

A regular meeting of the Lysander Town Board was held at 7:00 p.m. on March 24, 2014 at 8220 Loop Road, Baldwinsville, New York.

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

MEMBERS ABSENT: None

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

APPROVAL OF MINUTES

RES. #51/2014

Motion by Shimer, seconded by Reeves to approve the minutes of the March 10, 2014 regular Board meeting.

VOTE:

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

All Ayes, motion carried and adopted.

TOWN BOARD COMMENTS

Councilor Shimer congratulated newly elected Mayor, Dick Clarke, and said she looks forward to continuing a good relationship with the Village.

SUPERVISOR COMMENTS

Supervisor Salisbury offered his congratulations to Dick Clarke, newly elected Village of Baldwinsville Mayor Dick Clarke as well as to the three Board members, two of who are returning and one new member.

Supervisor Salisbury: Our work session last week when we came to the meeting it looked like we agreed to disagree but in reality we have all come together and we are using our work sessions to go through the agenda item by item to see if there are any questions. But I just want to explain to you the responsibilities that each of us have.

Supervisor Salisbury then read the following statement:

Town Board members have a responsibility to prepare themselves for each Town Board meeting. It is not the responsibility of the Supervisor to prepare a Town Board member, individually, for each meeting. There is a considerable amount of work town board members must do between meetings in order to gather the necessary facts on matters requiring town board decisions. We hold work sessions and committee meetings to update all of the Board members so they are able to make informed decisions. When Board members fail to attend work sessions and committee meetings it is a disservice to the Town as a whole. A Board member has a responsibility, as an elected official, to learn about the things being considered by the Board. It is impossible to meet with each individual Board member to update them. I only ask for each Board member to be reasonable and do their best to keep informed and up to date about what is happening with the Town and I will promise to make sure that the Board members are given information in a timely manner. Our work sessions before each meeting will be dedicated to reviewing that meeting's agenda and the supporting documents. Other work sessions will be dedicated to long term projects which will eventually come before the Board.

Supervisor Salisbury announced he created a new committee to handle union negotiations. The committee will consist of Bob Geraci, Andrew Reeves, and himself.

Supervisor Salisbury also announced that he is making a change in the Public Safety Committee members by replacing Roman Diamond with Timothy Wolsey. Timothy Wolsey will be the second representative to the committee, the other being Bob Geraci.

DEPARTMENT HEAD REPORTS

None

***Lysander Town Board regular meeting
March 24, 2014***

CITIZEN COMMENTS ON AGENDA ITEMS

None

OLD BUSINESS

None

NEW BUSINESS

Affordable Care Act Compliance

RES. #52/2014

Motion made by Salisbury, seconded by Geraci to adopt an Amendment to the Health Insurance Reimbursement Account guidelines to make the plan compliant with the “Affordable Care Act”.

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: We have a health reimbursement account that is administered by a third party. They handle the plan for us and they have asked us to adopt the plan modifications to make our plan be compliant with the Affordable Care Act Plan. So they asked us to adopt these changes effective after December 31, 2013. You all were given copies of the summary of the material modifications that will be changing in the plan and the attached resolution that needs to be adopted that will become part of our plan document.

Lysander Employee Handbook Section 805 Insurance Buy-Out

RES. #53/2014

Motion made by Reeves, seconded by Diamond to change Section 805 Disclosure of Insurance Benefits of the Town of Lysander Employee Handbook “Buy-Out” of coverage from 50% to 25% of the current annual premium effective January 1, 2014

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: The employee handbook section 805 is our insurance buyout. This was something that has been in place with the Town, the buyout. Last year it was increased to 50 percent, this year we are decreasing it to 25 percent and it is effective January 1, 2014.

Councilor Geraci: This is perhaps the most confusing thing for me to absorb as a new Board member. Why are we paying people not to take insurance. It just doesn't sit right with me but the fact of the matter is in the employee handbook, which was created in, I think in 2007, there is a clause in there that anybody that doesn't take health insurance is entitled to a buy-out in the handbook, it is 50 percent. What makes it even more confusing is that this Town, no criticism for any member sitting up here, but the Town has two insurance policies. One through the Teamsters, the highway department, and one through a secondary level insurance and some employees are here and some employees are there. The ones in the Teamsters, the Teamsters basically say we will provide that insurance, we don't care if the employees opt out, but we are going to charge you an individual benefit plan anyway. So it gets really confusing. What I would hope happens in the future, is we move away from buy-outs, opt-outs and in fact when an employee is offered insurance and they have insurance somewhere else I would hope they would say, you know what, thanks Town, that's my friends and neighbors money I don't really need that insurance, why don't you keep it to do other things. That is the kind of position I will be taking in the future to encourage people to basically take what the Town offers if you need it, but if you don't need, then don't take it. Having said that I will vote for this because it's the right thing to doing with

respect with what's already in place. It's a generous health insurance plan. The employees to the best of my knowledge don't pay anything towards their premium. There's nothing there. They are good employees, and this is not a slam against them as employees, but it is a very generous plan that I don't think exists in many other places. So I would like this to move into a more realistic approach when it comes to providing health insurance.

Town Clerk to advertise Lysander Annual Financial Report

RES. #54/2014

Motion made by Salisbury, seconded by Shimer to authorize the Town Clerk to publically advertise receipt of the Annual Financial Report for the Town of Lysander for fiscal year ending December 31, 2013.

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 announced that the document will be put on the Town's website for public review and it is also available for review in the Town Clerk's Office.

Post-Closure Landfill Proposal

RES. #55/2014

Motion made by Geraci, seconded by Diamond to authorize the Supervisor to sign the Barton & Loguidice 2014 Post-Closure Monitoring & Analytical Proposal for the closed Town of Lysander Landfill in an amount not to exceed \$3,700.

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: This is the same thing that we did last year. 2014 will be the 20th year of our 30 year post closure monitoring requirement for the Town landfill. We used Barton & Loguidice last year. They sub contract with an analytical lab, they provide us equipment and assistance. In doing so they take on some of the liability for calibration of the equipment that can get expensive to do on our own. You will notice that this year's proposal is approximately \$1300 less than last year. This is due to this year's sampling is a routine sampling not a baseline sampling event. What they did last year worked out really well for the Town and I would like to continue doing it. It looks good from the NYS DEC standpoint and we have continuity as well as the lab is doing analytical services and the sampling procedure.

Supervisor Salisbury: We have to do this for 30 years and this is our 20th year of doing it so we have 10 more years of doing it.

Extending Moratorium on Zone Changes

RES. #56/2014

Motion made by Shimer, seconded by Reeves to extend the temporary moratorium on zone changes adopted in Local Law 4 of 2013 from April 1, 2014 to June 30, 2014.

VOTE:

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

All Ayes, motion carried and adopted

***Lysander Town Board regular meeting
March 24, 2014***

BOARD DISCUSSION BEFORE VOTE:

Supervisor Salisbury: We have a moratorium on zone changes which we have a committee that's been looking at it for six months. In our resolution to set that up there is two, three month extension periods that we can do. So we are extending that moratorium. This motion would extend it for three months from April 1st to June 30th and then we will look at in June to possibly extend it another three months. The committee is doing an outstanding job. They are looking at every aspect of our zoning. They are doing just a fantastic job and I thank all the members who are participating.

Councilor Reeves: I think we are waiting for one piece of information primarily to start drafting the changes.

Supervisor Salisbury: We are really waiting for the Syracuse Transportation Council to come in and assist in highways. Their fiscal year doesn't start till April 1st and so they got some work to do. They probably won't get to it by September 30th but we are hopeful.

.....
**A RESOLUTION AUTHORIZING THE ISSUANCE
AND SALE OF SERIAL BONDS FOR THE PURCHASE
OF ONE (1) 2014 INTERNATIONAL TRUCK MODEL 7500 SFA 4X2**

RES. #57/2014

Motion made by Salisbury, seconded by Reeves

WHEREAS, this Board, by resolution, has authorized the purchase of one (1) new 2014 International Truck Model 7500 SFA 4x2; and

WHEREAS, the purchase of said truck shall be from Navistar, Inc.;

NOW, THEREFORE,

BE IT RESOLVED by the Town Board of the Town of Lysander (the "Town"), Onondaga County, New York, as follows:

Section 1. For the object or purpose of purchasing said new item, and to provide funds to defray the cost thereof, ONE HUNDRED THIRTY THOUSAND DOLLARS (\$130,000.00) of the General Obligation Serial Bonds of the Town, shall be issued pursuant to the provisions of New York Local Finance Law.

Section 2. ONE HUNDRED SEVENTY-SIX THOUSAND SIX HUNDRED NINETY-FIVE DOLLARS (\$176,695.00) is estimated as the maximum cost of said new Item.

Section 3. The plan or the financing of the purchase of said new Item consists of the issuance of General Obligation Serial Bonds of the Town in the principal sum of ONE HUNDRED THIRTY THOUSAND DOLLARS (\$130,000.00), to be issued pursuant to Local Finance Law.

Section 4. It is hereby determined that the period of probable usefulness of the aforesaid object or purpose is fifteen (15) years, pursuant to subdivision 28 of paragraph a of section 11.00 of Local Finance Law. It is further determined that the maximum maturity of the Serial Bonds herein authorized will not exceed fifteen (15) years.

Section 5. The faith and credit of said Town are hereby irrevocably pledged to the payment of the principal of and interest on such bonds as the same, respectively, become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property in said Town a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 6. Subject to the provisions of Local Finance Law, the power to authorize the issuance of and to sell Bond Anticipation Notes in anticipation of the issuance and sale of the Serial Bonds herein authorized, including renewals of such notes is hereby delegated to the Town Supervisor. Such notes shall be of such terms, form and contents, and shall be sold in such manner as may be prescribed by said Supervisor, consistent with the provisions of Local Finance Law.

Section 7. The validity of such bonds may be contested only if:

a. Such bonds are authorized for an object or purpose for which said Town is not authorized to expend money, or

b. The provisions of law, which should be complied with at the date of publication of this resolution, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication, or

c. Such bonds are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall take effect immediately.

VOTE:

***Lysander Town Board regular meeting
March 24, 2014***

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: As John said we recently last week actually took delivery on a 2014 International snowplow, truck and wing. We had in the 2014 budget we had budgeted that we were going to finance it over a 5 year budget cycle. The truck total cost \$167 thousand and change. So we have \$46,000 budgeted for 2014. So we need to borrow \$130,000 which we will do with statutory installment bonds over the next four years. Tomorrow I will get some quotes from some of the local banks and we will see who has the best interest rate. I'll then let Tony know and he can get ahold of them and take care of the paperwork. I know at budget time we talked about doing an installment purchase contract and last week I got a quote for Real Lease, a company that does lease purchase agreements. It is actually an arm of M&T Bank. The interest rate they quoted was 4.1 percent. I think we can do much better than that.

.....
Air Conditioning Unit for Server Room

RES. #58/2014

Motion made by Reeves, seconded by Geraci to award the bid to install an Air Conditioning unit to Town Mechanical (low bidder) in the amount of \$4700.

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: We are having to buy a separate air conditioning unit for the server room. Our HVAC does not accommodate getting air conditioning efficiently and economically to that room. Our computer system was down three days a few weeks ago and it came back to the server room is too hot. We went out to get bids on an air conditioner unit. We got three bids. One was \$4700 which we are voting on tonight. One was \$5800 and one was \$12,750.

.....
Springwood Subdivision Waste Water Disposal System

RES. #59/2014

Motion made by Diamond, seconded by Reeves that the Supervisor be authorized to sign the cover sheet of the Contract Drawings, dated March 19, 2014 and the NYSDEC Application for the Approval of Plans for a Wastewater Disposal System (Formally BSP-5) for Spring wood Subdivision Project contingent on the results of the hydrant flow test scheduled for March 25, 2014, the developer finalizing the NYSDOT ROW Work Permit and addressing all of the comments in the Town Engineers letter dated March 24, 2014.

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: This is a project that has been in the works since 2006 at the Planning Board level. The developer has come forward with contract documents. He would like to move on this this spring. Due to the Indiana Bat he needs to get the right away cleared before April 1st. Obviously he doesn't want to get a contractor in there and move dirt and doing work without having contract drawing approval. The only major issue remaining in front of the contractor is doing a hydrant flow test in the existing water system which services Glenbrook Drive. This is a similar elevation to these homes. We do not anticipate any problems. There are some minor drafting comments that I had in my letter to the developer which the Board was copied on that they need to address and they need to finalize their NYS DOT highway work permit. The developer is requesting approval contingent upon those three things.

Supervisor Salisbury: Will they all be done before April 1st?

Engineer Yager: The Village is flowing the hydrant tomorrow. That is the big kicker there. As far as the DOT permit they really don't need DOT approval to cut trees. It is pretty simple work permit procedure. It's just a matter of getting the DOT to move forward with it.

Supervisor Salisbury: Indiana Bats start their mating season, is that it?

Engineer Yager: No they come out of hibernation.

ANNOUNCEMENTS:

None

OTHER BUSINESS

EXECUTIVE SESSION

RES. #60/2014

Motion by Shimer, seconded by Diamond, to adjourn to Executive Session to discuss personnel, grievance matter.

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

Hugh Kimball, Dexter Parkway: I understand the reason for work sessions but I would hope that the fact that they exist and have to be done from time to time does not preclude discussion in front of the public either for those of us here or for those on PAC 98. And just as an example tonight you agreed on everything and that's great. I did appreciate Bob Geraci's explanation of the issue that he spoke about and I think it's worthwhile whether you are in agreement or disagreement that the public hear the details of what the issue is.

Supervisor Salisbury: Actually you heard everything that was explained in the work session and our work sessions are to go through and to make sure the Town Board understands. If there are other questions they need to be brought up by them.

.....
Norm Ashbarry, Hidden Lake Drive: Mr. Geraci mentioned the insurance plans, and he said that you had two options on insurance plans. One Teamsters and what was the other one?

Supervisor Salisbury: Actually we have three insurance plans. One is for retirees, one for non-union and we have one for union.

Mr. Ashbarry: Okay. So is the Teamsters union one I assume.

Supervisor Salisbury: Yes.

Mr. Ashbarry: And the other two for non-union?

Supervisor Salisbury: Yes.

Mr. Ashbarry: And can either the union plan people or the other two plan peoples opt out of their programs if they wish to?

Supervisor Salisbury: The union people are not allowed to. That is by union law, not by ours.

Mr. Ashbarry: You opted out maybe last year or the year before. Which plan was that that you were opting out of?

Supervisor Salisbury: I opted out of the regular plan.

.....
Chris Patrick, Ashington Drive: Just on item D there it's for 20 years of testing on the landfill. Has it shown any red flags of any sort? Is there any way we can modify that to save some money? That's \$37,000 for the last 10 years.

Engineer Yager: I actually spoke with the DEC about this. We are at their lowest level of monitoring. We already have had two reductions in the requirement. They still want the monitoring of the closure.

.....
Jim Stirushnik, Dinglehole Road: I would like to repeat Mr. Kimball's fine statement

Supervisor Salisbury: You do understand that this has been going on for tens and tens and tens of years that the Town Board before every meeting discusses the agenda. I think that last week because the last meeting when we didn't discuss the agenda completely that's where we got into some problems. But we are not trying to stifle discussion. Mr. Geraci said he was going to make a comment and you heard all of the things that we went through and it is open to the public which in prior years it wasn't. So we are not trying to hide anything. It's all open.

ADJOURNMENT:

At 7:27 p.m. the Board adjourned to Executive Session.

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

Lisa Dell, Town Clerk