

A regular meeting of the Lysander Town Board was held at 7:10 p.m. on May 11, 2015 at 8220 Loop Road, Baldwinsville, New York.

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

**MEMBERS ABSENT:** None

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

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**PUBLIC HEARING**  
**REVISED COMPREHENSIVE LAND USE PLAN**

Notice of said Public Hearing was duly published in The Baldwinsville Messenger on January 21, 2015 and the Post Standard on January 25, 2015 with same being posted on the Town Clerk's sign board at the Town Hall and the Town's website on January 6, 2015 for the purpose of hearing all persons for or against the adoption of the revised Comprehensive Land Use Plan.

*The Supervisor re-opened the public hearing at 7:11 pm. The public hearing had been adjourned from the February 9, 2015, March 9, 2015, March 23, 2015, April 13, 2015 and April 27, 2015 regular town board meeting.*

At 7:05 p.m. Supervisor Salisbury opened the floor for comments and there were none.

*All persons, desiring to be heard, having been heard, the public hearing was adjourned to May 28, 2015 at 7:00 pm.*

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**PUBLIC HEARING**  
**PROPOSED LOCAL LAW**  
**AMEND THE TOWN OF LYSANDER VEHICLE AND TRAFFIC LAW**  
**TO ADD TWO STOP INTERSECTIONS ON TALAMORE WAY**

Notice of said Public Hearing was duly published in The Baldwinsville Messenger on May 6, 2015 with same being posted on the Town Clerk's sign board at the Town Hall and the Town's website on April 29, 2015 for the purpose of hearing all persons for or against the adoption of a local law of the Town of Lysander for the year 2015 which would amend the Vehicle and Traffic Law of the Town of Lysander to add two "stop" intersections on Talamore Way.

At 7:06 p.m. Supervisor Salisbury opened the floor for comments and there were none.

*All persons, desiring to be heard, having been heard, the public hearing was closed at 7:07 pm.*

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**SUPERVISOR'S COMMENTS:**

Supervisor Salisbury stated the following: We have been asked a few times about our profit and loss at the ice arena and I promised that a month ago. We now finally have gotten all of the receipts figured out, not that we had a problem figuring it out, but collecting them, let's say. This will be put on our website tomorrow. During the period of operation we took in from the sale of ice time \$285,000. We had the regular rent that we got from the YMCA of \$4000.00 and the rental of equipment for \$500.00. The YMCA put in money towards snow plowing the parking lot. But in addition we took into revenue the 12 years of contribution the YMCA made to a fund for maintenance. That was \$53,797.00. That account is now closed out. Our expenditures for the same period which was October 2014 through March of 2015 totaled \$337,556.00. In effect the profit that we recognized during that period was \$11,000.00. But included in expenditures is a bond payment of \$48,285.00. That is a true cost of the arena during that period. But that \$48,000 we budgeted, actually \$50,000, for 2015 that we are not going to spend because we included it in this. We did make repairs of \$104,000 during that period. That is what we used the \$53,800 towards that. Pretty much everything else has to do with the running of the ice arena and that will be on the website tomorrow. The sale of the ice arena, we sold it for \$550,000. We had closing costs of \$2450.00. We paid \$10,000.00 for the lighting that was put in by GBIA and when the Town Attorney started negotiating we owed \$19,000. The Town Attorney got it down to where they would take \$10,000. We had legal fees of \$2547.00. So our net proceeds from the sale were \$535,002.00. We had to pay off the serial bonds of \$280,000 so the general fund had a fund balance of \$255,002.45. So by in large it was a

lot of work on a lot of people's part but we did very well in the operation and the sale of the building. We got rid of an albatross around our neck and the Town during the last 20 years I think paid \$2,000,000.00 in purchasing that rink twice. Now it's gone and the people who have taken it over seem to be doing an excellent job there so that our children that like to play hockey, that like to figure skate all can do that because they will be operating both rinks and it's going to be a fine facility that we will all be proud of.

Supervisor Salisbury also announced that item C and F will be removed from the agenda, item J will be tabled and there is a page 2 with item P, a new item which actually replaces item F.

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### **TOWN BOARD COMMENTS:**

Councilor Geraci said that it is good news on the ice arena and it is nice to have that albatross gone.

Councilor Reeves said it is nice to have it (ice arena) gone and he likes the numbers on both ends. He said he especially likes the fact that the Town turned a profit during the operation and the Town was able to make that payment in 2014 on the bond also through the revenue.

Councilor Shimer said she reiterates everyone's feelings and she thinks that this is probably the first item that she really bit into when she first became a board member and she is glad that they are through with it.

Councilor Diamond said he concurs with his colleagues and thanks everyone for showing up tonight as it is great to see good attendance.

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### **DEPARTMENT HEAD REPORTS**

Engineer Yager reported the following: The Town of Lysander runs the storm sewer system under the DEC MS4 permit. Every year the DEC requires the Town to submit an annual report to them and the report has six minimum control levels with measurable goals. Minimum control measure one through three are handled through the CNY StormWater Coalition and the County contract the Town has for illicit discharge detection and the StormWater hotline. The Town has made measurable progress in goals four and five which are construction StormWater and maintenance of our storm water facilities. Measurable goal number six is clean up of catch basins, sweeping streets and the Town is pretty stagnant on that. One of the things that he and the Highway Superintendent is going to work with is a measurable goal of minimum control number six is to implement some standard operating procedures for logging of street sweeping and catch basin cleaning in 2015. The Town is moving forward and is in compliance with the permit. The report will be up on the website tomorrow and he will have a copy of it in the Town Clerk's Office if anyone would like to look at it. He said it is kind of boiler plate stuff but anyone can see what the Town is doing to manage the Town's storm sewer systems.

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### **CITIZEN COMMENTS ON AGENDA ITEMS**

#### **Lysander Ice Rink Report**

Robert Braun, Quaker Lady Circle: So that puts us about \$300,000 ahead of budget.

Supervisor Salisbury: Yes.

Mr. Braun: So that means I paid about 35 percent too much in my taxes and when am I going to get that back.

Supervisor Salisbury: Actually fund balances are only used to reduce taxes for the next year or the year after that or so.

Comptroller Rahrle: You can use it for moving money to other appropriation lines as long as it is an unappropriated fund balance.

Supervisor Salisbury: You will see in any budget part of the revenue is fund balance.

Mr. Braun: I understand that. You can't give it back? You don't want to give it back?

Supervisor Salisbury: No.

Mr. Braun: That is 35 percent over taxation that is kind of high.

Councilor Reeves: We will probably look at putting it towards next year's budget.

Mr. Braun: If I move then you are just going to give me nothing. Is it the law?

Attorney Rivizzigno: You can't take the fund balance to (unclear) to give it back to the taxpayers. Like John said in next year's taxes when we determine how much revenue we need. Part of that revenue will come from the fund balance. If you move out...

Supervisor Salisbury: I have been on the Board many years and you are the first person to complain that we put money into the fund balance.

Mr. Braun: I could be selling my house. You are basically taking my money and giving it to someone moving in and they are getting that refund.

Supervisor Salisbury: You got breaks since you have been there with the use of fund balances let me tell you.

Mr. Braun: What a \$100,000 last year?

Supervisor Salisbury: No, in years throughout. How long have you lived here?

Mr. Braun: 12 years.

Supervisor Salisbury: Yes, you got a lot of good breaks.

Mr. Braun: I don't think I got breaks... so we can't get it back then?

Supervisor Salisbury: We will get it back.

Mr. Braun: Next year. Unless you appropriate it to another fund. Are there plans to do that?

Supervisor Salisbury: Not right now.

Mr. Braun: That is one of the things like you put it in this fund, and now overspend here and overspend there.

Councilor Reeves: We put the ice rink back on the tax roll.

Mr. Braun: At what?

Supervisor Salisbury: Don't know yet, it is not resolved.

Mr. Braun: No that's fine. I mean like you said obviously you did not know how much you were going to make so it's not like you went out of your way and overtaxed us. I just know that now we have a huge surplus.

Supervisor Salisbury: Those are your words Sir. Overtaxed.

Mr. Braun: I don't know. Almost everybody would probably agree with that. At least I will say I am.

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**OLD BUSINESS**

**None**

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**NEW BUSINESS**

**None**

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**RES. #98/2015**

**To Approve Lysander Parks Event - Spring FEST-ravaganza**

Motion made by Diamond, seconded by Reeves to permit the usage of grounds located at 8220 Loop Road by the Parks and Recreation Department and M & M Marketing to hold the Spring FEST-travaganza event at this location on May 31, 2015 from 11:00 a.m. thru 5:00 p.m.

**VOTE:**

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

**All Ayes, motion carried and adopted.**

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**RES. #99/2015**

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**Appointment of Lysander Day Camp Director**

Motion made by Salisbury, seconded by Shimer to appoint Victoria Stanton to the position of on-site Director of the Lysander Day Camp at a pay rate of \$11.00 per hour effective July 1, 2015 thru August 15, 2015.

**VOTE:**

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

**All Ayes, motion carried and adopted.**

**RES. #100/2015**

**Parks and Recreation Summer Appointments**

Motion made by Salisbury, seconded by Reeves to appoint the following list of persons for 2015 Summer Programs for the Parks and Recreation Department effective 5/4/15 with their rates of pay:

Names:	Summer Program:	Rate of Pay per hr.:
Lynn Pinard	Camp Crayola Director	\$11.00
Teresa Piedmonte	Camp Crayola Asst.	\$9.00
Victoria Stanton	Reading Camp	\$25.00
Bridget Nadzen	Art Camp Instructor/Teacher	\$25.00
Beth Outstrich	Art Camp Instructor/Teacher	\$25.00
Dan Allen	Youth Wrestling Coach	\$10.00
Matt McGivney	Youth Wrestling Coach	\$10.00

**VOTE:**

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

**All Ayes, motion carried and adopted.**

**BOARD DISCUSSION BEFORE VOTE:**

Councilor Geraci said that this was tabled from last meeting so he could have a chance to talk to the Recreation Director. He said what caught his eye were the three, \$25.00 an hour rates and he is still concerned about that. He explained the Recreation Director defended the rates as these people have been with the department, they are school teachers and that is the pay rate that they command. Councilor Geraci stated he basically told the Recreation Director that he is going to encourage him for next year to see who else is out there to teach reading, to do art, that is not to say that they won't hire these people back, but it is a high number and something to look at. He said despite all of this he will vote in favor to hire them.

**RES. #101/2015**

**Parks On-Line Program Registration Privacy Policy**

Motion made by Salisbury, seconded by Reeves to approve and adopt an official Town Privacy policy in response to a new on-line parks program registration function.

**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 explained that this is the Parks on-line program which is the new software that the Parks and Recreation Department is using to have on-line registration for their programs.

**RES. #102/2015**

**Lease of Large Format Color Plotter Scanner**

Motion made by Diamond, seconded by Salisbury to authorize the supervisor to sign the proposal from Syracuse Blue Print for the four (4) year lease of a large format color plotter scanner for \$245 per month with a total cost of \$11,760.

**VOTE:**

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

**All Ayes, motion carried and adopted.**

**BOARD DISCUSSION BEFORE VOTE:**

Councilor Diamond confirmed with the Board that this item has been budgeted for the last two years and Supervisor Salisbury also said that this is under NYS contract.

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**RES. #103/2015**

**Impose Fee for Lysander Water District Customers**

Motion made by Salisbury, seconded by Shimer to set a \$25.00 fee for all Town of Lysander water district customers supplied with Village of Baldwinsville water if their meter replacement is not scheduled by June 30, 2015.

**VOTE:**

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

**All Ayes, motion carried and adopted.**

**BOARD DISCUSSION BEFORE VOTE:**

Supervisor Salisbury explained that in all six of the water districts new meters will be installed. He said that some of them are old and not working properly. He explained that if the property owner does not make an appointment to have their meter replaced by June 30, 2015 there will be a \$25.00 fee assessed. He also said that the Town is sending out a letter explaining this and the letter will go out tomorrow once this is approved by the Board.

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**RES. #104/2015**

**Accept Lamson Road Water District Map**

Motion made by Salisbury, seconded by Shimer to accept the Lamson Road Water District map, plan and report prepared by the Town Engineer dated May 7, 2015.

**VOTE:**

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

**All Ayes, motion carried and adopted.**

**BOARD DISCUSSION BEFORE VOTE:**

Supervisor Salisbury said that this is the map that will be serviced by the proposed water district. He stated that they have gone through this many, many times.

Councilor Reeves asked if Engineer Yager can explain the process and said that they need a map to start with because they have to price it out and send everything out to the households with the petition explaining everything.

Engineer Yager explained that according to Article 12 of New York State Town Law which is district formation by petition, the map, plan and report has to be prepared first and be attached to the petition before the petition is passed. He said at this point that it is prudent for the Town Board to adopt the map, plan and report prior to the petition going out so that it is known that the Board is in agreement that the map, plan and report has been prepared and is an official document that is kept in the Town Clerk's Office.

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**RES. #105/2015**

**Highway Department to Remove Existing Landscaping**

Motion made by Salisbury, seconded by Reeves to authorize the Highway Department to complete removal and regrading of the existing landscape areas at the Town Offices under the direction of the Town Engineer.

**VOTE:**

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

**All Ayes, motion carried and adopted.**

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**RES. #106/2015**

**Participation in CNY StormWater Coalition Staff Services**

Motion made by Reeves, seconded by Shimer to pass a resolution supporting participation in the CNY StormWater Coalition Staff Services and Education Compliance Assistance Program.

**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 explained that this is a great help in the annual MS4 report that he just spoke about earlier adding that the Town has been in this organization since 2010.

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**RES. #107/2015**

**Approve Request by Joseph Debarbieri and Kathryn Weagraff**

Motion made by Salisbury, seconded by Shimer to approve the request of Joseph Debarbieri & Kathryn Weagraff, 7974 Collington Pointe Way, Baldwinsville, NY to install an 18 inch drainage pipe and one (1) concrete catch basins, within the Collington Pointe Drainage District easement along the east edge of their property in accordance with the plan prepared by Mastroianni Engineering, marked "ME Project 15015" as recommended in the Town Engineer's letter dated May 7, 2015.

**VOTE:**

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

**All Ayes, motion carried and adopted.**

**BOARD DISCUSSION BEFORE VOTE:**

Supervisor Salisbury explained that this has been done before and the Board just needs to allow them to do it.

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**RES. #108/2015**

**Set Public Hearing for Amended Subdivision Regulations**

Motion made by Salisbury, seconded by Shimer to authorize the Town Clerk to advertise for a public hearing on May 28, 2015 at 7:00 P.M. at the Lysander Town Hall, 8220 Loop Rd. Baldwinsville, NY 13027 regarding the adoption of a resolution ratifying new subdivision regulations which have been adopted by the Planning Board of the Town of Lysander on May 7, 2015.

**VOTE:**

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

**All Ayes, motion carried and adopted.**

**BOARD DISCUSSION BEFORE VOTE:**

Supervisor Salisbury said that this is the next to the last final step in having new subdivision regulations and a zoning code.

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**RES. #109/2015**

**Set Public Hearing for New Zoning Code Regulations**

Motion made by Salisbury, seconded by Reeves to authorize the Town Clerk to advertise for a public hearing to be held on May 28, 2015 at 7:00 P.M. at the Lysander Town Hall, 8220 Loop Rd. Baldwinsville, NY 13027

regarding the adoption of a Local Law of the Town Of Lysander for the year 2015 which would create a new zoning code for the Town and replace the existing zoning code.

**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 explained that these are monumental things that have been done in the last year and a half by a committee (Comprehensive Land Use Plan Committee) who has worked very hard and diligently to get these things done. He said this is the first overhaul since 1991 and it is hoped that what is being done, this public hearing, and when they adopt them can last this town at least into 2050. He stated it is a very comprehensive plan and they thanked all the members of that committee many, many times but he just can't say enough how much the Board appreciates all the work that they have done.

**RES# 110/2015**

**Parks Program Refund Policy**

Motion by Salisbury, seconded by Geraci to approve and adopt an official Town refund policy for the Parks and Recreation Department.

**VOTE:**

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

**All Ayes, motion carried and adopted.**

**ANNOUNCEMENTS**

Supervisor Salisbury reported the following:

- The next Town Board meeting is on Thursday, May 28, 2015 instead of the Monday before which is Memorial Day. He advised that the Village of Baldwinsville celebrates Memorial Day on May 30, 2015.

**RECOGNITION OF CITIZENS:**

**Proposed Lamson Road Water District**

Kevin Rode, Greymoor Way: Are the people who are going to pass the petition is it up to them after they get the map or is the Town going to facilitate getting the map and information out.

Supervisor Salisbury: No, we give the people who are going to pass the petition the map plan and report and petitions and if they want to they will pass it out.

Mr. Rode: So the Town is not going to have another meeting where maybe another group of people could come from Lamson Road.

Attorney Rivizzigno: After the petition.

Mr. Rode: The Town is not going to help, like you did last year, when you didn't have any definite numbers. It was an informational meeting. You are not going to have another one?

Supervisor Salisbury: No because now we have definite numbers. That is what will be in the map; plan and report and then we will have the public hearing if there are enough people that sign the petition.

Mr. Rode: I understand what you are saying. I thought the Town may try to help those people by getting the majority of the people in one place so they would not have to go to every house to try and have petitions signed.

Attorney Rivizzigno: The people that are taking the petitions can do that. They can say we are going to have a meeting and have everybody show up and sign the petition.

Supervisor Salisbury: It's not like we haven't given them a lot of help.

Mr. Rode: I'm not saying the town hasn't but people who have passed petitions you know it's difficult and if you get them in one place you may be able to knock off...

Supervisor Salisbury: They actually made the decision that they wanted to do it.

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Jim Stirushnik, Dinglehole Road: Will the town provide the same information and assistance to the groups that were willing to pass a petition against the water district.

Supervisor Salisbury: They actually can come to the public hearing if they want to at that point

Mr. Stirushnik: The Town is not willing to provide or prepare a petition or the information.

Attorney Rivizzigno: There is no petition against. It's either the petition for or not. There is no such thing as a petition against. They can come to the public hearing and express their opinion. Then the town board would vote.

Mr. Stirushnik: Or a petition to ask for a referendum?

Attorney Rivizzigno: Not in this Article 12, no.

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### **Parks and Recreation Summer Appointments**

Mr. Stirushnik: It has been the practice that the programs in the Parks department are self-sustaining in terms of their income. I presume for the reading camp and the art camp that there is enough income to cover these salaries.

Supervisor Salisbury: Yes, if there isn't then we don't hold it.

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### **Proposed Lamson Road Water District**

Chris Natali, Oswego Road: I just wanted to come and thank Andy and Al for the water district, Al for doing the water district. I have been sending a lot of emails back and forth asking a lot of questions about it, just curious about it; he has been keeping me informed. Andy provided water at his farm stand for me. I have already run out twice this year. Every year my well has gotten a lot worse. It has been a great help and I just wanted to thank him for helping out and support for the water district.

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### **OTHER BUSINESS:**

**None**

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### **ADJOURNMENT:**

At 7:43 pm Supervisor Salisbury adjourned the meeting.

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

Lisa Dell, Town Clerk