

**A special meeting of the Lysander Town Board was held at 6:00 p.m. on September 15, 2014 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:** Anthony Rivizzigno, Town Attorney; Lisa Dell, Town Clerk; and several residents.

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**NEW BUSINESS**

**Highway-Purchase of New Truck**

**RES. #148/2014**

**Motion made by Diamond, second by Geraci** to amend the motion to purchase the Western Star by purchasing the Volvo instead.

**ROLL CALL VOTE:**

Supervisor Salisbury	No	Councilor Shimer	No	Councilor Geraci	Aye
Councilor Reeves	No	Councilor Diamond	Aye		

**Three Noes, Motion Defeated.**

**RES. #149/2014**

**Motion made by Shimer, seconded by Reeves** to purchase one new 2015 Western Star heavy duty truck with a Henderson body and snowplow including all modifications required on the Western Star for \$193,343.

**ROLL CALL VOTE:**

Supervisor Salisbury	Aye	Councilor Shimer	Aye	Councilor Geraci	No
Councilor Reeves	Aye	Councilor Diamond	No		

**Three Ayes, Motion carried and adopted.**

**BOARD DISCUSSION BEFORE VOTE:**

**After a motion and second was made for Resolution #148, Councilor Diamond** stated he wanted to introduce an amendment to this resolution. He said he was introducing resolution E from the September 8, 2014 board meeting agenda to purchase the Volvo truck instead for \$190, 508. *(Item E - To purchase one new 2015 Volvo heavy duty truck with a Henderson body and snowplow for \$190,508, which includes \$971.00 for an extended warranty for the I-shift transmission for 1 year. This agenda item was then recorded in the minutes of the September 8, 2014 board meeting as Resolution #138/2014 and was defeated upon a vote on it by the Board.)*

**The following discussion then ensued about Councilor Diamond's proposed amendment between Board members and the Town Attorney:**

**Attorney Rivizzigno** stated that would not be an amendment.

**Supervisor Salisbury** replied that he had asked Councilor Diamond if he had any comments that he would have liked them ahead of the meeting.

**Councilor Diamond** stated he appreciated that but he was under the impression that the resolution can be amended or changed to read what he was introducing.

**Attorney Rivizzigno** explained that Councilor Diamond would not be amending it he would be changing it from one thing to another totally.

**Councilor Geraci** stated as a point of order one can make an amendment to an existing resolution that is on the table and that you want this to be discussed first that is what an amendment is and it happens all the time.

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**Attorney Rivizzigno** said that in order to do this they would have to approve the amendment first.

**Councilor Geraci** said that is correct, that the Board would have to vote on the amended resolution first.

**Attorney Rivizzigno** asked if there is a second to Councilor Diamond's motion.

**Councilor Geraci** stated he would second it.

**Attorney Rivizzigno** said for the Board to vote on the amendment.

**Councilor Geraci** said there should be a discussion first.

**Councilor Diamond** stated the reason he is bringing this to the floor as he believes this Town needs to purchase a truck. He said the Highway Superintendent made it very clear at the last town board meeting. He stated that as he said at the last board meeting he is not a motor equipment operator, he is not the Highway Superintendent and he does not want to be. He said this is the cheapest priced truck and has the recommendation of the highway department. He stated he thinks that this is the truck that the Board should be voting on it tonight.

Both **Supervisor Salisbury and Councilor Shimer** stated that the Board voted on it at the last meeting.

**Councilor Diamond** said they did but he wanted to bring it up again.

**Councilor Geraci** stated he didn't know what the right protocol was but since Councilor Diamond brought up the amendment and perhaps to the audience the Board may appear to be quibbling over why the Board is buying this truck or that truck. He stated that he thinks this is all about the principle really delegating the responsibility for specing out a truck in this case to a person who is elected by the public of this community to do that. He said that the Highway Superintendent is an independently elected official. He stated he or she comes with the responsibility of not only taking care of the Town roads and snow plowing, but specing out equipment. He said that the Highway Superintendent came to the Board with a list of trucks that the New York State Department of Transportation had created a bid sheet on and the Superintendent recommended the lowest price truck. He said that they all do the same thing and he is sure the truck that is on the table after this amendment gets defeated is going to be just fine but it is also \$5000 more. He stated what is \$5000? He said it is a lot of money and money out of each one of the taxpayers' pockets. He said it may only be a couple of bucks in one's total tax bill but it is the principle of the thing here. He stated he will be voting in favor of buying the truck that was originally recommended by the Highway Superintendent. He said that he does not know one transmission from the next and he really does not care. He stated his job is to set policy on this Board and to defer to the folks who can make those decisions properly which in this case is the Highway Superintendent. He said the Highway Superintendent recommended the lowest priced truck on the list and he is sure that the second highest one, which is the Western Star, is a perfectly good truck. He stated he is not saying one truck is better than the next but it is the principle of the thing which is why he is voting in favor of this amendment.

**Councilor Reeves** said he just wanted to add one thing. He stated that it isn't a \$5000 difference in the price. He said it is actually approximately \$105,000 at their suggestion that the Highway Superintendent increase the engine size to the engine spec he had a year ago. He stated that \$979.00 for a one year which takes to a 4 year in this I-shift warranty and two years is \$2000 which makes more sense with the track record this electronic clutch has had. He said they are in the process of changing it for 2015 and adding a second clutch. He stated the bottom line is you take the \$2000 with a two year extended warranty which would make more sense than a one year extended warranty at \$979.00 plus the approximately \$105,000 that brings it up to approximately \$107,000 and he believes the Western Star is \$108,000 to \$109,000. He said so they are talking about a \$2000 difference. He said that there is an I-shift manual that he has read, he has driven two of the trucks and the manual is 27 pages long just on the I-shift and shows how to operate it versus an automatic transmission. He stated that we all know an automatic transmission has two pages on how to operate it. He said that they felt as a Board due to the fact that it probably would require programming because it is an electronic system with software based on the usage that this is a more prudent direction to go in and the only place in NYS that has a track record of these are in Kirkland. He said they have had them for two years in operation. He stated that there are other trucks with the same kind of transmissions like Eaton that the Board was never presented with because that was the choice of the Highway Superintendent. He said so is the Highway Superintendent the expert, yes, but three people on this Board thinks he is wrong.

**Councilor Shimer** said she pretty much agrees with what Councilor Reeves said but Councilor Geraci said it is the cheapest truck and that is why the Board should vote for it. She stated well she doesn't believe it was the cheapest truck to begin with and with a lot of manipulation it became the cheapest truck and she is not sure it is the best truck because she doesn't know trucks very well but she does know the difference between an automatic and a manual transmission. She stated she did a little research on the truck and she does not think

that this is the best truck for the town right now and the price differential isn't great enough for her to say that they are going to go with this untested truck because the Highway Superintendent wants it versus this is the truck that she knows is tried and true.

**Councilor Reeves** stated that they are picking off the list the Highway Superintendent said one of the four will do.

**Supervisor Salisbury** stated that he thinks that once that they have the same transmission that there is in the Volvo it certainly is not the cheapest.

**Councilor Reeves** said that if you put an automatic transmission in the Volvo it makes it the most expensive truck on the list and it actually takes it above the maximum.

**Supervisor Salisbury** said they cannot say it is the cheapest when it doesn't even have the same transmission. He said they are going to vote on this but he has to tell the audience that they are caught off guard when they have a resolution brought up like this. He stated they have known since last week on Wednesday or Thursday that the Board was going to vote on this so that Councilor Diamond had many days to bring up this resolution to put on the agenda. He said that he sent out the exact agenda this morning and asked if there were any questions to give him a call.

*A roll call vote was then taken for Councilor Diamond's motion and it was defeated. The Board then voted on the first motion, Resolution #148, and it was carried.*

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**OTHER BUSINESS:**

**EXECUTIVE SESSION**

**RES. #150/2014**

**Motion by Diamond, second by Reeves** to adjourn into Executive Session to discuss possible litigation matters.

**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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**ADJOURNMENT:**

At 6:10 p.m. Supervisor Salisbury adjourned the special meeting and opened a work session of the Board and representatives from the YMCA, Lysander Youth Hockey, Syracuse Youth Hockey and the Greater Baldwinsville Ice Arena attended. A representative from Davis Mechanical Services, Inc. reported on issues that need repair with the red rink in the ice arena and possible costs for those repairs.

At 6:36 p.m. a motion was made by Councilor Diamond, second by Councilor Reeves to adjourn to Executive Session to discuss possible litigation. At 7:48 p.m. a motion was made by Councilor Diamond, second by Councilor Shimer to adjourn the Executive Session.

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

Lisa Dell  
Town Clerk