

A regular meeting of the Lysander Town Board was held at 7:25 p.m. on January 2, 2014 at 8220 Loop Road, Baldwinsville, New York.

**MEMBERS PRESENT:** John A. Salisbury, Supervisor  
Melinda Shimer, Councilor  
Andrew O. Reeves, Councilor  
Robert Geraci, Councilor  
Roman Diamond, Councilor

**MEMBERS ABSENT:** None

**OTHERS ATTENDING:** Anthony P. Rivizzigno, Town Attorney; David Rahrle, Town Comptroller; Eugene Dinsmore, Highway Superintendent; Ann Smiley, Parks and Recreation Director; Timothy Wolsey, Deputy Code Enforcement Officer; Lisa Dell, Town Clerk, Pac-B and several residents.

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**APPROVAL OF MINUTES\***

**November 7, 2013, November 18, 2013, December 2, 2013 and December 16, 2013**

**RESOLVED** that the minutes from the regular Town Board meetings of November 7, 2013, November 18, 2013, December 2, 2013 and December 16, 2013 be approved.

*\*Tabled*

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**TOWN BOARD COMMENTS**

**Councilor Geraci** expressed his appreciation to the residents for the privilege of serving them as a Town Board member.

**Councilor Reeves welcomed** the new Town Board members and acknowledged that the two new members spent a lot of time researching town issues before tonight's meeting.

**Councilor Shimer** welcomed Councilor Geraci and Councilor Diamond as well as welcoming back Town Clerk Lisa Dell and Highway Superintendent Gene Dinsmore.

**Councilor Diamond** stated that he seconded Councilor Geraci's comment and added that he wanted to thank the residents for giving us a chance for us to represent them.

**Councilor Diamond** then asked the status on the Town's implementation of a Whistleblower Policy and Workplace Violence Policy. **Supervisor Salisbury** replied that the Workplace Violence Policy has been written, they need some more time to present it and the Town has not started to work on the Whistleblower Policy as of yet.

**Councilor Diamond** reminded the Board that the Whistleblower Policy was recommended in the results of the last audit of the Town.

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**SUPERVISOR COMMENTS**

**Supervisor Salisbury** reported the following:

- The Parks and Recreation Department will be hosting a health and wellness event on Sunday, January 5, 2014 from 1 pm to 4 pm. All are invited to attend as there will be health related vendors with information, demonstrations and drawings for raffle items donated by vendors.
- The Association of Towns will be holding their 2014 training school and annual meeting for Town Officials in New York City from February 16<sup>th</sup> to 19<sup>th</sup>, 2014.

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**DEPARTMENT HEAD REPORTS**

**Bonnie Kisselstein, Town Historian,** presented a report to the Board and it is on file in the Historian's office for public review.

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**ANNOUNCEMENTS:**

**Town Clerk Lisa Dell** announced that the Town Clerk's Office is now selling Federal Duck Stamps at the cost of \$16.00 each.

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**CITIZEN COMMENTS ON AGENDA ITEMS**

Norm Ashbarry, Hidden Lake Drive, referring to New Business, item G, the reimbursement of employees personal cell phone use for town business, and stated he was under the impression that they already had town issued cell phones.

Supervisor Salisbury replied they do not.

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**OLD BUSINESS**

**None**

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**NEW BUSINESS**

**COTTAGES AT TIMBER RIDGE SUBDIVISION**  
**SET PUNCH LIST SECURITY**

**RES. #14/2014 Motion** by Geraci, Second by Reeves

**RESOLVED** that the punch list security for the roadway, sanitary sewer and drainage utilities included in Cottages at Timber Ridge Subdivision be set at \$39,000.

**VOTE:**

Supervisor Salisbury	Aye	Councilor Shimer	Aye	Councilor Geraci	Aye
Councilor Reeves	Aye	Councilor Diamond	Aye		

**All Ayes, motion carried and adopted.**

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**COTTAGES AT TIMBER RIDGE SUBDIVISION**  
**SET MAINTENANCE GUARANTEE SECURITY**

**RES. #15/2014 Motion** by Shimer, Second by Reeves

**RESOLVED** that the maintenance guarantee security for the roadway, sanitary sewer and drainage utilities within the Cottages at Timber Ridge Subdivision be set at \$93,107 for a period of three (3) years.

**VOTE:**

Supervisor Salisbury	Aye	Councilor Shimer	Aye	Councilor Geraci	Aye
Councilor Reeves	Aye	Councilor Diamond	Aye		

**All Ayes, motion carried and adopted.**

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**COTTAGES AT TIMBER RIDGE SUBDIVISION**  
**ACCEPTANCE OF STREET AND FACILITIES**

**RES. #16/2014 Motion** by Reeves, Second by Geraci

**RESOLVED** that the following street, associated drainage facilities and sanitary sewers included in the Cottages at Timber Ridge Subdivision be accepted as official town roads per the Town Engineer's letter dated December 19, 2013.

Street	Length
Autumn Ridge Path	0.187 mile

**VOTE:**

Supervisor Salisbury	Aye	Councilor Shimer	Aye	Councilor Geraci	Aye
Councilor Reeves	Aye	Councilor Diamond	Aye		

**All Ayes, motion carried and adopted.**

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**COTTAGES AT TIMBER RIDGE SUBDIVISION**  
**APPROVAL OF INSTALLATION OF STOP SIGN**

**RES. #17/2014 Motion** by Shimer, Second by Geraci

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**RESOLVED** to authorize the Highway Superintendent to install one (1) stop sign in the Cottages at Timber Ridge Subdivision on Autumn Ridge Path at the intersection of Deep Glade Drive. The sign will be paid for through the developers escrow account with the Town.

**VOTE:**

Supervisor Salisbury	Aye	Councilor Shimer	Aye	Councilor Geraci	Aye
Councilor Reeves	Aye	Councilor Diamond	Aye		

**All Ayes, motion carried and adopted.**

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**APPROVAL OF NEW POSITION**  
**DIRECTOR OF PLANNING AND DEVELOPMENT\***

**RESOLVED** to create the position of Director of Planning and Development for the Town of Lysander to become effective once the Civil Service approves the New Position Duties Statement. This position is being created because after submitting Mr. Wolsey’s qualifications and certifications the new title is more appropriate and there is no list for this position and the test will be given in 2014.

*\*Supervisor Salisbury announced that this item will be discussed in an Executive Session.*

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**DIRECTOR OF PLANNING AND DEVELOPMENT**  
**APPROVAL OF PROVISIONAL APPOINTMENT\***

**RESOLVED** to appoint Timothy Wolsey, provisionally, to the position of Director of Planning and Development for the year 2014 at the same annual salary that Timothy received in 2013, \$45,500.

*\*Supervisor Salisbury announced that this item will be discussed in an Executive Session.*

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**APPROVAL OF PERSONAL CELL PHONE USE REIMBURSEMENT**

**RES. #18/2014 Motion** by Reeves, Second by Shimer

**RESOLVED** to set cell phone monthly reimbursements for Town business use of personal cell phones as follows: Eugene Dinsmore \$75, John Salisbury \$75, Ann Smiley, Allen Yager and Timothy Wolsey \$40. The higher amount for the Highway Superintendent and the Supervisor is based on the required business use for these positions.

**VOTE:**

Supervisor Salisbury	Abstain	Councilor Shimer	Aye	Councilor Geraci	No
Councilor Reeves	Aye	Councilor Diamond	No		

**Motion died.**

*A lengthy discussion ensued among Board members regarding this motion and the following points/issues/questions were raised:*

- Cell phones used by employees should be Town owned.
- Major cell phone carriers should be looked at for the best pricing.
- Employees would have to justify every phone call made.
- Establishment of a cell phone policy by the Town was recommended by the latest Town audits.
- It is cumbersome to have to carry two cell phones.
- What are the reimbursement rates based on for personal cell phone use for Town business?
- Issuing Town owned cell phones should be based on the identification of those employees whose office may be their car and where they have to reach out to the public on a regular basis.
- For those that don’t want to carry two cell phones, a policy should be developed and a reimbursement amount to the Town for any personal calls made.
- The use of Town issued cell phone promotes openness and transparency for the public.
- Other municipalities issue cell phones to their employees.
- How would a Town cell phone use policy be enforced?
- There has been a demonstrated need to be in immediate, direct contact with Town officials after business hours.

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**OTHER BUSINESS**

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**EXECUTIVE SESSION**

**RES. #19/2014 Motion** by Reeves, Second by Shimer

**RESOLVED** to adjourn to executive session to discuss matters relating to personnel matters.

**VOTE:**

Supervisor Salisbury	Aye	Councilor Shimer	Aye	Councilor Geraci	Aye
Councilor Reeves	Aye	Councilor Diamond	Aye		

**All Ayes, motion carried and adopted.**

**RECOGNITION OF CITIZENS**

**FOIL REQUESTS**

**Norm Ashbarry, Hidden Lake Drive**, addressed the Board and informed them that 11 days ago he submitted a FOIL request and he has not heard anything and was under the impression that there was a time limit of a five day response.

**Attorney Rivizzigno** said yes there is.

**Mr. Ashbarry** asked **Supervisor Salisbury** if he could check into this and **Supervisor Salisbury** said he would.

**TOWN OFFICIALS**

**Mr. Ashbarry** referred to a letter written by **Councilor Reeves** to the Attorney General's office regarding **Councilor Reeves'** allegation of crimes committed by current and past Town Officials.

**Councilor Reeves** said he was not going to comment. Both **Supervisor Salisbury** and **Attorney Rivizzigno** said this was not related to Town Business.

**Mr. Ashbarry** disagreed, stating it was, and asked if he was going to ever find out if the Town Clerk is involved in criminal activity.

**CELL PHONES**

**Gene Dinsmore, Highway Superintendent**, addressed the Board and expressed his necessity of having a cell phone for Town business as he is on call 24 hours a day, 7 days a week and that 911 has to be able to contact him at any time. Mr. Dinsmore also relayed that he has been using his personal cell phone for nineteen months for Town business without any reimbursement.

**OTHER BUSINESS:**

At 7:58 p.m. the Board adjourned to Executive Session.

At 8:23 p.m. the Board returned to the regular meeting and continued new business.

**NEW BUSINESS:**

**APPROVAL OF NEW POSITION**  
**DIRECTOR OF PLANNING AND DEVELOPMENT**

**RES. #20/2014 Motion** by Shimer, Second by Geraci

**RESOLVED** to create the position of Director of Planning and Development for the Town of Lysander to become effective once the Civil Service approves the New Position Duties Statement.

**VOTE:**

Supervisor Salisbury	Aye	Councilor Shimer	Aye	Councilor Geraci	Aye
Councilor Reeves	Aye	Councilor Diamond	Aye		

**All Ayes, motion carried and adopted.**

**DIRECTOR OF PLANNING AND DEVELOPMENT**  
**APPROVAL OF PROVISIONAL APPOINTMENT**

**RES. #21/2014 Motion** by Reeves, Second by Shimer

**RESOLVED** to appoint Timothy Wolsey, provisionally, to the position of Director of Planning and Development for the year 2014 at the same annual salary that Timothy received in 2013, \$45,500.

A discussion then ensued among Board members followed with Diamond proposing an amendment.

**VOTE:**

Supervisor Salisbury	Aye	Councilor Shimer	Aye	Councilor Geraci	Aye
Councilor Reeves	Aye	Councilor Diamond	No		

**All Ayes, motion carried and adopted.**

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**RES. #22/2014 Motion** by Diamond, Second by Geraci

**RESOLVED** that the Town of Lysander hire a Codes Enforcement Officer off the current Onondaga Civil Service List.

**VOTE:**

Supervisor Salisbury	No	Councilor Shimer	No	Councilor Geraci	No
Councilor Reeves	No	Councilor Diamond	Aye		

**Four Noes, motion defeated.**

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**ADJOURNMENT:**

At 8:26 p.m. the Supervisor adjourned the regular meeting.

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

Lisa Dell, Town Clerk