

A Regular Town Board meeting was held on February 20, 2020, 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; David Rahrle, Comptroller; Al Yager, Town Engineer, Tony Burkinshaw, Parks and Recreation Supervisor; HW Superintendent Jerry Hole, and several guests and residents.

Executive Session

RES#47/2020

The Town Board entered into executive session during work session. **Motion was made by Councilor Diamond and seconded by Councilor Kudarauskas** to enter into Executive Session at 5:02 PM.

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

All ayes, motion carried and adopted

RES#48/2020

Motion was made by Councilor Diamond and seconded by Councilor Kudarauskas to come out of Executive Session 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 called the meeting to order at 7:02 PM with the Pledge to the Flag.

Adoption of Minutes

RES#49/2020

Motion by Councilor Geraci seconded by Councilor Diamond to adopt the February 6, 2020 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

Citizens Comments

Kevin Rode of Greymoor Way asked if anything would be added to the agenda. **Supervisor Wicks** said no. Mr. Rode asked questions related to the budget transfer items, in particular: special events at the park/hours not budgeted, mowing of Chase Cemetery, mowing of TOL cemeteries, and labor/snow removal/overtime. **Supervisor Wicks** advised that the Department Heads would have a chance to explain the line items during discussion.

Fred Burtch of Plainville Road thanked Supervisor Wicks for reaching out to him regarding the situation with his property and the intersection of Plainville/Church Road. **Supervisor Wicks** said he is still working on it. Mr. Burtch said that he would talk with anyone from Onondaga County if necessary.

Jim Stirushnik of Dinglehole Road made a comment about the budget. He mentioned the cemetery situation (mowing) as he thought the number of mows at Chase Cemetery were limited per year.

Supervisor Wicks asked Mr. Hole to join the Department Heads in front of the room.

Supervisor's Comments

Supervisor Wicks mentioned that he and Councilor Kudarauskas attended the Association of Towns training and they took over a dozen courses. He said the Association of Towns hosts a very comprehensive well done training, and it was very helpful and well worth the time and funds spent travelling to NYC.

Supervisor Wicks stated that TOL is working on a comprehensive plan to try to update the HW fleet. He said he doesn't want to get into the kind of situation that the City of Syracuse is facing now. **Supervisor Wicks** said a HW Committee meeting was held, and they are starting to work on a plan to address some of the older equipment in the HW Department.

Town Board Comments

Councilor Kudarauskas mentioned the Association of Towns meeting and said they learned a great deal. In his conversations with Mr. Burkinshaw, **Councilor Kudarauskas** found that there are some girls who are unable to attend the GEMS Camp for financial reasons. He wants the public to know that he is going to pay for one of the girls to attend. He asked that anyone who is interested in attending GEMS, submit an essay to the Parks and Recreation Department explaining why they want to attend and what it means to them.

Councilor Moore said he was pleased to hear that the training went well, and he said it is well worth every penny spent in NYC.

Councilor Geraci expressed his regret for not being able to attend the Association of Towns training this year. He noted how important it was for him to attend when he first became a Town Councilor.

Councilor Diamond thanked the HW Superintendent for meeting with him regarding the fleet and plans moving forward regarding the HW Department.

Department Head Reports

Tony Rivizzigno, Town Attorney mentioned that there will be an Intermunicipal Agreement forthcoming from the Town of Van Buren.

Tony Burkinshaw, Parks and Recreation Supervisor said he posted three job openings in HW, the Parks Office, the Website, and the Facebook page. He said anyone interested can get an application. Positions available: Full Time Seasonal Park Crew Leader position for summer, Part Time Seasonal Park Attendant, (one person is stepping down from Park Attendant), and a Part Time Park Laborer. (All positions have been posted). Applications are in the Parks and Recreation office.

Mr. Burkinshaw said Parks has contracted with the Central New York Food Truck Association. They are listed as a 501(c) 3 and they work with 18 food trucks. The trucks will be at the park when the spray park opens, until it closes, on Fridays, Saturdays and Sundays, between 10:00 AM and 7:00 PM. The smaller food trucks may be there when school ends on Mondays through Thursdays. They will also be working special events, where they will either pay a \$75 flat rate or 15% of their receipts. That was discussed in the commission meetings.

Supervisor Wicks said there were some questions regarding the budget transfer items. He asked Mr. Burkinshaw to address those.

Budget Discussion

Councilor Geraci: *You're spending an extra \$5,000K on unallocated special events. Are park hours not budgeted by \$5,000 Tony?*

Mr. Burkinshaw: *I didn't have \$5,000, I don't have what you have in front of you, basically I have Park Laborers - Park Attendants that we are putting money back into that account. With the Park Labor position we had three special events at the park this year with the Little Kids Big Truck event, and the*

spray park grand opening. We had to reschedule fireworks so we had staff up there - those events weren't budgeted for. Also, we worked with the engineer on drainage districts and trying to maintain drainage districts and some of that money from the drainage districts has to go into that account to help pay for some of that as well. So as far as that goes, Park Laborers, those are just things that were not budgeted for or not foreseen when we were planning out the summer. As far as Park Attendants, we had Park Attendants that were working, that helped again with special events, parking, things like that, also too they get reimbursed for the hours they put in overtime for Pop Warner, that money has to go back in there. Pop Warner paid us, so money has to go back in that account to offset the balance of Park Attendants. Pop Warner reimburses us for the use of Park Attendants for later on. Concert series, we [went] over just about \$500 on that, insurance for the concert series went up, also too we booked another band and that money was in a savings account, so all we have to do is transfer money from the savings account for that balance, but we are working with a 501 (c) 3 so we can get out of handling the concert series money.

Supervisor Wicks: *So the concert was an additional money, you had money to cover.*

Mr. Burkinshaw: *We had money to cover. All the money we have is just in a different line item that we are transferring back. One of the things that we did was take money from our savings account to cover our park project, and we went over, we didn't finish the park project so we are just putting money back into that account to cover anything we might have overdrawn in that area.*

Mr. Rahrle: *7310109 which is your payroll...*

Councilor Kudarauskas: *2106 was the cost.*

Mr. Rahrle: *That's the amount.*

Mr. Burkinshaw: *Right. In payroll that basically does anybody who works for us on payroll, and instead of contracting with them, we put them on payroll, what we will do is take from our contract money that we had money from that account and we will reimburse the payroll account. So if you worked a program, or if you were doing anything from concert series to working a special event for us and you were on our payroll, will take from the youth payroll money and put it in that account to offset that.*

Mr. Rahrle: *You are not budgeting enough. That's the problem,*

Mr. Burkinshaw: *Right, we tried, I tried to stick – it's off budget but it fluctuates but I try and stay within that number and obviously with special events and things that were happening this year, and rescheduling special events, we need staff to work them*

Supervisor Wicks: *So I think one of the questions was, I hope that you answered the questions, but we will just address that in the upcoming budget to make sure we try and address some of those issues.*

Mr. Burkinshaw: *Some of those things - we are not going to have another firework night or a spray park grand opening, Little Kids Big Trucks event will be a yearly thing that we do budget for we look ahead especially with minimum wage increasing this year, so it's something we have to look at. So two out of the three special events we won't be doing this year. That was obviously something that we didn't really foresee when we put the budget back in August of 2018.*

Councilor Geraci: *Could I ask you a question Tony? Having been in the business I know these things happen and the good news is you had money in other accounts to offset, so my question here is though for example we are moving \$3,065 from contractual programs, what would you have normally spent that contractual money on?*

Mr. Burkinshaw: *Again, instead of putting them on payroll we would contract, so if you were a contract vendor we would pay you out of that. One account is for payroll purposes, the other is for contractual if you are a vendor we would take it out of that. And that one is typically a little bit higher, contractors tend to charge a little bit more.*

Councilor Geraci: *I guess what I'm trying I almost wish you didn't say special events at the park aren't budgeted in fact they were budgeted because you had enough money in those other accounts that were basically personnel accounts, it almost makes you look bad if you say that – I understand that you had a night for example that you had to re-staff for the second fireworks night – I get that but you had a buffer for it – you had money you were able to transfer out of another account.*

Mr. Rahrle: *The point is, is that we are trying to eliminate that kind of thing from happening, and budget the right amount on the line item to start with.*

Councilor Geraci: *That's exemplary and all I say is I'm understanding enough if you can do that great but you never know when it's going to rain and you have to spend another \$500 on staffing on a second night. I'm basically supporting you on this.*

Mr. Burkinshaw: *Thank you.*

Councilor Geraci: *No one has a crystal ball Jerry, One of the budget transfers for 2019 was moving \$17,500 into the overtime account, and again this is not a criticism, you have to send the guys out, and the trucks out when you have to, but are you sensing anything about overtime, and what's going on there?*

Mr. Hole: *Actually, we are low right now.*

Councilor Geraci: *This year right? That's good.*

Mr. Hole: *Last year was a lot different winter.*

Councilor Geraci: *Exactly.*

Mr. Hole: *And our fall wasn't too bad.*

Councilor Geraci: *But programmatically are you doing anything different than in the past or are you doing the same?*

Mr. Hole: *When it warrants it we call them out and go out and this year it's been a lot of weekend snow events, which costs us in overtime – the sun will be out all week and - so I don't know what our numbers are going to end up at for the end of this year. Last year was just a snowier winter. We got more accumulation than that - but I do know the overtime totals right now are lower than normal. I would think 50 hours per man.*

Councilor Geraci: *But nothing has changed programmatically?*

Mr. Hole: *No we are not doing anything differently as far as how we handle ice versus snow versus, a, you know, it's all about public safety at that point.*

Councilor Geraci: *Okay. Good.*

Mr. Hole: *If in doubt we gotta go out.*

Councilor Geraci: *Did you come up with that saying?*

Mr. Hole: *No. but it's just true, you know if you are doubting yourself you probably better send them.*

Councilor Geraci: *Of course.*

Mr. Rahrle: *If I may, if I can add a comment about overtime.*

Mr. Hole: *I don't set that number.*

Mr. Rahrle: *That's exactly right, I was just going to say that. He doesn't give us the number we come up with the number. The tentative budget for 2019, I had put in the number \$95K for overtime, and when we sat down and we went through it, it was decided that was too high, so we dropped it down to 70. So that's why and it came in at \$87,500. So that's; it was a decision we made.*

Councilor Moore: *I'm looking at 2018's overtime and it was \$72K and that was a harsh winter.*

Mr. Hole: *Both the last two were pretty decent.*

Councilor Moore: *Right. So at \$87,500 that is for a mild winter, it does just make, I'm not casting stones either but it does make you look makes me look at the numbers.*

Mr. Hole: *When during the 24 hour period it depends on when the snow comes, if it's after 3:00 then we have to deal with it then that's overtime. First run is at 2:00 in the morning ahead of the morning commute that overtime. The only time it's not is daytime working hours, usually I'll use today as an example, we were out early, ahead of, on overtime then at 9:30 they went through the town again that was on regular time. It depends on when the snow happens and how we go through the town sometimes you wait, so hopefully you only have to make one trip. Sometimes you hope the morning run takes care of*

it for the morning commute, I mean, its mother nature's hands. Depends on when she drops it on us and when we have to deal with it – we are on the clock.

Councilor Kudarauskas: *they day I called you to be wingman it was Saturday and the guys when out three times that day.*

Mr. Hole: *So, it's out of our hands. We just have to deal with it and when we see the accumulations and the slippery conditions we have to deal with it. We don't look at the clock and say "oh this is going to be overtime" no its street conditions dictate movement. That number you guys settle on at budget time, not me.*

Councilor Geraci: *Again without wavering, so regardless of who is sitting in your chair, you or someone else, we are going to spend pretty much the same overtime year after year.*

Mr. Hole: *I would think so.*

Councilor Geraci: *Okay.*

Mr. Hole: *You know, obviously the wages have gone up.*

Councilor Geraci: *Of course.*

Mr. Hole: *That's out of my control too.*

Councilor Geraci: *Well, while we are talking about budget transfers, it's a significant amount of money. Are we just coating the road maintenance budget and the improvement budget correction we are moving \$444K from the improvements code to the road maintenance code and it is all for the same stuff we are fixing roads...*

Mr. Rahrle: *Right. That is partially what is happening and I had a discussion with his secretary, my wife that we needed to pay closer attention to that.*

Councilor Geraci: *Okay because I mean, anybody that didn't understand this would say "what are you doing" but when it comes time to budgeting, I always combine the two numbers because I can't tell if you're buying this from that account - or tar from that account, so I just want to make sure for 2021 that we are actually putting the right numbers in the right code.*

Mr. Hole: *And there is gray areas there too, whether you want to charge this load of stone off under, you know, so there's some variables there, and honestly when we are doing our roadwork, we do look a lot at it as one sum of money for the year for getting the roadwork done. I mean you kind of have to, and...*

Mr. Rahrle: *I might add because you guys don't have the final numbers yet, between the two numbers that we let him work with for maintenance they came in at about \$11K that he didn't spend.*

Supervisor Wicks: *We were talking today, Mr. Rahrle and I, and Mr. Hole... We have been talking and we are going to try - like even with the parks, [to] really get these numbers tighter. You know, we are not going to get them 100% but we are going to try and get them tighter so that these line items truly reflect what they are meant to be spent on. Now, we are not going to be able to do it 100%, but we are going to try and tighten this up. If we need to budget more with line items, then that is what we are going to do, and we are going to come up with a formula, if we need to put \$87K in the road overtime budget then well we are going to have to do that and we are going to have to, I think we should try and get the numbers as accurate as we can, so that when we give the budget proposal to the citizens, they can really see what we are spending their money on.*

Councilor Geraci: *Maybe if we can continue on these budget transfers because they apply to HW and this is a philosophical decision we have to make I didn't know if we should with the 2019 I think you did a good job here Jerry in identifying the crack that we spend \$11K mowing cemeteries with your HW crew. The question for us to grapple with, and that's been done forever, but the question is, is it the right thing to do? So, and if we are going to use the HW Dept. to do it then we ought to have the HW Department reimbursed for it. That is what we are saying here, I think.*

Mr. Rahrle: *That is correct.*

(crosstalk)

Councilor Geraci: *We have never done this Bob, and so.*

Mr. Hole: *We turn in the time and value of it.*

Supervisor Wicks: *I am pretty sure you have to, right?*

Councilor Moore: *But we have never done it.*

Councilor Geraci: *No and I am agreeing with you.*

Supervisor Wicks: *But we are going to do it in the future.*

Mr. Rahrle: *This is the second year we have done it. We had the same problem last year that we didn't budget...*

(Crosstalk)

Mr. Hole: *We shovel the walks and town hall and we keep track of man hours.*

Councilor Geraci: *The cemetery thing seem to have got forgotten... so for 2021 we are not going to see this.*

Mr. Rahrle: *You are going to see it in 2020. 2021 we are going to budget it correctly.*

Councilor Geraci: *As far as mowing Chase, can we - another \$2,900 - that we are spending can we just put another \$2,900 in that budget?*

Ms. Falcone: *We haven't raised it in a while either.*

Mr. Yager: *Part of that was we had a – normally we stop mowing in October, but we had a pretty warm October - a dry fall, so we had to have them mow in October, and we also had some trees come down that we had to clean up early in September.*

Mr. Hole: *they are under contract, just so we clarify.*

Mr. Yager: *Some trees blew over, and typically we don't have to mow twice in October this year.*

Mr. Rahrle: *We mowed 12 times.*

Mr. Yager: *We budgeted for 10.*

Councilor Geraci: *For next year we can budget for 12.*

Ms. Falcone: *With [more in the] the budget, if something else happen, trees or something.*

Councilor Geraci: *Yeah, have a buffer in there.*

Department Head Reports - Continued

Jerry Hole, HW Superintendent, reported that TOL 'has watched' what the City of Syracuse is doing with some of their trucks, and considering their fleet average age – they tried to keep them 7 years. He said that just last week HW sold two of theirs that were 18 years old. He commented about the conversation earlier regarding updating the fleet. He said TOL doesn't want to get in the situation [the City of Syracuse is in]. **Mr. Hole** said 58 trips through TOL were logged, and in an average winter 114.

Mr. Hole reported that HW sold the two trucks. The truck HW is proposing to buy is what was budgeted for in 2020. **Mr. Hole** said the budget for trucks and equipment this year for HW is \$215,000. The proposal was given to the Board for review. **Supervisor Wicks** said it would be discussed later. It was discussed in the HW Committee meeting.

Councilor Geraci asked Mr. Yager about the district expenses and **Mr. Yager** explained that TOL did quite a bit of work, but explained that TOL takes in a fee every year, and this is the amount of work that was done. He said he thinks money is transferred from the unappropriated fund balance that is in the district.

Regular Agenda Items

**MOTION TO AUTHORIZE THE SUPERVISOR TO SIGN THE REVISED
2020 FIRE PROTECTION AGREEMENT (ENTERPRISE FIRE
COMPANY NO. 1 (WEST PHOENIX FIRE PROTECTION AGREEMENT))**

RES#50/2020

Motion made by Councilor Moore seconded by Councilor Diamond to authorize the Supervisor to sign the revised 2020 Fire Protection Agreement by and between the Town of Lysander and Enterprise Fire Company No. 1 (West Phoenix Fire Protection Agreement). (*Schedule A should read as follows with a 2% increase: In consideration of the furnishing of such services and the use of equipment and apparatus as aforesaid, the Town of Lysander covenants to pay for the term January 1, 2020 expiring December 31, 2020, the full sum of One Hundred Ten Thousand Six Hundred Eighteen Dollars (\$110,618) on or before the fifteenth (15th) day of April, 2020.*)

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

All ayes, motion carried and adopted

Discussion:

There was a typo in the first contract that wasn't caught. TOL is adding in the 2% increase that wasn't on the document.

**MOTION TO APPROVE THE TOWN CLERK
TO ATTEND THE ANNUAL NEW YORK STATE
TOWN CLERK'S ASSOCIATION 2020 CONFERENCE**

RES#51/2020

Motion made by Councilor Geraci seconded by Councilor Kudarauskas to approve the Town Clerk to attend the Annual New York State Town Clerk's Association 2020 Conference at the Desmond in Albany, New York, from April 26-29, 2020. The cost of the conference is \$125 and the cost of the hotel is \$717.00, which includes all meals. Town Clerk shall be reimbursed for mileage accordingly. (*This is a budgeted item.*)

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 PUBLIC HEARING RE LOCAL LAW
TO ADOPT A BATTERY ENERGY STORAGE SYSTEM MODEL LAW**

RES#52/2020

Motion made by Councilor Moore seconded by Councilor Geraci to hold a public hearing on Thursday, March 5, 2020 at 7:00 PM in the Auditorium of Lysander Town Hall, 8220 Loop Road, to hear those for or against a local law to adopt a Battery Energy Storage System Model Law for The Town of Lysander. The Town Clerk is authorized to advertise for same.

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

All ayes, motion carried and adopted

Discussion:

Mr. Yager said TOL is seeing an influx of commercial solar farm applications at the Planning Board level and National Grid doesn't have the capacity to take the energy in from these systems in the daylight hours, so in order for these entities that are building the solar farms, they need to get as much energy as they can. One of the ways is when there are energy limitations - they store onsite and release it into the grid on off peak hours. With the Battery Energy Storage System, there's less risk for first responders that are covered and this law will protect them.

**MOTION TO RELEASE THE PUNCH LIST SECURITY
REQUIREMENT FOR THE HIGHLAND MEADOWS PHASE II SUBDIVISION**

RES#53/2020

Motion made by Councilor Diamond seconded by Councilor Kudarauskas to release the punch list security requirement for the Highland Meadows Phase II Subdivision as recommended in the Town Engineer's letter dated February 18, 2020.

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

All ayes, motion carried and adopted

**MOTION TO APPOINT DEPUTY SHERIFF TYLER MYERS TO PROVIDE SECURITY
FOR TOWN BOARD MEETINGS, WORK SESSIONS AND JUSTICE COURT NIGHTS**

RES#54/2020

Motion made by Councilor Geraci seconded by Councilor Moore to appoint Deputy Sheriff Tyler Myers to provide security for Town Board meetings and Work Sessions and/or Justice Court nights at a rate of \$40 an hour with a three hour minimum effective February 20, 2020.

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

All ayes, motion carried and adopted

Discussion:

Supervisor Wicks said that although Deputy Myers is related to one of the town employees, the Board does not pick who the Deputies provide for TOL. There is a Deputy in charge of detail and they bring it to the Town Board. As long as they are certified, they can be hired. Deputy Myers is a qualified individual.

MOTION TO DECLARE THE OLD BROWN COUCH SURPLUS

RES#55/2020

Motion made by Councilor Diamond seconded by Councilor Moore to declare the old brown couch located in the rotunda surplus to be disposed of.

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

All ayes, motion carried and adopted

**MOTION TO AMEND THE 2019 BUDGET PER
THE BUDGET TRANSFERS AS LISTED ON THE BUDGET
MODIFICATION SHEETS PROVIDED BY THE TOWN COMPTROLLER**

RES#56/2020

Motion made by Councilor Geraci seconded by Councilor Kudarauskas to amend the 2019 Budget per the budget transfers as listed on the Budget Modification Worksheets provided by the Town Comptroller.

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 HIGHWAY SUPERINTENDENT TO SIGN THE PROPOSAL FROM TRACY ROAD EQUIPMENT FOR THE PURCHASE OF A 2021 WESTERN STAR 4700 SINGLE AXEL TRUCK AND PLOW PACKAGE IN THE AMOUNT OF \$215,037

RES#57/2020

Motion made by Councilor Kudarauskas seconded by Councilor Moore to authorize the Highway Superintendent to sign the proposal from Tracy Road Equipment for the purchase of a 2021 Western Star 4700 single axel truck and plow package in the amount of \$215,037.

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

All ayes, motion carried and adopted

New Business/Other

Councilor Geraci mentioned updating the CLUP. **Mr. Yager** said he has information from NYS regarding the process and will provide same to the Board.

Adjournment

A motion was made by Councilor Kudarauskas and seconded by Councilor Diamond to adjourn the regular Town Board Meeting at 7:47 PM.

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

Dina Falcone, Town Clerk