

A regular meeting of the Lysander Town Board was held at 7:00 p.m. on November 6, 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; David Rahrle, Comptroller, Pac-B; Gene Dinsmore, Highway Superintendent; Al Yager, Town Engineer and several residents.

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**PUBLIC HEARING**

**PROPOSED LOCAL LAW**  
**OVERRIDE TAX LEVY LIMIT**

Notice of said Public Hearing was duly published in The Baldwinsville Messenger on October 29, 2014 with same being posted on the Town Clerk's sign board at the Town Hall on October 21, 2014 for the purpose of hearing all persons for or against the adoption of a local law to authorize the Town Board to override the tax levy limit by the adoption of a resolution approved by vote of sixty percent of the Town Board.

Supervisor Salisbury reported that the Board finds no need to adopt this local law and opened the floor for questions.

The public hearing was called to order at 7:01 pm.

No one spoke for or against the proposed local law.

The public hearing was closed at 7:02 pm.

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**PUBLIC HEARING**

**TOWN OF LYSANDER**  
**2015 PRELIMINARY BUDGET**

Notice of said Public Hearing was duly published in The Post Standard on October 26, 2014 and in the Baldwinsville Messenger on October 29, 2014 with same being posted on the Town Clerk's sign board at the Town Hall on October 21, 2014 for the purpose of hearing all persons for or against the preliminary budget of the Town of Lysander for the fiscal year beginning January 1, 2015.

The public hearing was called to order at 7:02 pm.

*A presentation on the 2015 preliminary budget for the Town of Lysander was given by Comptroller David Rahrle. A copy of the presentation is on file in the Town Clerk's Office for public review.*

At 7:38 pm Supervisor Salisbury opened the floor for questions.

*The following people spoke:*

**LEGAL FEES**

Norm Ashbarry, Hidden Lake Drive, asked what was the \$15,000 increase for in the budget under pending litigation.

Attorney Rivizzigno said it was for the Jacks Reef lawsuit.

Mr. Ashbarry said he thought that Attorney Rivizzigno previously mentioned that the cost of litigation is covered by his contract.

Attorney Rivizzigno explained that the cost of litigation is not included in his contract with the Town.

***Lysander Town Board regular meeting***  
**November 6, 2014**

Mr. Ashbarry asked if a trial date has been set.

Attorney Rivizzigno said they are scheduled for November 12, 2014 to set a trial date.

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**CEMETERIES**

Norma Newman, representative of Lysander Union Cemetery, referred to the budget line item for cemeteries continued expenses and asked what this money was for.

Comptroller Rahrle explained it was for mowing and supplies that might be needed to take care of the Town's cemeteries.

Ms. Newman explained that she previously asked the Board to consider putting monies in the budget to assist with expenditures with the Lysander Union Cemetery.

Supervisor Salisbury explained that the Board discussed her request and looked at expenditures however they decided not to put any monies in for private cemeteries.

Ms. Newman explained that the Lysander Union Cemetery is not a private cemetery stating it is an association and not for profit taken care of by volunteers.

Supervisor Salisbury explained that the Board felt that they could not put any money into the budget for next year for the cemetery.

Ms. Newman said thank you and that she will come before the Board next year and ask again for assistance.

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**LYSANDER ICE RINK**

Hugh Kimball, Dexter Parkway, asked the Board how good does the Board feel about the numbers put into the budget for the ice rink, what kind of long term exposure is the Town facing and is there an idea of an end game.

Supervisor Salisbury explained that what the Board budgeted in income and expenses offset each other. He said they have analyzed the profit and expenses from GBIA and that there numbers for the 2015 budget is just an estimate.

Mr. Kimball asked that if based on past history it is likely that the Town can come close to the \$400,000 on the revenue side.

Supervisor Salisbury explained that the person that the Town has hired has a lot of good ideas on how to raise money, the parent groups have been wonderful and the ice time rate has been increased to \$150 an hour. He said that the consultant is working on agreements through June 30, 2015 with the groups that use the ice rink.

Mr. Kimball commented that he knows the Board didn't have a choice this year and that the two biggest numbers affecting both sides of the budget, revenue and expense, relate to the rink. He also acknowledged that the only other choice would be to throw out the kids and shut it down, but he doesn't think anybody wants that.

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**TAX CAP**

Jim Stirushnik, Dinglehole Road, expressed his appreciation to the Board for keeping the budget under the tax cap.

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**MORTGAGE TAX REVENUE**

Mr. Stirushnik asked if the increase in expected mortgage tax that is budgeted can be used to purchase a new truck for the highway department.

Supervisor Salisbury explained that they hope that the mortgage tax that is budgeted is what the Town will get and it is actually \$50,000 less than what they received this year.

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**COLD SPRINGS PARK DISTRICT**

Mr. Stirushnik stated that he feels that the Town should still assess the .25 cents per thousand for the Cold Springs Park District.

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**BOTTLED WATER**

Mr. Stirushnik asked if the Town is still continuing to buy bottled water for the employees and asked what the cost was.

Supervisor Salisbury said it was \$350.00.

Both Councilor Reeves and Councilor Diamond clarified it was \$480.00.

Supervisor Salisbury explained that they will be getting it cheaper for 2015.

Mr. Stirushnik stated it is still an unnecessary expense and said the Highway Department does not get bottled water.

Supervisor Salisbury explained that the water is available to all employees of the Town.

Mr. Stirushnik explained that there is a fountain in the Town Hall with water provided by OCWA. He further explained that he does not have water available on his road and pays a tax for it.

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**HIGHWAY DEPARTMENT**

Kevin Rode, Greymoor Way, referred to line item for machinery equipment that went from \$43,000 to zero and asked if this was part of the truck purchase that the Board got rid of.

Councilor Reeves explained that the \$43,000 was used to buy a plow and truck to replace the 2004 Chevrolet.

Mr. Rode asked if it was the highway department's decision not to buy.

Highway Superintendent Gene Dinsmore stated it was not the highway's decision.

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**CHASE CEMETERY**

Mr. Rode inquired about money being budgeted for Chase Cemetery.

Supervisor Salisbury said that the Town has to maintain it.

Comptroller Rahrle explained that the Chase Cemetery Association abandoned the cemetery to the Town.

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**INSURANCE**

Mr. Rode inquired about the line item for insurance going up to \$22,000.

Comptroller Rahrle explained the increase is because of the ice arena.

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**DOG CONTROL**

Mr. Rode asked if there was a reason why the line item for Dog Control went up to 7200 from 5200 in 2014.

There was no reply from the Board.

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**PARK AND RECREATION DEPARTMENT**

Mr. Rode said that there is no Director for the Parks and Recreation Department and asked what is the Town's direction for that department.

Supervisor Salisbury said that Tony Burkinshaw didn't pass the exam and cannot have that title.

Mr. Rode asked why the salary for Recreation Supervisor went from \$36,000 to \$45,000.

Supervisor Salisbury explained that this is Tony Burkinshaw is the Recreation Supervisor.

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**TAX REBATE**

Mr. Rode asked Comptroller Rahrle if he knew what the estimated rebate would be for the Town staying under the 2 percent tax cap limit.

Comptroller Rahrle said he did not know but estimated it to be about \$17.00.

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**DRAINAGE DISTRICTS**

Mr. Rode asked the Board to consider consolidating the 15 drainage districts in the Town.

A lengthy discussion then ensued between the Board and Mr. Rode regarding the pros and cons of consolidating districts.

Supervisor Salisbury said that the issue will be revisited by the Board.

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**CHASE CEMETERY**

Norm Ashbarry, Hidden Lake Drive, asked if the Town has revisited having the Highway Department mow chase cemetery.

Supervisor Salisbury said that they have revisited it.

Mr. Ashbarry asked if it is cost effective for the Highway Department to do the mowing if they mow the other cemeteries and asked why they do not mow Chase Cemetery.

Comptroller Rahrle explained that there was grievance because a non-union person was mowing the cemetery. He said after an arbitrator heard both sides it was ruled that it should stay a non-union position or job function.

**The public hearing was closed at 8:00 pm.**

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**RES. #195/2014**

**APPROVAL OF MINUTES**

Motion by Diamond, seconded by Geraci to approve the minutes of the regular town board meeting of October 20, 2014.

**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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**SUPERVISOR COMMENTS:**

**None**

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**TOWN BOARD COMMENTS:**

Councilor Diamond, Councilor Geraci and Councilor Shimer expressed their appreciation to Comptroller Rahrle for his presentation of the 2015 Town of Lysander preliminary budget.

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**DEPARTMENT HEAD REPORTS**

**None**

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**CITIZEN COMMENTS ON AGENDA ITEMS**

**None**

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**OLD BUSINESS**

**None**

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**NEW BUSINESS**

**RES. #196/2014**

**Parks & Recreation**

Motion made by Reeves, seconded by Shimer to hire Al Coon as the Adult Basketball Supervisor starting November 3, 2014 through March 30, 2015 for 2.5 hours per week at an hourly rate of \$10.00 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. #197/2014**

**Lysander Highway Department Sign Installation**

Motion made by Supervisor Salisbury, seconded by Diamond to install a new ‘School Bus Stop Ahead’ sign for traffic heading West at Swamp Road due to a hill on the road that creates poor visibility for traffic heading west creating a safety hazard for vehicles that need to stop abruptly to comply with the traffic law regarding School Bus Stops.

**VOTE:**

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

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

**RES. #198/2014**

**Trooper Barracks Snow Plowing Contract**

Motion made by Geraci, seconded by Diamond to authorize the Supervisor to sign a contract with Clear-A-Way for snow plowing at the NYS Trooper Barracks in the amount of \$1,399.00 for the 2014-2015 and 2015-2016 winter season.

**VOTE:**

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

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

**RES. #199/2014**

**Town Municipal Offices Snow Plowing Contract**

Motion made by Shimer, seconded by Diamond to authorize the Supervisor to sign a contract with J.M. Landscape for snow plowing at the Lysander Municipal Offices in the amount of \$11,990.00 for the 2014-2015 and 2015-2016 winter seasons.

**VOTE:**

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

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

**BOARD DISCUSSION BEFORE VOTE:**

Councilor Diamond said that this was discussed in Work Session and that this will save the Town a substantial amount of money. He said that the cost to have the Town of Lysander Highway Employees plow the property would be about \$12,000 for one year.

**RES. #200/2014**

**Lysander Ice Arena Snow Plowing Contract**

Motion made by Reeves, seconded by Diamond to authorize the Supervisor to sign a contract with J.M. Landscape for snow plowing at the Lysander Ice Arena in the amount of \$13,250 for the 2014-2015 winter season.

**VOTE:**

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

***Lysander Town Board regular meeting***  
**November 6, 2014**

Four Ayes, motion carried and adopted.

**RES. #201/2014**

**Establish Employee Health Insurance Premiums**

Motion made by Reeves, seconded by Diamond that effective January 1, 2015 employees not covered by the Teamsters Union Contract will be required to contribute 5% of their medical and dental insurance premiums for insurances offered by 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:**

Supervisor Salisbury reported that both union and non-union employees have not had to contribute to their health insurance premiums and recently there was an increase from 10% to 15% for retirees.

Councilor Diamond commented before the vote that this was discussed at our Work Session. He pointed out that if an employee opts out of the insurance, they do not have to pay the 5%.

**RES. #202/2014**

**LYSANDER ICE ARENA  
NEW MANAGEMENT AGREEMENT**

Motion made by Reeves, seconded by Shimer to authorize the Supervisor to sign the new Management Agreement, dated November 5, 2014, between the Town of Lysander and Robyn L. Bentley-Graham for Consulting Services for the Lysander Ice Arena effective until 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.

**BOARD DISCUSSION BEFORE VOTE:**

Supervisor Salisbury explained that this is the same contract the Board authorized a couple of weeks ago, but it outlines more responsibilities that Ms. Bentley-Graham has and doesn't change the financial aspect at all.

**RES. #203/2014**

**WHISPERING OAKS SUBDIVISION  
SALE OF TOWN OWNED LOTS**

Motion made by Supervisor Salisbury, seconded by Shimer to adjust the price of Lots 21 & 49 in the Whispering Oaks Subdivision at closing by a reduction of \$10,870.00 to cover the costs of installing water and sewer connections for both lots.

**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 reported that previously the Town authorized the sale of two lots that were used for the septic system in the Whispering Oaks subdivision. He reported that they found out that the two lots were not developed with water or sewer connections so the Town is adjusting the price.

**RES. #204/2014**

**APPROVAL OF INTERMUNICIPAL AGREEMENT**

## TOWN OF SKANEATELES

Motion by Shimer, second by Reeves to authorize the Supervisor to sign an inter-municipal agreement to rent a Zamboni to the Town of Skaneateles for the weekend of November 15 and 16, 2014 at the cost of \$500.00.

### **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:**

Attorney Rivizzigno reported that the Town of Skaneateles will provide the required insurance for use of the Zamboni.

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### **RECOGNITION OF CITIZENS:**

#### **HIGHWAY DEPARTMENT** **SALE OF MILLINGS**

Norm Ashbarry, Hidden Lake Drive, addressed the Board and said he was aware that there are two padlocks on the Town's material yard on Sixty Road and learned one of the padlocks is owned by Josh Allen of CNY Crops. Mr. Ashbarry asked why is the Town allowing Mr. Allen or anyone else to access the materials.

Supervisor Salisbury said he did not know about it.

Highway Superintendent Gene Dinsmore said that Supervisor Salisbury is aware and explained that the Town sells surplus material at a whole sale level to the public which the Board has authorized him to do.

Supervisor Salisbury clarified that the surplus material is millings.

Mr. Ashbarry asked how does the Town monitor the amount that is taken.

Highway Superintendent Dinsmore further explained that the Town sells surplus millings to CNY Crops, and that the Planning Board Chairman is CNY Crops and that they trust him with the Town and trusts him with taking the appropriate amount of millings. He further said that that he looks at the pile before and after they are taken.

Mr. Ashbarry explained that it may be more prudent to have a little more control over the access yard.

Supervisor Salisbury explained that this is under the direction of the Highway Superintendent and he feels that they have control over it.

Brian Licourt, Connell Terrace, explained that he works for CNY Crops and has hauled a lot of millings out of the Town's access yard. He said that it would cost the Town a considerable amount of money to have a full time employee monitor and unlock the yard. Mr. Licourt responded to Mr. Ashbarry that for him to accuse a person he doesn't know of stealing road millings is a little bit over the line.

Mr. Ashbarry said that he was not accusing anyone of stealing and simply asked for some control over the sale of the millings.

Supervisor Salisbury explained it is the responsibility of the Highway Superintendent to monitor it and he has confidence in his ability to do so.

Gene Dinsmore, Highway Superintendent made the correction that it was not Josh Allen of CNY Crops. but Fred Allen as that is whose name is on the contract and that's who they're dealing with. He explained that Mr. Ashbarry's questions on the sale of millings were perfectly valid. He said that in the past the Town was paying people to take surplus material away and now the Town gets money for the sale. He explained that the Town gets \$2.00 a ton or market price. He said that there is a formula for measuring a pile of stones and if he looks at the pile and it doesn't look right after Mr. Allen takes some, they negotiate the differential. He explained there has always been an amicable agreement between them. He said that all the money goes back to the Town into the appropriate Town fund. He explained the yard is locked and being managed. He said the alternative would be to hire someone to guard it and that is not cost effective.

Councilor Reeves confirmed with Comptroller Rahrle that we have been paid by a substantial amount for millings by CNY crops.

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**DEEP GLADE DRIVE**

Mike Zandri, Royal Scarlet Drive, asked the Board to consider installing a four way stop on Deep Glade Drive as people exceed the posted speed limit, there are no lines painted on the road and there is a park.

Supervisor Salisbury explained that the Town cannot install stop signs to control speed but can request law enforcement to monitor the area.

Engineer Yager suggested that the Board request a speed study on Deep Glade Drive to reduce the posted limit.

Hugh Kimball, Planning Board member, explained a study has been done twice in the past and it was turned down both times to reduce the speed limit.

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**WHISPERING OAKS**  
**SALE OF TOWN LOTS**

Jim Stirushnik, Dinglehole Road, asked if the lots were sold less than the appraised value.

Supervisor Salisbury and Councilor Reeves both stated that they were sold for less than the appraised value.

Mr. Stirushnik asked where are the Town's as built plans for Whispering Oaks.

Engineer Yager said he just obtained them from Barton and Loguidice for review.

Mr. Stirushnik asked why were these lots not checked for sewer and water hook up before they were sold.

Engineer Yager explained that the Map, Plan and Report indicated they were developed lots.

Ron Merle, Developer, explained that it was originally thought that they would never have to take out the septic system and thought that they wouldn't be sold as lots.

Councilor Reeves explained that the lots were appraised as building lots.

Supervisor Salisbury explained that the Town sold them with every intent that they were building lots.

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**Establish Employee Health Insurance Premiums**

Bob Wicks, W. Genesee St, asked how the Town came up with the contribution of zero to 5 percent.

Supervisor Salisbury explained it's a start as employees didn't contribute before and he feels that they should take care of the employees.

Mr. Wicks said that around the County most are not paying 5% towards the premium but much more asking if the Town did any research on this.

Supervisor Salisbury said that they did.

Mr. Wicks explained the average is about 15 percent being a very good premium and that 5 percent is unreasonable because he is paying taxes for Town employees.

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**HIGHWAY DEPARTMENT**

Gene Dinsmore, Highway Superintendent, explained that it was not his decision to not buy two trucks for the highway department. He said that the circumstances that faced the Board were very difficult. He doesn't agree with nearly anything the Board does, however he works for them, and they control the purse strings. He said that the conditions that they were faced with, they were forced to eliminate the two trucks. He stated he is forced to deal with the Board's decisions.

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**ANNOUNCEMENTS:**

Supervisor Salisbury announced that on November 17, 2014 there will be a public hearing on a proposed local law to extend the moratorium in the AR-40 zoning district on the Cold Springs Peninsula. He explained the

land use comprehensive plan is not complete and that the Board would like to extend the moratorium for another 6 months.

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**OTHER BUSINESS:**

**RES. #205/2014**

**EXECUTIVE SESSION**

Motion made by Shimer, seconded by Diamond to adjourn to Executive Session to discuss matters relating to personnel and insurance 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 8:31 the Board adjourned to Executive Session.

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

Lisa Dell, Town Clerk