

A Regular Town Board meeting was held on April 16, 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, Theresa Golden, Assessor, Town Attorney, and PAC-B.

* This meeting was not open to the public due to the COVID-19 restrictions regarding public meetings. This meeting was transcribed from a Phillips Voice Tracker recording device.

Supervisor Wicks called the meeting to order at 6:15 PM with the Pledge to the Flag.

Supervisor Wicks: *Our Town Clerk has distributed the minutes to you. Are there any corrections in the minutes that you've seen? It was done verbatim, so, anything from anybody?*

Councilor Geraci: *One comment. I feel terrible, it's like every time you are finished talking, and I go "are you done?" I didn't mean it that way!*

Ms. Falcone: *That is how it looks though, doesn't it?*

Supervisor Wicks: *Alright, are there any corrections? Alright. If there are no corrections made, may I have I have approval to move the minutes as distributed?*

Adoption of Minutes

RES#84/2020

Motion by Councilor Diamond seconded by Councilor Moore to adopt the April 2, 2020 Town Board Meeting minutes.

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

Roll Vote: All ayes, motion carried and adopted

Supervisor Wicks: *Supervisor's comments. We were gearing up to open up the Town Hall to the public, but the Governor today, passed an Executive Order extending his previous Executive Order closing buildings and business until May 15, so that affects the town as well. Although people in the town are still working, they are still working from home. For the public, it's a little cumbersome to get things done, but if you call Department Heads there, Department Heads are there, I'm here every day. You can conduct business, it's just we can't bring employees back full time. For one, we don't have the face masks and the proper PPE protective equipment for the employees, and everybody is having a hard time getting those. So until we get those, we wouldn't be able to get them back anyway and they are anywhere from 10 days to four weeks out, but certainly by May 15 - we are working on it now, all the towns are having the same problems, and we should be able to get that up and running, but if you need anything done with the town, you can conduct business either on the phone, online - you can call the Department Heads, they will make arrangements for you. I know our Town Clerk has made arrangements with different people and gone out of her way to accommodate individuals with their requests, so we will make sure you get things done if you need them.*

Supervisor Wicks: *I received an email from a few citizens - about people not practicing social distancing - as the County Executive said, he doesn't have a police department, the Sheriff is an Elected Official and he is responsible for enforcing those types of issues, and the town of Lysander does likewise not have a police department, so we rely on the Sheriff's Department as well as the State Police and inside the Village the Baldwinsville - Police Department, so any of those issues would be handled by*

those entities. The town is currently in a State of Emergency which I think might have expired today, and there's no need to re-up the, or continue the State of Emergency so when that - today was the expiration date, that is going to expire, and that's due to the Governor's Executive Orders and the County's Executive Orders, I think there's enough Executive Orders that the Town doesn't need to add anything to that, so, the town is now not in a State of Emergency. I think that is all I have. Town Board Comments. Mr. Kudarauskas.

Councilor Kudarauskas: I just want to thank Pam Milac again for starting the Facebook Page Baldwinsville Helping Baldwinsville, COVID-19, and all the volunteers answering the phones to get product out to individuals who are stuck at home who cannot go to the store and get the products they need, so I just want to say thank you Pam for starting that page, it's been a great help for the Lysander community. Thank you once again.

Councilor Moore: I want to piggy-back what Jeff said, I have said many times over the years, volunteers in this community are the backbone of our community, so I want to thank everyone as well. I'd like to point out as well and congratulate Tom Perkins and Claire Thomas who have been voted as man/woman volunteers of the year. Every year the volunteer organizations do this every year in Baldwinsville, and these two have (been) newly elected - I wouldn't call them elected, but they are the man - woman volunteers of the year, so I want to congratulate them, but more so thank them because you don't get a title like that without doing decades of volunteer service. Thank you very much and everyone one who volunteers in our community. Other than that I'm good.

Supervisor Wicks: Mr. Geraci?

Councilor Geraci: We'll just stick to business tonight. Thank you.

Supervisor Wicks: Mr. Diamond.

Councilor Diamond: The only thing I would want to add is, like Pete said, Facebook groups have been incredible, Mr. Supervisor, I appreciate watching your responses and watching the updates you give on social media; thank you for being up front and center on everything. So. That's all I have for the agenda.

Supervisor Wicks: I appreciate that. Mr. Rivizzigno.

Attorney Rivizzigno: I have no comments.

Supervisor Wicks: Ok, and tonight, we have our Town Assessor here, who is also the Assessor for the Town of Van Buren, Ms. Golden, and she is going to explain some of the issues that have come up with assessments, and we have had conversations, and we are going to continue discussions regarding assessments, as much as we have to do it, throughout the year, so that next year, we won't get as many calls as we received this year. So, Ms. Golden...

Ms. Golden: Good evening. I am going to speak to both the Lysander residents and the Van Buren residents because the Town of Van Buren has cancelled their Board Meeting next week so this will be my only opportunity to get the word out. We sent out between - the two Assessor's Offices in both towns - approximately 8,800 Change of Assessment Notices this year. As you can imagine, the office is very busy because of that, and it is also very lonely because all of my staff is currently working from home and I am the one working in the office. Those notices are Preliminary Assessment notices. What is a Preliminary Assessment notice? It is a notice prior to the tentative roll, that lets a property owner know what the opinion of market value for your particular property is for the upcoming assessment roll for 2020. Preliminary Assessment Notices by law must go out before May 1, so this year, I know the timing was absolutely horrible, but the only choice I had was to send them out in a timely fashion, so that property owners would still have the ability to provide input prior to that tentative assessment roll filing. I have been speaking with property owners for the past month regarding their assessment concerns by phone because of our restrictions. If you have a concern about your assessment, your Preliminary Assessment Notice - there is still a week to go in Lysander and Van Buren before the tentative roll will be filed on May 1. All of this is Real Property Tax Law. NYS has not varied the law and my job has remained the same. Our valuation date for this assessment roll is July 1, 2019.

So what we are experiencing now in the real estate market will be part of what I'm going to be looking at for next year's assessment roll. If you have questions and would like to learn more about the process, just call the office - the calls are forwarded to my staff, and they are doing scheduling. So if you have concerns about your assessment and you have questions about the process, you still have another week to reach out to the Assessor's Office. The process has not changed. 20 odd years ago TOL and the Town of Van Buren made the commitment and spent the money to have a total town wide revaluation. They brought all of the assessments that were fractional up to 100%. For the past 20 years, both towns have made the commitment to keep those market values at current levels. That is what my job is and that is what I have done for the past 20 years. It is based on analysis of the entire assessment roll. And for

residential properties it's a measurement of the level of assessment in each neighborhood. If your assessment is determined to be within 5% of market value, nothing happens. You don't even know we looked and we go to the next neighborhood. We have seen 10 to 12% increase in value in both towns over the past three to four years. So every year, we are playing catch up and that is what has resulted in multiple years, multiple changes. If you have questions, please contact the office and we will schedule you time where I will call and explain. Grievance Day is by law, also May 26 for the Town of Van Buren, and June 2 for the Town of Lysander. Grievance Day will happen because it is required by law. Because of our restrictions, we are going to have some new procedures, which we are following currently, and it looks like it is going to be paperwork only option by mail, and the Grievance Board will contact you on Grievance Day, with a scheduled phone discussion prior to their deliberations. We will be including our Grievance Day instruction sheet with all of the informal reviews that will be going out May 1, and we will also be putting that information on both Town's websites as soon as possible. We are finalizing the details at this point. If you have questions you may also reach out to either Assessor's Offices. Questions from the Board?

Councilor Geraci: *Theresa, I do. And again, to just - the work you do in your office is exemplary. And I don't know how to phrase the question, but you take a house tax and you said as you were explaining this - it's in a neighborhood and I guess how do you define a neighborhood, and I'm not criticizing, I just don't know how you define a neighborhood. And for example, I'll use an example, it's not my house, the houses on Emerick Road go from houses that are kind of old; they've been there a long time all the way down to the dazzling houses on Irene Drive to Whispering Oaks, is that all one neighborhood? Are those all separate so you are answering my questions? How do you pick neighborhoods?*

Ms. Golden: *Ok. The neighborhood you live in is called a rural neighborhood and is not what you think of when you think neighborhood. You think the neighborhood development houses are pretty much the same, all built within ten years and they are all very similar. Your neighborhood is a mix of properties because of the rural setting. Location is very important and the fact that the rural areas of town do not benefit from water. In most cases typically, do not benefit from the services natural gas, water, and sewer services that the traditional neighborhoods have. And so, in your case, it's a grouping of rural properties, and they are all in that location in the town and yes, there is a mix of properties, and when we re-appraise properties, if you have an old style house that's 200 years old in your neighborhood I'm looking at those types of properties. If you have a brand new house, I'm looking at the brand new houses. The trend was very limited in our rural neighborhoods this year and the only way I trend, if I re-appraised recently - which means we adjusted based on those specific house types. You mentioned Whispering Oaks and the new houses that are going in in that area; they are their own unique. And I'm getting a lot of questions to give you an example from the Town of Van Buren where the Seneca Golf Course used to be. The people in that area are calling, even before the Change of Assessments went out; 'what's going to happen to my assessment because of that neighborhood'? Absolutely nothing because they will have their own unique neighborhood code and they will be valued as a group together. And so, a lot of times its location, and similar houses of similar ages, builders - yours is a little different because of the rural setting.*

Councilor Kudarauskas: *Do you ever change the neighborhoods codes as you were talking before?*

Ms. Golden: *Yes, I actually changed more neighborhood groupings in the Town of Lysander in the ten to twelve years that I've been here than in the 20 years I've been in Van Buren. The first year I was here, the groupings in Radisson did not make sense, and I don't know where they came up with the groupings, but the first summer that I was here, I call it "housekeeping" and [that's] when the Assessor's Office just kind of closed down for the year, that housekeeping basically resulted in Radisson being wiped clean, and making all new neighborhoods, based on whether it was a townhouse; whenever it was a single family house, and when it was built. But now, I'm going to have to probably adjust it again because the newer houses in Radisson when we did this back in 2009, 2010, that newest neighborhood had about ten years of houses that were built that were lumped together; now we have gone ten more years and almost 20 years, that's too big of a span. A newer home, you know, has a different price point, even everything being equal, than a house that's 15 years old. So yes I do. Always.*

Councilor Geraci: *I have one more question. This is for the benefit of the folks out there on how it works; so the assessment on a house that goes up say maybe two or three times a year and other houses, friends of theirs, their house hasn't gone up at all and the assessment hasn't changed, that's a reflection of movement in that neighborhood Theresa?*

Ms. Golden: *Yes, and where those sale prices relate to those assessments. There are two requirements, two basic requirements when you are doing annual adjustments - annual appraisals. If the market was completely flat, and nothing, you know, (where) we are going to end up after the virus, I can't tell you but if the market is completely flat and there is nothing happening; at least every once, once every six years that neighborhood must be reappraised, so if nothing happens for six years, every single property - every single neighborhood residential - and as well as vacant and commercial - must be re-appraised in that time period. The other requirement is, we may maintain a level of assessment at 100%.*

That's the goal that both towns have set, and that's the bar that I have to measure up to every year. And, that five percent is the statistical trigger if you're between 95 and 100 you're 100. If you're 92 or 93, you're not at 100 and your neighborhood is adjusted.

Councilor Kudauskas: *How does - have you ever lowered the assessment?*

Ms. Golden: *Yes, yes I have. Multiple occasions both in Van Buren and in the Town of Lysander, it's not about raising taxes, it's not about more money; it's about equity, and adjusting the assessment rule to reflect market conditions so that everybody pays not a penny more than their fair share. If we measure the sale prices (and they) have gone down, and assessments are too high, it works the same way in reverse. And yes, I have done that.*

Councilor Diamond: *Theresa, when residents say 'what's the value of being assessed at 100 percent rather than 50 percent', or another number that the town would come up with? What are your, how would you respond?*

Ms. Golden: *Well, there's a lot of different reasons why it's better. 100 percent assessment is very easy for property owners to understand. They can look at their assessment and they can then say, 'okay, is my house worth that'? It's easier to hide in equity if you are assessing at a fraction, because there is no correlation between - there isn't much of a correlation between the assessment, the market value, and your sale price. And so the benefits to the town, when you get a Change of Assessment Notice, and we mailed them; if they go up or if they go down every single year to every property; you have an opportunity to talk to me, you have an opportunity to go to the Board of Assessment review, and there are other legal steps you can take beyond that depending on the property. So you have those multiple things that you can - avenues that you can pursue. If your equalization rate in the town drops, because your level of assessment is dropping, and the state says 'okay you're not at 100 percent you're not at dollar for dollar anymore' your share of the pie gets bigger because they are going to portion more of that budget to your municipality. And that causes a swing in your tax rates. And depending on how much the equalization rate drops, tax rates can double from year to year, so if you are paying 20 dollars per thousand one year, you would be paying 40 dollars per thousand the next year. It is very common for those changes in market equalization rates - continue to drop. When you get a Change of Assessment Notice and you know about it ahead of time, it's not your bill, it's not - you have options, if the equalization rate drops, and the tax rate comes out and the tax rate has fluctuated and gone up, it's already your bill. You can't grieve that. It's your bill and you have to pay it. And the Town of Clay for instance, has not done a re-eval in maybe 60 years; an assessment roll, the longer you go without a re-evaluation of some kind, the more equity is lost on your assessment roll. People are paying less than their fair share, people are paying more than their fair share, and because they assess a fraction; it's hard for the property owners to understand what the \$4,000 is. So those are a couple of different reasons why. Ok?*

Councilor Diamond: *Thank you.*

Councilor Geraci: *The only other thing I would add, and I think it's important for the viewers, is to add, the Town Board and the Assessor's Office are two independent entities. The Assessor does not do the bidding of the Town Board; you are an independent agent, as you should be... But the Town Board doesn't tell you what to do or how to do your job.*

Ms. Golden: *No. No. It's - only the Town Board has made the commitment to maintain the assessment roll. I attributed that to maintenance. It's cheaper to maintain an assessment roll and to keep an accurate roll, and current - than it is to go by a new one, what you let slide for ten or fifteen years. So, in the end, its taxpayer money that would have to buy that new assessment roll, and just for everybody's benefit, when I say I'm assessing at 100%, the state verifies that. They are looking over my shoulder the entire time, looking to make sure I'm doing it legally, that I am, you know when I say we are assessing it at 100% - that we actually are, and a three page narrative every single year goes to the state telling them what the plan is, what we analyze, where we are going from here, (and) they do their own analysis and then before any of the changes are implemented, the state number and the town numbers are compared to determine - you know - that we are going down the right path.*

Councilor Geraci: *Perfect. Thank you.*

Board Members: *Thank you.*

Supervisor Wicks: *Anybody else? Obviously there's a lot of information that Ms. Golden just presented, but a grasp of knowledge on the topic is impressive because you did that without any notes, I mean you look at me up here I have plenty of notes to keep myself moving forward but I've had numerous conversations with Ms. Golden about it, just so that I understand more clearly what's going on, and like*

Mr. Geraci said, it's - people call up - I'll ask Ms. Golden, 'hey citizen called up asked this question and she explained it to me now you can see why at the Board meeting I can't explain it very well because it's a complex and comprehensive system that she is working with, but I can tell you that she is very conscientious and competent I think she does a great job. She's a hard worker, I don't think that the town could ask more from her and I think she takes undue criticism, and I think she is doing a very fair job and that's why I asked her to come in because I think it's more about people not understanding the process than what she's doing because I think that as people understand the process a little bit better, that will relieve some of their concerns that their assessment are not fair. What are we going to do, made a commitment to do - Ms. Golden and I have talked about it - she's going to come in as much as she needs to over the next year so that next year's assessments, people are really going to understand what's going on. She's going to be doing some things on PAC-B and if you have any questions, you should send them into either her office, or - and she's kind of busy now, so you can send them into me, and I will forward them to her, and as these questions come up, we will formulate, you know, we might not do it every meeting, but we certainly are going to do it over a number of times over the next year and as we formulate maybe four or five questions or we see the same questions coming in, we will ask Ms. Golden to come in again, and we will address those questions, because as you can see, from her explanations it is complex, it takes a couple of times to really grasp what is going on. At least it did me, but I had a lot more notes than she did. She has a good understanding...

Councilor Kudauraskas: *If we get a lot of the same questions, a lot of repetitive questions, can we do a Q and A so we can put the answer on the website so that when people go there they can...*

Supervisor Wicks: *Sure. You know, we are going to do whatever it's going to take so that people understand what the process is. Anything else? Thanks. Okay. So, we will go to the regular agenda items.*

Regular Agenda Items

MOTION TO AUTHORIZE THE TOWN SUPERVISOR TO SIGN THE TOL LYSANDER LANDFILL 2020 POST CLOSURE MONITORING ASSISTANCE & ANALYTICAL PROPOSAL IN THE AMOUNT OF \$3,240

RES#85/2020

Motion made by Councilor Geraci seconded by Councilor Kudarauskas to authorize the Town Supervisor to sign the Town of Lysander Landfill 2020 Post Closure Monitoring and Assistance and Analytical Proposal from Barton & Loguidice in the amount of \$3,240.

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

Roll Vote: All ayes, motion carried.

MOTION TO AUTHORIZE THE TOWN SUPERVISOR AND TOWN HIGHWAY SUPERINTENDENT TO SIGN THE 2020 HOT MIX PAVING PROJECTS CONTRACTS WITH NORTHERN PAVING, LLC IN THE AMOUNT OF \$325,978

RES#86/2020

Motion made by Councilor Diamond seconded by Councilor Kudarauskas to authorize the Town Supervisor and Town Highway Superintendent to sign the 2020 Hot Mix Paving Projects contract with Northern Paving LLC, in the amount of \$325,978.

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

Roll Vote: All ayes, motion carried.

Supervisor Wicks: *These were all put out to bid and that was the low bid.*

**MOTION TO AUTHORIZE THE DEFERMENT
OF RENT FOR TINA SOLOMON FOR APRIL AND MAY 2020**

RES#87/2020

Motion made by Councilor Moore seconded by Councilor Diamond to authorize the deferment of rent for Tina Solomon for April and May 2020 until the end of the current rental agreement which expires October 31, 2023. (The additional two months' rent will be paid in full by 10/31/2023).

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

Roll Vote: All ayes, motion carried.

Supervisor Wicks: *2023 is the end of her contract. Okay, Tina Solomon is the lady that rents space from the town, and she asked if we would consider deferring some of her rent because obviously what she's going through now, she's lost a considerable amount of revenue, and that's why the motion was made.*

Councilor Kudauraskas: *Has she applied for the SBA loan?*

Supervisor Wicks: *I didn't ask her that.*

Councilor Kudauraskas: *Okay because if she did wouldn't this jeopardize it? Doing this? Do you know?*

Attorney Rivizzigno: *I don't know. The loan is more for employees' salaries.*

Councilor Kudarauskas: *Right, and more for - rent to use it for?*

Supervisor Wicks: *I will bring that up to her and I will have her check into that.*

**MOTION MADE TO AUTHORIZE THE TOWN SUPERVISOR TO
PURCHASE PPEs FOR TOL EMPLOYEES WITH A COST NOT TO EXCEED \$7,000**

RES#88/2020

Motion made by Councilor Geraci seconded by Councilor Moore to authorize the Town Supervisor to purchase PPEs (masks, gloves, sanitizer, etc.) for the Town of Lysander Employees with a cost not to exceed \$7,000.

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

Roll Vote: All ayes, motion carried.

(Below discussed before the vote):

Supervisor Wicks: *And we need to put a dollar amount in there. I mean it ranges so much, I think that certainly I'm going to look around and only buy what we need, but I think we probably should put a number somewhere around \$7,000.*

Councilor Geraci: *That much? Wow.*

Supervisor Wicks: *Well, what happened, everybody wants it, so the cost went out of sight. And sometimes you can only buy in bulk, but I'm going to talk to the other towns and they are like \$5 a piece per item, where they were 80 cents apiece before, so if we have to buy 1,000 or 500 then you got to buy sanitizer and a lot of times you have to buy it in bulk and the only reason I'm putting a number there is just so we don't have to do this again because sometimes it takes anywhere from ten to - ten days, to four weeks to get it and we have to do it, we don't have a choice we have to provide this equipment to people.*

Councilor Kudauraskas: *So the hand sanitizer, there's a lot of people making it out there too so we are going to take that into consideration before purchasing it?*

Supervisor Wicks: *We are, I have Mr. Wolsey, (and) Mr. Yager, I'm checking out the local Town Supervisors that are all as an organization - we are all getting together and everybody sending in their information on where they are buying the stuff, and so that we can all see, you know, who's got the best prices, how much we have to have and you know if it says you got to buy 5,000 maybe we can split it up with other towns. So we are going to do that, but...*

Councilor Moore: *Bob where did you get your \$7,000 number?*

Supervisor Wicks: *Well, the amount I'm looking at right now, that I can say I can purchase is 1,000 masks, and that would cost almost \$5,000, and I don't know how much the sanitizer is, and then we have to buy gloves and I don't know if we have to buy what we have to buy - Lysol, if you can get it, and all of that has gone up. The reason I said seven, is I want to make sure there's enough in there. I'll tell you, I'm looking around. I'm a thrifty shopper, so I'm going to - I'll probably buy a little bit more than we need right now, you know, so we have it in stock a little bit because I think that's moving forward what we should do anyway. I'm certainly not going to get crazy, I'm going to buy what we need, but I'm going to make sure we can get it and we can have it.*

Councilor Geraci: *I think you have to - obviously, but Bob maybe you can explain to all of us, who is going to use these and for what...*

Supervisor Wicks: *Every employee, we have to provide every employee with a mask when they come back to work. We have to have sanitizer, we have to have gloves, so every employee in the town has to use it; all of us, when we are working. If we are dealing with...*

Councilor Geraci: *Every day they have to change?*

Supervisor Wicks: *Every day. Well - yes. They don't have one, and I can't do that but most of them are disposable, you could wear it for a day, but I don't know if you can sanitize them, or you know, what you can do with them, I'm not sure. I mean if you can, if we can reuse them, I'll get some that you can reuse and that will keep the cost down. But it's my understanding, with certainly the gloves you can't, the spray you can't, the sanitizer you can't, the mask, I don't believe you can.*

Councilor Kudauraskas: *And the gloves - you are going to go through multiple gloves per day.*

Supervisor Wicks: *But, and we are not the only one, everybody is in the same situation.*

Councilor Geraci: *Fine, so we will put \$7,000 down.*

Supervisor Wicks: *Okay. Does someone want to make that motion? Any new business? From anyone? Okay. May I get a motion to adjourn at 6:52?*

Adjournment

Motion made by Councilor Diamond seconded by Councilor Kudarauskas to adjourn the Town Board Meeting at 6:52 PM.

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

Roll Vote: All ayes, motion carried.