

A regular meeting of the Lysander Town Board was held at 7:00 p.m. on July 27, 2015 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: Tony Rivizzigno, Town Attorney; Lisa Dell, Town Clerk; Al Yager, Town Engineer; David Rahrle, Comptroller; Pac-B and several residents.

SUPERVISOR'S COMMENTS:

Supervisor Salisbury: I see a lot of people here regarding Lamson Road Water District. We did receive today the petitions that now have to be checked to make sure about the validity about every name on there. There will not be any changes to that. Tomorrow I will call the people who have passed the petitions to say that the deadline is July 31st but as I said we have already received them and as far as I know tonight at 5:00 I received the last list.

On our town board meeting of August 10th we will have a work session that starts at 5:00 instead of 6:00. Also on August 10th we will be going over more of our incentive zoning for the Whispering Oaks area called Cabbage Patch.

Route 31 between the village and Anheuser Busch is completed for what they will be doing. I had announced that they were going to redo the road from the railroad tracks to Anheuser Busch and then they were going to repair all of the potholes. Well I have seen what they did. They have only did a portion of that, repaired it completely and patched the holes in the other part. So I wrote an email I sent to the Mayor of the Village and the Supervisor of VanBuren and each of them had a different idea of what I did. The three of us went to the same meeting and none of us came back with the same idea. So anyways I will tell you what is done is all they are going to do this year. In 2016 the rest of 31 will be done where they mill the tarvia and put down new tarvia.

TOWN BOARD COMMENTS:

Councilor Shimer provided an update to the Toomey residential home and said that they are furnishing it this week and the children will be moving in on Thursday.

Councilor Diamond thanked everyone for attending the meeting tonight. He said he requested at their next board meeting at the work session to discuss the topics of a Whistleblower policy and a solicitation law. He stated he wanted to invite everyone to attend that meeting and he looks forward to the conversation.

DEPARTMENT HEAD REPORTS

None

CITIZEN COMMENTS ON AGENDA ITEMS

Bob Braun, Quaker Lady Circle: On the first agenda item I don't know if I understand all of these transfers. You got \$11,000 for labor relations. Did we not budget for that?

Supervisor Salisbury: Yes.

Mr. Braun: We did budget for that?

Supervisor Salisbury: Yes.

Mr. Braun: Not enough?

Supervisor Salisbury: Right.

Mr. Braun: And no reason you just didn't budget enough?

Supervisor Salisbury: Correct.

Mr. Braun: You took the money from the Lysander arena right?

Comptroller Rahrle: That is correct.

Mr. Braun: The website, I don't ever remember hearing anything about the website (unclear) for \$4000. You budgeted like \$1200 for the website?

Supervisor Salisbury: We have redone our website and we had approval from the Board to proceed with that.

Mr. Braun: When was that? Did I miss that meeting?

Supervisor Salisbury: That was a discussion probably in a work session. This is their approval of that by having a budget transfer.

Mr. Braun: How would I know about that? I can't go to every work session you make them too early.

Supervisor Salisbury: Well I apologize.

Mr. Braun: Did you put it on the website that you paid \$4000 for it so I can see it in the future. I'm just asking because it's like \$4000.

Supervisor Salisbury: Have you seen our new website?

Mr. Braun: I was on it today looking for it and I couldn't find it.

Supervisor Salisbury: Town of Lysander? No, the \$4000.

Mr. Braun: Judgement and claims that is a lot of money that you didn't budget for. Why is that?

Comptroller Rahrle: If I may the majority of that number was the dog case. A small portion of it, the \$1500, was the settlement for the Timbers in their assessment change so we had to pay them back. I think it was \$1500. The other \$33,000 was in relation to the dog control case.

Mr. Braun: You didn't budget for that?

Comptroller Rahrle: It was not budgeted for.

Mr. Braun: Why was that? Because you thought you would win or something?

Comptroller Rahrle: I'm not sure.

Mr. Braun: Okay I'm just curious. Taking from the ice arena I see. Why is everything coming from the ice arena?

Comptroller Rahrle: Because obviously we budgeted that money and we are not going to be using it.

Mr. Braun: You budgeted a lot of money and I'm just curious why it came from that one. Wasn't it in an offsetting account?

Comptroller Rahrle: Yes they were but obviously we are not getting \$400,000 in revenue because of the fact that we don't have the place anymore. We sold it.

Mr. Braun: Didn't we make \$282,000 off that? \$33,000 savings from you (Comptroller Rahrle) retiring and going part time couldn't we use that.

Comptroller Rahrle: We could have.

Mr. Braun: Okay, just asking. And the fund balance we went and took from the unassigned fund balance \$282,000?

Comptroller Rahrle: Yes because obviously we don't have \$280,000 on a line item on someplace to move to be able to cover this (unclear) so we are going to take it out of the unappropriated fund balance to cover that line item to pay off that bond which we have already done. The sale of the ice arena, the proceeds from that, will fall into the fund balance in this year's calculations when we get to year end.

Mr. Braun: Okay, it makes sense. I understood that part. So it is just the budgeting thing we really didn't figure out, right? Thank you.

Supervisor Salisbury: When you do a budget you are 12 to 15 months out so there isn't a budget that is perfect. I'm sure you have done budgets.

Mr. Braun: I have done a couple. But if you are going to bring that up, you lost the dog suit in December and you wait to July to allocate the money is a long time. So I am kind of concerned how far we are in the lawyer budget. That's a big gap. We are already running low on that. I don't see any money being moved into that. Labor relations what 262 percent (unclear) over. I don't really care about the \$500 traffic control or the security. Does it make sense?

Supervisor Salisbury: Thank you.

OLD BUSINESS

None

NEW BUSINESS

RES. #144/2015

Approval of Budget Transfers

Motion made by Salisbury, seconded by Shimer to approve the attached budget transfers as put forth by Comptroller David Rahrle.

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. #145/2015

Approve the Fall Festravaganza

Motion made by Diamond, seconded by Shimer to approve the Fall Festravaganza to be held on Sunday September 20, 2015 at the Lysander Town Hall grounds.

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. #146/2015

Approve Optimist Club Annual Halloween Window Painting

Motion made by Salisbury, seconded by Geraci to approve Lysander Town Hall for a host site for the Optimist Club Annual Halloween Window Painting scheduled for Saturday October 24, 2015 from 9:00 am until 12:00 noon.

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 children will be painting the windows at the town hall.

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RES. #147/2015

Agreement with the Baldwinsville Pop Warner Football Association

Motion made by Shimer, seconded by Diamond to authorize the Town Supervisor to sign the agreement with Baldwinsville Pop Warner Football Association for use of Lysander Park fields and the Town Hall for the 2015 football season.

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. #148/2015

Change Street Millings Rate to \$2.00 Per Ton From \$5.00

Motion made by Salisbury, seconded by Diamond to change the rate per ton for street millings from \$5.00 to \$2.00 per ton.

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: At our organizational meeting we changed that from \$2.00 a ton to \$5.00 a ton because VanBuren is charging \$5.00 a ton but VanBuren for \$5.00 loads the truck. They use highway to load the trucks on to theirs and they actually deliver it. At \$2.00 a ton we require the purchaser to load their own trucks and take it to their own site. They didn't want to pay \$5.00 if they wanted to do all that. So we now have a person or a company that will buy all that we have stockpiled at \$2.00 per ton.

Councilor Reeves: This is being done by the recommendation of the Highway Superintendent. We didn't just come up with this. He asked us to support it and we did.

Highway Superintendent Gene Dinsmore: Our original best customer left us when the price went to \$5.00. He said at \$2.00 he would be willing to get back into it. I suggested that we split the pile in half. Our customer that appeared that wanted to buy the millings for \$2.00 a ton, the old price, is Gypsum Express. Our original customer, CNY Crops, has just informed me that they did not know that this was happening and they asked if they could resume buying them for the original \$2.00 a ton. They would be glad to take all they could get also. So since we don't have a formal contract with Gypsum Express I suggest that we just split the pile and let each customer take half. We will have more. This is an ongoing process that we have so there will be more.

Supervisor Salisbury: You are the one selling it.

Councilor Reeves: It is up to you, you are the Highway Superintendent.

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RES. #149/2015

**A RESOLUTION AUTHORIZING THE ISSUANCE
AND SALE OF SERIAL BONDS FOR THE WEST GENESEE
WATER DISTRICT REPAIRS**

Motion by Reeves, seconded by Shimer:

WHEREAS, this Board, by resolution, has authorized the West Genesee Water District repairs (hereinafter referred to as the "WGWD Repairs"); and

WHEREAS, the WGWD Repairs shall be completed by D.E. Tarolli, Inc., 6602 Herman Road, Warners, New York 13164;

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 the WGWD Repairs, and to provide funds to defray the cost thereof, THIRTY-FIVE THOUSAND DOLLARS (\$35,000.00) of the General Obligation Serial Bonds of the Town, shall be issued pursuant to the provisions of New York Local Finance Law.

Section 2. THIRTY-FIVE THOUSAND DOLLARS (\$35,000.00) is estimated as the maximum cost of said WGWD Repairs.

Section 3. The plan or the financing of the purchase of said WGWD Repairs consists of the issuance of General Obligation Serial Bonds of the Town in the principal sum of THIRTY-FIVE THOUSAND DOLLARS (\$35,000.00), 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 forty (40) years, pursuant to subdivision 4 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 forty (40) 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:

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 this is where we had several leaks and they will be replacing a pipe that is 40 years old.

RES. #150/2015

Approve Three (3) Year Electricity Supply Agreement with Constellation Energy

Motion made by Diamond, seconded by Geraci to authorize the Town Supervisor to sign a three year (3) electricity supply agreement with Constellation Energy to provide electricity to the town.

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: Before the board votes on this item I just want to give you a little more information that I am not sure that we supplied you with. This particular energy program is a municipal energy program that is offered through the NYS Association of Towns and I don't know if you are aware of that or not. So obviously there is power in numbers and they are able to negotiate lower rates by having the power in numbers. This particular agreement is going to save us \$14,000 a year for three years. We are signing for three years. This will cover for all of our lighting districts, our pump stations in our sewer districts and all of our town buildings.

Supervisor Salisbury: For next year we will be able to budget the \$14,000 savings but this year the \$14,000 savings is going to occur actually after we are already into the budget year. So this will contribute to our fund balance next year.

Lysander Park Walk Path

Motion made by Shimer, seconded by Diamond to authorize Highway Superintendent Gene Dinsmore to assign Highway Department personnel to reconstruct the Lysander Park Walk Path to be completed in the Fall of 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: What happens is that we cannot have the have highway department which is a part town charge work on the path in the park which is a whole town charge unless we reimburse the highway department. This is authorizing the park to hire our highway department to build the path. Actually it's to reconstruct the path. Our path is in terrible shape. We need to widen it so that we can get a truck in there. It will be crushed stone and then we are going to repave a 6 foot wide path.

Councilor Diamond: This was budgeted for and this is something that the board had planned on using the money for.

RECOGNITION OF CITIZENS:

Proposed Lamson Road Water District

Cindy Todd, Dinglehole Road: Could you explain to me the validation process for the petition.

Supervisor Salisbury: I really have to talk to the Assessor but I assume that the Assessor has the list by road of all the people who own the property and the assessed valuation and will be comparing signatures to that list.

Ms. Todd: How does it work again as far as the validation process? At a previous board meeting I had expressed concern over the way the petition was being presented, that it was not being presented as you had specifically asked it to be presented. That was two different people, and one of them spoke themselves at one of the board meetings, and I heard it myself also at one of the Lamson Road sign-up. So I am wondering how is that going to be addressed by the board.

Attorney Rivizzigno: Those comments can be made at the public hearing. If someone was misled they should bring it up at the public hearing.

Ms. Todd: So the board won't take that into consideration?

Supervisor Salisbury: How can we?

Ms. Todd: You already had someone here tell you that.

(Crosstalk)

Ms. Todd: You had a resident come and say that it wasn't being presented appropriately the way you had asked them to present it.

Councilor Shimer: Was there name on it?

Ms. Todd: They did not sign it, no. But the point is if they are presenting it to him that way then they are presenting it to everyone that way and I heard it myself standing up at Lamson Road not once did the cost come up and that is exactly what you asked to be done.

Supervisor Salisbury: Tell me how would we determine that?

Ms. Todd: I think that someone should call each resident to make sure they understand what the ramifications are. I will be more than happy to do that.

Attorney Rivizzigno: That is not part of the petition process. If they got a complaint about that, that they were misled...

Ms. Todd: How would they know they were misled, how would they know that?

Attorney Rivizzigno: How did you know you were misled?

Ms. Todd: Because I am actively involved.

Attorney Rivizzigno: We can't call 500 people and ask them what they said and who said what. They need to come to the public hearing and make their comments to the board.

Ms. Todd: Okay, fair enough. I also made it known to the board that there is a question on the map, plan and report as far as how the town samples were gathered. I am wondering if the board took that into consideration as well. Marty does not work for the town but yet the map, plan and report indicates that the town was the one that did the water sampling. Marty was the one that gathered all of those samples in very specific areas. I am wondering if the board has taken that into consideration.

Councilor Reeves: Let's clarify the facts on that. Lysander did not gather the samples because it would have cost money and manpower. Lysander back then did not get the samples.

(crosstalk)

Councilor Reeves: Let me finish. The Town never gathered them. Marty gathered them because he was told, they were told the town cannot spend money or time gathering them or doing the samples or paying for the samples. The people that do have results back, and have one result back, as you said came back positive. I had the same thing happen, false positive, have to test again. Due to the fact that they had to pay for their own samples to be done because it is not free, it cost money, that's why they decided not to do samples again. It was at their discretion. Somebody had to gather their samples and Marty volunteered to do it. The town did not pay to gather them. They were gathered by the town, if you want, if it says that on paper, the town did not spend any money. Just like we wouldn't gather samples, we wouldn't take samples...

Ms. Todd: I guess why the map, plan and report says the town conducted the sampling (unclear).

Councilor Reeves: It may be inaccurate.

Ms. Todd: It is. We got inaccuracies in the map, plan and report that we are basing this whole petition on.

Attorney Rivizzigno: The petition is not based on good water or bad water. There is nothing in the law that you have a petition (unclear). Good water or bad water has nothing to do with it. You can petition, anybody can petition, the town if everybody had good water and they just wanted to form a district and have it paid by the district. You can do that. It doesn't matter whether the water is good or bad. So again that is a comment that you may want to bring up to the board at the public hearing.

Ms. Todd: I just think that it is important that up to this point there has been a lot of information given to us during the board meetings that it had to be presented a certain way. The samples that were gathered, there was a second test done and that it was eight years before it even got landed into a map, plan and report. This is all the information that we have been given to this point and now it seems that the title, the story, is changing a little bit.

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Robert Braun, Quaker Lady Circle: Thanks for looking at the cross walk striping. It's kind of important. I asked the Engineer why we were not paving the roads a few weeks ago. It seems like we are being pretty cheap. You got all that money sitting in funds spend some of it, paint the roads and put people to work. Repair that little parkway there, I think that is good. We have been asking about getting our culvert repaired on Quaker Lady Circle in mid-June, mid-July, do I need like a resolution, a motion, the petition, I mean what do I need to do to get them to go clean up my (unclear).

Councilor Reeves: A water sample.

(Crosstalk)

Highway Superintendent Gene Dinsmore: I don't know what your particular problem is.

Engineer Yager: It is on our list of drainage maintenance problems that we want to do in the Radisson Drainage District this summer. It will be taken care of. We are still working on roads. As soon as we free up staff we will be taking care of your problem.

Mr. Braun: This year? Next year?

Engineer Yager: This year.

Mr. Braun: Okay, mid-June, mid-July (unclear).

Engineer Yager: Patience please.

Mr. Braun to Comptroller Rahrle: Thanks for the explanation. I now understand the energy (unclear) so thanks for explaining that. I wasn't sure if you really want to contract out three years (unclear) but it sounds like it's a good deal. I don't understand why the lawyers' fees are so high and why we are so far out of budget.

Supervisor Salisbury: You mean on our labor.

Attorney Rivizzigno: It's not just me. There is a labor lawyer that is involved in extensive negotiations.

Mr. Braun: So doesn't that go to the labor account? The lawyer account is like 30, 20 thousand over, 34 thousand over. The labor, moving stuff in there. So what is all that lawyer overage is?

Supervisor Salisbury: Labor relations it speaks to that. Our attorney for labor relations is over \$11,000 because we are negotiating a contract that ended in June of 2014.

Mr. Braun: Right but haven't we spent like \$64,000 so far on lawyers now and another \$33,000.

Supervisor Salisbury: We have a lawyer who is on retainer.

Mr. Braun: \$60,000.

Supervisor Salisbury: Right. That is not what is over.

Mr. Braun: Don't you have to pay the rest of it (unclear).

Supervisor Salisbury: There are extra things that we ask our attorney to do that is not covered in the retainer and it hasn't been budgeted for. We still have to pay him.

Mr. Braun: I fully understand that. \$34,000, at \$190 an hour, what is that, 147 hours?

Supervisor Salisbury: You know you are looking, \$34,500, is for our lawsuit regarding the dog warden.

Mr. Braun: That is a judgement and complaint. I am asking you about the lawyer line item.

Supervisor Salisbury: The lawyer is \$11,000, labor relations.

Mr. Braun: No that is labor relations. I am talking about the lawyer account. You have \$85,000 budgeted for it. Currently we spent \$64,000.

Comptroller Rahrle: I don't have what he is referring to in front of me.

Mr. Braun: If you look up lawyer, you have it budgeted at \$85,000.

Supervisor Salisbury: I think that included labor relations lawyer.

Mr. Braun: It's a different budget.

Comptroller Rahrle: It did not.

Supervisor Salisbury: Are you done Sir?

Councilor Shimer: You are now.

Mr. Braun: Okay are you going to answer it or do I have to come back next week.

Supervisor Salisbury: Ask what?

Mr. Braun: My question.

Comptroller Rahrle: I will have to look it up, the answer to your question. Obviously there was additional attorney fees or will be because as you said if you do the math we are going to go over.

Mr. Braun: (Unclear)

Comptroller Rahrle: You don't move the money over until you go over.

Mr. Braun: Okay.

Supervisor Salisbury: Some people wait until the end of the year. Some municipalities wait until the end of the year to make it. We have been making transfers during the year.

Mr. Braun: Okay. I know that some people once they get close to 5 percent they make adjustments. I'm just asking.

Supervisor Salisbury: I mean I worked in three municipalities and we never had that happen where you move in anticipation. You wait until you spend it.

Mr. Braun: Okay. I probably work in more proactive places but that is okay.

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Kevin Rode, Greymoor Way: I just have a question about employee appointments. Does the entire town board vote on them, the January meeting? What I am asking is does the entire town board decide if someone is hired or fired when they are appointed.

Supervisor Salisbury: I mean you have to have at least three voting in favor of it of course.

Councilor Reeves: But it is a board decision.

Mr. Rode: Okay. I just wanted to know. I had a question. I heard a councilor had talked to someone possibly about not being here next year and I did not know if one councilor had that decision or does the entire town board.

Supervisor Salisbury: That's a good question. One board member does not have the right to hire or fire anybody.

Mr. Rode: Could that fall under a hostile work environment if someone had said something to an appointed employee? I'm just asking. I wouldn't want to see any more loss than we already have.

Attorney Rivizzigno: I wouldn't want to guess at that.

Mr. Rode: Okay, thank you.

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River Road

Mary Post, River Road: I want to know if at this time there are any plans for widening the road on River Road.

Supervisor Salisbury: Not that I know of, it is a county road.

Ms. Post: They are on the side measuring and stuff and I was just curious.

Supervisor Salisbury: Gene, you haven't been notified have you?

Highway Superintendent Gene Dinsmore: No. River Road is a county road.

Ms. Post: So if I want to know I should call the county?

Attorney Rivizzigno: Yes, call the Department of Transportation for the County.

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Proposed Lamson Road Water District

Scott Bogardus, Dinglehole Road: Question on the water district. You guys received petitions. Will those petitions be made public somehow or will concerned residents within that district be allowed to see them before we get to the process of a hearing? How does this work?

Attorney Rivizzigno: We have to validate them first. If there is not a sufficient number according to law they will be thrown in the wastebasket. If they exist they are part of the town records and you can get a copy.

Mr. Bogardus: So what is the timeframe between the time that the town, say if it is good, and they approve it, and then there is a public hearing and then it is made public because there needs to be at least some time for those within that district that are affected to maybe take a look at it themselves and maybe help take a look at validation as well.

Attorney Rivizzigno: It can only be validated by the town. So the people that want to look at them can't change the validation. The town will validate them or they won't. If you can come up with other ideas at the public hearing if you think that people signed them that, or people didn't sign them whose names are on there, whatever the case may be you can bring that up. There is no other validation process other than the town's validation process. Once that is complete, again assuming that there is a sufficient number of signatures there will be a public hearing that will be at least two or three weeks from the time the validation is complete and announced and the date of the public hearing.

Mr. Bogardus: And the process of validating these signatures how does that go? Is it checked on the town records?

Supervisor Salisbury: We have a list of everybody who owns property on a road. We have it by road and the name that the property is listed under. Whether it is John or Mary or just Mary or just John we will know that.

Attorney Rivizzigno: We compare those signatures and we also not only have the address, but we also have the assessed value. So we check the assessed value, add all those up and if they are more than 50 percent of the total assessed value then the petition will be validated.

Mr. Bogardus: That is fine but the number of petitioners that doesn't make a difference right? So it is strictly based on the assessed value. That is one of those things where a million dollar property with one signature you need a whole bunch of none signatures to offset that. Do you see what I am saying?

Attorney Rivizzigno: Yes.

Mr. Bogardus: So that is kind of an interesting way to look at it.

Attorney Rivizzigno: But that is what the law requires.

Mr. Bogardus: I understand. So really I guess one of the questions might be is whether it is section 78 or somehow to look at that process. I understand that the town is following the law. That process seems kind of interesting. Let's put it that way. I mean think about it. One signature with a million dollar property is going to override a whole bunch of people that don't want it. They don't want to pay for this kind of thing and they are just out of luck.

Attorney Rivizzigno: I don't necessarily disagree with you but that is the way the law is.

Mr. Bogardus: And I understand. Do you have or is there a projected date of when this public hearing may be on this issue?

Councilor Reeves: We can't even say a public hearing because if there are not enough signatures with asset value then there won't be one.

Mr. Bogardus: So you guys have to take it through the process to even see if it is valid and then...

(Crosstalk)

Mr. Bogardus: Okay, I appreciate your time.

Supervisor Salisbury: Okay Scott, thank you.

ANNOUNCEMENTS:

Supervisor Salisbury announced again that there will be a work session on August 10, 2015 at 5:00 pm.

OTHER BUSINESS:

None

ADJOURNMENT:

At 7:40 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