

**A Regular Town Board meeting was held on November 18, 2021, at Lysander Town Hall, 8220 Loop Road, Baldwinsville, New York.**

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

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Dina Falcone, Town Clerk; Anthony Rivizzigno, Town Attorney; Al Yager, Town Engineer, Kevin Merrill, Parks and Recreation Director, PAC-B, 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#179/2021**

**Motion by Councilor Geraci seconded by Councilor Diamond** to adopt the November 4, 2021 Town Board Meeting minutes.

Supervisor Wicks	Aye	Councilor Kudarauskas	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Diamond	Aye		

**All ayes, motion carried and adopted**

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**MOTION TO OPEN THE PUBLIC HEARING REGARDING  
TARPON TOWERS/VERIZON CELL TOWER**

**RES#180/2021**

**Motion made by Councilor Moore seconded by Councilor Kudarauskas** to open the public hearing at 7:01 PM.

Supervisor Wicks	Aye	Councilor Kudarauskas	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Diamond	Aye		

**All ayes, motion carried and adopted**

**Supervisor Wicks:** *We are going to have a public hearing to consider Tarpon Towers doing business as Bell Atlantic, Verizon Cell Tower. So, before we begin the public hearing, be advised that the public hearing will be adjourned and not closed as the SEQR needs to be completed. The SEQR will be completed before the public hearing opens at the next meeting on December 2, 2021. If anybody has any questions regarding that, Mr. Rivizzigno will explain what the issue is with that. So, may I have a motion to open the public hearing?* Public hearing is now open, so is there anyone wishing to speak for or against the proposed cell tower? Yes, sir.

**Gerald McOmber (Gloria Drive):** *My name is Jerry McOmber I live on Gloria Drive which is not far from where the tower is going to be on Abbott's farm. Is there any representative from Verizon?*

**Supervisor Wicks:** *There is. Mr. Lusk. Mr. Lusk is here.*

**Gerald McOmber:** *Hi. So I'm just curious as to where the adjacent towers are in the area.*

**Mr. Lusk:** *Should I answer that?*

**Supervisor Wicks:** *Sure go ahead.*

**Mr. Lusk:** *If you look at the application, there are two existing towers (inaudible) current area. I'm going to approach you so I can show you. The two existing towers facilities and this is all in the application, are the south Baldwinsville and Route 57 sites. And south, the south Baldwinsville site, I can give you the exact location of it - give me one second. It's about 2.3 miles located in the Town of Van Buren, approximately 2 miles southwest of the facility, and the secondary serving site is in the Town of Clay, 2 miles to the northeast. So as you look, and the board has the application in front of you to look at tab B and sort of explaining.*

**Mr. McOmber:** *See I didn't see this. I don't think this was publicly available? All I saw was the survey.*

(Crosstalk)

**Ms. Falcone:** *yes, so we posted the application, and the first SEQR, and the site plan. (Interrupted at this point)*

**Mr. McOmber:** *Which is hard to read, and it was scanned. Right?*

**Ms. Falcone:** *Sorry.*

**Mr. Lusk:** *It's hard to read this anyways so I'm just explaining to the board and you. Verizon operates on four different 4G frequencies. In the application and therefore the coverage from each frequency is a little bit different. Plots for similar frequencies similar to 700 and 850.*

**Supervisor Wicks:** *Were you looking for a better map? The site plan? The map? Is that what you're talking about because you can have this?*

**Mr. McOmber:** *If you have that...what I'm trying to understand is, there's already coverage in the area that like from the YMCA down to the elementary school and through the farm, and I live on Gloria Drive and I have coverage in my house.*

**Councilor Kudarauskas:** *My brother lives on Gloria Drive too and he doesn't have coverage. There's spotty coverage in the town as well and I'm sure if you're driving by north of the YMCA, you'll drop a call, you know, and also on 370 as well.*

**Mr. McOmber:** *In the elementary school also poorly covered.*

**Councilor Kudarauskas:** *So this will alleviate that.*

**Mr. Lusk:** *the coverage areas are from those two towers... (Refers to map). The map is what it is. You can tell from a facility it is designed to provide new direct coverage in the "green" area. That's 700 MHz as far as where the coverage reaches. It gives different levels of coverage.*

Mr. Lusk pointed out the existing map in the area of coverage.

**Jim Meanor (Gloria Drive):** *I have a question for you guys, or, more so, Tarpon Towers. This is a green area, as you know, a lot of farms, and when we first moved out here, that's the main reason we did, it's green, it was farmland, and like to see a lot of that stay green, I don't want to see a metal tower. When I wake up in the morning I go to work or wherever I'm going is there a way we can disguise this tower somehow? I know they put towers in churches, in steeples, you said antennaes? I don't know if that's going to be, well, I don't know about this but can't we keep it green? Can we keep the eyesore away from this project?*

**Councilor Kudarauskas:** *Did you see where the balloon was flying?*

**Jim Meanor:** *Yes I did.*

**Councilor Kudarauskas:** *Ok it is kind of hidden and tucked away in a corner.*

**Jim Meanor:** *Going down my street, but when you make a right or left you are coming up Hicks, you're going to see a tower, I mean this whole area coming up Hicks Road, 370, you'll see the tower. I don't know how much of it because I didn't pay too much attention to all of it until the top of the balloon yesterday. That's all I got.*

**Mr. Lusk:** *Verizon and Tarpon routinely will look at cell designs when it's in context, if church steeple, then next to a church; there are silos that go next to a barn. Having a silo in the middle of the field just makes it look like a larger tower. What we found, and again, as you will see from the balloon, from the simulations, when they come in, we attempted to hide the tower as best we can it's hard to hide a 120 foot*

structure if you make it a steeple, a silo or something else, so again, with my not growing up in upstate NY there's galvanized towers and you know everywhere, and I think people agree that they blend into the Central New York - Syracuse, I live in Rochester - our wonderful upstate skies for seven months of the year. Again they blend and they are less visible eyesore than attempting to make something appear out of context like a silo.

**Betsy Wright (Camerondale Road):** I've been there for about 22 years. We've had fine cell phone coverage, no dropped calls, FIOS all of that is just great, but to tack on to what Mr. Meanor was saying about the sky or covering up the tower, in the Adirondacks, do they not have towers that they have made green? To kind of blend in and not take away from the Adirondack experience?

**Councilor Kudarauskas:** I know where you are going because I had the same questions all you guys had, both of ya. You know sometimes you see a cell phone tower and it's disguised as a tree? Right? Yeah.

**Mr. Lusk:** In the right context that would be fine - I work with Verizon and have done all their towers on the APA. There are times when in a given circumstance, a tower is used, I would say most of the time, it is not. They have us painting, we put the - the APA is very difficult because we end up putting towers on the side of mountains so we are building roads up the sides of hills and you are in and amongst some trees and so you can place it if there is no other - if this were in a farm field, etc. it is not - it is contextually it is different, but again most of the time in my 20 years of doing it for Verizon it's a tower that is just where the antennas are just above a set of trees because they are on the mountain shooting down to the highways so there isn't a need to be - the land where they are sitting is higher than the area they are covering. Here we have a totally different topography. Am I answering your question?

**Ms. Wright:** A little bit. Yeah.

**Mr. Lusk:** We can be just five or ten feet above the trees on the side of a mountain shooting into a valley and it's not above it so there isn't a need for the tree in most circumstances, because all you are seeing is the top of the antennas. I hope I am answering your question that is the difference.

**Ms. Wright:** I mean in this case, I am looking at the map, there's trees to the left, and there's going to be trees behind it and the rest it's in an open field. And the road going to the tower, is that going to be stone, paved?

**Mr. Lusk:** It's going to be gravel. And I'm sorry, again it's 120 foot tower, that the trees aren't 120, so again when the APA - when we are just above the tower could be well, you could put a little tree tower, maybe at the top of the antenna and it would blend with the other trees, the fact that we are 30 feet above, if you try to make a tree out of it's going to look a little out of contact.

**Ms. Wright:** And you had mentioned something about balloons that were sent up? There was a balloon that was flown? Was there a scheduled set time for that?

**Mr. Yager:** It was posted in the paper for the 30<sup>th</sup> initially and the weather didn't cooperate and they reposted it again on the 30<sup>th</sup> or the 1<sup>st</sup> and the 15<sup>th</sup> and 16<sup>th</sup> for the week. Weather permitting. The wind and the balloons because of the wind they are larger but impacted by the wind.

**Ms. Wright:** This is probably my last question, is there any marker in the field that will tell us where the marker will be?

**Mr. Lusk:** I don't know that.

**Mr. Yager:** You couldn't see it from the road either way because of where the topography.

**Ms. Wright:** When I look at the map it looks close to the road.

**Mr. Yager:** No.

**Ms. Wright:** (crosstalk) Hicks...house and barn it looks like where you turn in, the road runs right along the side of Hicks.

**Councilor Kudarauskas:** (crosstalk) ...come out and take a right and when the field opens up it will be tucked along the trees in back. Almost directly across from Gloria.

**Ms. Wright:** It's going to be further back? Okay.

**Councilor Kudarauskas:** You won't be able to see it from your house.

**Ms. Wright:** *I don't care about seeing it from my house. We've always been agricultural in the area and we'd like to see it stay that way.*

**Mr. Meanor:** *My question is directed to Verizon. Question to you sir. You mentioned that these towers blend in with the topography and the blending with the surroundings. Can you explain to me how a galvanized tower blends in with trees? I can't visualize that. In fact, I see an eyesore no matter how you try to sugar coat that blending in thing.*

**Mr. Lusk:** *I was referencing the CNY sky, not with the trees - again the landscape - there are towers.*

**Mr. Meanor:** *I don't care about the tower, I don't care about the tower. I get the top is going to be exposed, and that the tower when you are coming up the road and you see the farmland, and you see cornfields, you see the trees that are nice, corner with trees, that is a galvanized eyesore and I don't understand how that is going to blend in with my environment.*

**Mr. Lusk:** *The best way to describe what the tower looks like is that it is high, and anytime you go on the corner of any major road where there are traffic signals, there are the galvanized poles that hold up the traffic signal that are the concrete in the ground that are all - they have little panels of steel that, you know, they look almost hexagonal but there are more than, that is exactly what the tower will be, and to say they are on every corner, and they are basically on every corner where there is a traffic light on the landscape, so they are routinely part of the landscape as we drive through town, and you know, and again this is a little taller but again - the same material and engineering design what we see in our daily lives as we drive through every town in New York.*

**Mr. Meanor:** *I'm aware, but you see a sign that says 'no parking' and then you see a billboard, two entirely different things, they are both signs; one is a giant obnoxious billboard, and one is a little 'no parking' sign - we are talking apples and oranges here. It's not going to blend it's going to be an eyesore.*

**Mr. Lusk:** *You can't hide a tower.*

**Mr. Meanor:** *Exactly! You can't hide a tower. And that's my point.*

**Mr. Lusk:** *From a visual perspective... it's very similar to the other towers that you see throughout the landscape and other symbol or utility. Thank you*

**Mr. Meanor:** *Do you have one in your backyard sir?*

**Mr. Lusk:** *I do as a matter of fact.*

**Mr. Meanor:** *Well how does it look?*

**Supervisor Wicks:** *Well we are not here to get into an argument, so if you want to... well now you are starting to argue with him, and he has one perspective and you have another and I think he understands as well as anybody... You are not going to hide it and you don't like it. We get it. Anybody else?*

**Ms. Wright:** *Can I ask one more question? I promise this will be my last question. My question is this the only area that was considered for this tower? Or if there were other areas, where were they?*

**Mr. Lusk:** *I can talk to that. There's as whole exhibit about our site selection process but there - there...I'll go back to the mic. The Verizon RF engineer, when he, in this case, he said I need to put a tower in this particular area, it needs to be evenly spaced between those two surrounding sites but can't be too close to those sites because it will cause interference. So it needs to be right on the edge of those particular areas. So in Exhibit F of the application is a design and an area that you see here, and that was what we call the 'search ring'. Here it's more of a hexagon. But there were, and if you were to look at the report we listed here - there were I think - six parcels that were in that area that are large enough to host the tower, right, that are residential lots. Most of them again are owned by the Abbott family but again those were the six parcels that were explored. I think one, two, three, and then four of them were Abbotts. And we negotiated with that landlord on where they wanted it and what was in the best location - the center of the ring or what would be the best location. The two best were the Petta property on Hicks Road, and the Catherine Thompson property located on Patchett Road - we sent a letter to her and she did not respond.*

**Keiko Sanders (Camerondale Road):** *Kind of concerned about the radio frequency waves coming from the tower and it's close to the church, and elementary school. Well, American Cancer Society has said that it that it's dangerous or anything right now. They don't say in the future they found its effects on health of the people. I'm old so I am okay but elementary school kids. I am really concerned about the issue.*

**Supervisor Wicks:** *I don't know anything about radio waves.*

**Mr. Lusk:** As Mr. Rivizzigno will tell you that the Federal government has set standards through the FCC on the appropriate level of RF energy folks can be subjected to. Alright, so that's a level that Verizon has a condition of receiving its FCC license under. There's a certificate from Verizon indicating that the project will fully comply with the Federal standards under it. They are below the max level and there are RFs coming from the LED lights and more RF energy coming from people's cell phones, as kids are holding iPad and things like that. And the same for the ear buds. It's less than 1% of federal standards.

**Ms. Sanders:** The study is not concluded, so it's new. I'm just reading on the Cancer Society's article. You know.

**Mr. Lusk:** Again the Federal Government has preempted this issue from the towns once we demonstrated we are at the federal limit they said this is the safety level that is required.

**Nick Petta (Hicks Road):** I too have the same concerns all these people in this room have. My property is where the proposed antennas are going to be. It's like 50 foot from two sides of my property and I feel that's a detriment to me and the value of my property. I didn't build a house there so I can't sell it in the future because of a big eyesore in my backyard. Maybe down the road I want to sub divide? Who is going to buy any kind of a house with an antenna 10 foot from their yard? You know, it's just we are from this area, my wife's grandparents are Hickses, and the road is named after them they put all that stuff and effort into that farmland and that's why I built there. If I want to have a tower in my back yard I would have moved next to one. It's an eyesore, and my property, the taxes on the place are unbelievable. And now I gotta look at a tower over my trees. I just think it's unfair and wish you looked at another spot. I don't know why he's putting it 50 feet from my property. And the other, I agree with everybody here and I did a little bit of research on 5G and there's nothing out there right now. What's the long term effects if we've got children, animals, me, I'm only 800 foot from that spot. So, I'd like you know, a little bit more information on this? Did you guys do any kind of investigation about 5G long term?

**Mr. Lusk:** It's not proposed 5G for the tower it's a 4G tower.

**Mr. Petta:** Oh it is a 5G. How come it says 5G?

**Mr. Lusk:** It says 5G and Verizon has 5G but this is as 4G network.

**Mr. Petta:** That's all I have to say, I just wish we would look at that area a little bit more and see if there's another site, I mean I'm not opposed to the tower but I don't want it next to my property. Because that's probably where I would subdivide right down that side to the back. Who wants to look at that? Thank you.

**Joanne Capucilli (Camerondale Road):** I've lived on Camerondale for 43 years. For 25 I was the head of the neighborhood watch. I worked with the Sheriff's Department who was wonderful, and a bunch of other organizations. I have a different perspective. I'll probably walk out of here with some enemies in my neighborhood. There's something else people are not looking at what is the reason we are putting this here? I believe Verizon is doing this and people who are behind it, to do a service, and the service is, one of the ones I got the most phone calls about when I was the neighborhood watch coordinator. The power is out what am I going to do I don't have a phone. I can't charge my battery. I must have gotten hundreds of calls over the years. People complaining about not enough lights; we have no streetlights. On Gloria or Camerondale. So we have a big meeting. Most of the people that came were people on Gloria Drive, which at that time was a very new development and beautiful... people are great... I like all of my neighbors, you know there are problems with any kind of neighborhood not everyone gets along as there are differences of opinion, and there was a group of people who wanted street lights and she tried to coordinate with National Grid. There was a meeting and National Grid gave everybody the option of explaining why they wanted streetlights. Again it is reiterated that this is being done for a reason, sidewalks and other neighborhood issues, such as speed limit, etc. She had some support and there are some people who don't clean their yards on their street. They have houses that are eyesores. They don't mow lawns and leave trash out for days. There are neighborhood issues as with every neighborhood.

**MOTION TO ADJOURN THE PUBLIC HEARING REGARDING  
TARPON TOWERS/VERIZON CELL TOWER**

**RES#181/2021**

**Motion made by Councilor Geraci seconded by Councilor Diamond** to ADJOURN the public hearing to December 2<sup>nd</sup> at 7:00 PM. Public hearing adjourned at 7:42 PM.

Supervisor Wicks	Aye	Councilor Kudarauskas	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Diamond	Aye		

**All ayes, motion carried and adopted**

**Councilor Geraci spoke about the Hencle Boulevard Road issues as follows:**

He would like TOL to request that a study be done to review perceived problems at the intersection of Hencle Boulevard and Routes 690/48. The problem is, traffic heading west on Hencle Boulevard towards the light at 690/48 currently has two lanes from which to choose from. There is one lane for all traffic either going straight through the intersection continuing onto Church Road, and the same lane for all traffic desiring to turn left or south onto Route 690. The other lane is currently for right hand turns only for vehicles wishing to head north onto Route 48. There is a significant and almost constant number of trucks which use the left lane so as to allow them to turn left onto Route 690. Because they are invariably starting from a stopped position, the trucks take a long time to actually make the turn. It is not uncommon for the light to change back to red even after only one truck goes through the intersection. Any vehicles which desire to go straight onto Church Road or even to also turn onto route 690 can usually count on missing that opportunity and must wait for another change of the light. This situation is further compounded when there is more than one truck, and even other vehicles in a queue waiting to make that turn, thereby limiting those vehicles wishing to drive straight through the intersection and continue going west.

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Norman Traino and Hilary Uscatynski arrived at the meeting to present the Parks and Recreation Department with a check for \$575 for use in future Pickleball activities. They were pleased with the Tournament and they love the park.

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A woman asked how many courts will remain for tennis. Mr. Merrill advised that there are two remaining.

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**Citizens Comments**

**Fred Burtch** of Plainville Road commented:

- Grants and installing expensive backup generator equipment at Town Hall and at HW
- HW has more of a need than the offices might
- Over taxation and redistribution of wealth regarding grants
- Perhaps money can be redistributed elsewhere and stopping hypocrisy regarding high taxes and regulation but accepting free monies from other entities
- Recommending petitioning for projects and approach that state

**Kevin Rode** of Greymoor Way commented:

- NYE Ford proposal for the news parks truck which was discussed in the previous work session status
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**Supervisor's Comments**

**Supervisor Wicks** noted that TOL received a \$100K grant from Onondaga County which will go towards the fields that are being built at the park. He said the building is coming down and the demolition will occur sometime over the winter and the field will be cleared. He said all of that money will come from grant money. Regarding grant funds, if TOL doesn't accept them, they will be given to someone else. If it doesn't come to NY it will go elsewhere. That money is going out and we don't have any control over that. The board can only work within the rules to deal with those grants. There is money going out to someone, and it makes sense that we take what we are offered. **Supervisor Wicks** said that his job is to make sure that the town tax is as low as it can be, and that infrastructure is the best as it can be. He said that the Board listens to people and they try to find ways to enhance the experience for people going to the park and using the facilities without having to raise taxes. TOL is fortunate that they have good relationships with other officials.

**Supervisor Wicks** advised that TOL received \$23K from FEMA to assist in a drainage issue at the end of Drake's and Willett because of Hurricane Fred. It cost the residents of Radisson \$23,000 in their drainage district. Regarding generators, **Supervisor Wicks** said they are like insurance (if there is a storm like the Labor Day storm years ago, and the whole county is wiped out, people were without heat in their homes, etc. People may need somewhere to go. Supervisor Wicks is working on an emergency management plan which will house people in the event of an emergency.

**Supervisor Wicks** mentioned something the County Executive wanted to express regarding COVID shots. He said the boosters are now available, and encouraged people to call their doctor and get medical attention as there are therapeutics they can administer to relieve the effects of COVID if people get it early on.

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**Town Board Comments**

The Town Board thanked everyone for attending and chose to move on to the agenda.

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**Department Head Reports**

**Mr. Yager** reported that the LED conversion will be completed by the middle of December. Three crews will be working over a four week schedule for all the lights in the town.

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**Regular Agenda Items**

**MOTION TO ADOPT THE 2022 PRELIMINARY BUDGET**

**RES#182/2021**

**Motion made by Councilor Moore seconded by Councilor Kudarauskas** to adopt the 2022 Town of Lysander Preliminary Budget.

Supervisor Wicks	Aye	Councilor Kudarauskas	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Diamond	Aye		

**All ayes, motion carried and adopted**

**MOTION TO HOLD AND ADVERTISE FOR A PUBLIC HEARING ON THURSDAY, DECEMBER 2, 2021 REGARDING A LL TO OPT OUT OF ON SITE CANNIBAS CONSUMPTION SITES IN THE TOWN OF LYSANDER**

**RES#183/2021**

**Motion made by Councilor Diamond seconded by Councilor Geraci** to hold a public hearing on Thursday, December 2, 2021 at 7:00 PM in Lysander Town Hall to hear those for or against a local law to opt out of the on-site cannabis consumption sites as authorized under Cannabis Law Article 4.

Supervisor Wicks	Aye	Councilor Kudarauskas	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Diamond	Aye		

**All ayes, motion carried and adopted**

**MOTION TO HOLD AND ADVERTISE FOR A PUBLIC HEARING ON THURSDAY, DECEMBER 2, 2021 REGARDING A LL TO OPT OUT OF ALLOWING CANNIBAS RETAIL DISPENSARIES IN THE TOWN OF LYSANDER**

**RES#184/2021**

**Motion made by Councilor Diamond seconded by Councilor Geraci** to hold a public hearing on Thursday, December 2, 2021 at 7:00 PM in Lysander Town Hall to hear those for or against a local law to opt out of allowing cannabis retail dispensaries in the Town of Lysander as authorized under Cannabis Law Article 4.

Supervisor Wicks	Aye	Councilor Kudarauskas	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Diamond	Aye		

**All ayes, motion carried and adopted**

**MOTION TO AUTHORIZE THE TOWN SUPERVISOR TO SIGN THE WILLETT PARKWAY  
CULVERT REPAIR WITH VECTOR CONSTRUCTION IN THE AMOUNT OF \$460,252**

**RES#185/2021**

**Motion made by Councilor Moore seconded by Councilor Geraci** to authorize the Town Supervisor to sign the Willett Parkway Culvert Repair contract with Vector Construction in the amount of \$460,252.

Supervisor Wicks	Aye	Councilor Kudarauskas	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Diamond	Aye		

**All ayes, motion carried and adopted**

**MOTION TO AUTHORIZE THE TOWN SUPERVISOR TO SIGN THE CONTRACT WITH  
CRISAFULLI TRUCKING, INC. IN THE AMOUNT OF \$11,800 FOR THE STRUCTURE  
DEMOLITION AT SMOKEY HOLLOW ROAD**

**RES#186/2021**

**Motion made by Councilor Diamond seconded by Councilor Kudarauskas** to authorize the Town Supervisor to sign the contract with Crisafulli Trucking, Inc. in the amount of \$11,800 for the Structure Demolition at 8431 Smokey Hollow Road.

Supervisor Wicks	Aye	Councilor Kudarauskas	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Diamond	Aye		

**All ayes, motion carried and adopted**

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**Adjournment**

**A motion was made by Councilor Geraci and seconded by Councilor Diamond** to adjourn the regular Town Board Meeting at 8:10 PM.

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

*Dina Falcone, Town Clerk*