

A regular meeting of the Lysander Town Board was held at 7:03 pm. on November 30, 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:** Anthony Rivizzigno, Town Attorney; Lisa Dell, Town Clerk; Pac-B and several residents.

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**SUPERVISOR'S COMMENTS:**

Supervisor Salisbury announced the following:

- Empire State Development Corp. will be holding a public hearing on December 8, 2015 from 2:00 p.m. to 3:00 p.m. regarding the proposed purchase by the Baldwinsville Central School District of property on Brundage Road to build a bus garage.
- Agenda items E and F are being removed from the agenda (Proposed Lamson Road Water District)
- There was an executive session of the Board today from 6:40 p.m. to 6:58 p.m. to discuss a personnel union matter.

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**TOWN BOARD COMMENTS:**

None

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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. #222/2015**

**Town Clerk to Advertise for a Public Hearing**  
**Proposed Local Law to amend the Vehicle and Traffic Law**

Motion made by Shimer, second by Geraci to authorize the Town Clerk to advertise for a public hearing on December 28th 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:

Kerryman Circle entering Hourglass Lane  
Coachmans Whip entering Hourglass Lane

**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. #223/2015**

**Melvin Farms Incentive Zoning Application**  
**Town Clerk to Advertise for a Public Hearing**

Motion made by Reeves, second by Salisbury to authorize the Town Clerk to advertise for a Public Hearing to be held on December 28, 2015 at 7:00 p.m. to hear all people for or against the Melvin Farm Residential Development, Incentive Zoning Application.

**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:**

Councilor Geraci: I am presuming that by December 28<sup>th</sup> we will have reports back from the Planning Board, the ZBA and Onondaga County Planning. I just want to make sure that we will have time to discuss whatever is in those reports and be able to provide to the public that night the gist of what was given to us by those three boards.

Supervisor Salisbury: Do you want to start that work session at 5:00 p.m?

Councilor Geraci: If you think that is the right time, sure. I don't have a problem with that.

Councilor Reeves: That sounds good.

Supervisor Salisbury: why don't we change that to 5:00 p.m.? We will put it on the website and of course during the meeting we will have time also.

Councilor Diamond: I have a quick question as well. Are we going to be advertising this to all of the people that live in the area? Sending out a flyer or a card letting them know that there will be a public hearing on the subject?

Supervisor Salisbury: I think that is only with a zone change.

Councilor Diamond: Didn't we do that with the Cabbage Patch development? I had a resident ask me.

Town Clerk Dell: Yes.

Councilor Reeves: Pretty much 300 feet from where this is going is farmland.

Councilor Diamond: I'm just asking for the neighbors or the people in the area should we send out a notice?

Councilor Reeves: 300 feet is farmland.

Councilor Geraci: It's a good question I think but what would this advertisement look like? Is it a box ad in the Messenger? What does it look like?

Attorney Rivizzigno: It's a regular notice.

Supervisor Salisbury: It's a public notice.

Town Clerk Dell: Basically what this resolution says.

Attorney Rivizzigno: That is all it is going to say. It is not going to be a story. It is going to be a notice of a public hearing with the language that you have right there.

Councilor Geraci: The reason why I am asking is that I saw something a few weeks ago an ad about off street parking for the Town of Lysander. Where does that come from?

Town Clerk Dell: We have done it for years and that is how they designed it.

Councilor Geraci: Is that the same type of notice? Are we all familiar with what was in the Messenger a few weeks ago?

Supervisor Salisbury: I have to tell you that ad never raised so many questions.

(Crosstalk)

Councilor Geraci: Using it as a model, I think it was a two inch by two inch as and it caught your eye. I'm just wondering if we can do that.

Supervisor Salisbury: It was bigger than that.

Town Clerk Dell: It was the same size that has always been published for years.

Councilor Geraci: I was wondering if we can get something like that for both of this public hearing as well as the Cabbage Patch public hearing. Can we do that?

Councilor Reeves: The worse part about that is we are in the same situation right in are we are going to send notices out. The way it is we don't send notices out. We did send them with Cabbage Patch and you are saying lets advertise a little different than this. We are opening ourselves up to our next public hearing that comes up. How are we going to advertise for that? The best thing to do is to stay consistent. There are going to be people beating the bushes on this. They already are. We all know that. This is not going to go unnoticed. We start making special ads for this and special ads for that you are going to paint yourself into a terrible corner.

Councilor Geraci: You do raise a good point because if you do it for one public hearing and not do it for another but I will use that off street parking ad. Why did that one get that kind of a notice?

Town Clerk Dell: It's been like that for years. I will tell you the Whispering Oaks, the Cabbage Patch, was larger because even though it was sent to them in a timely manner when I followed up to make sure they had it, they did, they forgot about it, so that was actually published larger than a normal legal notice. So that was there decision to do that.

Councilor Geraci: (unclear) decision for the off street parking ad the size of it?

Town Clerk Dell: No whoever designed that ad originally.

Councilor Geraci: Did we pay for that?

Town Clerk Dell: Yes. Whoever designed that ad originally years ago is how that is put it. It is the same ad over and over again.

Councilor Geraci: Do we pay more for an ad of that size?

Town Clerk Dell: I would have to look at the cost of that ad. I don't know.

Councilor Reeves: There is an ad that was just in for the Clerk. Is that a private ad that was put in or did the town put that ad in?

Supervisor Salisbury: No we didn't.

Councilor Reeves: It has the Lysander insignia.

Joe Saraceni (Town Supervisor elect): Are you asking me? Yes that was a private ad.

Councilor Reeves: Was that a paid for private ad?

Mr. Saraceni: Yes.

Attorney Rivizzigno: Why don't you talk to the newspaper in terms of what Bob is trying to get at and see if they will write an article or something indicating that the public hearing is going to take place without it being an ad paid for by the town?

Councilor Geraci: I like that idea.

Attorney Rivizzigno: She's usually pretty good about that kind of stuff.

Councilor Reeves: As a board member I strongly disagree with this because what we are doing is we are trying to do everything except our job. Our job is to have a public hearing and let the public get up here and throw darts at us or do whatever they want. The main thing is present the issue to the public but let's see if we can get a story going with it we are opening a can of worms that down the road you are going to have the same problem, well I like this project let's do something a little more extra for it.

Supervisor Salisbury: I don't understand. This is no different than any other public hearing. Why do we treat it as such?

Councilor Reeves: The best part about the public hearing is to get the maps out here and let the public see, which they haven't been able to, what this project is. It's not like someone trying to jam something through or anything. It's a case of that the public has not had the opportunity to see a presentation of what we are talking about down there.

Councilor Geraci: My only point is being accommodating as possible to the public who may not read the fine print in the newspaper saying that there is a public hearing. It's just letting the folks know. I mean if Ashley were here tonight she would be hearing this conversation. She is not and if a story appears in the Messenger about these two public hearings that is a little bit bigger than our public notice I would be very happy.

Supervisor Salisbury: Bob tell me how you determine when fine print is not adequate and you have to change it?

Councilor Geraci: I think you are making a good point John. I can't. It is a tough thing to do and you kind of want to stick to your guns and stick to a precedent. I get that.

Councilor Reeves: (unclear) received a letter tonight on this issue.

Supervisor Salisbury: I have been on public boards for fifty years and this is the first time I have ever heard us talk about this.

Councilor Geraci: Maybe if it wasn't for the off street parking ad being gigantic.

Supervisor Salisbury: Well this is the first time this year I heard so many comments about that so I went and looked at it.

Town Clerk Dell: I haven't received any comments on it.

Supervisor Salisbury: I know the seller of ads just called Lisa and said do you want the same ad put in and yes.

Town Clerk Dell: I think the idea is to catch people's attention not to park or they are going to get a ticket. On the matter of sending notices out Karen has a program that she puts in within so many feet and it spits out the names.

Councilor Geraci: Within 300 feet is going to get you nowhere because it is farmland.

Town Clerk Dell: I don't know, I can ask her.

Councilor Reeves: This is town board not planning board business.

Town Clerk Dell: No I understand that but she has the program so when I sent the notice for the Cabbage Patch development, she has the program, she puts in the feet and it prints out the property owners. We are already getting ready to mail out the notices tomorrow. I don't have the program on my computer. She has it and so does Theresa.

Councilor Geraci: My concern here is, especially the Melvin project, it's going to have ramifications for everybody that lives in the Town of Lysander, the Village of Baldwinsville in terms of traffic, in terms of other things. It is a huge project and to me it matters not whether you live next door or wherever. If you drive on 370 you will be impacted by this project. To me as part of this community just letting you folks know we are going to be talking about it if you have any questions just come on out. That is why I am making the pitch here.

Councilor Reeves: I have had more emails, more hits when I was on Facebook on the Melvin Farm than everything else since I have been a councilor. I think that letter we saw tonight shows that there is all kinds of energy out there, most of it negative, that I have heard and to think that this is going to be snuck beneath anyone is crazy on our part. They are aware of it. They are organized.

Supervisor Salisbury: We are not trying to do that either.

Councilor Reeves: Everybody needs to have the information out there publically and this is the best way to do it. As a board I think it is the responsible thing to do is to get it out there as soon as possible. Half the people that I have talked to or have been critical of it have no idea of what it is. I have spent more times with the maps showing people exactly what it is and the concerns I have as a councilor with it.

Councilor Geraci: Yes. I think you are speaking the way I am speaking which is let's let everybody find out what is going on.

Councilor Reeves: I want to be consistent.

Supervisor Salisbury: How do you want to do it? Do you want to send an individual letter?

Councilor Geraci: No a phone call to Ashley or to the editor to say that we just want to make sure that ample notice is put out for this thing and we will pay for the typical box ad for the public notice but if you want to do something more we wouldn't be opposed to that.

Councilor Reeves: I'll bet you a hundred dollars that the letter we received today will be in the hard copy Messenger this Wednesday or Thursday.

Councilor Geraci: Regardless of what other folks do we as a board representing the public just letting them know what is going on? Let's not belabor this.

Councilor Shimer: Bob I see what you are saying but how do we decide that this one needs more notice than another one or more attention than another one because we had public hearings all the time and depending on the issue if people are interested they show up for the public hearings and that is the same ad that we always do.

Supervisor Salisbury: Nobody has said that we should be sending out notices to the people who live 300 feet from Kerryman Circle and Hourglass Lane and Coachmans Whip and Hourglass Lane. Maybe there are people that don't want a stop sign?

Town Clerk Dell: It's not a zone change.

Supervisor Salisbury: Either are these.

Town Clerk Dell: Well the law for zone change you have to do it and then there was that question regarding incentive zoning should we do it and we decided to do it for the one incentive zoning application. To be consistent...

Supervisor Salisbury: Bob referred only to public notices.

Councilor Geraci: Where I am coming from on this thing has nothing to do with incentive zoning, has nothing to do with the pluses or minuses of the Melvin Farm project. It's the fact that a project of that size is going to have ramifications for everybody that lives in this town. Melinda it is a good question. Where do you draw the line? I don't know. If it is a three house development I don't think you would have to do this but if it is a 450 potential house development I think that is pretty big.

Councilor Shimer: Bob we had public hearing on the CLUP and this encompasses all of this.

Supervisor Salisbury: You have to realize we might all we are looking at is incentive zoning as far as how many houses and what the size of the lots will really be is up to planning board not up to this board. I think you are getting this board or future boards in trouble if we make certain public notices different than other public notices. For years and years it's been the same. We seem to get enough people in. I can remember with drainage districts there were 300 people standing up.

Councilor Shimer: And to Andy's point there will be people out there who are very concerned about this. There will be a huge word of mouth on their part. I don't think there will be any trouble getting the word out.

Councilor Reeves: There will be letters I have seen already. There are three different groups that I know that I don't think they are aware of each other.

Councilor Shimer: So to your point if it is going to affect a lot of people (unclear) people know that and there are people out there that are going to say let's get together and lets go.

Councilor Geraci: But I just don't think they do know Melinda how impactful this project can be. You may not even be a Lysander resident.

Supervisor Salisbury: Bob I can't understand. We have had public hearings all the time and I have never heard you be so vocal about how we notify people. How do you determine when a public hearing requires the notification you want versus the notification we have always done. I think you are getting into a lot of trouble if you are trying to do that.

Councilor Reeves: The big thing here it looks like we pushed these to the boards. The Jam that they like to call us we see this issue, we see there are a lot of emotions on both sides, and the best way to get the information out there is to push it to the three boards. We have done it first time and get the feedback because all of us, it's

what we said before, the more eyes and opinions you can get on the better it is for this board. As far as the public hearing there is nothing better than to have the developer here with his maps and answering questions and making a presentation for everyone out there and let everybody know exactly what this project is. We have talked one on one to hec freezes over and I'm still not going to be able to get you to understand the magnitude of this. As a board we have come to a point where we are about as far as we can go without moving this to the next step and that is why we did it. Right now once we have a public hearing we are going to get input but we are also going to be able to ask some questions with our familiarity with CLUP that is going to benefit the next board. I think the best thing to do is to trust the system, it's going to work. I don't think you will be disappointed.

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**RES. #224/2015**

**2016 SPCA Animal Cruelty Contract**

Motion made by Shimer, second by Diamond to approve the 2016 Animal Cruelty Contract with the SPCA at an annual cost of \$1,958.31.

**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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**ANNOUNCEMENTS**

Supervisor Salisbury announced that the Board's work session will begin at 5:00 pm on December 28, 2015.

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**RECOGNITION OF CITIZENS:**

**Melvin Farms Incentive Zoning Application**

William Penn, Doyle Road: I would just like to expose you briefly to the opinions of myself and many other residents in the area. I would like to mention that I bought my home on Doyle Road in 1961. We have been there ever since. One of the reasons we chose this area was the fact that all of the land surrounding the perspective house we were looking at was zoned AR-40 and we felt that it fulfilled our desire to get in an area that still has a country atmosphere to it and things are widely spaced. You don't have to walk sideways between the properties to get to your backyard, this sort of thing. So we are opposed to the proposal as it has been presented.

Supervisor Salisbury: You are opposed to what?

Mr. Penn: The Melvin Farms proposition. That is what I am talking about.

Supervisor Salisbury: Do you want to save this for the public hearing?

Mr. Penn: I have three minutes and I just want to expose you to our feelings.

Supervisor Salisbury: Okay.

Mr. Penn: Some recent developments have abided by the AR-40. Melia Park, Brickwalk, Doyle Road and almost all of the building sites on Doyle Road, even the established homes have followed that route. So there are many cases where the developers have come here and willing to abide by AR-40. This new proposal according to my arithmetic from the maps that I have seen and the layouts would be classified, if you wanted to use the same jargon, would be classified as R-8, approximately five building sites per acre. This reminds me more of some of the other townships that surround us and the high density neighborhoods that we find there. I think it is totally inappropriate to the Lysander peninsula especially Lysander in general. It is too dense. I always thought that Lysander had this really beautiful compromise in that it is separated for the city and the nearby surroundings by the Seneca River as sort of a barrier. On our side of the river we had this country like atmosphere and on the other side of the river we have several townships where they have very dense neighborhoods. All you have to do is drive around the peninsula and get the feeling of that and then go to some of these other townships and see the stark difference. We really don't want to live in those conditions especially the people that live down near Hayes Road. We are very vehemently opposed to this project as it has been stated. So you can expect that we will be active in doing what we can. I would like to ask the board a question. Are you really going to be sensitive to the results of the public hearing and the comments that are given?

Supervisor Salisbury: Thank you Sir.

Mr. Penn: I had a question on the floor. Are you going to be sensitive to the comments at the public hearing?

Supervisor Salisbury: We will have the public hearing and we will make a decision after that. That is all I can promise you.

Mr. Penn: You will promise me that you will be sensitive, that you will listen carefully and you will factor that in your decision.

Supervisor Salisbury: I am not going to get into an argument about this. I will listen. I don't know how you define sensitive if that is meaning siding with you or siding with the other people. I don't know. I'm going to listen. I will promise that.

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Gene Dinsmore, Highland Drive: Three things I would like to mention. Number one is congratulating Councilor Geraci for attempting to make sure that the publicity for this public hearing is as good as we can practically make it. The public hearing notices are not always exactly that same dimension. There is no reason why a larger affair or project can't have additional spacing or additional publicity. Obviously the public hearing tonight to put up two stop signs was pretty non-controversial and didn't need a notice.

Councilor Reeves: We didn't have a public hearing tonight.

Mr. Dinsmore: We advertised to have one. The idea I am congratulating him because I think it is possible to vary the size and scope of the advertising depending on the size and scope of the project. This particular project is going to have a tremendous impact on the traffic on Hicks, Hayes Road and Route 370. As the Highway Superintendent I am very keenly interested in hearing about all that and need all the residents to come and give us their opinion. Any emphasis that can be put on that advertising is not improper and I don't think it is that difficult to figure out how to do that. I don't want to belabor that but it is the one item that I wanted to mention.

(Mr. Dinsmore then pointed out a typo in the agenda pertaining to the year of the contract for Dog Control)

Mr. Dinsmore: The other thing that I want to make note of is what Bill Penn referred to is the AR-40. I'm a little concerned about throwing the AR-40 distinction away just yet. I know that there was talk and it was mentioned in the CLUP process and so forth that the Town Engineer had determined that AR-40 didn't generate enough highway tax to justify how we plow the roads and how we take care of them. I don't know if there has actually been any math or actual study.

Supervisor Salisbury: Traffic concerns are done by the Department of Transportation as you know as Transportation Supervisor and also by the Planning Board. They did a really good job with that. Thank you.

Mr. Dinsmore: That is not what I said but whatever, okay.

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James Ladstatter, River Road: Obviously I am concerned about the traffic getting onto 370 at certain times of the day and a 400 house development is not going to help the situation. Up to now, I don't know who is in charge of all these things, I have attended several of these meetings and the only thing that has come up is that there has been studies warning that there is a lot of traffic on 370 but nothing has been done about it. This housing development will make the situation worse. The other thing I want to point out is that the comment that people could come here and look at the maps and see what is going on. I don't know about other people but for me it is a complicated situation and important, I would like to see and look at it before I come to the meeting so I can ask some intelligent questions and maybe understand. I went to some of these things and you get these charts up and that and there is a big group of people and you cannot get in there and get up and see what is on there so you really don't know what questions to ask. I'm really asking for you to advertise this a little bit and provide any information ahead of time of what is going to be presented so that people can look at it and come in with a little smarts. I have been to a previous meeting some organization around here concluded that this is a good thing, they are going to have roads, they will be interconnecting and there won't be much impact on 370 cause there will be walks and roads within this development. Let's face it when Mom and Pop go to work they are going to get on 370 even though there may be some nice paths within this project. I think you owe it to the people in the area to be notified well and not have another one of these instances where this house for the boys with problems was kept secret until the last minute because people forgot to mention it. I'm kind of sensitive here to the way the Board has treated us in that area as far as informing us ahead of time a development that affects us.

Supervisor Salisbury: I thank you because your idea, I just wrote that down, that we have map and so forth up here for maybe a week or more ahead of time. That is a good idea if we can do it.

Jim Stirushnik, Dinglehole Road: Cabbage Patch and Melvin.

Councilor Geraci: I think that is an excellent idea John. Is there anyway, I don't know the technology, but can Al put them on the webpage as PDF maps.

Supervisor Salisbury: I will ask.

Councilor Geraci: That way if anybody wants to download them or look at them on the computer can do that to.

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Ron Bryant, Hayes Road: I want to thank Bob for bringing up to notify the people around the area. I'll take care of that because I will hand out flyers out there in the neighborhood and I will have the news there. Bob thank you for bringing that up and I live within the 300 feet of farmland down there. I will take care it. Thank you.

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**OTHER BUSINESS:**

**None**

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**ADJOURNMENT:**

Supervisor Salisbury adjourned the meeting at 7:40 p.m.

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

Lisa Dell, Lysander Town Clerk