

A regular meeting of the Lysander Town Board was held at 7:00 p.m. on February 11, 2013 at 8220 Loop Road, Baldwinsville, New York.

**MEMBERS PRESENT:** John A. Salisbury, Supervisor  
Melinda Shimer, Councilor  
Andrew O. Reeves, Councilor  
Russ W. Johnson, Councilor

**MEMBERS ABSENT:** Arthur C. Levy, Councilor

**OTHERS ATTENDING:** Anthony P. Rivizzigno, Town Attorney; Al Yager, Town Engineer; David Rahrle, Town Comptroller; Eugene Dinsmore, Highway Superintendent; Parks; Frank Costanzo, member of the Z.B.A.; Hugh Kimball, member of the Planning Board; Lisa Dell, Town Clerk, Pac-B and several residents.

*Supervisor Salisbury announced that at the work session held at 6:30 pm prior to the regular meeting a motion was made by Councilor Johnson, second by Councilor Shimer to adjourn to Executive Session to discuss contracts and personnel matters. At 1850 hours a motion was made by Councilor Shimer, second by Councilor Johnson to return to the work session. Motion carried.*

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**APPROVAL OF MINUTES\***

**RESOLVED** that the minutes from the regular Town Board meeting of January 28, 2013 and the public hearing on January 30, 2013 be approved.

*\*Tabled to next meeting to be held on March 11, 2013*

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**TOWN BOARD COMMENTS**

None

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**SUPERVISOR COMMENTS**

None

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**DEPARTMENT HEAD REPORTS**

**Assessor: Theresa Golden, Town Assessor**, presented the following report:

- All exemption renewals for 2013 have been mailed to property owners. Reminder postcards were mailed in January for Senior, Enhanced Star, and Disability exemptions. The deadline for all applications/renewals is March 1st.
- The new email system from tax mapping is helping to correct our deed processing problems. Tax mapping is also improving their processing speed. The assessor reviews all emails for accuracy and passes the data to the clerks for printing and input.
- The assessor has completed the required 2013 reassessment supporting documentation reports for ORPTS. The deadline was February 1st. Sales analysis has been completed for 2013 which included residential, commercial and vacant properties. Valuation reviews will be completed and final values determined by early March.
- Final field review for 2013 inventory changes is currently in progress and will be completed during February.
- The State reports that indicate Basic Star recipients with income over the 500,000 limit are being reviewed and denial letters sent. No reports yet that indicate past due income tax liabilities for Star removal.
- Courts in 2012 determined that fiber optic cable located on private property is not taxable property under Real Property Tax Law. The advisory appraisals for 2013 will not include the value of the fiber optic cable. The full impact on value in the Town isn't known at this time. The appraisals for 2013 have not been completed.

- Executive budget 2013-2014 assessment community highlights include: Star re registration and anti - fraud program. Also, assessment aid and training aid remain the same.

**CITIZEN COMMENTS ON AGENDA ITEMS**

**Hugh Kimball, Dexter Parkway**, asked the Board if they could discuss the items on the agenda pertaining to new Code Enforcement Officer, Codes Clerk and Administrative Assistance position when they get to those items under new business.

**Kevin Rode, Ashington Drive**, addressed the Board and referred to the new Assistant to Supervisor position asking where the money will be coming from to fund this position and who does the job currently for the requirements listed. **Mr. Rode** also expressed his concern that the Board previously said that a new FOIL officer would not cause the Town more money.

**OLD BUSINESS**

None

**NEW BUSINESS**

**CANTON WOODS SENIOR CENTER**  
**APPROVAL OF 2013 CONTRACT**

**RES. #32/2013** Motion by Shimer, Second by Reeves

**RESOLVED** to authorize the Supervisor to sign the 2013 Canton Woods Senior Center Agreement with the Town of Van Buren and the Village of Baldwinsville.

**VOTE:**

Supervisor Salisbury	Aye	Councilor Shimer	Aye
Councilor Reeves	Aye	Councilor Johnson	Aye

**All Ayes, Motion Carried and Adopted**

**APPROVAL OF NEW TOWN POSITIONS**  
**CODE ENFORCEMENT**

**RES. #33/2013** Motion by Reeves, Second by Shimer

**RESOLVED** to create the following positions required as a result of the retirement of Owen Densk: Part time Codes Enforcement Officer, \$25.00 per hour, for no more than 20 hours per week; Part time Codes Enforcement Clerk, \$14.50 per hour, for no more than 19.5 hours per week. Codes Enforcement training and computer skills are a requirement for each position, as well as good interpersonal skills in dealing with the public. Lysander residency is not a requirement. Person may apply for both positions to create a full time position. Resumes are due in the Supervisor's office no later than March 1, 2013.

**VOTE:**

Supervisor Salisbury	Aye	Councilor Shimer	Aye
Councilor Reeves	Aye	Councilor Johnson	Aye

**All Ayes, Motion Carried and Adopted**

**Supervisor Salisbury** reported that the Board has talked with the Village of Baldwinsville and the Town of Van Buren about consolidation of Code Enforcement Office. There is no time to get this done in the next few months and an acting Code Enforcement Officer will be appointed. This new position does not affect the two current clerks that work in the Codes Office. The Board wanted to make sure that there is someone authorized to sign and issue building permits and with the appointment of an acting Codes Officer this can be done. The Board is looking further into combining the Codes Department with the other municipalities but they do not know how long this will take. The Board looked at making the full time position into two separate part time positions, one Code Enforcement Officer and one Clerk. Civil Service is not a requirement because it will no longer be a full time position.

**Hugh Kimball, Dexter Parkway**, addressed Supervisor Salisbury and asked what the new Clerk would do.

**Supervisor Salisbury** commented that the Clerk can do a number of things outside of Codes and that they have to find out about Fire Marshall duties and other things that the Board has to look into explaining that this is an interim step so the Town will be covered and work can get done.

**APPROVAL OF NEW TOWN POSITION**  
**ADMINISTRATIVE ASSISTANT**

**RES. #34/2013** Motion by Johnson, Second by Reeves

**RESOLVED** to create a position of Administrative Assistant to the Supervisor for such things as web master, computer system maintenance, security system maintenance, telephone system maintenance, FOIL officer and other things as required by the Supervisor or Comptroller. Position will be no more than 20 hours per week at \$16.25 per hour. Knowledge of computers, networking, telephony and web master capabilities, as well as good interpersonal skills in dealing with the public. Lysander residency is not a requirement.

**VOTE:**

Supervisor Salisbury	Aye	Councilor Shimer	Aye
Councilor Reeves	Aye	Councilor Johnson	Aye

**All Ayes, Motion Carried and Adopted**

**Supervisor Salisbury** explained that originally that he was splitting a secretary and clerk position with the Assessor's office and realized that the secretary position was full time because of the work that had to be done. The current secretary will be working part time in the Assessor's office and then part time in the Supervisor's office. He would like to hire an administrative assistant for all things that have been hanging out there and the Board feels that there is enough money in the budget to cover this position.

**Councilor Reeves** added that the Engineer was previously tasked with most of these things and that the Board would like to have the Engineer concentrate on projects that generate money for the Town as the other tasks do not.

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**APPOINTMENT**  
**CODE ENFORCEMENT OFFICER**

**RES. #35/2013** Motion by Johnson, Second by Shimer

**RESOLVED** to appoint Karen Rice as acting Code Enforcement Officer .

**VOTE:**

Supervisor Salisbury	Aye	Councilor Shimer	Aye
Councilor Reeves	Aye	Councilor Johnson	Aye

**All Ayes, Motion Carried and Adopted**

**Supervisor Salisbury** reported that the Town Engineer will review any plans before Code Enforcement Officer Rice approves them. This is will be a temporary position, with no further compensation and it is the Board's intentions to appoint someone at the March 11, 2013 Board meeting

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**LYSANDER PARK**  
**AUTHORIZATION TO CLOSE PARK**

**RES. #37/2013** Motion by Johnson, Second by Shimer

**RESOLVED** to authorize the Director of Parks and Recreation to close the Town of Lysander Park at their discretion.

**VOTE:**

Supervisor Salisbury	Aye	Councilor Shimer	Aye
Councilor Reeves	Aye	Councilor Johnson	Aye

**All Ayes, Motion Carried and Adopted**

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***Lysander Town Board regular meeting***  
**February 11, 2013**

**WHISPERING OAKS SEWER DISTRICT IMPROVEMENT PROJECT**  
**APPROVAL OF PAYMENT REQUEST TO BLUE HERON CONSTRUCTION**  
**CONTRACT NO. 1 - PUMP STATION CONSTRUCTION**

**RES. #36/2013** Motion by Johnson, Second by Shimer

**RESOLVED** that payment request No. 10 for Contract No. 1 - Pump Station Construction for Whispering Oaks Sewer District Improvements for work done through February 1, 2013 in the amount of \$32,174.11 to be made to Blue Heron Construction Co. LLC, per Barton & Loguidice's recommendation.

**VOTE:**

Supervisor Salisbury	Aye	Councilor Shimer	Aye
Councilor Reeves	Aye	Councilor Johnson	Aye

All Ayes, Motion Carried and Adopted

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**WHISPERING OAKS SEWER DISTRICT IMPROVEMENT PROJECT**  
**APPROVAL OF CHANGE ORDER NO. 2**  
**FORCE MAIN CONSTRUCTION**

**RES. #37/2013** Motion by Johnson, Second by Shimer

**RESOLVED** to authorize the Supervisor to sign Change Order No. 2 for the Whispering Oaks Sewer District Improvement Contract No. 2 – Force Main Construction, for a net project decrease of (\$15,488.29) from the original contract amount for the unused Miscellaneous Construction Allowance. This Change Order No. will bring the total contract amount to \$375,357.71.

**VOTE:**

Supervisor Salisbury	Aye	Councilor Shimer	Aye
Councilor Reeves	Aye	Councilor Johnson	Aye

All Ayes, Motion Carried and Adopted

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**WHISPERING OAKS SEWER DISTRICT IMPROVEMENT PROJECT**  
**APPROVAL OF PAYMENT REQUEST TO W.D. MALONE**  
**CONTRACT NO. 2 – FORCE MAIN CONSTRUCTION**

**RES. #38/2013** Motion by Johnson, Second by Shimer

**RESOLVED** that payment request No. 3 for Contract No. 2 – Force Main Construction for Whispering Oaks Sewer District Improvements for work done through February 1, 2013 in the amount of \$20,258.27 to be made to W.D. Malone Trucking & Excavating, Inc., per Barton & Loguidice's recommendation.

**VOTE:**

Supervisor Salisbury	Aye	Councilor Shimer	Aye
Councilor Reeves	Aye	Councilor Johnson	Aye

All Ayes, Motion Carried and Adopted

**Councilor Johnson** announced for the record, for purposes of disclosure, he resides in the Whispering Oaks Development.

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**POOLER DEVELOPMENT, LLC**  
**APPROVAL TO ACCEPT APPLICATION TO AMEND TIMBER BANKS GPP**  
**AND REFER TO**  
**LYSANDER PLANNING BOARD & ONONDAGA COUNTY PLANNING BOARD**

**RES. #39/2013** Motion by Johnson, Second by Shimer

**RESOLVED** to accept the application from The Timbers, LLC for an Amendment to the General Project Plan (GPP) for the Planned Unit Development known as the Timbers be referred to the Onondaga County Planning Board and the Town of Lysander Planning Board (a copy is available for viewing in the Town Clerk's Office).

**VOTE:**

Supervisor Salisbury	Aye	Councilor Shimer	Aye
Councilor Reeves	Aye	Councilor Johnson	Aye

All Ayes, Motion Carried and Adopted

James Trasher, Clough Harbour & Associates, Engineer for The Timbers, LLC and Pooler Development, addressed the Board and explained that the proposed amendment is to add another use to the Timbers GPP that would allow for community recreational to that location, a use similar to the YMCA.

**AUTHORIZE TO ADVERTISE**  
**PUBLIC HEARING**  
**PROPOSED LOCAL LAW TO AMEND TIMBER BANKS GPP**

**RES. #40/2013** Motion by Johnson, Second by Shimer

**RESOLVED** that the Town Clerk be authorized to advertise for a public hearing to be held before the Lysander Town Board at 7:00 p.m., March 11, 2013, at the Lysander Town Building, to consider the adoption of a local law approving the amendment to the General Project Plan (GPP) for the Planned Unit Development known as the Timbers that was submitted by The Timbers, LLC.

**VOTE:**

Supervisor Salisbury	Aye	Councilor Shimer	Aye
Councilor Reeves	Aye	Councilor Johnson	Aye

All Ayes, Motion Carried and Adopted

**ESTABLISH LEAD AGENCY/SEQRA**

**RES. #41/2013** Motion by Johnson, Second by Shimer

**RESOLUTION DECLARING THE TOWN BOARD OF THE TOWN OF LYSANDER'S INTENT TO**  
**BE LEAD AGENCY FOR ENVIRONMENTAL REVIEW PURSUANT TO THE STATE**  
**ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) FOR AMENDMENT #3 TO THE TIMBERS**  
**GENERAL PROJECT PLAN TO ADD COMMUNITY RECREATION LAND USE FOR**  
**NORTHWEST YMCA AND REFERRING THE APPLICATION TO THE PLANNING BOARD OF**  
**THE TOWN OF LYSANDER**

**WHEREAS**, on or about February 5, 2013, the Town Board received from Clough, Harbour and Associates LLP, on behalf of The Timbers, LLC, an application requesting approval of a third amendment of the Timber Banks General Project Plan proposing to introduce the "Community Recreation" land use to the Timber Banks Planned Unit Development (the "Action"); and

**WHEREAS**, the application included a cover letter, dated February 5, 2013, a Petition for Change of Zone, dated February 6, 2013 and a Long Environmental Assessment Form, dated February 6, 2013 (the "Application"); and

**WHEREAS**, the Action is to be reviewed for purposes of review under the State Environmental Quality Review Act and its implementing regulations found at 6 NYCRR Part 617 (hereinafter collectively referred to as SEQRA); and

**WHEREAS**, the Action would appear to be a Type I Action requiring coordinated review by all involved agencies in accordance with applicable provisions of SEQRA; and

**WHEREAS**, the Town Board of the Town of Lysander is an involved agency for the review of this Action as the Town Board will have to review and determine whether to approve the Application; and

**WHEREAS**, the Town of Lysander Zoning Law requires that the Town Board refer the Application to the Planning Board of the Town of Lysander for its review and to provide a report thereon to the Town Board; and

**NOW, THEREFORE, BE IT RESOLVED,**

1. That the Town Board of the Town of Lysander hereby declares its intent to be SEQRA Lead Agency for the review of this Action; and

2. The Town Clerk is authorized to take the necessary procedural steps to start a thirty (30) day period for lead agency to be established by providing notice and circulating the Application to all other involved agencies; and
3. That the Application for the Action is hereby referred to the Planning Board of the Town of Lysander for its review and to provide a report thereon to the Town Board.

**VOTE:**

Supervisor Salisbury	Aye	Councilor Shimer	Aye
Councilor Reeves	Aye	Councilor Johnson	Aye

**All Ayes, Motion Carried and Adopted**

**APPROVAL TO DISPOSE SURPLUS EQUIPMENT**

**RES. #42/2013** Motion by Johnson, Second by Shimer

**RESOLVED** that the following items are no longer in working condition and repairable, be declared surplus equipment and of no value to be disposed of: (1) One Panasonic quiet 24 Pin Printer, (2) One HP Photosmart Printer, Fax, Copier, and (3) One HP LaserJet.

**VOTE:**

Supervisor Salisbury	Aye	Councilor Shimer	Aye
Councilor Reeves	Aye	Councilor Johnson	Aye

**All Ayes, Motion Carried and Adopted**

**LYSANDER TOWN BOARD  
AUTHORIZING RESOLUTION**

**RES. #43/2013** Motion by Johnson, Second by Shimer

**RESOLUTION OF THE LYSANDER TOWN BOARD AUTHORIZING THE SUPERVISOR TO ENTER INTO A GRANT APPLICATION AND MEMORANUDM OF UNDERSTANDING WITH THE LYSANDER FIRE DISTRICT, TOWN OF VAN BUREN, VILLAGE OF BALDWINSVILLE AND THE BALDWINSVILLE CENTRAL SCHOOL DISTRICT TO CONSOLIDATE FIRE SERVICES**

*WHEREAS*, the Town of Lysander, New York (the "Town") plans to consolidate fire services with the Lysander Fire District (the "District"), Town of Van Buren, Village of Baldwinsville and the Baldwinsville Central School District to improve the efficiency of fire services provided and reduce taxpayer costs pursuant to one or more Memorandum's of Understanding;

*WHEREAS*, currently, the Town contracts with the District to provide fire protection services for residents located in the Smokey Hollow and Village of Baldwinsville Fire Protection Districts within the Town via an Agreement dated October 22,2013;

*WHEREAS*, Town residents currently pay general municipal taxes for these fire protection services;

*WHEREAS*, to achieve consolidation of fire services, the Town agrees that the project components include 1) elimination of the Smokey Hollow Fire Protection District and the Village of Baldwinsville Fire Protection District thereby eliminating both the Towns participation in the provision of fire services and the collection of general municipal taxes to pay for those services; 2) purchasing turn-out gear and other personal protective and inter-operable communications equipment to standardize operations in the expanded district and 3) making infrastructure improvements in the consolidated fire district to facilitate the consolidation;

*WHEREAS*, the Town authorizes the District, as lead applicant, to make application for funding on behalf of the Town, co-applicant to the New York State Department of State 2012-2013 Local Government Efficiency Implementation Grant Program in an amount not to exceed \$1,100,000;

*WHEREAS*, the Town, as co-applicant, authorizes Jack Kline, Chairman of the Lysander Board of Fire Commissioners to execute all financial and administrative processes related to the grant program;

*WHEREAS*, the Town, also authorizes the District, as lead applicant, to classify the action in accordance with the State Environmental Quality Review Act (SEQRA) and to make the necessary determination for the proposed project.

**NOW, THEREFORE, BE IT RESOLVED**, that the Supervisor of the Town, John Salisbury, is hereby authorized and directed to file a joint application on behalf of the Town and together with the District, Town of Van Buren, Village of Baldwinsville and the Baldwinsville Central School District for funds from New York State as part of

***Lysander Town Board regular meeting  
February 11, 2013***

the Local Government Efficiency Implementation Grant Program 2012-2013 administered through the New York State Department of State in an amount not to exceed \$1,100,000

**VOTE:**

Supervisor Salisbury	Aye	Councilor Shimer	Aye
Councilor Reeves	Aye	Councilor Johnson	Aye

**All Ayes, Motion Carried and Adopted**

**Attorney Rivizzigno** reported that this resolution is to allow the Lysander Fire District to make application to NYS for a grant through the Local Government Efficiency Implementation Grant Program. Along with co-applicants Town of Lysander, Town of Van Buren, Village of Baldwinsville and the Baldwinsville Central School District. Not all of these municipalities would necessarily receive any monies from the grant including the Town of Lysander. Signing this basically provides support to the fire district so they can hopefully get their grant. There is a maximum of \$200,000 with a 10 percent charge to the Fire District that they have to repay. The grant provides support to the fire district for the implementation of consolidation for infrastructure, purchase of equipment, etc.

**Supervisor Salisbury** explained that this came about quickly last week and he anticipates that the Town of Van Buren will sign also. For those of who have been following this issue, this will be an expansion of the Lysander Fire District and the joining of the Baldwinsville Fire Company into the Lysander Fire District. The district will be renamed the Northwest Fire District. The Board received a lot of information from the Lysander Fire District and the Baldwinsville Fire Company. The Board is satisfied with all the information that they have received but they are waiting for the County Comptroller to review all of the last 3 years audited financial statements from each department. They are audited financial statements for each department for the last three years. The Board is asking the Comptroller to review them and give his opinion as to the viability of this consolidation. Once this is done, at the March 11, 2013 board meeting they hope to set a public hearing to be held on April 25, 2013. If the Comptroller has given the Board the go ahead, the Board hopes to approve the consolidation.

**Councilor Johnson** clarified that he is not sure if the Comptroller will give a yes or no but to just account for all the numbers to see if it is viable and not for authorization.

**Supervisor Salisbury** explained that the Board is not looking for authorization that they are only asking the Comptroller to look at the financial statements.

**Councilor Reeves** added that the Comptroller previously issued a good report on this issue with specific recommendations for the future operation of the fire district and guidelines for recommendations for it to be able to succeed.

**Supervisor Salisbury** explained that once the new fire district is formed and is operational, the Town Board will have no input as they will be a separate entity. They will adopt their own budget and set their own tax rate and will be an independent agency. The Board is being very cautious as they look at everything while they look at this new fire district and the Board wants to give their input while they still can.

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**OTHER BUSINESS**

**None**

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**RECOGNITION OF CITIZENS**

**Norm Ashbarry, Hidden Lake Drive**, addressed the Board and referred to a past Board meeting where comments were made by Board members where they said that they found unethical and or unlawful things and asked the Board if they were referring to the past administration and if so, what those things were.

**Supervisor Salisbury** explained that they cannot comment on this and it would be determined by a court if there is a court case. Some concerns involved the ice rink and the transfer of development rights program which were areas that the current Board members would not have followed at that time. Whether it was unethical or illegal the Board cannot make a judgment on that. Reports were made public on these two areas and people have to make their own judgment.

**ADJOURNMENT**

At 7:53 p.m. a motion was made by Councilor Shimer, second by Councilor Johnson to adjourn the meeting.  
Motion Carried.

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

Lisa Dell  
Town Clerk

DRAFT