

A Regular Town Board meeting was held on October 6, 2022, at Lysander Town Hall, 8220 Loop Road, Baldwinsville, New York.

**MEMBERS PRESENT:**  
Robert A. Wicks, Supervisor  
Robert Geraci, Councilor  
Peter Moore, Councilor  
Jeffrey Kudarauskas, Councilor  
Kevin Rode, Councilor

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Dina Falcone, Town Clerk, Anthony Rivizzigno, Town Attorney; Kevin Merrill, Parks and Recreation Director, Theresa Golden, Assessor, Al Yager, Engineer, Ken Svitak, Highway Superintendent, and several guests and residents.

**Supervisor Wicks called the meeting to order at 7:00 PM with the Pledge to the Flag.**

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**Adoption of Minutes**

**RES#147/2022**

**Motion by Councilor Geraci seconded by Councilor Kudarauskas** to adopt the September 15, 2022 Town Board Meeting minutes.

Supervisor Wicks	Aye	Councilor Kudarauskas	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Rode	Aye		

**All ayes, motion carried and adopted**

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**Citizens Comments**

None.

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**Town Board Comments**

**Councilor Rode** said he was looking forward to reviewing the budget and was sure that Supervisor Wicks tried to present a very conscientious and conservative budget. The other councilors thanked those for coming and chose to move on to the agenda.

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**Department Head Reports**

**Kevin Merrill, Parks and Recreation Director** spoke about the Halloween window painting event. He noted that registration is live on Facebook and the Town of Lysander website. BCSD has distributed information through Peachjar. On October 22nd the Chamber is presenting 'Trick or Treating' in the Village of Baldwinsville from 10:00 AM to 1:00 PM. New programs are coming out including Board Game Club and others. He advised to check the website for updates and new programs, including the possibility of TOL taking over the Ghost Walk.

**HW Superintendent Ken Svitak** mentioned that he submitted the Highway budget to the Board, and was unhappy that it was not submitted as he had sent it to the Board members.

**Supervisor Wicks** clarified that he is the Financial Officer for the town, and that when he puts the budget together, he works with Department Heads and the Comptroller. He said that on numerous occasions he's spoken with Mr. Svitak and offered to work with him. **Supervisor Wicks** noted that Mr. Svitak's initial budget had a 70% increase over what it was last year, which means there could be a \$200 increase for a household of two (on a \$250,000 home). **Supervisor Wicks** stated that what HW received last year was the highest budget any Highway Superintendent has ever gotten. Mr. Svitak proposed a 70% increase. Discussion ensued regarding the tentative budget and how Town Law is written regarding same.

**Councilor Geraci** stated that he wants Mr. Svitak to approach the budget session positively, as that is how he is going to go into it.

**Theresa Golden, Assessor**, stated that there are no new Supreme Court filings for 2022. The Town has 1 case pending for Timber Banks Apartments. TOL received seven Small Claims filings for 2022. The hearings were held in August and September. All cases resulted in no change and no cost to TOL. On August 8<sup>th</sup> the Governor signed into law new income limits for the Senior Citizen and Disability exemptions. The change would increase the maximum income amount from 29,000 to 50,000 to receive a 50% discount. The change is subject to local option by County, Town and School District. The 2023 renewals for the Senior Citizen and Disability exemptions were mailed in September. The deadline for exemptions is March 1<sup>st</sup> 2023. The income is calculated as received, but are held for processing (possible income level changes). All other exemption renewals for 2023 will be mailed in December. All sales that have occurred between July 1, 2021 thru July 1, 2022 have been reviewed and submitted to the State by their September 2<sup>nd</sup> deadline. The State will complete a review and analysis of the sales to determine the Town's Equalization Rate or Level of Assessment for the 2023 assessment roll.

**Ms. Golden** continued to advise the Board about her attendance at the Assessor's Fall Conference. The classes attended were: State Update/Reports, Sales Review, Verification and Corrections, Airbnb and its Effects on Valuation, and Data Collection/Issues and Resolution. The request for reimbursement forms have been completed and forwarded to the NYS, as required within 30 days.

**Ms. Golden** advised the Board that there was a packet given to them regarding the senior citizen income level limit. The Assessor has to put all of those exemptions into the system for next year. The packet includes the President's amount with the income on a sliding scale for the senior citizen limited exemption, which is the County level, and they want to propose changes as it hasn't changed since 2006. She noted the second page where the Town of Lysander is currently. TOL is not at the same level as the County with income limits. So the sliding scale for Lysander is different and that is demonstrated in the packet. Right now, Van Buren and Lysander are the same. Both towns are one step behind where the County currently is with those income limits. The packet explains the number of exemptions that for senior citizens with limited income disability, and there's a handful, but that doesn't make a huge difference. It's primarily the senior citizen exemption that there's more of. And you can see the exemption amounts in the columns to the right of the page, the county exemption amounts and this is just for the Town of Lysander.

**Ms. Golden** continued to explain that based on an estimate that was done for the county, 60% of Lysander seniors that are 65 years and older would receive 50% exemption if the county went to the new amount. And 2023, they are anticipating maybe looking at different programs to take little 'baby steps' maybe for next year to see how much of an impact it has on the rates and then maybe doing another step. At this point, the Town of Salina are the only ones that have passed the new limits. They did that to get rid of their medical reimbursement.

**Mr. Yager** discussed the Highway Garage Petroleum Bulk Storage Tank Closure project, in which the agreement has expired. He said TOL was granted a grace period. CHA has a proposal to do the engineering services portion of that project. The estimated total cost is \$31,700, (\$25K realistically). He said this is a very conservative number, and he does not anticipate anything over that amount. CHA will try to keep costs as low as they can.

**Councilor Geraci** reiterated for the audience (regarding the Bulk Tank Closure project) that TOL is doing this because it is buying fuel from the school. His only concern is that if the petroleum tank is compromised in any way that it would be smart to get rid of it.

**Mr. Yager** replied that the liability is in the record keeping piece of it. There needs to be a significant upgrade to the pump and the software system that's there. They are looking to get into compliance from a software standpoint where the cost would be about \$15K to \$20K, and then there is the environmental liability that goes with the underground petroleum and annual permit fees. It's \$500 a year but the computer system upgrade will bring it into compliance from the record keeping standpoint that DEC currently has. The current system is no longer supported. It actually won't run on anything newer than Windows 7.

**Mr. Yager** stated that currently TOL either has to spend a significant sum of money to upgrade a system that still leaves it with a significant liability, and the insurance is going up to approximately \$1,800 a year which is being paid now, plus the permitting. The school bus garage has an emergency generator so TOL will be able to get fuel even if the power is out, which is important for the HW crew.

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**Supervisor's Comments**

**Supervisor Wicks** advised the Board that he and the Comptroller have worked diligently on the budget. He said it is going to be a different format. The new format includes a roster under administration, etc. The same accounting principles apply as in the previous budget. He stated that they are trying to get a format in place regarding everything TOL does, so that when there is new accounting software, they will be able to extrapolate any information to add a tag to the line item.

**Supervisor Wicks** spoke regarding Micron. He said there may be 9,000 to 40,000 additional jobs coming to the county. He said with ancillary businesses that provide items to Micron, salaries may well average \$109K a year. It will be great for the community, as it is going to bring in a lot of outside businesses, and will bring other opportunities of growth into the community.

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**Regular Agenda Items**

**MOTION TO ADOPT LOCAL LAW NO. 3 OF 2022 REGARDING INSTALLATION OF TRAFFIC STOP SIGNS IN TIMBER BANKS**

**RES#148/2022**

**Motion made by Councilor Moore seconded by Councilor Kudarauskas** to adopt Local Law No. 3 of 2022 regarding the installation of traffic "STOP" signs on Timber Banks Parkway eastbound and westbound at the Forest Ridge Lane/Tall Tree Lane intersection.

Supervisor Wicks	Aye	Councilor Kudarauskas	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Rode	Aye		

**All ayes, motion carried and adopted**

**MOTION TO HOLD AND ADVERTISE FOR A PUBLIC HEARING TO ADOPT A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT IN GML 3-c**

**RES#149/2022**

**Motion made by Councilor Rode seconded by Councilor Kudarauskas** to hold a public hearing to adopt a Local Law to override the tax levy limit established in General Municipal Law 3-c, on Thursday, October 20, 2022 at 7:00 PM in Lysander Town Hall. This resolution shall authorize the Town Clerk to advertise for same.

Supervisor Wicks	Aye	Councilor Kudarauskas	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Rode	Aye		

**All ayes, motion carried and adopted**

**MOTION TO HOLD A PUBLIC HEARING FOR THE 2023 FIRE PROTECTION AGREEMENT (WEST PHOENIX FIRE PROTECTION AGREEMENT)**

**RES#150/2022**

**Motion made by Councilor Geraci seconded by Councilor Moore** to hold a public hearing to hear citizens for or against the 2023 Fire Protection Agreement by and between the Town of Lysander and Enterprise Fire Company No. 1 (West Phoenix Fire Protection Agreement) on Thursday, October 20, 2022 at 7:00 PM in Lysander Town Hall, and to authorize the Town Clerk to advertise for same.

Supervisor Wicks	Aye	Councilor Kudarauskas	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Rode	Aye		

**All ayes, motion carried and adopted**

**MOTION TO AUTHORIZE THE TOWN SUPERVISOR  
TO SIGN 2023 THE SPCA CRUELTY AGREEMENT**

**RES#151/2022**

**Motion made by Councilor Rode seconded by Councilor Geraci** to authorize the Town Supervisor to sign the SPCA Cruelty Agreement effective January 1, 2023 through December 31, 2023.

Supervisor Wicks	Aye	Councilor Kudarauskas	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Rode	Aye		

**All ayes, motion carried and adopted**

**MOTION TO AUTHORIZE THE TOWN SUPERVISOR TO SIGN THE CHANGE ORDER FOR  
THE SWALE AND STORMWATER POND MAINTENANCE PROJECT**

**RES#152/2022**

**Motion made by Councilor Moore seconded by Councilor Kudarauskas** to authorize the Town Supervisor to sign Change Order #1 for the Swale and Stormwater Pond Maintenance Project in the amount of \$958.75 that was necessary due to the wet weather conditions.

Supervisor Wicks	Aye	Councilor Kudarauskas	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Rode	Aye		

**All ayes, motion carried and adopted**

**MOTION TO APPROVE THE FIRST AND FINAL PAYMENT FOR THE SWALE  
AND STORMWATER POND MAINTENANCE PROJECT AT \$39,808**

**RES#153/2022**

**Motion made by Councilor Rode seconded by Councilor Kudarauskas** to approve the first and final payment for the Swale and Stormwater Pond Maintenance Project in the amount of \$39,808.75 as recommended by the Town's Engineering Consultant.

Supervisor Wicks	Aye	Councilor Kudarauskas	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Rode	Aye		

**All ayes, motion carried and adopted**

*Developer Dan Barnaba was present and made the following remarks:*

*I have a couple other points that are also related to the project. Your Town Engineer contacted me with the prospect that I build the road to a public standard, that perhaps a section of the private road could also be dedicated. I made that offer to the River Grove HOA Board members and they unwisely didn't accept the offer. They think they have some type of leverage in this situation like it's all or nothing. And I think the [River Grove] board members have actually lost sight of their fiduciary obligation to all the other residents in that community. I said to them "33% of a public road is better than nothing, because you're going to eventually have to repair all this road someday." They had an annual meeting about two weeks ago, I brought the matter up at the annual meeting. I said, "Let me get something straight - under no circumstances will Tulip Tree, the section that I haven't developed yet - you build to a public standard, because I'm not willing to reengineer it and redesign it just happened to be the road that we installed was within the town specifications for geometry, and it was no problem building it with a vertical profile that would match and my thought was I don't have to dedicate it today." This offer can hopefully remain in perpetuity, that someday they'll reconsider - although I think the town's offer was very fair, and communicated to the town my preference would have been for it to be a lot of growth. But when I bought the property and knew well that I was getting into a situation that was prevalent and made all our buyers aware.*

*Discussion ensued regarding dedication of the roads in River Grove, and the issues with the cul-de-sac not being wide enough for school buses to turn around. (Which is why TOL can't take dedication of such roads); and the possibility of the Parade of Homes coming to Lysander. Discussion ensued regarding the completion of the CLUP and how Mr. Barnaba should contact Mr. Corey to discuss possible issues that could impact the update.*

**MOTION TO SET THE PUNCH LIST SECURITIES  
FOR THE RIVER GROVE PHASE II DEVELOPMENT AT \$27K**

**RES#154/2022**

**Motion made by Councilor Rode seconded by Councilor Moore** to set the punch list securities for the River Grove Phase II development at \$27,000.00 as recommended by the Town's Engineering Consultant.

Supervisor Wicks	Aye	Councilor Kudarauskas	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Rode	Aye		

**All ayes, motion carried and adopted**

**MOTION TO SET THE MAINTENANCE GUARANTEE FOR UTILITIES  
FOR THE RIVER GROVE PHASE II DEVELOPMENT AT \$18,950**

**RES#155/2022**

**Motion made by Councilor Geraci seconded by Councilor Kudarauskas** to set the maintenance guarantee for the utilities included in the River Grove Phase II development at \$18,950.00, 25% of the project value as estimated by the Town's Engineering Consultant.

Supervisor Wicks	Aye	Councilor Kudarauskas	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Rode	Aye		

**All ayes, motion carried and adopted**

**MOTION TO AUTHORIZE THE TOWN SUPERVISOR TO SIGN  
THE CHA ENGINEERING SERVICES PROPOSAL FOR THE  
HIGHWAY GARAGE PETROLEUM BULK STORAGE TANK CLOSURE PROJECT**

**RES#156/2022**

**Motion made by Councilor Kudarauskas seconded by Councilor Moore** to authorize the Town Supervisor to sign the CHA Engineering Services Proposal for the Highway Garage Petroleum Bulk Storage Tank Closure project in an amount not to exceed \$10,800.

Supervisor Wicks	Aye	Councilor Kudarauskas	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Rode	Aye		

**All ayes, motion carried and adopted**

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**ADJOURNMENT**

**A motion was made by Councilor Kudarauskas and seconded by Councilor Rode** to adjourn the regular Town Board Meeting at 7:56 PM.

Supervisor Wicks	Aye	Councilor Kudarauskas	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Rode	Aye		

**All ayes, motion carried and adopted**

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

Dina Falcone, Town Clerk