

A Regular Town Board meeting was held on March 2, 2017 at the Lysander Town Building, 8220 Loop Road, Baldwinsville, New York.

MEMBERS PRESENT: Joseph Saraceni, Supervisor
Robert Ellis, Councilor
Peter Moore, Councilor
Robert Geraci, Councilor
Roman Diamond, Councilor

MEMBERS ABSENT: None

OTHERS PRESENT: Anthony Rivizzigno, Town Attorney; Town Engineer Al Yager; Dina Falcone, Town Clerk; Gene Dinsmore, Highway Superintendent; PAC-B, and several residents.

Supervisor Saraceni called the meeting to order at 7:03 pm with the Pledge to the Flag.

Continuation of Public Hearing: “Collington Pointe Incentive Zoning Application”

RES#62/2017

Supervisor Saraceni moved to open the Public Hearing at 7:04 pm.

PUBLIC COMMENT RELATED TO COLLINGTON POINTE PUBLIC HEARING

Supervisor Saraceni stated that the developer’s attorney came in that afternoon and met with them during the work session. He will comment further.

Jamie Rodems, Assistant Superintendent of Management Services of Baldwinsville Central School District stated that he was there representing the Board of Education. He said that BCSD remains neutral on this particular development. They appreciate development, and are not enemies of development. He said they have some concerns as it concerns the school district in terms of finance and operation and where all of the development goes. If a large development goes into one of its smaller attendance zones, for elementary school, they may have to re district on the elementary level. He said that is always an interesting chore. They are concerned on the pace of a buildout, as a faster buildout is tougher logistically, in terms of the transportation of students and how to integrate a large number of students in various grades based on the concentration of students.

Mr. Rodems stated that increased assessed value does rise with new homes, and it costs (today) \$18K a year to educate a student. He said that is \$100M divided by 5,500 kids. Assessed value, based on the current levy is \$52M, which is maybe \$9,500 of the 18K. Mr. Rodems stated that the issue going forward is state aid, and if they let the formulas run, it wouldn’t be a big issue because the dollars would follow the students. If the Governor and the State Legislature doesn’t allow those numbers to formulate, a larger number of students doesn’t necessarily bring larger amounts of state aid. Mr. Rodems, and the Board of Education, thought it was a good idea to come to the meeting. Going forward, BCSD would like a seat at the table as a partner with the Town of Lysander, as it has the same set of tax payers, and they want it to be a great school district for people. He stated that BCSD is not anti-development; they just want their concerns registered.

Greg Maxwell of Brixham Court stated that he has two grandchildren (ages 3 and 5) who live on Patchett Road. He said that he sees firsthand the activity on that small stretch of road which is narrow, has a hump, and is difficult to drive. He said that by adding more cars and trucks it is going to create what is already a dangerous situation. He said all of the mailboxes are across the street, and his five year old grandson loves to cross the street. He said that if the plan moves forward to widen the road, take the hump out of it, and make it safer for the people on that road. Mr. Maxwell suggested enhancing patrols and keeping a speed limit of 35 mph on the road.

Supervisor Saraceni said the Board had the developer come in and there has been an offer which he will share with the public when he gets to item “A”.

RES#63/2017

Supervisor Saraceni moved to adjourn the Public Hearing at 7:10 pm

PUBLIC COMMENTS NOT RELATED TO PUBLIC HEARINGS:

Supervisor Saraceni clarified the public comments portion of the meeting. He stated that the Board is allowing a five minute one-time comment period regarding agenda items. At the end of the agenda, there will be another five minutes for comments on any additional town related topics minus personnel issues. He said he will not necessarily cut off the speaker at five minutes, but will let the speaker know that if he or she is over the five minutes, he will ask for the comments to be wrapped up.

Kevin Rode of Greymoor Way asked about the budget transfer attachment, and what “meter reader” means (page 6 under water districts). **Mr. Yager** said he thinks that is how the Town split the fee paying Chuck McAuliffe and split it up by the number of users and he [Comptroller] took the total and divided it back into the number of users back into the total.

Mr. Rode asked about the unrestricted fund balances, and would that be under sewer. **Mr. Yager** said they are general account fund balances, and the Town paid out of the fund and put it into the general account. It was the money to charge the districts for the work the Town of Lysander did.

Mr. Rode noted the agenda item regarding the Sexton for Chase Cemetery resigning and asked what the Town is going to do for burials. Mr. Rode said he talked to other cemeteries and tried to convince them to merge, and maybe create a Lysander Town Cemetery.

BOARD MEMBERS COMMENTS:

All Councilors thanked the audience for their attendance. **Councilor Ellis** thanked the audience for their comments on the Collington Pointe proposal.

Supervisor Saraceni stated as many of the member of the audience know the Town attended the Association of Towns meeting in New York City last week and it was an amazing experience, as they learned a lot. He said they attended ten different seminars, and all were applicable in helping the Town deal with situations they encounter on a day to day basis. He said it was well worth it. He was going to give a report on the seminars he attended. He suggested anyone give him a call and he will fill them in. He thanked everyone who attended each and every meeting regarding Collington Pointe. Supervisor Saraceni said that the Board has incorporated every comment and concern it has heard. He said he will report on other areas regarding that.

ADOPTION OF MINUTES

RES#64/2017

Motion by Councilor Diamond seconded by **Councilor Ellis** to adopt the February 16, 2017 Town Board Meeting minutes.

Supervisor Saraceni Aye Councilor Ellis Aye Councilor Geraci Aye
Councilor Moore Aye Councilor Diamond Aye

All Ayes, motion carried and adopted

Discussion:

Supervisor Saraceni commented that the minutes are 24 pages long. Town Clerk Dina Falcone noted that there were two local laws added to the end of the minutes, which made the minutes at least ten pages longer.

DEPARTMENT HEAD REPORTS:

Highway Superintendent Gene Dinsmore spoke regarding an engine of one of the trucks out of service. Lengthy discussion ensued regarding repair of trucks. He said the truck is the International older truck with transmission difficulties. He noted that the part, the TCM, is corroded and was sent out to be repaired. With the new technology it can be repaired at \$3,500 for the part. Highway was loaned a test module part, and it is down a truck.

Town Engineer Al Yager stated that the Town of Lysander has applied for the Onondaga County Legislative improvement grant, and asked for \$251K for the Mercer Street reconstruction project scheduled for this summer. He also said the Town of Lysander has applied for the 2016 DEC Urban and Community Tree Planting Grant in the amount of approximately \$28K.

Town Clerk Dina Falcone stated that the Online Dog License Renewal System is now online through the Town of Lysander website. You may renew and pay for your dog license(s) online by using your MasterCard, Visa or Discover credit cards. You may also pay via Debit Card or Electronic Check. There is a \$1.95 convenience fee added to allow for this simple online service.

As this is a renewal system, if you are licensing your dog for the first time in Lysander, you will need to come to the Town Clerk's office to present a valid rabies certificate as well as a spay/neuter certificate if applicable. There is also a Dog License Application Form located on the Town of Lysander website: <http://www.townoflysander.org/forms>, which you can print, fill out, and bring with you to the Lysander Town Clerk's Office for first-time dog licensing.

Councilor Geraci asked what happens if the rabies vaccination is expired, and Ms. Falcone explained that a note will pop up on the screen showing that proof of rabies must be shown to the Town Clerk. This can be done in person at the Town Clerk's Office.

Supervisor Saraceni stated that the Board is adding agenda item H, which would be a motion for the Supervisor to offer a three year lease agreement with the Northwest Fire District.

REGULAR AGENDA ITEMS

MOTION TO REFER THE COLLINGTON POINTE EAST INCENTIVE ZONING APPLICATION TO THE TOL PLANNING BOARD FOR REVIEW

TABLED

Motion made by _____ seconded by _____ to refer the Collington Pointe East Incentive Zoning Application to the Town of Lysander Planning Board for review.

Supervisor Saraceni stated that in the work session earlier the Board was approached by the developer of Collington Pointe project, and based on comments that they heard, requested the Board consider an alteration to the proposed project. He said the Board heard loud and clear from the residents, and it is important to note that the residents' comments had an impact on what they are proposing, and what they said would be considered in amending the application, which means that the Board, along with Town Engineer Al Yager, and the two Planning Board members who represent the negotiating committee, would sit down after the Board gets together and digests the comment they heard. They will come up with a few negotiating bullet points regarding an amended application. The developer is going to note what they heard, and when the committee gets together, it will see where that negotiation starts. Supervisor Saraceni stated that in order to accomplish this, the Board is keeping the public hearing open during this process, and any revised application will be shared with the public. He noted that it is not starting the process from the very beginning, but the Board wants to see what the developer comes up with and is willing to negotiate. Once that happens the Board will put notices out to the public and they will have an opportunity to comment on the plan and the process will resume from there. The Board thought that was admirable and is open to hearing concerns. With that there is a motion, we are proposing to table this indefinitely. Attorney Rivizzigno said that once something is on the table the Board can always bring it back.

MOTION TO APPROVE THE 2016 BUDGET TRANSFER MODIFICATION REQUESTS

RES#65/2017

Motion made by Councilor Moore seconded by Councilor Geraci to approve the 2016 Budget Transfer Modification Requests (as attached).

Supervisor Saraceni	Aye	Councilor Ellis	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Diamond	Aye		

All Ayes, motion carried and adopted

MOTION TO APPROVE TOWN CLERK TO ATTEND THE NYS TOWN CLERK'S ASSOCIATION CONFERENCE IN APRIL, 2017

RES#66/2017

Motion made by Councilor Diamond seconded by Councilor Moore to approve Town Clerk Dina Falcone to attend the New York State Town Clerk's Association Conference Sunday, April 23, 2017 to Wednesday, April 26, 2017, to be held in Rochester, NY.

Supervisor Saraceni	Aye	Councilor Ellis	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Diamond	Aye		

All Ayes, motion carried and adopted

Town Clerk Dina Falcone noted that this is a budgeted item, and there is \$1,500 in the budget for training purposes.

**MOTION TO ACCEPT THE RESIGNATION OF
MIKE STOCK AS SEXTON OF CHASE CEMETERY**

RES#67/2017

Motion made by Councilor Geraci seconded by Councilor Ellis to accept the resignation of Mike Stock, Sexton for Chase Cemetery.

Supervisor Saraceni	Aye	Councilor Ellis	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Diamond	Aye		

All Ayes, motion carried and adopted

Mike has done an awesome job, going to be difficult to replace him and he worked very well with the Town and the Clerk's Office. With regrets there is a motion on the floor.

**MOTION TO EXTEND THE APPOINTMENT OF COLIN CUSIK AS TOL
ENGINEERING INTERN**

RES#68/2017

Motion made by Councilor Moore seconded by Councilor Geraci to extend the appointment of Colin Cusik as the Town of Lysander Engineering Intern through December 31, 2017 at a rate of \$15.00 per hour on an as needed basis.

Supervisor Saraceni	Aye	Councilor Ellis	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Diamond	Aye		

All Ayes, motion carried and adopted

Councilor Ellis asked if there is a limit or total amount. Town Engineer Al Yager said the Town has \$5K budgeted for his position, but most of the intern's time is spent on developer construction and inspection projects or special district projects so they have never come close to spending the whole \$5K. Councilor Geraci clarified that the Town gets reimbursed by the developers.

**MOTION TO AUTHORIZE THE TOWN SUPERVISOR TO SIGN THE CONTRACT
WITH CNY LAND SURVEY FOR TOPOGRAPHIC SURVEY SERVICES IN RE
MERCER STREET RECONSTRUCTION AND DRAINAGE**

RES#69/2017

Motion made by Councilor Ellis seconded by Councilor Diamond to authorize the Town Supervisor to sign the contract with CNY Land Survey in the amount of \$5,608 for topographic survey services to be used for the design of the Mercer Street reconstruction and drainage improvements project.

Supervisor Saraceni	Aye	Councilor Ellis	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Diamond	Aye		

All Ayes, motion carried and adopted

Mr. Yager said it is just like what was done on Dexter Parkway and Crego Street, as this is the next phase of the Indian Springs roadway reconstruction project. This development is one of the oldest in the Town. The roads are in very poor condition. They are very rutted and there is inadequate drainage which causes hazardous conditions with ice in the wintertime. He said because there is no drainage on the street, all of the sump pumps draining there makes it even worse. The need for the topographic survey is for design so the Town can place catch basins in the right locations and get the gutter calculations correct.

**MOTION TO AUTHORIZE THE TOWN CLERK TO ADVERTISE FOR BIDS FOR
W. GENESEE ST. SEWER DISTRICT EXTENSION NO. 2 PROJECT**

RES#70/2017

Motion made by Councilor Geraci seconded by Councilor Diamond to authorize the Town Clerk to advertise for bids for the West Genesee St. Sewer District Extension No. 2 project to be opened at 10:00 A.M. April 11, 2017. (Final plans and advertisement will not be available until March 7, 2017.)

Supervisor Saraceni	Aye	Councilor Ellis	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Diamond	Aye		

All Ayes, motion carried and adopted

**AUTHORIZE THE SUPERVISOR TO PRESENT A THREE YEAR LEASE WITH THE
NORTHWEST FIRE DISTRICT**

RES#71/2017

Motion made by Councilor Moore seconded by Councilor Diamond to authorize the Town Supervisor to present a three year lease agreement with the Northwest Fire District concerning the use of the Elizabeth Street highway garage.

Supervisor Saraceni	Aye	Councilor Ellis	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Diamond	Aye		

All Ayes, motion carried and adopted

Supervisor Saraceni stated that this is a new item in the agenda. The Northwest Fire District used to be the Baldwinsville Fire Department, and they have been utilizing the facility for over 15 years. He believes the Town had a lease agreement with the Baldwinsville Fire Department, although they had a hard time finding it, but do not have a lease agreement with the new entity. Supervisor Saraceni said that raises concerns as far as liability issues, control of the site, and responsibilities. The Board thought it was important to put in place a lease agreement. He said it has been pleasure working with the Northwest Fire Department. The Board met with them and shared some basic items in the agreement. It is a three year lease. He said that basically for the first year it is going to continue on the same path it has been on. There is no lease monthly payment for the first year. They did that as they are in their current fiscal year and didn't budget it. Since nothing has changed, the Town wanted to honor what has happened over the last 15 years. One year after the lease is signed a lease payment will be made in the amount of \$1,000 for the first six months. After that it will be \$1,500 until the end of the lease. That will give the Northwest Fire Department time to budget for this. It is a Town owned facility. The Board feels it is fair since it is a Town owned facility, and Northwest only covers a certain portion of the town, to be fair to the residents, the Board felt the need to charge a reasonable amount for the facility. The facility basically has seven garage doors that go up and down, and it is big enough to hold a truck, and the restroom works on occasion. The Town agreed to fill some potholes to protect our equipment as well as theirs, and make sure the restroom facilities work for the first responders. Supervisor Saraceni said that hopefully by the end of the lease they will have a new location they will be operating out of. The Town is trying to be as flexible as it can. The fire department will be considering this at their March 14 district meeting. He said because it's a new agenda item he would take questions from the audience. There were none.

CITIZENS COMMENTS ON TOWN RELATED BUSINESS:

Supervisor Saraceni stated that the public comment period should not be related to agenda items or personnel items, and if there is a personnel item to contact him directly.

Gail Tosh of Emerick Road referred to a conversation that she thought she had with Councilor Moore, and she apologized to him, and stated that she did not have a conversation with him, and she felt badly about it. She said the problem is that she had a conversation with someone who did not take responsibility for their words in the conversation. She said that person omitted a truth, and she felt like she was lied to. She wonders how she can trust what she hears. Someone

on the board had a conversation with her. She wanted that person to come forward. She was talking about the security guard and she said she had a conversation with Councilor Moore about a shooting in another Town Board meeting.

Councilor Diamond interjected and said he had the conversation with her. He said there was a shooting in another town, but she said she wished he would have come forward and said something before. She said she wasn't sure why they weren't coming forward. **Supervisor Saraceni** said that it seemed to be a miscommunication and there wasn't an intended lie. That's all she wanted to know, who she had the conversation with and why they weren't coming forward.

Councilor Geraci said that Ms. Tosh was making an allegation that people are lying and he said that was inappropriate. **Councilor Geraci** said she and Councilor Diamond were standing in the corner (at that time) and the conversation came up that there was a shooting at a Town Board meeting in Pennsylvania, and he said for her to imply that anyone is lying is inappropriate. Ms. Tosh said she is at the meetings because she can't trust her government on a national level, and she comes to the Board meetings to get information and she has concerns. She said she is not blaming anyone. She said Mr. Diamond told her it was him, and her point was about transparency, as she doesn't see herself or her views being addressed [at the Board level].

Councilor Geraci told Ms. Tosh that the Board can't do anything about her feelings, and asked if she had something specific to say, and she said yes, and it was addressed by Councilor Diamond.

Kevin Rode of Greymoor Way asked about road millings. He said he was trying to get the facts straight. He asked if Gypsum came and took the millings while they were being milled from the road, and **Supervisor Saraceni** said yes. Mr. Rode said he understands the town made a law for \$2 a ton, but from his understanding that is after they are dumped at Sixty Road. **Supervisor Saraceni** said no, it's just \$2 per ton for millings. It's not where they are at any particular point; we do not have a policy. We are trying to develop one so that there are procedures in place; the only thing that was in place at the time that the decision was made on millings was that they should be sold at \$2 a ton. Doesn't matter where they were, just \$2 a ton. Mr. Rode said he was there when that law was created and the point of the \$2 a ton was if you were going to haul it yourself out of Sixty Road and \$5 a ton if the Town was going to load it. **Supervisor Saraceni** said the only thing that was on the books, that was his concern, is that we sell millings, which is a community asset at \$2 a ton, nothing else was written in, where they reside, it is \$2 a ton. I hope that by the next meeting we have a policy regarding millings for this year, as I want to put this to bed. The concern was about procedure and not necessarily money, and the value of them was negotiated without input from this Board. Mr. Rode asked if the Town dropped millings at other farms or private residences and does the Town charge that person for dropping them there? **Supervisor Saraceni** said yes, and it always has. Mr. Rode asked how many tons can fit in one of the Highway trucks. Does the Town make \$20 a truckload, and how long does it take a Highway worker to load and unload, as they make over \$20 an hour. His concern is that maybe the Town needs to look at the law when a private company takes it off of its hands. **Supervisor Saraceni** said that the policy will be more inclusive and more than the market rate on millings. The Highway Committee will be meeting regarding same.

Mr. Rode asked a question about the opt-out tax exemption. He asked before the motion was brought up why the Town Board was going to vote on it. He asked if any companies come to the Town of Lysander before the law was passed looking to build solar farms. **Supervisor Saraceni** said no. Mr. Rode asked if the School District had opted out. **Supervisor Saraceni** said he believe they opted out prior to the Town opting out. **Councilor Ellis** said that is correct. Mr. Rode said then at that point that would mean if anybody wanted to enter into a PILOT we would have been on the hook for paying the whole PILOT because the school had already opted out of the tax exemption. **Town Attorney Tony Rivizzigno** said that if the school opted out the developer would pay whatever the school taxes were. He said there is no exemption if they didn't opt out.

Jim Stirushnik of Dinglehole Road stated that he is looking forward to a well thought out project description with procedures regarding millings. He hopes there is ample discussion left of the Highway Superintendent to use his judgment for the best interest of the Town and also communicate with Town Board members and everyone in the town.

Mr. Stirushnik asked about the ZBA having a solar farm project for Emmi Farms. He asked if the Board is aware of it, and they said yes.

Jon Roppel of Patchett Road said he wanted to submit a petition as he missed the opportunity to ask for the Board's consideration to keep AR40 zoning of the Patchett Road (Collington Pointe) project.

Joe Alfieri of Patchett Road said he received a mailing for the Collington Pointe project and asked if another mailing will go out when the item is on for public comment again. Supervisor Saraceni said yes. He also inquired about what point the application goes through the SEQR process.

Jeffrey Ting asked if the developer had submitted any changes. Supervisor Saraceni said no, he just asked for the opportunity.

Andy Reeves of Reeves Road said he was at the meeting when Theresa Golden, the Assessor, told the Board that there were two people that had served notice on the Town. He said he had a conversation with Ms. Golden, and she said they served notice around Christmastime on the Town. Theresa said you have 60 days to opt out or else they would get the break. Asking the question Kevin asked you, "Was the Town notified by anybody about building solar farms in Lysander?" Supervisor Saraceni said the Board knew of projects, but there weren't any official applications. Mr. Reeves said that's where the Town was notified, because that's what kicked off the 60 days, and the Town had two people that were noticed, and under the law it is 60 days. Supervisor Saraceni said he took Mr. Rodes' question as, "Do we have applications in front of us?" Mr. Reeves said that information is the problem that he has, as the Board has 60 days and that's why the Board had to vote that night. Mr. Reeves said he spoke with Councilor Diamond last night, and said he had no clue what the 60 days was. Mr. Reeves said the Board has 60 days from the notification of two people, two businesses, to opt out or they are qualified. That is the type of information they need to hear. He said the Board should have told people the truth. **Supervisor Saraceni** said he felt that it was an accusation and he took the question as, "Was there an application in front of us?" He said if Theresa was here she would say no. Conversation ensued between **Supervisor Saraceni** and Mr. Reeves as he sat down.

Jamie Rodems stated that the Baldwinsville Central School District opted out as well, and the 60 days is only if you want to negotiate a PILOT with a person who is doing it because then the legal requirement is then for notifying them if they want to have such a project. The reason is you can opt out when you want as a municipal body. The School District decided to opt out for obvious reasons because it wants to protect its assessed value. He reiterated only 60 days for a PILOT.

Burrell Wells, a French teacher with Phoenix High School, came to the microphone to announce an upcoming play, Les Miserable, held the 9th, 10th and 11th of March, at Phoenix High School. He encouraged people to attend the show because a third to half of the students are his French students. He says the tickets are either \$7 or \$10 for adults. They have created a rotating stage with a pulley system, and it should be a great show, as it's a tough musical to do.

ANNOUNCEMENTS BY SUPERVISOR SARACENI

1. **Town Board Meeting:** Thursday, March 16, 2017, 7:00 pm, Work Session begins at 5:30 pm in the Auditorium.
2. **Town Board Meeting:** Thursday, April 6, 2017, 7:00 pm, Work Session begins at 5:30 pm in the Auditorium.
3. **Public Hearing:** Thursday, March 16, 2017, 7:00 pm to hear all persons for or against placement of traffic “STOP” signs at Salvatore Ave. (South Entrance Point) entering Drakes Landing Road, Salvatore Ave. (North Entrance Point) entering Drakes Landing Road, and Carmellas Circle entering Glacier Ridge Road. (Held in the Auditorium)
4. **Planning Board Meeting:** Thursday, March 9, 2017, 7:00 pm, in the Auditorium.
5. Online Dog Licensing Renewal now available on Town of Lysander’s website: www.townoflysander.org.

ADJOURNMENT

A motion was made by Councilor Diamond and seconded by Councilor Moore to adjourn the regular Town Board Meeting at 7:50 pm and enter into Executive Session regarding personnel matters.

ADJOURNMENT OF EXECUTIVE SESSION

A motion was made by Councilor Moore and seconded by Councilor Diamond to adjourn the Executive Session at 8:31 pm.

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

Dina Falcone, Town Clerk