

A regular meeting of the Lysander Town Board was held at 7:23 p.m. on January 5, 2015 at 8220 Loop Road, Baldwinsville, New York.

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

MEMBERS ABSENT: None

OTHERS ATTENDING: Anthony Rivizzigno, Town Attorney; Lisa Dell, Town Clerk; David Rahrle, Comptroller, Al Yager, Town Engineer; PAC-B and several residents

SUPERVISOR COMMENTS:

Supervisor Salisbury reported the following changes to the meeting agenda:

- The person recommended for the Planning Board appointment is Hugh Kimball.
- The person recommended for the Zoning Board of Appeals appointment is Richard Jarvis.
- The Board will be holding off on the appointment for the Board of Assessment Review
- The Town Board will be having a work session on Thursday, January 15, 2015. It will be an Executive Session to discuss litigation.
- The resolution regarding the sale of property is the ice arena and the words “pertinences attached thereto” will be added to the resolution.
- He stated for letter, N, on the agenda (pertaining to town board meeting minutes) that in the second sentence where it says Town Clerk in draft form will be put immediately on the website and it will be changed to “as notification on the website as prepared by the Town Clerk.”

TOWN BOARD COMMENTS:

Councilor Diamond said he wanted to thank everyone for coming to the meeting tonight.

DEPARTMENT HEAD REPORTS

Town Board Meeting Minutes

Lisa Dell, Town Clerk read the following statement:

“I am perplexed at the resolution that will be proposed or is being proposed by the Supervisor tonight regarding the minutes the town clerk prepares of board meetings. It is so sad and almost, well actually it is, ridiculous that the town supervisor continues to make minutes of board meetings an issue. This has been done since John Salisbury, Andy Reeves and Melinda Shimer took office in 2012 as there are several meeting minutes that have not been approved and general statements by these three board members with no proof sent to me that there was something wrong or incorrect with these minute. It is important for the public to know that after a productive meeting several months ago, the board and I unanimously agreed to a protocol that I would send the minutes to them for review and they would comment on any suggested corrections within 5 days of me sending them out. I did send an email today to the Board asking them to approve the December 15 and December 29 minutes as it was past the established 5 day protocol for comments and I only heard back from Councilor Diamond and Councilor Geraci. So I ask does the Supervisor not have time to review them or is his salary not enough to include this responsibility. It is not the responsibility of the board members to correct the minutes that the town clerk prepares, that is the responsibility of the town clerk. It is the board members responsibility to review the minutes. If this resolution passes, I want the board and the public to be aware that there is no statute requiring minutes be labeled “draft” I will continue to prepare the minutes as I have always done and those minutes that I send to the Board and the public will be the official minutes that will be placed in the bound minute book in the town clerk’s office. I would hope that the board members, including the Town Supervisor, would continue their responsibility of reviewing the minutes of board meetings and notify me of any corrections in a timely manner. “

CITIZEN COMMENTS ON AGENDA ITEMS

TOWN BOARD MEETING MINUTES

Larry Barnett, Edgewood Drive, stated he was a little bit surprised by item, N, regarding the resolution about the town board minutes also. He said he doesn’t not know what the history of the conflict is, he has no idea, nor does he really care. He stated from the way it is worded John (Supervisor Salisbury) it sounds like you are

throwing in the towel, he doesn't like to see that, and if he (Supervisor Salisbury) feels that strongly about something he should continue to press his point. He said that he does feel that the minutes that are classified as the official minutes of what took place should be finalized as accurate and he thinks that all of the Councilors have a responsibility to make corrections and be sure that they are all satisfied that they are accurate. He said he thinks that they (Board members) need to work together to get that done.

Lysander Ice Rink

Kevin Rode, Greymoor Way, asked if the two bids received were the higher of the two.

Councilor Diamond said yes.

Councilor Reeves said they were quotes, not bids.

Mr. Rode asked if DHD Ventures a taxable corporation.

Attorney Rivizzigno said yes.

Mr. Rode asked where are they from.

Supervisor Salisbury said that was a question presented to him today regarding if DHD Ventures is a taxable corporation. He asked Attorney Rivizzigno if he knew that for a fact.

Attorney Rivizzigno explained as far as he knows there is no official incorporated not for profit status. He stated the only thing he has seen is DHD Ventures is a group of individuals (unclear).

Mr. Rode said that Councilor Reeves had said that he wanted it back on the tax rolls.

Mr. Rode asked where is DHD Ventures from and are they local.

Supervisor Salisbury said from Rochester (New York).

Attorney Rivizzigno said that they have local participants, several investors.

Mr. Rode asked if they have been in the ice rink business before.

Councilor Shimer said yes.

Mr. Rode asked how long is the town giving them to get their financing.

Attorney Rivizzigno said there is no financing involved as it is a cash deal.

PROPOSED LAMSON ROAD WATER DISTRICT

Mr. Rode said he sees it is a permissive referendum and he thought the whole petition process back in the summer was trying to alleviate that.

Attorney Rivizzigno said that ultimately the Board decided on his recommendation to do it under Article 12a of NYS Town Law which requires a permissive referendum. He stated the petition situation is very close and rather than taking a chance going either way, the Board will pass this, and if people want to vote against it they have the right to petition the Board.

Mr. Rode asked if it was a waste of time trying to verify it or should have this been brought to permissive referendum months ago but he guesses with the petition process the Town got a better idea of what is going to happen.

Attorney Rivizzigno said exactly.

Supervisor Salisbury said that the petition gave the Board an indication of whether or not they should proceed so that process did show them that they should proceed.

Councilor Reeves said it showed them both ways, the voters yes and no, but also the assessed valuation of yes and no.

Mr. Rode asked so with permissive referendum, because he knows with the petition process was assessed value, does the persons vote go by assessed value or is it just one vote, one per landowner and they have to live there, asking if this was correct.

Supervisor Salisbury said yes and it has to be (unclear) voting.

Mr. Rode asked if the person owns 5 percent of the property that doesn't weight in, stating your vote is your vote.

Supervisor Salisbury said right.

Attorney Rivizzigno said what he is talking about is only if there is a petition filed. He stated if there is no petition filed, there is no vote, and it passes.

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LYSANDER ICE ARENA

Jim Stirushnik, Dinglehole Road, he asked if the buyer is going to seek a reduction in the property assessment.

Attorney Rivizzigno said that was in the application of the other party. There was nothing in this purchase offer to that effect.

Mr. Stirushnik said he agrees with what Attorney Rivizzigno said but he understood that the Board got the opinion that they (buyer) would also seek a reduction in the assessment stating it was his impression from the work session.

Councilor Reeves said that is not anything the Board would say and what they would do is turn it over to the Assessor. He stated that everything is in the Assessor's hand and the Board doesn't tell the Assessor what to do or even make a recommendation.

Supervisor Salisbury said there is a town law that allows anybody who purchases a property to allow for an exemption on any improvements that they make. He stated this has been on the book for years.

Attorney Rivizzigno said it wouldn't surprise him if they didn't make an application.

Mr. Stirushnik said that there is an issue on the lights that was discussed in the work session.

Attorney Rivizzigno said yes.

Supervisor Salisbury explained that the lights are not resolved yet.

Mr. Stirushnik stated but it is an issue up in the air.

Supervisor Salisbury said it is. He explained the lights were installed by a company, the town didn't deal with them, this was GBIA and they financed it. He said GBIA has not paid it in full and the town is not paying on it right now but whoever is the successful purchaser of the property that will have to be resolved.

Mr. Rode asked what is the total on the bill for the lights.

Councilor Reeves said it is \$19,500.

Supervisor Salisbury said that they have offered the town a deal which he does not want to make the matter a public record at this time.

Mr. Stirushnik asked if there were other issues the citizens of the town should be aware of about this transaction.

Councilor Reeves said he was not aware of any.

Mr. Stirushnik asked if he can be assured that none of the town board members, or their families, have a financial interest in this transaction.

The Board members responded by explaining there was not.

Mr. Stirushnik said that the Board seems to have a very friendly attitude.

Councilor Shimer said that they are a friendly group.

Mr. Stirushnik said speaking as an independent observing he questions whether it was a fully arm's length arrangement. He said he also questions why it wasn't advertised earlier that this arena was for sale, advertised more widely, like three or four months ago.

Supervisor Salisbury said this has been out there for months.

Mr. Stirushnik stated but not in a formal manner.

Councilor Reeves said it has been in the paper, it was one of the top stories of the year because there was a purchase offer, about a year ago by the GBIA, all of the information there has been out in the paper. He said when they had the meeting here to vote on taking it over, he sat here, and it's in the paper, that it is still on the sales market. He said there has been no surprises here in the town of Lysander or anywhere else. He stated the Town Attorney talked with Cicero on a regular basis, they know it has been for sale. He said there is no one that doesn't know it has been for sale and actually to imply something improper might have happened it's not even close.

Mr. Stirushnik stated he didn't say it was improper he thinks it was a better procedure to have more fully advertised in trade publications, business publications, then just in the paper. He said believe it or not there are some of us that do not read the Messenger.

Supervisor Salisbury asked Mr. Stirushnik if he read the trade manuals.

Mr. Stirushnik said no but he is not in the market for an ice arena.

Attorney Rivizzigno explained the people who are (in the market) know when these things come up that it's part of the business. He said the people who made the bid have been working on this for several months because they became aware it was for sale. He said they did their due diligence and put an offer in as did the other individual and he was made aware. He said he thinks that anybody that was interested in purchasing the rink was aware that this one was for sale.

OLD BUSINESS

None

NEW BUSINESS

RES. #13/2015

Authorize Contract With Fiscal Advisors and Marketing, Inc.

Motion made by Reeves, seconded by Diamond to authorize the Town Supervisor to sign the Financial Advisory Services Agreement for 2015, with the ability to terminate the agreement with a 30 day notice.

VOTE:

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

All Ayes, motion carried and adopted.

BOARD DISCUSSION BEFORE VOTE:

Supervisor Salisbury said this is a new type of thing that Fiscal Advisors is requiring to have an agreement sign and there is no cost to the Town. He stated the town uses these fiscal advisors when the town goes out for bonding. He said for example they have an extension of the West Genesee Sewer District which will require bonding in order to build that out. He stated if the Lamson Road Water District goes through it is going to require bonding so they need fiscal advisors at that time to handle the bonding.

RES. #14/2015

Appoint Tim Wolsey to "Permanent" Status as Code Enforcement Officer

Motion made by Shimer, seconded by Diamond to appoint Tim Wolsey to Permanent Civil Service Status after successful completion of his probation in this job title, effective January 1, 2015 at an annual salary of \$45,500.00.

VOTE:

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

All Ayes, motion carried and adopted.

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RES. #15/2015

Elimination of Medical Insurance Buy-Out

Motion made by Reeves, seconded by Geraci to amend the Town of Lysander Employee Handbook, Section 806 Medical Insurance Buy-Out Coverage from 25% to 0% which, in effect, eliminates the Health Insurance Buy-Out provision .

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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RES. #16/2015

Planning Board Member Appointment

Motion made by Diamond, seconded by Geraci to appoint Hugh Kimball to the Lysander Planning Board effective 1/1/2015 through 12/31/2021.

ROLL CALL VOTE:

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

Four Ayes, motion carried and adopted.

BOARD DISCUSSION AFTER VOTE:

Councilor Diamond stated he would like to commend Mr. Kimball for his years of service to the Town of Lysander and he thanks him for reapplying. Councilor Diamond wished Mr. Kimball the best of luck in his term.

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RES. #17/2014

Zoning Board of Appeals Member Appointment

Motion made by Reeves, seconded by Shimer to appoint Richard Jarvis to the Lysander Zoning Board of Appeals effective 1/1/2015 through 12/31/2019.

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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RES. #18/2015

Parks and Recreation Commission Member Appointment

Motion made by Geraci, seconded by Reeves to appoint Robert Ellis to Chair the Parks and Recreation Commission through 12/31/19.

VOTE:

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

All Ayes, motion carried and adopted.

BOARD DISCUSSION BEFORE VOTE:

Supervisor Salisbury said that Mr. Ellis is currently on a committee that is looking at consolidation of parks and recreation with the Town of Lysander, the Town of VanBuren and the Village of Baldwinsville. He stated that they are continuing Mr. Ellis in this position until what is determined about the consolidation.

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RES. #19/2015

POMPO WOODS
PUBLIC HEARING
PROPOSED ESTABLISHMENT OF SEWER DISTRICT

Motion made by Shimer, seconded by Diamond

A regular meeting of the Town Board of the Town of Lysander in the County of Onondaga, New York, was held at Town Hall at 8220 Loop Road, Baldwinsville, New York on January 5, 2015.

In the Matter : ORDER CALLING PUBLIC
of the : HEARING TO BE HELD
Establishment of Pompo Woods Sewer District in : ON JANUARY 26, 2015
the Town of Lysander, County of Onondaga,
New York, Pursuant to Article 12 of the Town Law.

WHEREAS, the Town Board of the Town of Lysander (the "Town Board" and the "Town," respectively), in the County of Onondaga, New York, has received a petition, dated December 29, 2014 pursuant to section 191 of the Town Law, for the establishment of Pompo Woods Sewer District (the "District"), which petition is signed by the owners of taxable real property situate in the proposed District, owning in the aggregate at least one-half of the assessed valuation of all the taxable real property of the proposed District, as shown upon the latest completed assessment roll of said Town, and including the signatures of resident owners of taxable real property owning taxable real property aggregating at least one-half of the assessed valuation of all the taxable real property of the proposed District, owned by resident owners according to the latest completed assessment roll; and

WHEREAS, said petition purported to describe the boundaries of the proposed District in a manner sufficient to identify the lands included therein as in a deed of conveyance and was signed by the petitioners and acknowledged or proved in the same manner as a deed to be recorded; and

WHEREAS, the proposed District which is bounded and described in Exhibit "A", attached hereto and made a part hereof; and

WHEREAS, following preparation of a map, plan and report by Plumley Engineering, P.C., competent engineers duly licensed by the State of New York, for the proposed establishment of said District, and the construction of a sewer system therein, consisting of the installation of approximately 3,000 linear feet of 8-inch sanitary sewer main and 9 manholes, along with 4-inch service connections extending from the main to the road right-of-way, for Sections 1 and 3 of the development. For Section 2, approximately 480 linear feet of 2-inch public force main are proposed. Individual lots within Section 2 will utilize private grinder pumps and 1 ¼-inch diameter force main that connects to the 2-inch force main (the "Sewer Improvement"), said map, plan and report now on file in the office of the Town Clerk. The sewer system will service the subdivision's proposed twenty-six (26) single-family residential lots and one (1) existing single family lot; and

WHEREAS, the Town Board will give due consideration to the impact that such construction in the District may have on the environment and on the basis of such consideration, the Town Board will determine the environmental impact, if any, to be caused by such construction; and

WHEREAS, the maximum amount proposed to be expended for the construction of the Sewer Improvement is estimated to be Two Hundred Twenty-five Thousand Dollars and No Cents (\$225,000.00), to be paid by Andrew Pompo (the "Developer");

NOW, THEREFORE, BE IT ORDERED that a meeting of the Town Board of the Town be held at the Town Hall, 8220 Loop Road, Baldwinsville, New York, on January 26, 2015, at 7 p.m. to consider the establishment of the proposed District herein referred to and the construction of such sewer system therein, and to hear all persons interested in the subject thereof, concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law; and be it

FURTHER ORDERED, that the Town Clerk publish at least once in the Official Newspaper, a newspaper having a general circulation in the Town and hereby designated as the official newspaper of the Town for such publication, and post on the sign board of the Town maintained pursuant to subdivision 6 of section 30 of the Town Law, a copy of this order, certified by said Town Clerk, the first publication thereof and said posting to be not less than ten (10) nor more than twenty (20) days before the date of such public hearing; and

FURTHER ORDERED, that the Town Clerk file a certified copy of this order with the Comptroller of the State of New York on or about the date of publication of a copy of this order.

Dated: January 5, 2015

DESCRIPTION
FOR
POMPO WOODS SEWER DISTRICT
TOWN OF LYSANDER, ONONDAGA COUNTY, NEW YORK

BEING A CERTAIN PIECE OR PARCEL OF LAND situate in Lot 95 of the Town of Lysander and more accurately defined as follows:

BEGINNING at a point marking the centerline of Doyle Road, the southeast corner of lands of Lucette, the southwesterly corner of lands of Andrew Pompo, and being approximately 1,700 feet easterly of Baldwinsville/Coldsprings Road (NYS Route 370);

Thence, running N 2° 06' 22" E, a distance of 288.61 feet to a point;

Thence, running N 87° 53' 38" W, a distance of 170.44 feet, more or less, to the westerly line of lands of said Pompo;

Thence, running N 1° 01' 38" E, along the said westerly line of lands of Pompo, a distance of 1441.78 feet to a point marking the northwesterly corner of lands of said Pompo;

Thence, running S 88° 00' 03" E along the said northerly line of lands of Pompo a distance of 1294.62 feet to a point marking a corner of said Pompo's land;

Thence, running S 1° 59' 57" W , a distance of 270.00 feet to a point marking a corner of said Pompo's land;

Thence, running S 88° 00' 03" E, a distance of 444.91 feet, more or less, to the corner of lands of said Pompo;

Thence, running N 59° 51' 40" E, a distance of 159.46 feet, more or less, to a point marking the centerline of River Road;

Thence, running S 30° 08' 13" E along the said centerline of River Road a distance of 188.18 feet, more or less, to a point marking the corner of said Pompo's land;

Thence, running N 87° 54' 55" W, a distance of 178.85 feet, more or less, to a corner of said Pompo's land;

Thence, running S 1° 25' 50" W, a distance of 984.39 feet, more or less, to the corner of said Pompo's land;

Thence, running N 88° 30' 00" W, a distance of 314.42 feet to a corner of said Pompo's land;

Thence, running S 1° 30' 00" W, a distance of 400.00 feet to a point marking the said centerline of Doyle Road;

Thence, running N 88° 00' 03" W along the said centerline of Doyle Road a distance of 60.00 feet to a point;

Thence, running N 1° 30' 00" E, a distance of 600.00 feet to a point marking the corner of said Pompo's land;

Thence, running N 88° 00' 03" W, a distance of 800.30 feet to a point marking the corner of said Pompo's land;

Thence, running S 1° 30' 00" W, a distance of 600.00 feet, more or less, to a point marking the said center line of Doyle Road;

Thence, running N 87° 53' 38" W along the said centerline of Doyle Road a distance of 440.00 feet, more or less, to the first mentioned point or place of beginning.

Dated: December 2014

PROJECT DESCRIPTION
for the
POMPO WOODS SEWER DISTRICT TOWN OF LYSANDER, NEW YORK

It is proposed that the owner and developer of the Pompo Woods Subdivision install approximately 3,000 linear feet of 8-inch sanitary sewer main and 9 manholes, along with 4-inch service connections extending from the main to the road right-of-way, for Sections 1 and 3 of the development. For Section 2, approximately 480 linear feet of 2-inch public force main are proposed. Individual lots in Section 2 will utilize private grinder pumps and 1 ¼-inch diameter force main that connects to the 2-inch force main. The sewer system will service the subdivision's proposed 26 single-family residential lots and one existing single family lot.

The sewage will be conveyed from the site by future and existing Onondaga County facilities to the Baldwinsville/Seneca Knolls wastewater treatment facility.

The cost for the construction of the sewer system will be approximately \$225,000. This cost will be borne fully by the developer. Upon completion and acceptance, the sewer system and easements will be dedicated to the Town of Lysander at no cost.

The Town of Lysander will assess an annual user charge for operation and maintenance to the Pompo Woods Sewer District. There will also be an annual charge by the Onondaga County Sanitary District for transmission and treatment of sewage.

The Pompo Woods Sewer District Petition Plan, dated December 2014 with Project Number 2011134, showing the boundary of the proposed Pompo Woods Sewer District, are attached.

Plumley Engineering, P.C.
8232 Loop Road
Baldwinsville, New York 13027
Project No. 2011134

Dated: December 2014

VOTE:

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

RES. #20/2015

POMPO WOODS
PUBLIC HEARING
PROPOSED ESTABLISHMENT OF DRAINAGE DISTRICT

Motion made by Salisbury, seconded by Reeves

At a regular meeting of the Town Board of the Town of Lysander, in the County of Onondaga, New York, held at Town Hall, 8220 Loop Road, Baldwinsville, NY on January 5, 2015

In the Matter
of the
Establishment of the Pompo Woods Drainage District
in the Town of Lysander, in the County of Onondaga,
New York.

ORDER CALLING FOR PUBLIC
HEARING TO BE HELD ON
JANUARY 26, 2015

WHEREAS, a written petition dated December 29, 2014 has been submitted in due form by Andrew Pompo containing the required signatures, which has been presented and filed with the Town Board of the Town of Lysander, County of Onondaga, New York, for the establishment of a Town Drainage District, to be known as Pompo Woods Drainage District, which is bounded and described on Exhibit "A" attached hereto and made a part hereof, and

WHEREAS, the improvements proposed consist of the construction and maintenance of a drainage system to serve said extension in the District in accordance with a certain map and plan prepared by Plumley Engineering, P.C., made a part of such petition and heretofore adopted by this Town Board, now on file in the office of the Town Clerk of said Town, and

WHEREAS, it is the intention of the petitioners to construct said drainage system at its own expense and to transfer said drainage system to the Town when completed, without any consideration.

NOW, THEREFORE, BE IT ORDERED that a meeting of the Town Board of the Town of Lysander will be held at Town Hall, 8220 Loop Road, Baldwinsville, New York, on January 26, 2015, at 7:00 p.m. on said day, to consider said petition and to hear all persons interested in the subject thereof, concerning the same, and for such other and further action on the part of said Town Board, with relation to the premises.

BE IT FURTHER ORDERED, that the Town Clerk publish at least once in the Official Newspaper, a newspaper having a general circulation in the Town and hereby designated as the official newspaper of the Town for such publication, and post on the sign board of the Town maintained pursuant to subdivision 6 of section 30 of Town Law a copy of this order certified by said Town Clerk, the first publication thereof and said posting to be not less than ten (10) nor more than twenty (20) days before the date of such public hearing.

Dated: January 5, 2015

DESCRIPTION
FOR
POMPO WOODS DRAINAGE DISTRICT
TOWN OF LYSANDER, ONONDAGA COUNTY, NEW YORK

BEING A CERTAIN PIECE OR PARCEL OF LAND situate in Lot 95 of the Town of Lysander and more accurately defined as follows:

BEGINNING at a point marking the centerline of Doyle Road, the southeast corner of lands of Lucette, the southwesterly corner of lands of Andrew Pompo, and being approximately 1,700 feet easterly of Baldwinsville/Coldsprings Road (NYS Route 370);

Thence, running N 2° 06' 22" E, a distance of 288.61 feet to a point;

Thence, running N 87° 53' 38" W, a distance of 170.44 feet, more or less, to the westerly line of lands of said Pompo;

Thence, running N 1° 01' 38" E, along the said westerly line of lands of Pompo, a distance of 1441.78 feet to a point marking the northwesterly corner of lands of said Pompo;

Thence, running S 88° 00' 03" E along the said northerly line of lands of Pompo a distance of 1294.62 feet to a point marking a corner of said Pompo's land;

Thence, running S 1° 59' 57" W , a distance of 270.00 feet to a point marking a corner of said Pompo's land;

Thence, running S 88° 00' 03" E, a distance of 444.91 feet, more or less, to the corner of lands of said Pompo;

Thence, running N 59° 51' 40" E, a distance of 159.46 feet, more or less, to a point marking the centerline of River Road;

Thence, running S 30° 08' 13" E along the said centerline of River Road a distance of 188.18 feet, more or less, to a point marking the corner of said Pompo's land;

Thence, running N 87° 54' 55" W, a distance of 178.85 feet, more or less, to a corner of said Pompo's land;

Thence, running S 1° 25' 50" W, a distance of 984.39 feet, more or less, to the corner of said Pompo's land;

Thence, running N 88° 30' 00" W, a distance of 314.42 feet to a corner of said Pompo's land;

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Thence, running S 1° 30' 00" W, a distance of 600.00 feet, more or less, to a point marking the said center line of Doyle Road;

Thence, running N 87° 53' 38" W along the said centerline of Doyle Road a distance of 440.00 feet, more or less, to the first mentioned point or place of beginning.

Dated: December, 2014

PROJECT DESCRIPTION
for the
POMPO WOODS DRAINAGE DISTRICT TOWN OF LYSANDER, NEW YORK

It is proposed that the owner and developer of the Pompo Woods Subdivision install approximately 2,500 linear feet of 12-inch diameter storm sewer and catch basins and other appurtenances and two stormwater management areas. The drainage system will service the subdivision's proposed 26 single-family residential lots and one existing single family lot.

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January 5, 2015

Stormwater runoff will be conveyed via overland sheet flow, the storm sewer system and/or drainage swales. Stormwater from most of the development will be directed into the existing wetlands along the western property line.

The cost for the construction of the drainage system will be approximately \$175,000. This cost will be borne fully by the developer. Upon completion and acceptance, the drainage system and easements will be dedicated to the Town of Lysander at no cost.

The Town of Lysander will assess an annual user charge for operation and maintenance of the Pompo Woods Drainage District.

The Pompo Woods Drainage District Petition Plan, dated December 2014 with Project Number 2011134, showing the boundary of the proposed Pompo Woods Drainage District is attached.

Plumley Engineering, P.C.
8232 Loop Road
Baldwinsville, New York 13027
Project No. 2011134

Dated: December 2014

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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RES. #21/2015

Seneca Watershed Discovery Process Letter

Motion made by Shimer, seconded by Reeves to accept the FEMA Risk Map determination as indicated on the December 23, 2014 letter from the NYS Department of Environmental Conservation.

VOTE:

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

All Ayes, motion carried and adopted.

BOARD DISCUSSION BEFORE VOTE:

Engineer Yager stated FEMA recently did a request for meetings with municipalities in the Seneca River water shed about any areas where they had concern where there is inadequate or inaccurate mapping. He said there is none in the town that they have been notified of where people have concerns and at this point in time he doesn't see a reason not to accept their draft procedure for evaluation.

Supervisor Salisbury that this has to do with the water shed.

Engineer Yager said Seneca River water shed flooding.

Supervisor Salisbury said just remember that 65 percent of the boundaries on the south, little bit on the west and all of the east, its two rivers, the Seneca and the Oswego River.

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RES. #22/2015

Town Engineer to Prepare Map Plan and Report

Motion made by Reeves, seconded by Geraci to authorize the Town Engineer to prepare a map plan and report for the proposed Lamson Road water district as shown in the attached map. The cost for the map plan and report is not to exceed \$8,000 including all engineering and legal fees. This resolution is subject to permissive referendum.

VOTE:

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

All Ayes, motion carried and adopted.

BOARD DISCUSSION BEFORE VOTE:

Councilor Geraci stated this was a wonderful process to be a part of and if any description can be given to the Messenger to explain to the public what the Board is doing.

Supervisor Salisbury said the map does.

Councilor Geraci said he just wants the people to understand what they are doing tonight who would be getting water and who would not be getting water.

Attorney Rivizzigno said that information ultimately comes with the map plan and report and once it is prepared it will explain who is in it, who is not in it and the costs contained. He stated as far as notice to the public they are starting that process now.

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RES. #23/2015

West Phoenix Fire Protection Contract for 2015

Motion made by Shimer, seconded by Diamond to authorize the Town Supervisor to execute the contract with Enterprise Fire Company No. 1 to provide fire protection for the West Phoenix Fire Protection District in the Town of Lysander. The contract period shall commence on January 1, 2015 and expire on December 31, 2015 at an annual cost of \$100,190.00 payable on or before the 15th day of April 2015.

VOTE:

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

All Ayes, motion carried and adopted.

BOARD DISCUSSION BEFORE VOTE:

Comptroller Rahrle explained the cost went up 1.5 percent from last year.

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RES. #24/2015

RESOLUTION AUTHORIZING THE SALE OF TOWN PROPERTY

Motion made by Reeves, seconded by Shimer

WHEREAS, the Town of Lysander is the owner of certain property located at 2725 West Entry Road in the Town of Lysander, New York, and referred to as the Lysander Radisson Community Arena (the "Property"); and all pertinences attached thereto; and

WHEREAS, the Property is comprised of 8.12 acres and contains a 72,687 square foot building containing two ice areas; and WHEREAS, the Property is not presently needed for Town purposes and the Town has no further need for use of the property; and

WHEREAS, DHD Ventures of NY, LLC has offered to purchase the Property from the Town for Five Hundred Fifty Thousand Dollars and No Cents (\$550,000.00) and continue the use of the Property as an ice arena; and

WHEREAS, the Town has received an appraisal of the Property and hereby determined that the offer of \$550,000.00 is fair and adequate.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the conveyance of the Property and further authorizes the Town Supervisor to sign any and all documents necessary to effectuate such conveyance;

BE IT FURTHER RESOLVED, that this Resolution is subject to permission referendum; and

BE IT FURTHER RESOLVED, that the Town Clerk shall post and publish a Notice of Adoption of this Resolution setting forth the date of adoption of the Resolution.

ROLL CALL VOTE:

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

Councilor Diamond Aye

All Ayes, motion carried and adopted.

BOARD DISCUSSION BEFORE VOTE:

Councilor Diamond stated this is a very good proposal and he does not want to mislead the public in any way shape or form so he is going to start by saying this is a very good proposal and he will be voting to accept this proposal. He said with that said he would like to clarify a few things. He stated that he does think that things could have been better in regards to this process. He said yes he does believe that people that were sincerely interested in purchasing the property, this ice arena that some of them may have been informed on what was going on. He said but he does not know if everyone was. He stated that he thinks that this Board could have done a better job by advertising this and this is why at the last Town Board meeting, December 29th, he voted against accepting two proposals without giving a public deadline of when the deadline was going to be. He said there was a rumor that there was a third proposal that was floating around after the Board accepted the deadline. He stated they later figured out that was not the case and there was not a third proposal. He said but by creating a deadline and not specifying the deadline to the public the Board put themselves in a tricky situation. He said that is his concern in regards to the process. He stated he thinks the board could have done a better job from the very beginning and advertising to the public and saying this is our deadline and these are what we are looking for. He explained maybe putting something professionally in the Messenger or in the newspaper and saying if you are interested, or putting something into these journals, please contact these people. He stated again it doesn't matter, hindsight is 20/20, and they have a very good proposal. He said he doesn't believe the Town of Lysander should be in the business of selling ice and he believes that everyone on the Board feels the same way. He wanted to make this statement prior to voting on this especially because one of the residents of this town made a very similar statement that he thought that the town should have done a better job advertising this.

Supervisor Salisbury said to Councilor Diamond that he would be surprised after that lengthy discussion Councilor Diamond would be voting yes.

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RES. #25/2015

Town Board Meeting Minutes Resolution

After having to deal with three years of discussions and distractions regarding the minutes of our meetings, I, John Salisbury, propose the following resolution:

Motion made by Salisbury, seconded by Reeves that the minutes as prepared by the Town Clerk will be put immediately on the web site and noted as prepared by the Town Clerk. The Town Board will not undertake the job of trying to correct the minutes. The minutes will stand as prepared by the Town Clerk and the town residents can compare the minutes to the PAC B TV recording. The link to this recording is on the Town of Lysander website. This should end unnecessary discussion about the minutes, and the public will have the same opportunity as the Town Board has had to review each meeting.

ROLL CALL VOTE:

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

Four Ayes, motion carried and adopted.

BOARD DISCUSSION BEFORE VOTE:

Councilor Geraci said he just wanted to make sure what they discussed at the work session is exactly what they are doing and the word, draft, is not going to be part of this resolution.

Supervisor Salisbury said we changed it.

Councilor Geraci said it will be as prepared by the Town Clerk.

Councilor Diamond stated as the Town Clerk mentioned earlier the minutes have been discussed more often than he thinks any other subject in the town since the majority of this Board has been in office. He said he did a little bit of research and he doesn't think in the past 50 years they have ever had a Town Board discuss the minutes of the Town Board meeting as much as this board does. He stated there is something going on there. He said either there is a problem with how the Town Clerk provides the minutes or there is a problem with the Town Board. He said he doesn't think it is the Town Clerk. He stated he thinks that this is another attempt by the Town Board to delegate responsibility. He said as elected officials they have the responsibility to review the minutes to make sure that there is no typos in regards to how a resolution was voted on and whether it passed or failed. He stated they have certain obligations and they are paid a salary of \$10,000 a year and one of

the responsibilities is to review the minutes. He said if you can't review the minutes he wonders why they are serving as a town councilor or a town supervisor. He stated it doesn't have to be a confrontational environment. He said there have been plenty of times where he has seen things in the minutes and he has sent an email to the Town Clerk or he has given her a phone call asking her to go back and correct a resolution because he thinks he voted a different way on this. He said it is really easy when you are working on a computer system to put the wrong thing in. He stated that's why you have to have an environment where you can talk to people. He said he thinks that this resolution is only going to cause division and it's not going to solve the problem. He stated he thinks that this is only going to continue the problem and it is not going to finish it. He said he will be voting against this resolution.

RES. #26/2015

Advertise For A Public Hearing
Comprehensive Land Use Plan

Motion made by Shimer, seconded by Salisbury to authorize the Town Clerk to advertise for a public hearing on February 9, 2015 at 7:00 p.m. regarding the adoption of the proposed Town of Lysander Comprehensive Land Use Plan dated December 2014. A copy of the plan will be available in the Town Clerk's office and posted on the Town web site for public review.

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:

Larry Barnett, Edgewood Drive, stated from a personal standpoint it was a very nice meeting to attend so far this evening without the bickering between all and they (board members) worked together and it was really great. Mr. Barnett then suggested a correction to the resolution regarding the sale of the ice arena to add a comma and not a decimal point to the listed square footage of the structure.

Mike Carni, Vermillion Circle, stated he wanted to thank the Town Board for the time and effort to get this ice rink hopefully behind us and move it in the right direction. He said it has been a long year and a half and he was thinking about what Councilor Diamond said and he gets his point. He stated if it makes Councilor Diamond feel better that there may have been two people that offered quotes but there are countless people that entertained buying that rink. He said when his organization looked into buying it to keep kids skating during that time, working with some of the board members, it was amazing how they found out how dilapidated that rink was. He said it was in a lot worse condition than they even thought and as people were parading in there they started finding out and to get the amount of money this town got for the rink in the condition it is in is pretty amazing. He stated he wanted to thank specifically Supervisor Salisbury and Councilor Reeves, it's been a really tough year and probably their job description was not commercial reality, but they spent a lot of time at the rink, educating themselves on what it takes to run a rink and to sell a rink. He said that this is good for Baldwinsville High School, Liverpool High School and for many associations like figure skating to keep them skating. He stated he thinks this proposal, if they do what they say they are going to do, will bring a lot of good revenue into this community. He said if the rinks are run like they should be a lot of revenue can be brought into this town and something to look back and be proud of.

OTHER BUSINESS:

None

ADJOURNMENT:

At 8:06 p.m. Supervisor Salisbury adjourned the meeting.

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

Lisa Dell, Town Clerk