourning Dove and Erin Wisneski, Eagle Newspapers.

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**APPROVAL OF MINUTES**

**July 11, 2011**

**RES. #100/2011 Motion by Bullis, Second by Krisanda**

**RESOLVED** that the minutes from the regular Town Board meeting of July 11, 2011 be approved.

**VOTE:**

Supervisor Bullis	Yes
Councilor May	Yes
Councilor Krisanda	Yes
Councilor Levy	Yes
Councilor Reed	Yes

**All Ayes, Motion Carried and Adopted**

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**SCHEDULED CITIZENS' CONCERNS**

**None**

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**REPORTS**

**Town Clerk:**

**LIQUOR LICENSE RENEWAL**

Town Clerk Lisa Dell reported that on July 22, 2011 the Town Clerk's office received notice from the Fireside Inn, 2342 West Genesee Road, of their intent to renew their liquor license.

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**Town Board:**

**CODE VIOLATIONS**  
**MILLS ROAD**

**Councilor Levy** asked what is the progress of Mr. Shattell's complaints from the last board meeting. **Supervisor Bullis** replied that Mr. Shattell was asked to submit in writing any code violations pertaining to his neighbor's property to Code Enforcement and as of this date he has not done so.

July 25, 2011

**CITIZENS' COMMENTS ON TONIGHTS' LISTED AGENDA ITEMS**

**None**

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**OLD BUSINESS**

**None**

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**NEW BUSINESS**

**CRIMSON RIDGE PHASE III**  
**APPROVAL OF PLANS**  
**WASTEWATER DISPOSAL SYSTEM**

**RES. #101/2011 Motion by May, Second by Krisanda**

**RESOLVED** that the Supervisor be authorized to sign the NYS DEC Application for Approval of Plans for a Wastewater Disposal System (Formally BSP-5) for Crimson Ridge Phase III upon the recommendation of the Town Engineer.

**VOTE:**

Supervisor Bullis	Yes
Councilor May	Yes
Councilor Krisanda	Yes
Councilor Levy	Yes
Councilor Reed	Yes

**All Ayes, Motion Carried and Adopted**

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**TOWN JUSTICE COURT**  
**APPROVAL OF AUDIT**

**RES. #102/2011 Motion by Bullis, Second by Levy**

**RESOLVED** to accept the 2010 Audit of Justice Court Records conducted by Town Comptroller David Rahrle.

**VOTE:**

Supervisor Bullis	Yes
Councilor May	Yes
Councilor Krisanda	Yes
Councilor Levy	Yes
Councilor Reed	Yes

**All Ayes, Motion Carried and Adopted**

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**APPROVAL OF TRANSFER OF MONIES**

**RES. #103/2011 Motion by Levy, Second by Krisanda**

**RESOLVED** that the Supervisor be authorized to transfer \$127,808.20 from the Sales Tax Receipts account to the Capital Fund to pay off the Bond Anticipation Note (BAN) for the 2010 International Plow Truck.

**VOTE:**

Supervisor Bullis	Yes
Councilor May	Yes
Councilor Krisanda	Yes
Councilor Levy	Yes
Councilor Reed	Yes

**All Ayes, Motion Carried and Adopted**

**TOWN WIDE FIRE SERVICE STUDY**  
**APPROVAL TO PARTICIPATE IN**

**RES. #104/2011 Motion by Bullis, Second by Levy**

**RESOLVED** the Town of Lysander participate in a Town wide Fire Services study to be conducted by the Lysander Public Safety Committee at a cost not to exceed \$5,000.00.

**VOTE:**

Supervisor Bullis	Yes
Councilor May	Yes
Councilor Krisanda	Yes
Councilor Levy	Yes
Councilor Reed	Yes

**All Ayes, Motion Carried and Adopted**

**A conversation ensued among the Board and the audience and following comments were made:**

- **The study is not being paid for by a grant and the money will be coming out of the Town’s contingency account.**
- **That the Village of Baldwinsville and the Town of VanBuren is not contributing to the study as the study is only of the fire departments that are within the Town of Lysander**
- **That other fire departments in the Town are contributing financially to this study as well as Onondaga County.**
- **That this study was not forced on the fire department by the Town and that the fire departments themselves reached a conclusion on their own that they wanted to participate in this study. Everyone in the room agreed that this is something that needed to be done once the parameters were outlined.**
- **The study is a way to see how fire service can be done more efficiently. Safety issues, as well as standardization, and consolidating of purchasing will most likely be looked at.**
- **The results of the study may suggest consolidation of departments and/or operational resources.**
- **That the Fire Departments are made up of volunteers and if there was a loss of volunteers, paid districts may have to be formed and this would increase taxes significantly.**
- **The general consensus from the fire department officials involved is that they are being proactive and are all willing to act on what the results of the study are.**
- **One benefit of paying for a study is that there will be an outside, objective look from a disinterested party.**
- **Will spending this money really solve the problems that are in these fire districts.**
- **That “turf wars” will still exist and what is the chance that the districts will comply with the study results.**

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**APPROVAL OF BUDGET TRANSFER**

**RES. #105/2011 Motion by Levy, Second by Krisanda**

**RESOLVED** to amend the 2011 Annual Budget by transferring \$5,000 from account A0-01990-400 Contingency, to account A0-03410-400 Public Safety Committee.

**VOTE:**

Supervisor Bullis	Yes
Councilor May	Yes

Councilor Krisanda	Yes
Councilor Levy	Yes
Councilor Reed	Yes

**All Ayes, Motion Carried and Adopted**

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**TOWN OF LYSANDER**  
**HEALTH REIMBURSEMENT ACCOUNT**  
**APPROVAL OF AMENDMENT**

**RES. #106/2011 Motion by May, Second by Krisanda**

**RESOLVED** that the Supervisor be authorized to sign an amendment to the Plan Document for the Town of Lysander Health Reimbursement Account by adding the following sentence to the end of Article 2, Definitions. The term “spouse” as used in this Plan means a person to whom a Participant is legally married and who is treated as the Participant’s spouse for federal income tax purposes.

**VOTE:**

Supervisor Bullis	Yes
Councilor May	Yes
Councilor Krisanda	Yes
Councilor Levy	Yes
Councilor Reed	Yes

**All Ayes, Motion Carried and Adopted**

A conversation ensued among the Board and audience regarding this resolution and Attorney Twichell reported that the Internal Revenue Service does not recognize same sex marriage for tax purposes and that an account for a spouse of a same sex couple would be taxable. EBS-REMSCO is trying to preserve the pre-tax benefit with the IRS law and if this amendment is not added to the plan document, those benefits for the Health Reimbursement Account will become taxable. Councilor May advised that it the Town’s intent to comply with any employer regulations regarding same sex marriage and that there is normally a cost to a domestic partner provision and that Employers have to pay for that rider. At this time it was unknown if this provision is in the contract that the Town has and what additional cost it may be.

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**RIVERKNOLL APARTMENTS PHASE II**  
**APPROVAL TO SIGN CONSTRUCTION DRAWINGS &**  
**WASTE WATER DISPOSAL SYSTEM**

**RES. #107/2011 Motion by Krisanda, Second by Levy**

**RESOLVED** that the Supervisor be authorized to sign the construction drawings and the NYS DEC Application for Approval of Plans for a Wastewater Disposal system (Formally BSP-5) for Phase II Riverknoll at Radisson apartments subject to the conditions set forth in the Town Engineer’s approval recommendation letter of July 22, 2011.

**VOTE:**

Supervisor Bullis	Yes
Councilor May	Yes
Councilor Krisanda	Yes
Councilor Levy	Yes
Councilor Reed	Yes

**All Ayes, Motion Carried and Adopted**

**Supervisor Bullis reported that all the roads will be private and that the Town will be accepting some sewer and utilities.**

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**COLLINGTON POINTE DRAINAGE DISTRICT**

**APPROVAL OF INSTALLATION OF DRAINAGE PIPE**  
**7976 COLLINGTON POINTE WAY**

**RES. #108/2011 Motion by Bullis, Second by Levy**

**RESOLVED** to approve the request of Randy and Laurie Ray, 7976 Collington Pointe Way, Baldwinsville, NY to construct an 18 inch drainage pipe within the Collington Pointe Drainage District easement along the east edge of their property in accordance with the plan prepared by Mastroianni Engineering, marked "ME Project 11038" conditioned upon the requirements and approval of the Town Attorney and the Town Engineer.

**VOTE:**

Supervisor Bullis	Yes
Councilor May	Yes
Councilor Krisanda	Yes
Councilor Levy	Yes
Councilor Reed	No

**All Ayes, Motion Carried and Adopted**

**Mr. Joe Mastroianni, Engineer, advised the Board that this project is similar to the one approved for the LoMedico property in Collington Pointe. The Rays have installed a pool and would like to install a drainage pipe in the 20 foot wide easement for drainage. The Rays will be responsible for any liabilities and if the Town had to come in and remove the pipe, the cost would be put on the tax bill. All maintenance of the pipe will be done by the homeowners. Attorney Twichell advised Mr. Mastroianni that grates will have to be installed on the pipe.**

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**OTHER BUSINESS**

**None**

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**RECOGNITION OF CITIZENS**

**None**

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**ADJOURNMENT**

As there was no further business, at 7:45 p.m., the Supervisor adjourned the meeting to 7:00 p.m. on August 8, 2011. There was no dissent.

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

Lisa Dell, Town Clerk

July 25, 2011