

A Regular Town Board meeting was held on February 1, 2018 at Lysander Town Hall, 8220 Loop Road, Baldwinsville, New York.

MEMBERS PRESENT: Joseph Saraceni, Supervisor
Robert Ellis, Councilor
Peter Moore, Councilor
Robert Geraci, Councilor
Roman Diamond, Councilor

MEMBERS ABSENT: None

OTHERS PRESENT: Attorney Anthony Rivizzigno; Jerald Hole, Highway Superintendent; Dina Falcone, Town Clerk; Al Yager, Town Engineer; David Rahrle, Comptroller; Tony Burkinshaw, Parks and Recreation Supervisor; and several residents.

Supervisor Saraceni called the meeting to order at 7:00 PM with the Pledge to the Flag.

Supervisor Saraceni noted that two items would be added to the agenda, one being a speed study from Hencle Boulevard on Route 48 to the Village of Baldwinsville line, and the other a new hire for the Highway Department. **Supervisor Saraceni** allowed citizens comments regarding the Phase 3 of the Lysander Preserve development issue to occur during Citizens Comments reserved for agenda only items.

CITIZENS COMMENTS REGARDING AGENDA ITEMS

Kevin Rode of Greymoor Way said even though the spray park issue isn't on the agenda, he asked that the Board to consider a permissive referendum to allow voters to vote and rescind the resolution from the last meeting.

CITIZENS COMMENTS REGARDING LYSANDER PRESERVE PHASE 3 PETITION

Taylor Rector of Mercer Street said his item wasn't on the agenda either, but told the Board that he has a petition to prevent the development of Phase 3 in Lysander Preserve, until Phase 2 is complete.

Supervisor Saraceni said that Mr. Yager updated the Board regarding Lysander Preserve. **Supervisor Saraceni** said that every time someone signs the online petition, he receives an update through email; and has been getting them for the past couple of days. The issue came up during the work session. He said there is a petition that needs to be addressed. From a planning perspective, the Board deferred to the Town Attorney and Town Engineer.

Mr. Yager stated there was a lengthy discussion on the Planning Board level regarding the project. The way the Planning Board resolution reads, no building permits above 64 can be issued until the connecting road to Giddings Crest is constructed. His understanding is that at this time the developer had approximately 10 lots left in phase 2; the process of constructing the roads, utilities, infrastructure, storm water system, and getting National Grid and Verizon in for that section of roadway, typically is about nine months. **Mr. Yager** told Mr. Rector that he called the developer after he saw the petition. He said there was a pre-construction meeting with the contractor on Tuesday, and their intent is to finish the rest of the clearing and start construction action of roads and utilities because Marion Meadows, the project that Ryan Homes has [in Van Buren] sold out, and they are coming back into Lysander Preserve this summer. **Mr. Yager** said the developer, with a ten lot inventory, knowing that it takes about nine months to construct the road and get the rest of the utilities in before they can file the map and gets anymore building permits, anticipates that the ten lots that are left are going to be constructed on this summer. [The developer] wants to be in a position to keep Ryan moving on Phase 3 when that happens. **Mr. Yager** continued by telling the residents that the Town already at this point in time has approved the preliminary plat/map for the entire development and the Town Board is given contract drawing approval for the development as well. That was done five or six years ago. **Mr. Kimball** [of the Planning Board] confirmed same.

Mr. Yager advised that the other issue, the reason that the Planning Board put a limit on the number of houses, is that it is one big cul-de-sac that connects to an existing development. There is only one point of ingress and egress; there's a fourteen inch water transmission main; if there is ever a water main break or something else, and part of that road washes out; or they have to close the road and do work on it, all of the [Lysander Preserve residents] wouldn't have ingress and egress to their property while the work is being done. For fire safety, and from a public safety standpoint, the Town wants to see the road constructed sooner rather than later so there are two points of ingress egress to the project. At this point in time and after speaking with the Town Attorney in work session, **Mr. Yager** said he doesn't know if the Board can rescind the contract drawing approval, or pull a resolution. From a public safety standpoint he doesn't know if they would want to. He thinks there would be significant liability on the Town that it could potentially be liable for losses from the developer if it did rescind that resolution.

From a public safety standpoint, one point of ingress and egress for a development of that size with that many homes is really not ideal.

Mr. Rector asked if the road should have been added in the beginning. **Mr. Yager** said typically a Town allows phase developments. What they have always done is try to limit the amount of time where there are situations like that, which is what the Planning Board did in this instance. He said the same developer pulled out once from Marion Meadows. From a public safety standpoint, the Town would like to see the road constructed. **Mr. Yager** said it's for that reason specifically that is from a public safety standpoint. It's in the residents' interest and the Town's interest to see that addressed.

Councilor Geraci said it's not that the Town doesn't empathize with what [the residents] are saying, but that the Town doesn't have the latitude [on this issue]. **Councilor Geraci** said the Town doesn't have the latitude to say to this developer, "*This is what we want you to do*". Mr. Rector said the Town had the latitude to take trees down. **Councilor Geraci** said it was a different situation. **Mr. Yager** said they had a punch list security for that work, so they would have pulled the bond and done it. That is really between the residents and the developer as to why.

Mr. Rector said the residents have filed letters to the Attorney General about it. **Mr. Yager** said it is not something the developer has leverage on. Mr. Rector said the developer is out for himself and not [the residents]. Mr. Rector said the residents are not saying Phase 3 can't be done, but to do it when Phase 2 is done. Mr. Rector said [the residents] are trying to prevent a Route 31 disaster [regarding houses behind Walmart on Route 31 in Clay].

Supervisor Saraceni said the Town is trying to inform the residents as to what is in its power. Based on that discussion and their concerns, maybe that wasn't regarded and did they ever think that they had one way into their development? He said if something happens, those residents won't have access to that road, and will be isolated. From a public safety standpoint, that is what the Town is concerned about. **Supervisor Saraceni** said there is not much the Board can do, as the project was signed off on six years ago. He doesn't believe the Board has the power and [and from a public safety perspective] the inclination to reverse that decision without exposing itself to liability.

Steve Connolly of Mercer Street stated the residents have emails from two years ago that Phase 1 items haven't been taken care of. Mr. Connolly said [the developer] should properly complete the phases before they move on and it is not fair to the residents of Lysander. **Supervisor Saraceni** said Mr. Connolly is referring to a punch list, things that need to be completed prior. **Supervisor Saraceni** asked Mr. Yager if the punch list has been completed. **Mr. Yager** said there are some outstanding issues on the punch list but the Town has a security on those, and at this point in time there hasn't been reason to call the security. Mr. Rector stated that the residents were stuck paying for something that should have been taken care of (regarding the trees). **Mr. Yager** said he doesn't disagree with the residents. Mr. Rector said when a tree falls in the yard whoever lives there is responsible for taking it down by their insurance company. **Mr. Yager** said because they made notification to the Town, and the developer, they would have gone back on the Town and the developer's insurance company.

Supervisor Saraceni suggested they focus on the petition, and the focus is allowing development that is incomplete. He stated the residents would like to see it completed before a new phase is started. **Mr. Yager** said the clock doesn't run out on a punch list. Mr. Rector asked for a copy of the punch list and **Mr. Yager** said he would get it for them. **Mr. Yager** said the punch list securities are going to be in place until the work is complete. **Supervisor Saraceni** said at some point it would be pulled and [the work would have to be done ourselves] (meaning the Town).

Mr. Rector said there are giant swamp ponds that would collect any water. He said they are not in a flood zone. **Mr. Yager** said what he is talking about is a water main. There is a 14 inch water main. Mr. Rector said someone approved the stone at Mercer Street. He said that area on Mercer has 45 children. **Mr. Yager** said when his [Mr. Rector's] street needs to be fixed, it would be fixed. **Mr. Yager** said it is road construction.

Supervisor Saraceni asked if there are any other concerns. He said the Board will see if there is anything it can do. **Supervisor Saraceni** told the residents that they can send any communications regarding Lysander Preserve directly to him.

Brian Wollen of Afternoon Drive said that he and his wife moved into the development in August. The reason that he is at the meeting [and others] is that the residents received letters from the developer and the HOA regarding an increase in fees. The tone of the letter from the developer was threatening, and stated what could happen if they don't pay the \$150 increase per year. The letter referenced possible liens on their homes. Mr. Wollen felt that the letter was threatening and the situation was poorly handled.

Mr. Connolly asked that the phase be completed and completed correctly.

Supervisor Saraceni asked the residents of Lysander Preserve to select a liaison to communicate the issues to him, and he will disseminate them to the Board and the Town Attorney. As far as the issue with the construction of the road, he said with a petition that is local, he noticed there are some who signed it who don't live in the area. Typically a petition on a local issue is powerful. Mr. Rector said about 30 others feel the same way about the development. **Supervisor Saraceni** said this is not a dead issue.

Jim Stirushnik of Dinglehole Road said he hoped this would be a lesson to the Town Board and the Planning Board. He said he was present when the subdivision was discussed, and specifically the point which Mr. Yager talked about regarding the access point. Mr. Stirushnik said he thinks the Planning Board should lower the number of homes built. He said the developer owns the land and he pays the taxes on it, and it is his prerogative to do with the land as he wishes. He said that the neighbors should be thankful that developer can continue to develop.

Fred Burtch of Plainville Road expressed his concerns regarding development. He said he knew of the same developer planning on constructing 400 houses across from Abbots. **Supervisor Saraceni** said they don't know that. Mr. Burtch said if the homes are not selling in Lysander Preserve, there should be no hurry to open another development.

TOWN BOARD COMMENTS

Councilor Diamond thanked everyone who attended and said he appreciated the comments. He commented that his parents live in Indian Springs as well, and is familiar with the development. He complimented the HW Department on the care of the roads. He said he had an opportunity to attend a meeting with Councilor Moore and Supervisor Saraceni regarding extending sidewalks on Route 48 to Country Lane and has heard great responses from citizens. Overall he said it was a great meeting. The support for sidewalks and extending into the Village was discussed. He said a traffic study would take place and hopes for reduced speed in that area.

Councilor Moore mentioned the Big Chill and thanked members of the Chamber of Commerce and Baldwinsville Rotary for putting together the event. He mentioned the businesses thriving and the great atmosphere. He said it appears as though the charities did very well.

Councilor Geraci commented regarding the spray park. He said he is getting disappointed with the amount of disinformation that is being put out by a few people anonymously, and one person not so anonymous. Specifically, he commented on Mr. Rode's letter in the Messenger. **Councilor Geraci** said, *"It is one thing to be critical of a project, and he is all for listening to those criticisms, but it is another thing to not get facts straight especially when they are explaining exactly what they are doing."* On January 18th, at the last Board Meeting, [Councilor Geraci] was quoted in the Messenger January 24th, he said, *"This is a significant move; we are authorizing the town to have the ability to borrow this kind of money."* He said the Town is not actually borrowing it at this point, but will give the town the ability to put the project out to bid so it can make a decision on going forward with the project. The Board did not approve the spray park project; they didn't even approve bonding for the project. They approved letting the Town have the ability. He said, *"Why would we do something like that?"* Because the way government works, it can't apply for other government grants unless they show the entities that provide those grants that the Town has the potential and the initiative to go ahead with the project. That doesn't mean the Town can go ahead and accept those grants, but they will even not listen to the Town if it says, *"Oh we are thinking about building a park (or any other project) would you consider giving us some funding for that?"* No, you have to show you are willing to put some *"meat on the table"* by saying the Town is authorizing the bond, at which time it will borrow for the money if approved.

Councilor Geraci stated that the reason this is done is because no developer will take the Town seriously; no vendor will take the Town seriously, if [we, meaning the Town] just go out and knock on doors and say, *"Will you give us a quote on a potential spray park?"*. Unless they show some serious intent. That is why the authorizing motion was approved. He emphasized the Town didn't borrow a nickel on January 18, 2018, and he doubts very much it will borrow any money until such time as all of the *"ducks line up to get the project going"*, and at this point five people [on the bench] will debate, *"Do we really want to go ahead with this, do we want to borrow, or whatever money is left over or from whatever grant we didn't get or private sources we didn't get?"* He also addressed the issue that something of this significance [spray park], isn't it up for public vote. *"Why don't we get input from the community? Why don't we just let the public vote on that?"* He said they can't, by law and by legal standards they cannot do that. There is a representative government [here]. He mentioned how two months ago that he and Councilor Diamond were re-elected because they received more votes than anyone else. He said basically we they [your] [residents'] representatives. He said there are five people on the Board; it is not a true democracy in that every time something happens in this Town or any other town you ask the public to vote on it, because think about where that might go. If the Board had the legal ability to ask the public to say whether you wanted a spray park or not, by voting on it in a referendum, why wouldn't we ask them, *"Should we buy a new HW truck?"* Why wouldn't we ask the public, *"Should we do the summer programs that Tony Burkinshaw in the Parks Department wants to do? Should we buy this kind of paper for our copy machines?"* **Councilor Geraci** said that's why residents have elected officials to make decisions, and sometimes those decisions are really tough to make, and it's nice to hear from people.

Councilor Geraci said that if the Board hears from enough people in this community who say, *"Don't vote, don't do the spray park"*, then there won't be a spray park. The public can do it by getting enough signatures to force a referendum, and that is the way government works. He asked for people to not misrepresent the project. He said the Board has been talking about [the spray park] for almost a year now. It isn't something that was sprung upon the Board on January 18th, and out of the blue, as was misrepresented in the Messenger article.

Councilor Geraci continued by saying that there are anonymous Facebook pages that are “*ripping this Town to shreds.*”, and what a disservice to this community those pages are, and they are all anonymous. He suggested that if someone has something to say, they should put their name on it. The Board wants to hear what the public has to say, but it can’t be just deciding to do a referendum.

Supervisor Saraceni said that Councilor Ellis asked a question about an issue concerning WEP rates. WEP is the Water Environmental Protection Department that processes waste. Every year the Town contracts with them to do service on its sewer lines. They were given an updated list of rates, most of which are over 80% increases. Some were much higher than that. A number of Towns, including Lysander, voiced their concerns and originally the County Executive responded with a curt letter saying basically, “*We are going to charge what needs to be charged and it’s our prerogative.*” **Supervisor Saraceni** said that at the last inter-municipal breakfast that was held, not only did she take a step back from that, but she actually apologized on that approach, and now there is going to be a committee that will meet with representatives from municipalities and the county to see what can be done to affect these rates, to come up with reasonable rates. For the time being, the rates will remain the same, as in 2017. He thanked the County Executive for listening to the municipalities’ concerns.

Supervisor Saraceni mentioned the Big Chill, and another organization that needs to be thanked is the Village Department of Public Works. He said without that backhoe in the Seneca River carving out a safe area for people to throw their bodies in the freezing water, it would be dangerous. He said he did it five times in a row, and it was fun. Without the Village being an active participant, that event wouldn’t be as successful as it has been.

Supervisor Saraceni mentioned a comment from the last meeting in which Mr. Rode mentioned a cost during the budget process that was not listed. The question was asked whether or not the Town budgeted for security for Board meetings and work sessions. **Supervisor Saraceni** said he thought it was discussed and settled, and in fact it was not included. Security for DA night for court was budgeted but not specifically for security for Town Board meetings. He said there will be a \$2,880 budget transfer from contingency. He thanked Mr. Rode for catching that.

Supervisor Saraceni said Councilor Geraci covered a lot of the comments he was going to make. He said for those in the audience who don’t know about the spray park, to visit the Lysander Parks and Recreation Facebook page. It is a project that has been discussed for over a year. There were two public meetings. The Town asked for feedback; there were kids who drew designs and what they would like to see in the spray park. A lot of people are behind this, but if you are in the audience and you are not familiar with it; I would ask you become familiar with the project. It is a bold project for a park that hasn’t seen major improvements in many years.

Supervisor Saraceni said he has created public initiatives for 2018 as follows:

- **TLEOP “Town of Lysander Emergency Operations Plan”.** There currently is not a plan, and the Town does not have anything on record with Onondaga County. Supervisor Saraceni will be forming a committee to focus on the TLEPOP.
- **Citizens Committee.** The Town of Lysander has consistent residents attend every meeting, but it is the same residents every meeting. In a town of 21,500 people, the Board is really seeking input from more general broad based representation. As such, regarding this committee [and he mentioned Mr. Burtch’s concerns from the last meeting]. Not everyone is comfortable coming to a Board meeting, and not everyone is comfortable coming to the microphone and stating their comments. Someone may be more comfortable talking to a neighbor who has a fast track to the Board. **Supervisor Saraceni** said he thinks it is going to allow the Town to get more input from the community. He asked that anyone who is interested in participating in the committee to contact him. He already has people signed up, and it will be forming over the next month. There will be an email list, and concerns and issues can be given freely. It may be released in the next month.
- **Spray park.** (Previously discussed).
- **Cold Storage Facility.** The Town of Lysander received a grant to build a cold storage facility at the site off of West Entry Road, which will hopefully allow them to get out of the old site, which is in the middle of the Village on Elizabeth Street. There is a \$100K grant from Senator DeFrancisco.
- **Town Building Rental.** There is a lot of space in the back of the building, and the Town will most likely reach out to a realtor to market. There are building modifications being done, and it has consolidated the Town’s operations to [this] side of the building. There will be added space, and rather than have it sit there empty, perhaps it could attract [for example] an engineering firm or a law firm, [so the rent from that space] can offset the cost of this building.

- **Code revision.** Town Code revision has been reviewed completely and re-submitted to General Code for final review. That will be available online, so anyone can access Town Code online, and what is in the Code book will be the same as what is online.
- **LWRP. “Local Waterfront Redevelopment Plan.”** There is a CLUP and a Land Use Plan, which the Town spent years working on. LWRP is focused on waterfront. The Town of Lysander has 31 miles of waterfront; from Cross Lake all the way to Phoenix. An LWRP places a focus on redevelopment along the waterfront, and potentially opens the door for grants to follow up on those improvements. There will be a committee for the LWRP.
- **Park Annexation.** The possibility of Lysander Park annexed into the Village of Baldwinsville. There is concern to discontinue the septic service that currently services the park and allow access to Village of Baldwinsville services. Something like this is done through annexation. Also the park would benefit from the use of the Baldwinsville Police Department to patrol the park. There are currently discussions between the Town of Lysander and the Village. It would be an inter-municipal agreement.
- **Phase 2 of Building Improvements.** \$30K was allocated to improve safety in Town Hall which will relocate the court on [the auditorium side of the building]. The door will be open all day long. There will be a service window and improvements on the bench. The Town received a JCAP grant to cover those costs.
- **Radisson Fema Map Amendment.** The Town of Lysander is waiting to hear from the federal government regarding the amendments. Mr. Yager has worked hard for the residents to get them removed from flood plain status which would create an increase in flood insurance costs to the residents affected. The Town is doing everything it can to push it forward.
- **Potential Sale of Elizabeth Street.** Once the cold storage facility is up and operating and the equipment on Elizabeth Street to the central location, it opens up the opportunity for the Town to potentially sell that unused area right in the middle of the Village, which is revenue that has not been anticipated. The Town is working with the Village. Lysander does not operate in the Village; it is a highway facility that is not needed.
- **Route 48 Sidewalk Grant.** The Town received \$400K of which \$210K may be used to provide a sidewalk for safe walking down Route 48.
- **Willett Culvert Grant.** The Town received a \$465K grant to put in three culverts on Willett Parkway.
- **New Sewer Connection to Elizabeth Street Garage.** The Town is getting help from the HW Department when the weather breaks, when they are not focused on the current weather conditions. The fire department works out of that building. They have to keep the water running to keep the sewer open or else it freezes because it is shallow. The Town bought a piece of land that allows it to run a main from that building down to Mechanic Street.
- **Possible Sewer District for Peninsula.** The Town will mail flyers to residents to see if there is interest regarding sewers for residents on the Lysander Peninsula.
- **Employee Handbook Review.** Councilor Geraci is reviewing it. There is a union contract negotiation coming up. There is also work to be done regarding workplace violence remedies.
- **CDBG “Community Development Block Grants”.** The Town is looking to make a five year plan so it can access up to \$50K to put toward community development block grants.

Supervisor Saraceni told the audience to keep an eye out for agendas, as the Board gets them out as soon as it can, as they change them almost daily because things come up and the Board meetings are only held twice a month.

ADOPTION OF MINUTES

RES#36/2018

Motion by Councilor Diamond seconded by Councilor Moore to adopt the January 18, 2018 Town Board Meeting minutes.

Supervisor Saraceni	Aye	Councilor Ellis	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Diamond	Aye		

All Ayes, motion carried and adopted

DEPARTMENT HEAD REPORTS:

Jerald Hole, Highway Superintendent, stated there was a plow/vehicle accident on Lamson/60 Road and no one was hurt. There was damage to the HW truck, and they were able to fix it. He mentioned the weather and how the HW Department is working diligently to clear the snow. They created an 8th plow route due to the fact there have been so many streets created, and routes were too long. The route is Giddings Crest and Indian Springs/Country Lane, which was the last route. That was the focus of the 8th route. It was the last place to get service and now it's the beginning of a new route. It has taken plowing time down to 3.5 hours from 4 hours. **Mr. Hole** said two new trucks are in service. The total expenditure was \$12,000 less than what was budgeted. He said he is now finishing specs and final pricing for HW plow trucks; he is working with vendors.

Tony Burkinshaw, Parks and Recreation Supervisor thanked everyone who has shown their support on social media/Facebook regarding the proposed spray park. He said that if anyone has any questions about the project to contact him directly. He said there are many mistruths that are going around on social media, so again he asks that people give him a call. **Mr. Burkinshaw** is looking for anyone who is interested in the spray park project, even if they are against it, to sit on an advisory committee. He wants to hear all sides of it, to plan and implement, and work on how the Town can even possibly bring the project to light if it does move forward. He said if all goes well, the project could be done in the fall. **Mr. Burkinshaw** said he would like feedback and to contact him if anyone is interested. The committee will meet once a month.

Mr. Burkinshaw thanked Councilor Geraci and Councilor Ellis for assisting with the interview process regarding applications for the Senior Recreation Leader position. He said he will be calling people for interviews soon.

Mr. Burkinshaw stated that the Valentine's Dance is close to selling out. He has ten sets of tickets left. There are already 200+ people who are planning to attend the event at the Fireside Inn on February 17th.

Comptroller David Rahrle stated that he is close to closing the books on 2017. Once he gets that done he will begin work on the state report.

REGULAR AGENDA ITEMS

MOTION TO AUTHORIZE BOARD MEMBERS TO ATTEND ASSOCIATION OF TOWNS 2018 TRAINING SCHOOL

RES#37/2018

Motion made by Councilor Diamond seconded by Councilor Moore to authorize Town Supervisor Saraceni, and Town Board Members Geraci, Moore, and Ellis, to attend the Association of Towns 2018 Training School and Annual Meeting, held at the Marriott Marquis, in New York City, February 18th through February 21st 2018, and to approve the additional costs and expenses associated with the Training School and Annual Meeting. The total cost of the hotel and train fare is \$2,807. This training item has been budgeted.

Supervisor Saraceni	Aye	Councilor Ellis	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Diamond	Aye		

All Ayes, motion carried and adopted

(con't) Discussion:

Supervisor Saraceni said it is the third year going to the conference. He said it's an excellent opportunity for towns to brainstorm, and items specific to what we work with in the Town. Supervisor Saraceni said he will give a report on those classes attended. Councilor Geraci said he would go to the training no matter where it was held. He said these training courses are very valuable. These educational sessions can last all day. Supervisor Saraceni said that the FOIL classes are very informative.

**MOTION TO AUTHORIZE TOWN CLERK TO ATTEND 2018
NYS TOWN CLERK'S ASSOCIATION CONFERENCE AND TRAINING SCHOOL**

RES#38/2018

Motion made by Councilor Geraci seconded by Councilor Moore to authorize the Town Clerk to attend the New York State Town Clerk's Association Conference Sunday, April 22nd, 2018 to Tuesday, April 24th 2018, to be held in Albany, NY. The total cost is \$617.80 which includes accommodations and training. This does not include mileage (152 miles/54.5¢ per mile) which shall not exceed \$83.00. This training item has been budgeted.

Supervisor Saraceni	Aye	Councilor Ellis	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Diamond	Aye		

All Ayes, motion carried and adopted

Discussion:

Councilor Geraci said for the same reasons the Board gets so much out of the training; the Town Clerk comes back with a lot of information as well.

**MOTION TO AUTHORIZE THE SUPERVISOR TO SIGN CHANGE
ORDER NUMBER 2 FOR WEST GENESEE SEWER DISTRICT EXT. NO. 2**

RES#39/2018

Motion made by Councilor Moore seconded by Councilor Ellis to authorize the Supervisor to sign Change Order Number 2 for the West Genesee Sewer District Extension No. 2 Electric Installation Contract No. 2 in the amount of \$300.00.

Supervisor Saraceni	Aye	Councilor Ellis	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Diamond	Aye		

All Ayes, motion carried and adopted

**MOTION TO APPROVE PAYMENT APPLICATION NO. 1 FOR
WEST GENESEE SEWER DISTRICT EXTENSION NO. 2 TO KAHRS CONSTRUCTION**

RES#40/2018

Motion made by Councilor Ellis seconded by Councilor Moore to approve payment application No. 1 for the West Genesee Sewer District Extension No. 2 Electric Installation Contract No. 2 to Kahrs Construction in the amount of \$20,876.25.

Supervisor Saraceni	Aye	Councilor Ellis	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Diamond	Aye		

All Ayes, motion carried and adopted

MOTION TO AUTHORIZE SUPERVISOR TO SIGN ETAX SOFTWARE LETTER

RES#41/2018

Motion made by Councilor Diamond seconded by Councilor Moore to authorize the Supervisor to sign the letter indicating the Town of Lysander’s intention to use the eTax software when it becomes available.

Supervisor Saraceni Aye Councilor Ellis Aye Councilor Geraci Aye
Councilor Moore Aye Councilor Diamond Aye

All Ayes, motion carried and adopted

Discussion:

Supervisor Saraceni said this is an inter-municipal effort between Town of Lysander and Onondaga County. They have a software program that they have invested in which would help all municipalities help calculate taxes owed. Currently the Town of Lysander pays a third party, and the cost is \$2,400 per year. The County charges \$2 per lot to process the payments. The County is proposing they will do the calculation, and if the Town is on board with the program, it will bring the Town of Lysander’s rate from \$2 to \$1 which will save \$9,700 plus the \$2,400 the vendor charges now. The Town of Lysander is a test site and the Tax Receiver is in agreement with using this program as well. Councilor Geraci said this is commendable on the part of the County.

MOTION TO AUTHORIZE A SPEED STUDY BETWEEN HENCELLE BOULEVARD TO THE VILLAGE LMITES ON ROUTE 48

RES#42/2018

Motion made by Councilor Diamond seconded by Councilor Geraci to authorize a speed/traffic study to be conducted between Hencle Boulevard to the Village limits on Route 48.

Supervisor Saraceni Aye Councilor Ellis Aye Councilor Geraci Aye
Councilor Moore Aye Councilor Diamond Aye

All Ayes, motion carried and adopted

Discussion:

Supervisor Saraceni stated that residents in the area were concerned about speed. They discussed this at the public meeting regarding the proposed Route 48 sidewalk project.

MOTION TO HIRE COREY BEAN AS PART TIME LABORER

RES#43/2018

Motion made by Councilor Geraci seconded by Councilor Diamond to hire Corey Bean to the position of Laborer, supplemental, to the position of wingman with a starting wage per the union contract.

Supervisor Saraceni Aye Councilor Ellis Aye Councilor Geraci Aye
Councilor Moore Aye Councilor Diamond Aye

All Ayes, motion carried and adopted

Discussion:

Councilor Diamond asked Mr. Hole to explain what a wingman is. Mr. Hole said they are part time and called in to work the wing when it’s snowing.

CITIZENS COMMENTS RELATED TO TOWN BUSINESS

Fred Burtch of Plainville Road mentioned he created the spray park petition and noted a Post Standard article regarding same. He said Mr. Rode is treated in a disparaging manner when he comes to meetings. Mr. Burtch said he has been knocking on doors asking for signatures on the petition, and people have asked why Mr. Burtch is doing it now, [and he said] it was the Town Board making the decision. He spoke of the funding and estimates of the park and subsequent bonding of the park. **Councilor Geraci** said they are the Town Engineer's estimates.

Mr. Burtch asked if anyone has been hired in the Parks Department. He said he saw a woman who was commenting online on the Parks and Recreation Facebook page and uploading videos regarding the spray park. **Supervisor Saraceni** said that would be a personnel matter. Mr. Burtch said he is not against the [spray park] project. He said he came up with a slogan "*I'm not against the project, I'm against the process.*" He said he knocked on one of the Councilor's doors and asked for his signature, and he didn't get a good reaction. Mr. Burtch said it's not received the same from you [the Board] as the public. He said he attends the fire board meetings, and if the fire department needs a lifesaving apparatus, they have to set a date for residents to vote on it. He said, "*If we are going to spend a half million dollars we would like to see more input from the public.*" Discussion continued regarding enthusiasm and public input. He noted that he thinks there is money being invested into the project as far as the Engineer's time. He is looking for accountability. He said he would also like to see an accountability regarding the courses which are attended in New York City for the Board's training. Mr. Burtch continued with the spray park discussion and talking with the public regarding same.

Supervisor Saraceni stated that there is perception the spray park was rushed into. He wanted to advise the audience this has been on the actual agenda more than ten times in the last year. He said the Board meets only 24 times in a year. He said [the spray park] has been on the agendas, it's in the minutes, and there have been public input meetings. There was an article published by the Messenger on April 5, 2017, and then there was another article that was published on August 22, 2017 and that the numbers weren't that far off. **Supervisor Saraceni** said he doesn't know how else the Board can be more open; the newspaper presented it; and anyone can visit the website and Facebook. He said some people have asked what is taking so long [to construct the spray park]. He said there is an impression out there that the Board is rushing into it. He said they wouldn't have moved to this point [regarding the project] unless they weren't hearing of people for [or in support of] the project. **Supervisor Saraceni** said they are not trying to hide anything, and he felt it was important to address that. He said it has not been hidden; it has been discussed at length.

Hugh Kimball of Dexter Parkway made the following remarks regarding the spray park (and provided the same via a written memo as follows):

"I have some concerns about the late addition of the spray park bonding to the agenda for the last board meeting. Had I been aware I would have come and asked some questions. First of all, the resolution adopted in Section 2 says "\$400,000 is estimated as the maximum cost..." Section 3 then authorizes the issuance of serial bonds of \$400,000. I listened to PAC B broadcast of the meeting, but heard little or nothing about what other funds were to be used, but I have heard since that there is some state money available and at least a similar amount from the Town's park fund. This leads me to believe that the total cost of the project may be considerable more than \$400,000. Without taking from my time I would appreciate your clarification. Second, about two months ago you raised taxes for the second year in a row (which I agreed with) and also presented a long range plan which would allow the town to maintain fiscal stability as well as fix the roads and hopefully help us to meet the state tax cap. The plan sounded prudent and logical, but also needing careful management. Explain how repayment of the bonds, the interest, and the cost of operating the park (water, supervision, maintenance, personnel, insurance, etc.) can work within the parameters of the long range plan. It appears that the bonding resolution will go to a public referendum. I would ask that before you sharpen your pencils and tell us the actual total estimated cost of the project, the amount of state funds and existing park funds you plan to use and that you clarify in the resolution to total cost of the project. You also need to adjust (hopefully downward) the amount the town would borrow if the project is actually approved. You also need to make available to the residents of the town what you anticipate the operating costs of the spray park to be and explain how this all could fit within the long range financial plan for the Town."

Supervisor Saraceni said the reason why they only bonded for \$400K is because they didn't think they are going to need any more than that to complete the project. He said that is a conservative estimate. He said they didn't want to come in at \$510K, and be off on the funding. There is money in the Parks fund, which is \$210K, of which they discussed spending upwards of \$100K; the \$44K goes down to \$384K. There's the \$100K grant from Senator DeFrancisco; they are working on that grant. Part of that process is showing the state that there is money behind it, and this can be successful. If for some reason that grant money goes away, it's not available to us; we didn't want to leave ourselves short. There's a \$50K grant that the Town will seek, and then there are organizations that he's not at liberty to say who they are at this time because he doesn't have the exact dollar amount that they have pledged toward this project. I would say it was a conservatively high. **Supervisor Saraceni** said the Town didn't want to leave itself short but he said that was an extremely conservative number [high]. He said the estimate of \$480K has been out there for a year. If the cost after they come up with the specs comes in significantly higher than that, then the Board needs to take a step back, and is the Board prepared to spend that?

Supervisor Saraceni said his guess would be at that point there would be a pause. There are not any bids out yet; they are still working on the exact specs. Everything that has been reported has been “*shot high*”, the estimate is high. If this is something that the Board wants to move forward with, there are processes that have to take place, so right now it looks like they may have to borrow; \$280K, but that is before they raise a single dime of private funding. He said it might be significantly less than that. He said it might get it down so far that it doesn’t even make sense to borrow, because it would cost more to do the paperwork for the bond. He is hoping they get there, but everything that has been reported, and discussed has been conservative. A conservative estimate that is high and a conservative estimate even before it [would] impact the residents. If they do bond for \$280K, the numbers on a \$100K home would be \$1.20. \$1.20 a year for ten years. He said he’s going to drive it down; get it to 80 cents. If he can get it down, hopefully the residents will think this is a worthy project for the kids.

Councilor Geraci said \$400K was the limit it could borrow up to. The Board was thinking all along that this is in the neighborhood of half a million dollar project. As **Supervisor Saraceni** said, if these bids come in significantly higher, they would step back, and say, “This is not what we are talking about”.

Hugh Kimball stated he has issue with the wording of the resolution in that it said “*the cost will not be more than \$400K.*” He said it needs to be re-worded.

Supervisor Saraceni asked Mr. Burkinshaw to provide cost estimates of the spray park and provide it to Mr. Kimball.

Kevin Rode of Greymoor Way asked about the only opportunity to pass a petition for the resolution. He asked about the bids coming in high if they would have to trust that the Board would take the step back and the public would not have the opportunity at that point to make it come to a vote. **Attorney Rivizzigno** said that what Mr. Rode is talking about is the referendum on the bond issue; it has nothing to do with the cost of the park. All [the public] is voting on is whether the town is authorized to borrow up to \$400K, so if the referendum gets voted down, they can’t borrow, that resolution goes away. It has nothing to do with the cost of the park. Mr. Rode said that it is the only opportunity for him to pass the petition, and if they got the costs later, they have already issued the bonds for \$400K, the Town Board could decide to go forward with it if they already have enough money, and the public would not have the opportunity to bring it to a vote. Mr. Rode said that is why [he and others] are passing a petition. **Mr. Rivizzigno** said [you] [residents] wouldn’t have that opportunity on anything else that the Town does. He said it is by state law, as Councilor Geraci mentioned the same before the people don’t have a right to vote on every issue that comes before the Board. **Mr. Rivizzigno** said people can vote on the bond issue, not on the project, but the bond issue.

Taylor Rector of Mercer Street said he is for the spray park, as he has three children, and \$1.20 doesn’t affect him. He said what bothers him is the empty Burger King in the Village of Baldwinsville.

Councilor Ellis said they are asking the Village the same question. **Supervisor Saraceni** said they should try not to make a dialogue because it stretches out the time. **Supervisor Saraceni** said there were some prospective projects that came and went, the main issue on that piece of property is parking. Everybody wants a drive-through now, and what the Village will not do, is do what they did with the Dunkin Donuts where traffic stacks up on 370. It’s on the corner and it’s a major concern. There were some legitimate plans in place, but the parcel has very little parking. It is as Village parcel, and it’s in the Town. They wanted a drive-through the Village wouldn’t allow it, so they left. The Town doesn’t have a lot of say unless they go out and market that property. He has heard that is going to be developed at what point he didn’t know.

Tami Durantini of Greymoor Way said she thinks it is very wrong that Councilor Geraci attacks people from the bench; she thinks it’s wrong that he thinks it’s a platform to talk down to people like Mr. Rode. She said the Board wants people to be involved and speak their peace, but when they do, they think it’s okay to talk down to them.

Brian Licourt of Connell Terrace asked for clarification regarding the process particularly what Councilor Geraci had mentioned regarding the spray park. **Attorney Rivizzigno** said it is state law. He asked how it is different than those on the School Board who ask the residents to vote on major investments. **Mr. Rivizzigno** said it’s a separate state law; state law for School Boards is under Education Law, and they have totally different rules than Town Law. **Supervisor Saraceni** said anything the Town wants to borrow. Mr. Licourt said he is not against the spray park, but he just wants to understand the process. **Supervisor Saraceni** said anything that the Town needs to borrow for, for example when Mr. Hole comes to the Board with a plan to buy trucks, hopefully they are not borrowing, but if we have to, that is an opportunity for the public to say, “*That’s a lot of money*”... (Crosstalk occurred at this point). Mr. Licourt said this is not a budgeted item. **Supervisor Saraceni** if they start the project and bond for it in 2018 they would have to start paying the bond back in 2019. He said they knew that the earliest this project was going to start was maybe fall, and once the Town goes for a bond, they have one year to start paying that back. They don’t even know if we they going to have a spray park. So it’s nothing that they would budget for or increase taxes for, if they don’t even know if we are going to move forward on it.

Supervisor Saraceni said there are incremental steps toward a project that the Board thinks is popular; it is part of a process that allows the Town to access government funds and allows them to put the project out to bid and get real numbers. This allows them as a Board to really take a look, *“This is how much the estimate comes in at”*, and then it is put out to the public.

Supervisor Saraceni said they are not hiding anything. Discussion continued regarding putting the information out to the public. The original motion was to put a bond resolution together for \$500K; Councilor Moore said he wasn't comfortable with that because he doesn't want there to be an opportunity to inflate the cost. **Supervisor Saraceni** has been very open and honest about the Board's thoughts and feelings regarding the spray park. They have reached a threshold in their heads of what they would be prepared to spend on it, and the cost is the cost. **Supervisor Saraceni** said his concern is, *“How much is it going to cost residents?”* He said he is going to look for state grant money, find other grants, and other businesses in the community [for funding toward] the project. There is going to be a lot of money put toward the project to drive down the overall impact of the taxpayers. He said if they were relying 100% on the bond, they wouldn't be able to do it through that revenue stream. Scenarios were discussed between the Board and Mr. Licourt. Finally, **Supervisor Saraceni** said the Board can make a determination to put it up for a referendum. Anything that's permissive, there can be a referendum. (Several interruptions and crosstalk occurred at this point). **Attorney Rivizzigno** said, *“I think what [Councilor Geraci] said before is that state law, again, because we were dealing with schools, because they operate under a separate law. Under Town Law, there is very little that is a mandatory referendum; if it's a permissive referendum it can.”* **Supervisor Saraceni** said the Board made a decision and it's the process. If enough people sign the petition then there will be a referendum.

Mr. Licourt asked about the annexation of the park into the Village of Baldwinsville. **Supervisor Saraceni** told him that would be a Town park in the Village. **Councilor Ellis** said the Village limit is right beside the park. They are trying to hook up to the sewer. It is managed by Lysander, funded and operated by Lysander. It will be in an inter-municipal agreement. The Town would be allowing for the border of the Village to encompass the park so it can access services. It is still a Town park funded by Town taxpayers. The only thing that changes is that the border of the Village would encompass the park. The Village will have another park they can say is in the Village as an amenity.

Jim Stirushnik thanked Mr. Kimball for his statements regarding the spray park. He asked about the eTax program. **Supervisor Saraceni** said if the program doesn't work well with this Town there is an opportunity to withdraw. The Town is not committed to the program. It is just a test site for the program. Mr. Stirushnik asked for a copy of the incentives. **Mr. Rivizzigno** said the list would be in the minutes. Mr. Stirushnik said he is against the town borrowing money for a spray park. He would rather see the money go toward snow plows, and thinks that the fire departments could use equipment and fire trucks. He said he hasn't seen anyone in favor of the spray park.

Councilor Moore said there was a lot of ground covered tonight. He said he appreciates everyone who came to the meeting. Among the things they talked about tonight, Supervisor Saraceni mentioned a lot of different grants that have been received within the past year. He noted what Mr. Hole said about the money that was saved on trucks and money saved through a grant for one thing or another. One thing he thinks the public needs to know is, [and he noted the Supervisor brought it up], the fact that he [Councilor Moore], decided to drop the amount to bond. But he didn't mention that it was a tough sell, and the rest of the Board discussed it a little, and they agreed. His point is, at some point he has to trust [the Board] as they make tough decisions. He said they do listen to people. They are trying to do the right thing.

Councilor Moore also mentioned that while people were at the microphone, they were being interrupted several times [from the audience]. One of the things he heard was, *“They don't want you here.”* **Councilor Moore** said Fred Burtch said it as he was interrupting someone. **Councilor Moore** said that every meeting he thanks people for coming. What he would recommend is to not tell people what he [Councilor Moore] wants, or what he doesn't want. He wants people here, he wants their opinions. He told Mr. Burtch to watch what he does and says. (Crosstalk at this point).

Councilor Diamond said, *“It's easy for elected officials to say, “We are not going to make the decision because there is going to be support of it, and people that are going to be against this decision.”* If they are against it they can take it out on [the Board]. He said it's easy for elected officials to pass the buck and say, *“Let's let everyone vote on everything.”* He said the Board has been open and transparent the entire time. He said that since he has taken office, he has focused on transparency. All of the meetings are uploaded to the internet. He said the Board is accessible and the Board wants feedback.

Councilor Diamond said that if he hears from enough residents who don't want the spray park, he will re-consider his decision. He is supportive because he has heard great things about it and it will get children into the park instead of on their electronics. Lysander Park hasn't had a major renovation in years. To have people on the internet anonymously attacking [the Town] and spreading fake and false information, is why good people don't want to run for office and get involved, and this is why good people don't want to come to Board meetings because they are attacked all of the time and it is exhausting. He thanked everyone who came to speak at the meeting. He appreciates that they got up to speak, gave their names, and had conversations with them. He said perhaps this should have been discussed a long time ago.

Councilor Diamond said the Board can remove public comments if it chooses, but since [the Board] cares, they give people two opportunities to speak.

ANNOUNCEMENTS

Town Board Meeting: Thursday, February 15, 2018, 7:00 PM, Work Session begins at 5:30 PM in the Auditorium.

Planning Board Meeting: Thursday, February 8, 2018, 7:00 PM in the Auditorium.

Town Board Meeting: Thursday, March 1, 2018, 7:00 PM, Work Session begins at 5:30 PM in the Auditorium.

ADJOURNMENT

A motion was made **Councilor Ellis and seconded by Councilor Diamond** to adjourn the regular Town Board Meeting at 8:49 PM.

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

Dina Falcone, Town Clerk