

A regular meeting of the Lysander Town Board was held at 7:00 p.m. on August 24, 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; Pac-B and several residents.

SUPERVISOR'S COMMENTS:

None

TOWN BOARD COMMENTS:

None

DEPARTMENT HEAD REPORTS:

Assessor Theresa Golden provided the following report:

June 2015- August 2015 Assessors' Report

The Legal Notice concerning the filing of the Final Assessment Roll for 2015 was published on July 1st.

The Final Assessment Roll for 2015 and the Assessor's Annual Report were completed on July 1st and filed with the County and State. A copy of each is available in the Assessor's office during normal business hours. Please see attached totals page for the Town.

Basic Star reregistration will be conducted this fall by the NYS Department of Taxation and Finance. Mailings will be sent to all property owners with a new Basic Star exemption on either the 2014 Or 2015 Assessment Roll only. They will be required to register with DTF by December 31st.

Exemption renewals for 2016 are being processed for mailing in early September for all Enhanced Star, Senior Citizen, and Disability exemptions.

The Town has received 2 Small Claims petitions for 2015 and the hearings are scheduled for August 26th. The Town has received 1 Certiorari filing for 2015 and I which did not file for 2015, but has previous years pending. No new Certiorari filings were received for 2015.

The assessor is currently reviewing the 2015 department expenses prior to preparation of the 2016 budget.

A verification of all sales occurring between July 1, 2014 and June 30, 2015 is being completed by the assessor. The deadline is August 28th. The State will use the verified sales to calculate trends for next year.

The ORPTS has verified the Level of Assessment at 100% for the 2015 Final assessment roll.

BOARD DISCUSSION:

Supervisor Salisbury asked if the assessment roles that were presented went down from the previous year of \$383,000.

Assessor Golden: Yes. The majority of that if you look at utility line number section 6 which is the utilities, the majority of that is due to the over valuation of the Dominion transmission lines that the State did for last year based on incorrect inventory. That was the majority of our large hit this year. The roll actually went up except for that.

Councilor Geraci asked if the assessed value went up except for that.

Assessor Golden said yes. She said if you look at rural section one, it actually went up from 14 to 15. The large decrease is due to the Dominion gas pipe lines that were overvalued by the State based on incorrect inventory that the company submitted to ORPTS which we have since corrected.

Councilor Reeves: That is two years in a row, back to back, we have had a reduction in the assessed valuation.

Assessor Golden said she didn't believe so last year but would have to check. She stated that this year she knows that over evaluation was in excess of 30 million dollars.

Councilor Reeves said that during the budget last year he thinks they dealt with a reduction.

Comptroller Rahrle said he thinks that this is correct.

Supervisor Salisbury asked when the Anheuser Busch moved off of the assessment rolls into a PILOT program.

Assessor Golden said that was two years ago and also this past year the Agrana fruit plant did the same thing under a PILOT.

Supervisor Salisbury asked if McLane North East had a PILOT.

Assessor Golden said no that was a settlement under at tax certiorari and that the current assessment roll shows Dominion, the Agrana PILOT from last year and the settlement with Timber Banks.

CITIZEN COMMENTS ON AGENDA ITEMS:

None

OLD BUSINESS:

None

NEW BUSINESS:

RES. #159/2015

Comptrollers Audit of Justice Department

Motion made by Reeves, second by Diamond to accept Town Comptroller's audit report of the Town Justice Department for the fiscal year ending December 31, 2014.

VOTE:

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

All Ayes, motion carried and adopted.

RES. #160/2015

Parks and Recreation – Hiring of Basketball Attendant

Motion made by Salisbury, second by Shimer to authorize the Parks Department to rehire Allen Coon as Basketball Attendant for the Adult Basketball Program for the Parks and Recreation Department effective November 2, 2015 at the pay rate of \$10 per hour.

VOTE:

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

All Ayes, motion carried and adopted.

RES. #161/2015

Execute Third Party Collateral Agreement

Motion made by Diamond, second by Reeves to accept the use of Eligible Securities and Letters of Credit as collateral pledged to secure deposits that exceed the FDIC coverage, and further authorize the Town Supervisor to execute a Third Party Custodian Agreement with NBT Bank and The Bank of New York Mellon governing such arrangement.

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. #162/2015

Surplus Equipment – Tax Receiver’s Office

Motion made by Salisbury, second by Geraci to declare inventory item 901, a 12x Crosscut Shredder (Serial # 99114485.8) that is no longer repairable, as surplus equipment to be disposed of in the usual manner.

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. #163/2015

Lions Club Use of Lysander Park

Motion made by Geraci, second by Diamond to authorize the Baldwinsville Lions Club to use Lysander Park on Sunday May 29, 2016 per agreement.

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. #164/2015

Union Contract Approval - January 1, 2015 through December 31, 2018

Motion made by Salisbury, second by Shimer to ratify and approve the Memorandum and Agreement between the Town of Lysander and Teamsters Local 317 for the period January 1, 2015 through December 31, 2018.

VOTE:

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

All Ayes, motion carried and adopted.

BOARD DISCUSSION BEFORE VOTE:

Supervisor Salisbury: We have a union contract that we have been working on. The last agreement ran through June 30, 2014. We have been negotiating this contract for a year and a half. It is very comprehensive. The contract used to end on June 30th and this would have ended June 30th 2014. We have negotiated a new term on this agreement. It is a four year term running from January 1, 2015 through December 31, 2018. There are salary increases that are outlined in this agreement. In the last agreement there were no salary increases outlined. The contract had a “me too” clause which meant that if we changed any salaries outside of the union then the union automatically got those. The “me too” clause is gone on this agreement. The highway which is unionized and the office staff which is not unionized have not received any increases in 2012, 2013 or 2014. In 2015 the Highway will receive 4 percent retroactive to January 1, 2015. The office staff has not been decided for 2015. In 2016, 2017 and 2018 the increases are 3.5 percent. Those increases are tied to another new item that is in the new contract which we did not have in the last contract. In previous years there was a contribution to health insurance. In this contract there are new contributions for health insurance. They will be 2 percent for 2015 after ratification by both parties. The union has ratified it and I hope tonight we will ratify it. For 2016 it goes up to 4 percent, 2017 6 percent and in 2018 8 percent and this is the last year of this contract. There have been some other minor changes regarding how the number of hours the park employees will work especially on weekends. In effect we have worked it out that there will not be overtime in the parks department. The parks department now will receive 5 high visibility t-shirts with bright lettering for safety reasons. The Highway’s reimbursement for work boots will increase from \$150.00 to \$200.00. There is a whole new section on disciplinary procedure. There is a new provision that formalizes that something that has been done informally off and on. We require the Highway to use beepers during the snow season. For a couple of years we have paid them a minor amount to use their cell phones instead of beepers by their request. This year we formalized it and we will now pay each employee that doesn’t use a beeper but will use their cell phone for the year we will

pay them \$100.00 towards that. It will be payable \$50.00 on June 30th and \$50.00 on December 31st. All other provisions of the July 1, 2009 through June 30, 2014 bargaining agreement will remain the same except as may be altered by this memorandum of agreement. The union has also agreed to withdraw a grievance that was filed this year. These are the major changes that have occurred in this contract.

Councilor Diamond: I think this is a very fair contract. We definitely had a couple of things going into this. For me I wanted this “me too” clause out. I am glad to see that we have employees now that are beginning to contribute to health insurance and in order to do that we needed to have a competitive, fair increase. I think the negotiating committee did an excellent job of putting this contract together on both sides.

RES. #165/2015

Set Punch List Security – Springwoods Subdivision

Motion made by Reeves, second by Shimer that the punch list security for the roadway, sanitary sewer and drainage utilities included in the Springwoods Subdivision is set at \$48,350 for the following roadway.

Street	Length
Springwoods Circle	0.152 miles

VOTE:

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

All Ayes, motion carried and adopted.

RES. #166/2015

Set Maintenance Guarantee Security

Motion made by Reeves, second by Shimer that the maintenance guarantee security for the roadway, sanitary sewer and drainage utilities within the Springwoods Subdivision is set at \$66,106 for a period of three (3) years to commencing August 25, 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:

RES. #167/2015

Acceptance as Official Town Roads

Motion made by Shimer, second by Diamond that the following street, sanitary sewers and associated drainage utilities included in the Springwoods Subdivision be accepted as official town roads.

Street	Length
Springwoods Circle	0.152 miles

VOTE:

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

All Ayes, motion carried and adopted.

RES. #168/2015

Set Punch List Security for Highland Meadows Phase II

Motion made by Salisbury, second by Reeves that the punch list security for the roadway, sanitary sewer and drainage utilities included in Highland Meadows Phase II Subdivision be set at \$60,000 for the following roadways.

Street	Length
Giddings Trail	0.263 miles

VOTE:

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

All Ayes, motion carried and adopted.

RES. #169/2015

Set Maintenance Guarantee Security – Highland Meadows Phase II

Motion made by Reeves, second by Shimer that the maintenance guarantee security for the roadway, sanitary sewer and drainage utilities within the Highland Meadows Phase II Subdivision is set at \$96,594 for a period of three (3) years commencing August 25, 2015.

VOTE:

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

All Ayes, motion carried and adopted.

RES. #170/2015

Town Clerk to Advertise for a Public Hearing

Motion made by Salisbury, second by Geraci to authorize the Town Clerk to advertise for a public hearing on September 14th 2015 at 7:00 p.m. in the Town Hall Auditorium to amend the Town of Lysander Vehicle and Traffic Law and hear all persons for or against placement of traffic “Stop” signs at the following intersections:

- Springwoods Circle entering NYS Route 370
- Mercer Street entering Giddings Trail

VOTE:

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

All Ayes, motion carried and adopted.

RES. #171/2015

E-Race Cancer 5K race
Approval to Use Town Roads

Motion by Shimer, second by Reeves to allow runners on Gloria Drive, Camerondale Road and a part of Hicks Road between Camerondale Road and Gloria drive as a part of the 5K race known as E-Race Cancer to be held on Sunday, September 27, 2015 between 8:30 am and 9:30 am as requested by Mike Samoraj in the email of August 6, 2015.

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 announced that the 2016 Town of Lysander budget work session dates will be posted on the Town’s website as well as the Town Board meetings dates pertaining to the budget process.

RECOGNITION OF CITIZENS:

Tractor Trailer Traffic/Noise
Willett Parkway

Tom Smith, Sanibel Circle: There are number of us on Sanibel Circle and Marco Lane as you come up Willett Parkway that is experiencing an inordinate amount of truck traffic noise coming into our homes. In the summer it is much more than what you might hear in the winter time. You can even hear the trucks beeping when they back up into the docks at McLane. It is that intense. I have gone through (Assemblyman) Wil Barclay’s office and he has confirmed that piece of Willett from 31 is a town road. It has the 631 designation. The town would be the agency that would hopefully establish, at least in the beginning, a no jack braking or down shifting, whatever the proper terminology is. I am hear on behalf of a number of people in my neighborhood asking the

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Town Board to pick up the joust with us and see if we can get some signs up to try to quiet those trucks down a bit. We obviously would be much more appreciative if we can get the truck traffic moved off of that piece of Willett Parkway. I know the Town Board throughout their histories have done revisions of the long term planning and I am sure that Lysander does the same thing. When the 631 designation was put there it is my understanding that the piece of Willett Parkway was not going to be of a residential nature. Obviously you have senior citizen apartments, you have nursing homes and you have residential properties abutting that part of Willett Parkway now. Things have changed and we are trying to get the nature of the traffic and the noise of that traffic changed also. That being said, this is our first step and if we need to go further we would be more than happy to do so and upon direction of the Board what they would want. I guess now I am just asking what you want us to do further from my comments.

Supervisor Salisbury: One of the things that haven't changed I assumed when you bought your house there this whole area was an industrial area which does create truck traffic coming into it and out of it.

Mr. Smith: I am not sure what your point is.

Supervisor Salisbury: You said things have changed and I am saying is things have not changed as far as the industrial area.

Mr. Smith: But the board changed the designations of where the housing was located. That too as I understand it was supposed to not be residential. Now it is residential. It is sort of like the guy that lived next door to the farm. You are sort of telling us it sucks to be us.

Supervisor Salisbury: Our engineer said that the designation has not changed.

Mr. Smith: What designation?

Supervisor Salisbury: The housing.

Engineer Yager: There are portions that were always intended to be residential.

Mr. Smith. Okay but I am saying now though as residents of the community and as our representatives we are telling you that we are experiencing some environmental displeasure. As our representatives we are asking that you represent us and help us with the problem. All we are asking for at this point in time is to get a sign that says they are not allowed to jack brake or down load. That is all we are asking for is to get some signs up there.

Councilor Geraci: I have heard this complaint, not about Willett Parkway, J braking is something that can be avoided. I'm not a trucker, maybe Gene (Highway Superintendent) or someone else in the audience can fill us in but you don't have to brake that way.

Mr. Smith: No you do not.

Councilor Geraci: Maybe that is an appropriate thing for us to put up some signage. I mean will it catch everybody, I don't know. It was a terrifically designed road to have 631 to keep it out of the 4 corners of the village but it doesn't mean we have to put up with a noise that can be avoided.

Mr. Smith: That is the whole object. We are not asking for anything that is wrong here.

Supervisor Salisbury: Hencle Blvd and West Entry Road were all designed to take truck traffic out of the center of the village because of the tight turns.

Mr. Smith: I understand that.

Supervisor Salisbury: That is why when 631 was built the State did designate Willett Parkway and part of West Entry Road as 631.

Mr. Smith: Your predecessors all they did was move the problem. The problem still exists. You have excessive truck traffic in a residential area making a lot of noise. If the village was addressed then we are asking the same consideration that our issues be addressed.

Councilor Geraci: You are not asking to do away with truck traffic but what I am hearing is there a way to alert truckers that there is another way to down shift.

Mr. Smith: My brother is a truck driver and he said it is quite common for him to come into an area...

Supervisor Salisbury to Attorney Rivizzigno: Who can enforce it?

Attorney Rivizzigno: Whoever happens to be there to see it and catch it? A police agency can enforce it depending upon what kind of law it is. There are no law on the books that I know of that says they cannot brake this way. You would have to create some sort of prohibition.

Mr. Smith: I would think too that if we can get the minimum of that then we can work with (unclear) and the rest of them to see if they won't work with us to help enforce it with the truckers coming down that way and making all the noise.

Attorney Rivizzigno: That is something you can do now.

Mr. Smith: We can but the point is right now there is nothing to say don't do it.

Attorney Rivizzigno: We can't enforce if they do it. We can suggest that they don't do it but we can't say it is against the law to do it. If you can't say that then you don't have anybody to enforce it that is the problem.

Mr. Smith: So in another words just (unclear).

Attorney Rivizzigno: No.

Mr. Smith: But that is what I keep hearing.

Attorney Rivizzigno: No just do what you suggested. Talk to the companies and maybe we can put up a sign as well that says please no J braking.

Councilor Geraci: I don't know if it is inappropriate for us to consider putting up a sign but I think besides having a resident talk to McLane and Anheuser Busch and others it might be a symbol if the Town Board does the same thing. You have a business to run, we understand that, but perhaps you can get your folks that are driving your produce back and forth...

Attorney Rivizzigno: Nothing wrong with that.

Councilor Geraci: I think coming from the Town Board it has some weight. It is an encouragement to do the right thing. That is what I would encourage us to consider doing.

Councilor Reeves: I think it's something we can discuss in a work session.

Councilor Diamond: Either a work session or another meeting I don't have a problem with that. Bob (Geraci) brought up a good point.

Mr. Smith: I don't know your protocols but do I just go away or will I hear something?

Councilor Reeves: I can see a sign that possible says please refrain from jack braking. I don't see how that can be enforced. I can see how we can talk as a board, put a letter together to local businesses and hope for the best. But as a board I can't see where we can do anything much more than that. It's a slippery slope because it's a snowball that can kind of run downhill. Where do we say no the next time someone comes in and says I don't like this can you put a sign up or can you do something.

Mr. Smith: It's the conundrum of being on the Town Board.

Councilor Reeves: I have a tough time putting signs up that had no teeth. I don't mind putting one up that warns people.

Mr. Smith: If we had a wish list it would be not to have the traffic there. That is not a realistic wish list. Some of the other neighbors have been saying what is the possibility of getting some berms or some fencing along the Willett Parkway piece of it to try to negate these sounds. I think that's high up on the wish list at this point whether or not it gets put to that but it could end up in a petition event.

Councilor Reeves: One of the biggest difficulties I have is that we have a lot of tractor trailers coming in and out of the farm and there seems to be more and more every day. They speak no English whatsoever and they do get put in the older trucks or the strip trucks and they tend to be the jack brakkers. To put up a sign up when you are having such a large number of drivers that can't read the sign anyway and they happen to be the biggest violators.

Mr. Smith: That's a scary thought in itself. It's a first step that's all I think we are asking can we take a first step to see if it has any impact and then can we talk some more.

Supervisor Salisbury: One of the things that is also our responsibility is that we still have property in the industrial area that we want to encourage new businesses. We can't say on one side we want to do business but on the other you can't make any noise.

Mr. Smith: That is the whole object of your long term studies. I know you are saying right now that Loop Road doesn't come up to the same configuration as Willett Parkway but you got warehouses with tractor trailers driving up and down Loop Road on a very regular basis every day. If it's not built for tractor trailers, why are they on there? Is Loop Road an option? I don't know. I have no clue but that is the planning studies. It isn't going to get figured out tonight.

Supervisor Salisbury: We can discuss this in a work session.

Springwoods Subdivision

Greg Card: It's been a long process but I want to thank you very much for your approval. I want to personally thank the Board, John (Salisbury) , all your help and all of your assistance, your Engineer, Al Yager, did an outstanding job and Karen Rice in your Planning office did an outstanding job. I want also thank Lisa (Dell) for her help and Mr. Rivizzigno for his help. It has been a pleasure dealing with the town. I wanted to say thank you to everybody and look forward to doing another one.

Highway Department
Union Contract

Gene Dinsmore, Highway Superintendent: I would just like to comment on the new contract that was just approved. I would like the record to show that although I am the manager of that workforce and have been for the last 39 months the contract has been under negotiations since June of 2014. I was not permitted to observe or participate in any of the negotiations. In fact I did not see the result until 6:30 this evening so I really can't comment as to whether it is good, bad or indifferent. I would like to hope and think that it is primarily good. I would just like the record to show that I was not allowed to participate in that.

Supervisor Salisbury: I do want to set the record straight that Mr. Dinsmore when we started this process was brought in and we went through that contract line by line to get his thoughts and from then on the negotiation committee did take over as normally occurs.

Mr. Dinsmore: Not exactly accurate but partially true.

Councilor Reeves: As a member of the negotiating committee that is the way I remember it. I remember a lot of time, a lot of work done and you were in several meetings...

Mr. Dinsmore: Do you want me to say what I remembered happened? It wouldn't be appropriate in here. We will discuss it amongst ourselves later.

OTHER BUSINESS:

None

ADJOURNMENT:

At 7:47 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