

A regular meeting of the Lysander Town Board was held at 7:00 p.m. on April 14, 2014 at 8220 Loop Road, Baldwinsville, New York.

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

MEMBERS ABSENT: Roman Diamond, Councilor

OTHERS ATTENDING: John Klucsik, Town Law Firm; Al Yager, Town Engineer; David Rahrle, Comptroller; Dan Boccardo, Dog Control; Timothy Wolsey, Director of Planning and Development; Lisa Dell, Town Clerk, Pac-B and several residents.

PUBLIC HEARING

Notice of said Public Hearing was duly published in The Baldwinsville Messenger on March 26, 2014 with same being posted on the Town Clerk's sign board at the Town Hall and on the Town's website on March 11, 2014, for the purpose of conducting a public hearing of all persons for or against the establishment of the West Genesee Sewer District, Extension No. 2.

Supervisor Salisbury opened the public hearing at 7:05 p.m.

Engineer Yager gave a brief overview of the project. An informational handout that was provided will be attached to these minutes.

Supervisor Salisbury then opened the floor for comments or questions:

Les Granger, Blue Ridge Circle: I assume from what I heard that there is not a choice to this. It's a public hearing but I don't have any interest. I don't think I have any choice in the matter. Is that true?

Supervisor Salisbury: No, we are looking for pros and cons.

Les Granger: I have operated on an oversize septic system for 27 years which works fine. I pump it every two or three years just because. I don't see a reason why at my age I have to spend another \$850.00 a year. It just doesn't seem to be a benefit.

Engineer Yager: One more thing to add on this. We did conduct a public information meeting back in 2012 actually and got interest response cards. And of the 19 potential homes that are affected by the district there were 11 positive responses I think were in favor of it.

Les Granger: I was one of the negative ones.

Henry Zaborowski, Blue Ridge Circle: I'm against it. In other words you got eleven for and 10 against it that means we did this once before. What was the actual ruling on everybody that voted the last time? We never got those answers. This is going to cost us \$25,000 over thirty years. How many people want to put \$25,000 you're not going to get back? How are you going to get it back? I don't have a problem with my septic system. Every two years I pump mine out. If it's done right you don't have the problem. Whispering Oaks got the problem across the street and now you are trying to drag us into it. I don't think that's fair.

Supervisor Salisbury: We are not trying to drag you into it. We have, because of Whispering Oaks, the neighbor from Whispering Oaks to the Village line have an opportunity to have sewer and so we are just...

Hank Zaborowski: If we got the opportunity to come in there then it should be cheaper for us because they are the ones that caused the problem. If they were not there than we would not be here. \$25,000, 21 people. \$535,000 out the window.

Supervisor Salisbury: No one here is in favor of it? Is there anyone else opposed?

Councilor Reeves: We are going to have to vote on this. That's why we have the public hearing is we want the feedback. And if you live in this area whether for or against or don't care do us a favor and do yourself a favor and step up to the mike and let us know how you feel about it. Because that's what this is about we want to hear what you have to say.

Nelson Wright, Goodfellow Lane: I'm also opposed to this item. I installed a brand new septic system 10 years ago and I haven't had it pumped out yet. Everything works fine. My other concern, if we are stuck with this new thing here, its electric I presume? Everything is electric? What happens with a power outage? Right now you can run your water; you can go to the bathroom and whatever with a power outage. With a power outage, all that's done. Am I correct?

Engineer Yager: It will work until the float gets to a high level then the water actuator receives a shut down.

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Nelson Wright: What time limit, what are you talking about?

Engineer Yager: 70 gallon tank so depends on how long the power is out.

Nelson Wright: When we had an ice storm years ago my power was off for 5 days. Everybody around me had power but because we are on a little road with 6 houses on it, National Grid took forever to turn our power on. If this thing all comes together I would hope that National Grid gives us some kind of priority because we have this pump stuff.

Engineer Yager: There are external generator plugs on the control panels in the event of a power outage and it would be possible to plug it in.

Nelson Wright: I understand that's another \$1000 dollars or whatever for a generator or more. I don't have any idea.

Engineer Yager: The thought would be provided that there is not a huge, natural disaster that has tied up all of our assets from the highway standpoint that we would be able to help you out with that with a Town generator.

Nelson Wright: I don't have a need for it either.

Councilor Reeves: Carl how do you feel about it?

Carl Mosegard, Goodfellow Lane: Unfortunately I need it because I have to have my septic tank pumped out every 5, 6 months.

Supervisor Salisbury: Do you know how important it is to hear both sides because if we left tonight and no one spoke in favor we would be inclined not to approve this.

Councilor Reeves: We are actually going to make a decision based on what we hear tonight and what the results are. We want you to stand up to the mike for or against it, it doesn't make any difference but for God sakes' don't sit here and say geez I wish I had spoke. We want you to speak.

Ray Seubert, Goodfellow Lane: I live on that same private road. One of my questions is where is that going to come down the private road and what is going to be done to restore that that private road?

Engineer Yager: The contract would be written so that the contractor will be required to do it. Obviously we would try to install it outside of the actual roadway.

Ray Seubert: I'm sure you have been there; you know how narrow that is...

Engineer Yager: I have. I believe the right away is actually allotted there is 30 feet from Mr. Warren so there should be some room on the side to get it in without disturbing the road. We do intend to do most of the installation with directional drill procedures. There are going to have be receiving pits dug, laterals are connected at both ends of the main installation.

Ray Seubert: Because right now I'm on the borderline, not for or against it. I'll probably make my decision before we leave. If we don't do this now does there become a point in time that the State, because we are so close to the river, going to force us to do this?

Engineer Yager: There is no way for the State to force you to do this. This is a great opportunity before you with 85 percent of the construction costs being covered by the Water Quality Improvement Grant. You can do the math. The cost of this project per user will go up exponentially without that grant in place. We currently got the DEC to grant an extension for up until October of 2015 to get these pumps installed and then the grant will expire. We don't have a tight deadline but we have about 8 months to work with to get this project completed.

Ray Seubert: I was under the understanding, it was probably a bad rumor, but someone place on Oneida Lake the residents were forced to put sewers in. Maybe that was a different scenario... That's why I am asking this question.

Engineer Yager: I'm not familiar with that, it may had been a health code violation problem that forced that issue but I am not familiar enough with that situation to say. I can say that most of the homes that are on the river would not qualify for a standard septic system under the current design standards of the NYSDEC and Department of Health.

Ray Seubert: My last question is if this is done, is this going to increase our property values on our homes?

Engineer Yager: I do not believe so but I am not the Assessor. I don't know. I would refer that to the Assessor.

Supervisor Salisbury: Only she could answer that question. I'm sorry about that.

Councilor Reeves: Ron you live over there. What is your take on it?

Ron Merle, Blue Ridge Circle: My take is that it is going to help resale values. I'm supposedly trying to move and sell, move into a smaller house, but I think it will help the resale values. The charge is a bit more especially with taxes. Everybody that I'm neighbors with, we talked about it for the last year or so, they are all worried about that extra charge like Hank said. The \$3000 to fill the tank and hook up the system. It can go either way with me I guess because I am leaving.

Councilor Reeves: A good question that was asked earlier and I'm going to ask it. Whispering Oaks, Chris, did your assessment go up afterwards?

Chris Patrick, Ashington Drive: The minute you guys turned it on she reassessed me \$25,000.

Councilor Reeves: Russ across the street went up considerably too, didn't he?

Supervisor Salisbury: Chris wasn't your house, I don't want to get into an argument here, wasn't your house on the market and when you tried to get a reduced assessment she asked what the sale price of the house was?

Chris Patrick: I have not spoken to her since the assessment. My house is on the market though if any (unclear)

Hank Zaborowski: Did we try to get any more money to help us on this thing?

Engineer Yager: 85 percent is about the max you will ever get for funding from a grant.

Ron Merle: Do you know what Whispering Oaks' taxes go up? Did they go up \$800, \$839 or \$849, do you know that? How much taxes go up just for...

Supervisor Salisbury: It's approximately that, isn't it?

Comptroller Rahrle: Per unit charge was \$700.00.

Engineer Yager: They are on a different type of system. There is more residences there which lowers the...

Councilor Reeves: What is the breakdown of the 21, Goodfellow versus Rivermist?

Engineer Yager: I don't have it with me. I can look.

Councilor Reeves: Does it say, I mean does it have to be both places?

Engineer Yager: No, not necessarily. I mean that would be the Board's discretion. If you would like me to revisit it we could...

Councilor Reeves: I mean you wouldn't go to Rivermist and forget Goodfellow. But you could go to Goodfellow and eliminate Rivermist.

Comptroller Rahrle: But you have to be careful too of the fewer units, unit cost is going to go up and the State Comptroller's Office is not going to approve it. In fact that is going to happen if the grant goes away.

Engineer Yager: Yes, we are over the Comptrollers threshold. This will require a Comptroller audit. If the Board is to forward with this district formation. I spoke with the Comptrollers attorney, one of the attorneys in the State Comptroller's Office this afternoon. They did not think it would be a problem to get approval being that its 85 percent grant funded.

Supervisor Salisbury: One of the things is if the Board felt that there is still a need and voted to form the district it is a permissive referendum and a petition signed by X number of residents can call for a vote. And the 19 property owners would be able to vote for or against this. Through a permissive referendum it can still go back to the property owners to determine if this will go through.

Kevin Rode, Greymour Way: I don't live in the sewer district but I seem to remember a couple of years ago went it went through Whispering Oaks; Goodfellow Lane was part of it and got dropped off. I believe the reason was it had to do with artifact research because there could have been Indian artifacts of something. Does it have to be done again?

Engineer Yager: I actually have a request into SHIPO for a no effect letter. They did not see a problem with it because we are using directional drill installation methods at this time. And the only intent to disturb will be in the areas of the current right of way where the lateral connection will be made and then the pump will be placed which will be near the existing septic system which is already a disturbed area.

Kevin Rode: Just from what I know my parents live up in Fairhaven and Cayuga County got a million dollar fine from the State. They put all their systems in. So the State can come back and tell these people there is a sewage leak and this is what you got to do. This is what brought up Whispering Oaks I think that's why we got the grant partially was because of the seepage right?

Engineer Yager: Yes.

Supervisor Salisbury: Well raw sewage on the ground.

Kevin Rode: Right, but this I mean going into a watershed....

(Crosstalk)

Engineer Yager: That's the purpose of the actuators on the water lines in this system so that people can't continue running their water to cause sanitary sewer overflow.

Kevin Rode: Right but somebody spoke about could the State come back and make us do this.

(Crosstalk)

Kevin Rode: If it would have been done with Whispering Oaks they would have been in with however many other units and their cost would have been around \$700.00.

Engineer Yager: They would still have had grinder pumps. I would guess that the Town would still have approached it as a separate district.

Kevin Rode: But it was part of the original plan. I came to the meeting.

Engineer Yager: I can't say. I am not familiar with that plan. I never saw it. All I know is what was actually built.

Supervisor Salisbury: We haven't changed the plan....

Engineer Yager: He is talking about the original Whispering Oaks improvement plan.

Kevin Rode: I mean this is, so this is two years down the road and it's already gone up a couple hundred fifty. You pay a contractor to put your lines in its going to go up more. It's not going to get cheaper.

Engineer Yager: More than likely you (unclear)

Supervisor Salisbury: And one of the things is the Town gains nothing from this. We are doing this because we thought there was a need there. We heard from residents who are interested. If the majority of the residents are not interested then we are not going to form the district. But you do have to think down the road because they will stop contamination of the river if anything like that occurs and I'm not pushing you I'm just explaining.

Hank Zaborowski: What if you bring Seneca Estates in with us would it be cheaper that way or is that out of the question?

Engineer Yager: Seneca Estates is outside the County consolidated sewer district and the County has said they will not expand the consolidated sewer district any further.

Ron Merle: I was under the impression that Cranes Watch was at the very west end when they developed it and was at the very west end of the sewer district. I was told that.

Engineer Yager: They formed a sewer district and put dry sewers in but it is outside the County Consolidated Sewer District which means that the County will not accept waste to the County treatment plant without an extension of the County Consolidated Sanitary Sewer District.

Ron Merle: It was so far out but it was within the district (unclear). They were not going to make (unclear)

Hank Zaborowski: Did approximate \$850.00 a year over the period of years, I can understand the sewer charges could go up, but would the basic cost of the loan go up too?

Engineer Yager: Basic cost of the loan would be the actual debt service for the construction project would stay the same.

Supervisor Salisbury: That the \$411.48.

Engineer Yager: No. There is a handout up there. I don't know how many of you picked it up. The first page of it shows a Whispering Oaks force main construction debt service and an excess capacity debt service. As more units were added to the system those numbers would go down. The \$353.01 construction debit service would not change. The County sewer treatment service has been going up slowly every year. As more units added to the system those figures would go down. County sewer has been going up every year.

Supervisor Salisbury: The operation and maintenance charges of \$50.00 could also go up. If the sewer district has a problem.

Ron Merle: If that archeological problem comes up again. I did an archeological study for Rivermist (unclear).

Supervisor Salisbury: That was a lot of land to be disturbed.

Ron Merle: I mean if it does come up.

Having no other comments or questions, Supervisor Salisbury closed the public hearing at 7:28 p.m.

APPROVAL OF MINUTES

RES. #61/2014

Motion by Shimer, seconded by Reeves to approve the minutes of the March 24, 2014 regular Board meeting.

VOTE:

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

All Ayes, motion carried and adopted.

TOWN BOARD COMMENTS

Councilor Reeves announced that Agrana Fruit US Inc. has moved quickly building its plant in the Town and expects to have a grand opening on May 15, 2014.

Supervisor Salisbury commented that the Town was chosen by Agrana after they visited 66 sites and that they appreciated the cooperation they received from the Town and Planning Board.

SUPERVISOR COMMENTS

Supervisor Salisbury reported the following:

- The Town received a letter from Senator DeFrancisco that the NYS Senate put \$40 million dollars into the budget for road repair due to the harsh winter and that the Town will be receiving an additional \$13,536.31 in C.H.I.P. money to help repair roads in the Town.
- The Town received a \$250.00 grant from the Erie Canal way National Heritage Corridor thanks to Ann Smiley, Parks and Recreation Director, to help defray cost for the 2014 Summer Concert Series on Paper Mill Island.
- The Town received a letter from NYS DOT that they will be doing a major rebuild in the Village of Baldwinsville of Route 370 and Route 31 in 2015. The State will be doing some repairs later this summer and the roadway will be reduced to one lane.
- The Town did receive \$4600.00 in rent for the year 2013 from the YMCA.

DEPARTMENT HEAD REPORTS

Tim Wolsey, Director of Planning and Development, presented a report for building permits issued for the months of January, February and March 2014. The report is on file in the Code Enforcement Office for public review.

Dan Boccardo, Dog Control Officer, presented a report to the Board and also advised the Board that NYS Agriculture and Markets recommended the Town conduct a dog enumeration. A discussion ensued among the Board and Mr. Boccardo regarding the necessity of it, if it is a requirement by the State to do so and the potential costs. The report is attached to these minutes.

CITIZEN COMMENTS ON AGENDA ITEMS

PARKS AND RECREATION APPOINTMENTS

Jim Stirushnik, Dinglehole Road: New business D, can I presume that all these employees that are proposed to be put on the payroll are town residents?

Supervisor Salisbury: Yes, they are.

Jim Stirushnik: And that all of them comply with the rules and regulations?

Ann Smiley, Director of Parks and Recreation: One of them is not, I'm sorry.

Jim Stirushnik: Can you identify that individual publically?

Director Smiley: Bill Brotherton.

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Jim Stirushnik: Is he from the Town of VanBuren by any chance?

Director Smiley: He is.

Jim Stirushnik: Do all of these individuals comply with the rules and regulations regarding excess employees from one family being employed by the Town?

Supervisor Salisbury: Do we have such a policy?

Director Smiley: We don't have an excess number policy. There is a policy for hiring employees in the same family and these two individuals in question are Jennifer and Rob Smiley and they were grandfathered in because they were working for us before the Town set the policy.

Jim Stirushnik: So the two people do not comply with the current existing policy?

Supervisor Salisbury: Yeah but they got grandfathered in so they do comply.

Jim Stirushnik: They do comply but not with the current regulations because they were grandfathered in.

Supervisor Salisbury: Right.

LYSANDER ICE RINK

Jim Stirushnik: New Business E. Why is the town installing new emergency exits doors at a facility at which we are intending to sell? If I were selling a building I wouldn't be making improvements.

Supervisor Salisbury: Well this is coming out of the fund that was set up to do that by the YMCA. These are not pre say money that we are spending. We are authorizing the funds to be made and to be taken from the maintenance savings account established by the YMCA.

Jim Stirushnik: What happens to those funds when the Town no longer owns it?

Supervisor Salisbury: It is still up in the air.

Jim Stirushnik: Still up in the air. So we are potentially losing funds that might come to the Town for the sale.

Supervisor Salisbury: We are not sure about that. There is how much in those accounts David?

Comptroller Rahrle: Around \$35,000.

Jim Stirushnik: And this is something that had to be done right away so. Installation of new emergency exit doors?

Supervisor Salisbury: Right.

Jim Stirushnik: How long have they been in the building that all of a sudden it's an emergency?

Director Wolsey: It's a new Department of Ed that came down a couple of months ago. We did a fire inspection. The way the building is set up they need another set of exit doors in that building 35 feet from the other ones. That's just the way it is. They have no choice.

CHASE CEMETERY
MOWING CONTRACT

Jim Stirushnik: New business F. Is there a maximum or minimum number of times we can use these services or do we have the maximum or minimum charge?

Engineer Yager: The contract runs from May to September. It's a minimum of two mows per month with additional services as needed.

Jim Stirushnik: So there is a minimum number of mowing's that we will be charged for whether they are done or not. If it's a very dry year and there is no mowing necessary.

Supervisor Salisbury: They only get paid if they mow.

Engineer Yager: No, it's a minimum two mows per month.

Supervisor Salisbury: I read it as they had to do these two mowing's a month on the date we specify certain holidays. Memorial Day, Mother's Day, Father's Day, Flag Day.

Engineer Yager: The contract specifies two mows per month. The thought is if you are guaranteeing them a little bit of revenue you will get a better price. This quote is from the same company who did it last year and the cost is approximately \$200.00 less than what they charged us last year.

Supervisor Salisbury: I though Gene determined when they needed to be mowed.

Engineer Yager: The way we had it set up last year was a minimum of two mows per month. Just did the same thing as we did in the contract last year.

Councilor Reeves: Did someone designate what days they were mowed?

Engineer Yager: No we just had a requirement that they would be mowed within seven days of Mother's Day, Father's Day, Memorial Day, Fourth of July and Labor Day.

Councilor Geraci: If it's a minimum of two, can they mow more than twice?

Engineer Yager: At the Town's request.

Jim Stirushnik: So there is a minimum of ten mowing's per year that they get paid if I interpreted that correctly.

Engineer Yager: Yes.

OLD BUSINESS

None

NEW BUSINESS

Lease on Mailing Equipment

RES. #62/2014

Motion made by Salisbury, seconded by Shimer to authorize the Town Supervisor to sign a lease agreement with Pitney Bowes for 48 months at \$129.83 per month for the lease of a DM400C Digital Meter System.

VOTE:

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

All Ayes, motion carried and adopted

BOARD DISCUSSION BEFORE VOTE:

Comptroller Rahrle reported that the Town did receive another quote from another mail equipment company which was within \$1.50 of the quote received from Pitney Bowes. Comptroller Rahrle suggested to the Board that the Town stay with Pitney Bowes as all the employees are familiar with their equipment.

Workplace Violence Policy

RES. #63/2014

Motion made by Reeves, seconded by Geraci to adopt a Workplace Violence Policy for all town employees as proposed by the Town Supervisor.

VOTE:

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

All Ayes, motion carried and adopted.

Allow Wine to be sold at Spring FEST-ravaganza

RES. #64/2014

Motion made by Salisbury, seconded by Geraci to allow wine vendors who participate in the May 18th Spring Fest-ravaganza to be held on the Lysander Town Office Building property to offer samples of their wines and to sell sealed bottles of their products. The sealed bottles which are sold are not to be opened and consumed on town property in accordance with Section 43-5 "Exceptions" of the "Code of the Town of Lysander, NY".

VOTE:

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

All Ayes, motion carried and adopted.

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Parks and Recreation
Appointments

RES. #65/2014

Motion made by Reeves, seconded by Shimer to hire the following list of summer employees at the stated hourly rates of pay:

- Bill Brotherton – Park Attendant: \$ 9.50
- Walt Virginia – Park Attendant: \$9.50
- John Dunham – Park Attendant: \$9.50
- Jennifer Smiley – Rec. Attendant: \$9.00
- Allyssa McMahon – Rec. Attendant – Day Camp/Misc: \$8.00
- Chad McArdell – Rec. Attendant – Day Camp/Misc: \$8.00
- Rob Smiley – Rec. Attendant – Basketball/ Misc.: \$9.00

VOTE:

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

All Ayes, motion carried and adopted

.....
Approve YMCA spending

RES. #66/2014

Motion made by Salisbury, seconded by Shimer to approve the YMCA child care facility be authorized to spend a total of \$8,270.73 from the maintenance account for the facility to cover the cost of the emergency sewer repair work that was completed in January, and the installation of a new emergency egress door.

VOTE:

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

All Ayes, motion carried and adopted

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Chase Cemetery 2014 Mowing Contract

RES. #67/2014

Motion made by Salisbury, seconded by Geraci to authorize the Supervisor to sign a contract with Pro Scapes, Inc. for mowing and trimming at Chase Cemetery during the 2014 growing season in the amount of \$471.00 per mowing and trimming service request.

VOTE:

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

All Ayes, motion carried and adopted

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NYSDEC Application for Wastewater Disposal System

RES. #68/2014

Motion made by Reeves, seconded by Shimer that the Supervisor be authorized to sign the cover sheet of the Contract Drawings, prepared by CHA associates and the NYSDEC Application for Approval of Plans for a Wastewater Disposal System (Formally BSP-5) for The Timber Banks Phase III Subdivision contingent on the developer addressing all of the comments in the Town Engineer review letter dated April 9, 2014.

VOTE:

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

All Ayes, motion carried and adopted

BOARD DISCUSSION BEFORE VOTE:

Engineer Yager reported that this is for the entrance for the new YMCA and from homes behind the YMCA.

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Speed Zone study on River Road

RES. #69/2014

Motion made by Salisbury, seconded by Reeves to authorize the Town Clerk to request a speed zone study request on River Road to the New York State Department of Transportation.

VOTE:

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

All Ayes, motion carried and adopted

BOARD DISCUSSION BEFORE VOTE:

Supervisor Salisbury announced the Lynn Tanner, Executive Director of Radisson Homeowners, is sending a letter of support of the study.

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RESOLUTION OF THE TOWN OF LYSANDER, NEW YORK, ADOPTED APRIL 14, 2014, APPROVING THE ESTABLISHMENT OF WEST GENESEE SEWER DISTRICT, EXTENSION NO.2 IN SAID TOWN, AND PROVIDING THAT SUCH RESOLUTION SHALL BE SUBJECT TO PERMISSIVE REFERENDUM*

WHEREAS, the Town Board of the Town of Lysander (herein called "Town Board" and "Town," respectively), in the County of Onondaga, New York, has heretofore duly caused Allen J. Yager, P.E. , competent engineer duly licensed by the State of New York, to prepare a map, plan and report for the proposed establishment of WEST GENESEE SEWER DISTRICT, EXTENSION NO.2 (the "District") in the Town, consisting of the furnishing and installation of approximately 2170 lineal feet of new 2-inch HDPE force main pipe and appurtenances for sewer laterals within the right of way, furnishing of approximately 2100 linear feet of HDPE sewer lateral pipe and furnishing of 19 sewage grinder pumps and electric controls tracer wire for grinder pump connection, together with appurtenances thereto within the proposed sewer district, to provide sanitary sewer service and the availability of sanitary sewer service to properties within the proposed sewer district at a maximum estimated project cost of \$400,567.50, which map, plan and report have been duly filed in the office of the Town Clerk of the Town for public inspection; and

WHEREAS, pursuant to the Order Calling Public Hearing ("Order") duly adopted on March 10, 2014, the Town Board determined to proceed with the proposed establishment of the said District and adopted an Order reciting a description of the boundaries of the District in a manner sufficient to identify the lands included therein as in a deed of conveyance, the improvements proposed, the maximum amount proposed to be expended for the construction of the said Sewer Improvement, in connection with the District, the proposed method of financing to be employed, the Town's compliance with all applicable laws, rules and regulations with respect to environmental matters, the fact that a map, plan and report describing the same are on file in the Town Clerk's office for public inspection and specifying April 14, 2014 as the time when, and the Town Hall, in the Town, as the place where, the Town Board would meet to consider the proposed District, and to hear all persons interested in the subject thereof concerning the same, and for such other action on the part of the Town Board in relation thereto, as may be required by Law; and

WHEREAS, the Town Board has determined this to be a Type II Action pursuant to the New York State Environmental Quality Review Act, 6 NYCRR, Section 617.5 requiring no further environmental review, and

WHEREAS, certified copies of such Order were duly published, posted and filed pursuant to the provisions of article 12-A of the Town Law; and

WHEREAS, a Public Hearing on the matter was duly held by said Town Board on the April 14, 2014, commencing at 7:01 at the Town Hall, at which all interested persons desiring to be heard were heard, including those in favor of, and those opposed to, the proposed District.

NOW, THEREFORE, upon the evidence adduced at such Public Hearing, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF LYSANDER, IN THE COUNTY OF ONONDAGA, NEW YORK, AS FOLLOWS:

Section 1. It is hereby determined that:

- (a) the Notice of Public Hearing was published, posted and filed as required by Law, and it is otherwise sufficient;
- (b) all the property and property owners benefited included within the proposed District hereinabove referred to in the recitals hereof are benefited thereby;
- (c) all the property and property owners benefited are included within the limits of the proposed District; and
- (d) it is in the public interest to establish the District.

Section 2. The establishment of the proposed District is hereby approved, as hereinafter described, and said District shall be designated and known as West Genesee Sewer District, Extension No.2 in the Town of Lysander, and shall be bounded and described as follows:

Schedule A
Boundary Description
West Genesee Sewer District Extension No. 2
Town of Lysander, Onondaga County, New York

The Town of Lysander West Genesee Sewer District Extension No. 2, situated in the Town of

Lysander, Onondaga County, State of New York, being more particularly described as follows:

Commencing at a point of beginning, said point being the northeastern property corner of parcel 048.-01-03.1; thence proceeding southerly along the eastern property boundary of parcel 048.-01-03.1 to its southeastern property corner; thence proceeding generally northeasterly to the northeastern property corner of parcel 048.-01-04.1; thence proceeding northeasterly along the northern boundary of said parcel to the northeastern property corner of parcel 048.-01-05.1; thence proceeding northeasterly along the northern boundary of said parcel to the northeastern property corner of parcel 048.-01-06.1; thence proceeding northeasterly along the northern boundary of said parcel to the northeastern property corner of parcel 048.-01-07.0; thence proceeding northeasterly along the northern boundary of said parcel to the northeastern property corner of parcel 048.-01-08.0; thence proceeding northeasterly along the northern boundary of said parcel to the northeastern property corner of parcel 048.-01-09.0; thence proceeding northeasterly along the northern boundary of said parcel to the northeastern property corner of parcel 048.-01-10.1; thence proceeding northeasterly along the northern boundary of said parcel to the northeastern property corner of parcel 048.-01-11.0; thence proceeding southeasterly along the eastern boundary of said parcel to the southeastern corner of parcel 048.-01-11.0; thence proceeding southwesterly along the southern boundary of said parcel to the southeastern property corner of parcel 048.-01-10.1; thence proceeding southwesterly along the southern boundary of said parcel to the southeastern property corner of parcel 048.-01-09.1; thence proceeding southwesterly along the southern boundary of said parcel to the southeastern property corner of parcel 048.-01-08.0; thence proceeding southwesterly along the southern boundary of said parcel to the southeastern property corner of parcel 048.-01-07.0; thence proceeding southwesterly along the southern boundary of said parcel to the southeastern corner of parcel 048.-01-06.1; thence proceeding southwesterly along the southern boundary of said parcel to the southeastern property corner of parcel 048.-01-05.1; thence proceeding southwesterly along the southern boundary of said parcel to the southeastern property corner of parcel 048.-01-04.1; then proceeding southwesterly along the southern boundary of said parcel to the southeastern property corner of parcel 049.-05.10.0; thence proceeding southwesterly along the southern boundary of said parcel to the southeastern property corner of parcel 049.-05-09.0; thence proceeding southwesterly along the southern boundary of said parcel to the southeastern property corner of parcel 049.-05-08.0; thence proceeding southwesterly along the southern boundary of said parcel to the southeastern property corner of parcel 049.-05-08.0; thence proceeding southwesterly along the southern boundary of said parcel to the southeastern property corner of parcel 049.-05-07.0; thence proceeding southwesterly along the southern boundary of said parcel to the southeastern property corner of parcel 049.-05-06.0; thence proceeding southwesterly along the southern boundary of said parcel to the southeastern property corner of parcel 049.-05-05.0; thence proceeding southwesterly along the southern boundary of said parcel to the southwestern property corner of parcel 049.-05-04.0; thence proceeding northerly along the western boundary of said parcel to the southwestern property corner of parcel 049.-05-03.0; thence proceeding northerly along the western boundary of said parcel to the southwestern property corner of parcel 049.-05-02.0; thence proceeding northerly along the western boundary of said parcel to the southwestern property corner of parcel 049.-05-01.1; thence proceeding northerly along the western boundary of said parcel to the northwestern property corner of parcel 049.-05-01.1; thence proceeding southeasterly along the northern boundary of said parcel to the northeastern property corner of parcel 049.-05-01.1; thence proceeding southeasterly across the blue ridge circle right-of-way to the northwestern property corner of parcel 049.-05-13.1; thence proceeding southeasterly along the northern boundary of said parcel to the northwest corner of parcel 048.-01-03.1; thence proceeding easterly along northern boundary of said parcel to the northeastern corner of said parcel, said point also being the point of beginning, encompassing all parcels within said boundary.

The above described boundary is in accordance with the map entitled Town of Lysander West Genesee Sewer District Extension No. 2 Petition Plan prepared by Allen J. Yager, P.E., Town of Lysander Engineer dated March 2014.

Section 3. The maximum amount proposed to be expended for the construction of the Sewer Improvement is estimated to be \$400,567.50, and the plan of financing includes the issuance of Serial Bonds and Bond Anticipation Notes of the Town as well as a Water Quality Improvement Project grant from the New York State Department of Environmental Conservation to finance said cost, and the assessment, levy and collection of special assessments from the several lots and parcels of land within the District, which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable.

Section 4. The permission of the State Comptroller is not required with respect to the District because the estimated cost of the District to the Typical Property is not above the Average Estimated Cost to the Typical Properties for the establishment of similar types of districts, as computed by the State Comptroller, and the Town Clerk has filed a certified copy of the Order with the State Comptroller as required by the Town Law.

Section 5. This resolution shall be subject to a permissive referendum in the manner provided by law.

BOARD DISCUSSION BEFORE VOTE:

*A discussion ensued among the Board and it was decided to table the resolution until further notice.

ANNOUNCEMENTS:

Supervisor Salisbury announced the following:

***Lysander Town Board regular meeting
April 14, 2014***

- The Board adjourned into Executive Session during the work session before the meeting to discuss transfer of property.
- Town Board meeting in May will be held on May 5, 2014 and on May 19, 2014 due to the Memorial Day holiday.
- A Work Session of the Town Board will be held on May 12, 2014 at 6:00 p.m.
- An informational meeting will be held on Wednesday, April 23, 2014 regarding a Toomey community residence to be built on Doyle Road.

OTHER BUSINESS

None

RECOGNITION OF CITIZENS

None

ADJOURNMENT:

At 7:55 p.m. Supervisor Salisbury adjourned the meeting.

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

Lisa Dell, Town Clerk