

A Regular Town Board meeting was held on May 4, 2017 at the Lysander Town Hall, 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: Town Attorney Anthony Rivizzigno; Al Yager, Town Engineer, Dina Falcone, Town Clerk; David Rahrle, Comptroller; PAC-B; and several residents.

Supervisor Saraceni called the meeting to order at 7:05 pm with the Pledge to the Flag.

CITIZENS COMMENTS:

Kevin Rode of Greymoor Way asked how many times Chase Cemetery gets mowed. **Mr. Yager** stated that according to the contract there is a minimum of two mowings a month, and holidays as specified in the contract. The mowing period is May to October. Mr. Rode asked what the amount of the contract was last year, and **Mr. Yager** said he believed it was \$550.00, and **Ms. Falcone** said it was \$511.00.

Jim Stirushnik of Dinglehole Road asked what is considered “trimming”. **Mr. Yager** said “weed eating” as defined in the contract around the fence and headstones. Mr. Stirushnik asked if chemicals are used and **Mr. Yager** said the Town does not prefer to use chemical treatment. Mr. Stirushnik asked if chemicals are used in the [Lysander] park, and **Mr. Yager** said they use them to keep weeds from growing up into the stone dust on an as needed basis. Mr. Stirushnik asked about “Item E” on the agenda, as he thought it wasn’t enough time to let people know of the bids. **Mr. Yager** said the minimum requirement is ten days to advertise. The amount of the project is \$250,000. **Mr. Yager** said that in his experience, the Town advertises, and people pick up the plans within the last five days.

TOWN BOARD COMMENTS:

Councilor Diamond said the Board had a meeting with Time Warner and reviewed the franchise agreement, which is for 10 years. The Board was looking to shorten the contract period. The Board reviewed Time Warner’s franchise fees and looked at expanding the service that Time Warner covered. Time Warner said that unless it is in the FIOS contract, they are not going to approve anything. **Councilor Diamond** said FIOS has another two years in the contract, so unless they are willing to open the contract early, the Board will be at a standstill. He said Time Warner is refusing to make any changes until FIOS’s contract is amended.

Councilor Moore thanked the volunteers who came out to spread mulch amongst the trees and flower beds last week in Lysander Park.

Supervisor Saraceni received a pamphlet from Ray Cooper of Cooper’s Marina, who is concerned about the high water. He explained that CNY Waterways Inc. is having an open house Wednesday, May 17, 2017 from 7:00 pm to 9:00 pm at the Jordan Elbridge Community Center. CNY Waterways Inc. is a non-profit all volunteer organization focused on flooding and aquatic invasive species along all waterways in Central, Finger Lakes, and Northern New York within the Oswego River Drainage Basin. The guest speaker on May 17th is Howard Goebel, who used to work for Canalways. He was the first hydrologist. Pamphlets are available at the Town Clerk’s Office and will be placed on the website.

Supervisor Saraceni mentioned that during Seneca River days, the Town of Lysander is hosting a bus tour of three cemeteries that will highlight a few of the war heroes. The cost is \$5 per person, which includes a bus trip and lunch. It will be supporting a great cause. Sponsors are being lined up, and more information will follow. **Supervisor Saraceni** stated that the Town of Lysander has cemeteries that are struggling to keep up with maintenance, and this was an idea the Town had which will involve local history, bring the community together, and find some additional support. He said the Town of Lysander allocates \$10K a year through its budget to

cemeteries, and the Town is trying to create another source of revenue to support the cemeteries. The pamphlets will be available at the Town Clerk's Office and in the Library.

ADOPTION OF MINUTES

RES#103/2017

Motion by Councilor Geraci seconded by Councilor Diamond to adopt the April 20, 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

DEPARTMENT HEAD REPORTS:

Highway Superintendent Gene Dinsmore stated that HW is working on routine ditching and replacing culverts around town. There is concrete work that will be done before paving in certain areas. **Mr. Dinsmore** asked that the Board table Item "F" to give he and the Town Engineer two more weeks to discuss the project. The Board agreed.

Town Engineer Al Yager said he is preparing to discuss MS4. He said that as soon as the West Genesee Sewer District Extension 2 contract is executed he will send letters out to the home owners with details.

Comptroller David Rahrle stated that the Excellus BC/BS plan which renews on July 1, 2017, has new premium increases and the rates are going up 14% on top of a 13% increase from last year. A single rate is going to be \$792.91 per month; a subscriber with spouse will be \$1,585.02 per month; a subscriber with one child will be \$1,327.27 per month; and the family plan will be \$2,258.65 per month. The Town budgeted 12%.

Supervisor Saraceni said there is an effort in Albany to get local governments together to come up with efficiencies. One of the things that will be discussed is seeing whether or not Onondaga County will facilitate a municipal insurance plan for all of the municipalities. He said he doesn't know in that regard how if going bigger could be worse. He hopes that a larger group would drive rates down, and it even could come down to a bid situation with insurers. While it is going to be proposed, it will be a topic of discussion.

Al Yager, Town Engineer, reported that the 2016 MS4 Annual Report has been posted on the town website and is required to be there for 30 days. A copy of the report will also be placed in the Town Clerk's office for public review. This report is mandated by the Federal government and passed to the Town of Lysander through the DEC. It is required that the six minimum control measures associated with the town's storm sewer systems be discussed at a Board Meeting before it can be submitted to the DEC. These minimum control measures are:

- 1) Public Outreach and Education: Ongoing effort provided through membership in the CNY Storm Water Coalition. They issue the Gardens and Gutters publication which is a full page insert in the Post-Standard to educate the public regarding storm water.
- 2) Public Involvement and Participation: Goal for 2017 is to set-up a storm water webpage on the town website, with a counter to count the number of visits to the page, and publish the public education and outreach materials from the CNY Storm Water Coalition to the webpage. The Town has been posting the newsletters on the Town website, but has not moved forward with a separate webpage.
- 3) Elicit Discharge Detection and Elimination: The Town had one instance of grey water going into a swale, and notified the homeowner. The pipe was there, but water was not going to it. It was detected and eliminated. For 2017 the Town will continue dry weather inspections and updating of the outfall inventory.
- 4) Construction Site Storm Water Runoff Control: In 2016 there were two notices of violation and one stop work order issued for construction sites within the town. For 2017 the Town will continue to monitor and enforce its efforts.

- 5) Post Construction Storm Water Management: Goal in 2016 was to perform annual inspections of the Town's permanent storm water controls. In 2016, there were three additions, from 21 to 24 permanent storm water control measures, all of the 21 existing from 2016 were inspected and no maintenance in the form of excavation was performed. The Town will continue to update its inventory and continue the dry weather inspections.
- 6) Storm Water Management for Municipal Operations: Goal was to pass a Town Board resolution in 2016 requiring the completion of street sweeping and catch basin cleaning logs. Mr. Yager is waiting for the logs so that he can complete the report. All of the streets were swept at least once, and some catch basins were cleaned. It will be posted on the website.

Al Yager stated that the public should feel free to address any questions or comments regarding the 2016 MS4 to the Town Engineer before submission of the report to the DEC on June 5, 2017.

REGULAR AGENDA ITEMS

**MOTION TO AWARD THE WEST GENESEE SEWER DISTRICT
EXTENSION NO. 2 CONSTRUCTION CONTRACT**

RES#104/2017

Motion made by Councilor Ellis seconded by Councilor Geraci to award the West Genesee Sewer District Extension No. 2 construction contract to Blue Heron Construction in the amount of \$164,920.00 to be funded through the funds remaining in the NYSDEC Whispering Oaks Sewer District WQIP grant and bonding by the District.

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|---------------------|-----|-------------------|-----|------------------|-----|
| Supervisor Saraceni | Yes | Councilor Ellis | Yes | Councilor Geraci | Yes |
| Councilor Moore | Yes | Councilor Diamond | Yes | | |

All Ayes, motion carried and adopted

Discussion:

Mr. Yager stated that this portion is the installation of the 2" force main in the right of way laterals to each property and installation of the balance system for the pump. There will be a second contract later this summer, that will include the electrical circuit to the control panel, mounting of the control panel, and the homeowner will be responsible for decommissioning their septic tank and rerouting their gravity discharge from their home to the grinder pump. This is to occur at Goodfellow Lane and Blue Ridge Circle.

MOTION TO ALLOW SUPERVISOR TO SIGN CONTRACT WITH PRO-SCAPES

RES#105/2017

Motion made by Councilor Moore seconded by Councilor Ellis to authorize the Supervisor to sign a contract with Pro-Scapes and Maintenance for mowing and trimming of Chase Cemetery during the 2017 growing season in the amount of \$510.00 per mowing and trimming service.

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

All Ayes, motion carried and adopted

MOTION TO DECLARE ITEMS SURPLUS

RES#106/2017

Motion made by Councilor Geraci seconded by Councilor Diamond to approve the following to be declared as surplus as it no longer works and is not repairable.

1. SONY Digital Photo Printer, Model UP-DX100, No. 707603
2. SONY Digital Still Camera, Model DKC-C300X, No. 10007462

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

All Ayes, motion carried and adopted

MOTION TO MAKE STREETS, SANITARY SEWERS AND ASSOCIATED DRAINAGE UTILITIES IN RIVER POINTE ACCEPTED AS OFFICIAL TOWN ROADS

RES#107/2017

Motion made by Councilor Ellis seconded by Councilor Diamond that the following streets, sanitary sewers and associated drainage utilities included in the River Pointe subdivision be accepted as official town roads.

| <u>Street</u> | <u>Length</u> |
|------------------|---------------|
| Salvatore Ave | 0.231 miles |
| Carmellas Circle | 0.143 miles |

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

All Ayes, motion carried and adopted

Discussion:

Mr. Dinsmore asked the Board to make this contingent on Town Engineer’s inspection and approval, as they are waiting for stop signs to be placed, and there was mud to be cleaned up. Mr. Yager said that he spoke with the developer and he is held up on stop signs, and will have the area swept. Mr. Yager said the Town is holding the developer’s maps, as the developer has buyers for the lots. He said the Town will hold the maps until it is swept.

MOTION TO ADVERTISE FOR BIDS FOR THE MERCER STREET RECONSTRUCTION AND DRAINAGE IMPROVEMENTS PROJECT

RES#108/2017

Motion made by Councilor Geraci seconded by Councilor Diamond to authorize the Town Clerk to advertise for bids for the Mercer Street Reconstruction and Drainage Improvements Project to be opened at 10:00 am, on May 31, 2017. (Final plans and advertisement will not be available until May 15, 2017.)

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

All Ayes, motion carried and adopted

MOTION TO APPROVE THE TOWN ENGINEER’S 2017 PAVEMENT MANAGEMENT WORK PLAN

TABLED

Motion made by _____ seconded by _____ to approve the Town Engineer’s 2017 Pavement Management Work Plan with hot mix paving projects to be awarded to the lowest quote paving contractor with Town trucks hauling as much material as possible.

CITIZENS COMMENTS REGARDING TOWN RELATED BUSINESS:

Kevin Rode of Greymoor Way asked at what point in the process the Town is in regarding the spray park. **Supervisor Saraceni** said the Town is taking public comments and taking other goals into consideration. There is a rough sketch (he held up the sketch for the audience to see). He said that Mr. Yager has spent time putting the sketch together relating to a proposed layout, and they spoke at length about it during the work session. What was discussed was drainage, location of facilities around the pad, where trees might be laid out, possible changing rooms, bathrooms, infrastructure and funding. **Supervisor Saraceni** said the Board will have a good idea of an approximate dollar amount and using other revenue sources such as sponsorships and grant funding, once the concept is down. Then there will be an understanding of what the Town has at its disposal. Mr. Rode suggested a preliminary sketch be placed on the website so that people will have something to refer to when they listen to the work session. Mr. Rode referred to the In Lieu of Parks fees and how long the funds have been there. **Mr. Rahrle** said *"We have never touched it in the 27 years I have been here."* **Supervisor Saraceni** said the amount is \$210,000; for this process and upwards of original its estimate. Mr. Rode stated that the Town Board should think about [since it took 27 years to raise that money] not only building [the spray park] but how to maintain it.

Mr. Rode asked about the part-time Code Enforcement position. **Supervisor Saraceni** stated that he had the Board look at the job description first, as the Board wants a clear understanding of what the department needs. Looking at that office through its efforts last summer, there is help needed there. **Supervisor Saraceni** said it could probably be a full time position, but the Town can get by with a part time position for now. Mr. Rode asked about Ron Patchett's position, and **Supervisor Saraceni** said that it is more of an administrative position.

Mr. Rode asked if the Town has hired a full time Sexton. **Ms. Falcone** stated that the Town does not yet have a full time Sexton, but there is someone in place, Mark Williamson, who is going to fill in on an as needed basis. She said that at this time there will be coverage if something has to be done. **Ms. Falcone** has talked to funeral home [operators] as well [regarding procedures] to make sure that everything runs smoothly if a burial is required. If anything needs to be done at the cemetery there will be a resolution. There were only two ashes (urns) buried last year, and no burials. Mr. Rode suggested that the Town spends more on maintenance of Chase Cemetery than the money that is brought in. He confirmed it is just maintenance now. **Ms. Falcone** said at this point all of the lots are sold, and many families are working on genealogical related items at the cemetery.

Mr. Rode mentioned Collington Pointe and referred to his letter in the Messenger. He said he wished the Town would have based its number of possible homes on 38 acres instead of 75, if the plan from the beginning was for the Town to take over that property.

Melinda Shimer of Elizabeth Street said that she had a question for Councilor Diamond regarding comments made in the Messenger. **Supervisor Saraceni** said she could pose her comments to the Board. Ms. Shimer said that last week she asked a question and Councilor Diamond responded, and Councilor Geraci has responded to Mr. Reeves. **Supervisor Saraceni** told her she can ask any question she wants. Ms. Shimer said she saw in the paper [Councilor Diamond's] primary reason for approving the Collington Pointe development was open space/green space; the aesthetics. She asked [Councilor Diamond] to describe the open space that is created with the incentive zone plan versus using the AR-40. Ms. Shimer asked how much developable property there is, in this case what was saved, or acquired by this process, and will this open space/green space be accessible to the entire town.

Councilor Diamond stated that his letter spoke for itself. He said what the open space did was, it is forever wild; that means whatever happens, regardless of whatever Town Board comes in place 20 years from now, that space is forever wild. This is a benefit the entire community is going to enjoy. **Councilor Diamond** said if you're asking if every resident is going to benefit personally, they do, by keeping this space rural. Ms. Shimer asked if he kept that space from being developed. **Councilor Diamond** answered that space, which is 50% of the land is forever wild.

Andy Reeves of Reeves Road asked about Collington Pointe, as during the last meeting it was stated that the cash would be used as the Board sees fit. Mr. Reeves said that is not what the law says. He said he wonders what made the board think they could do that. Mr. Reeves read from his notes: *"The law states...cash in lieu of payment, if a Town Board finds that a community benefit cannot be reasonably provided, the Town Board may require cash payment in lieu of the provision of the amenity or bonus. These funds should be placed in the trust fund to be used by*

the Town Board exclusively for amendment being specified in these provisions. Payments should be made by the applicant prior to the issuance of any permits, stripping of any ground cover, site, grading or any other site improvements or construction activities.” **Supervisor Saraceni** said the resolution that was passed gives the Board discretion to apply those monies towards amenities defined in the law, so once this reserve account is established [the amenities are outlined in the law]. Crosstalk between Supervisor Saraceni and Mr. Reeves occurred regarding amenities. Mr. Reeves said that the Board needs to say it is going to put it in a trust for specific amenities, and that is what the Board is going to use it for, and it is up to them to use it. **Supervisor Saraceni** stated that the intention of the Board through that motion, was at a future date, at the discretion of that Board, is that the money would be used for amenities defined in the law. It is a different interpretation of the law. The specific amenities are determined in the law. Discussion ensued between Supervisor Saraceni and Mr. Reeves and his issue with why the Town is not doing it the way the law reads.

Councilor Geraci stated that the Town Board is operating under the advisement of the Town Attorney and who has made it clear exactly what the law provides. Mr. Reeves said that the law states that the only recourse is to Article 78 the Board for the procedure that was not followed. **Supervisor Saraceni** said it is a different interpretation of the law. Discussion ensued regarding density, sewer lines, and going to the County for review.

Fred Burtch of Plainville Road asked about Collington Pointe, and if there is any estimate of the square footage for the homes. **Supervisor Saraceni** said no. Mr. Burtch said it seems to him that the property should mirror the square footage of a home. **Supervisor Saraceni** said there are setback rules and that will be a Planning Board function. Mr. Burtch spoke about the spray park, and the Lysander Park programs, and expanding the park. He asked about contacting VanBuren [regarding a spray park]. **Supervisor Saraceni** said that he had contacted Supervisor Sykes, and he said VanBuren is not considering a spray park.

Mr. Burtch asked about the Town bringing in an HR firm for certain matters, and asked how much the company was paid. **Supervisor Saraceni** stated that personnel related issues will not be discussed, but he said the HR Company cost was \$4,500. Mr. Burtch spoke about the status of a proposed whistleblower policy and updating the employee handbook.

Andy Reeves of Reeves Road asked about the eight inch sewer line, and what makes that a community amenity regarding Collington Pointe. He said it goes to three homes at 450 feet long. **Supervisor Saraceni** said that will all be addressed in the Planning Board process. **Mr. Yager** said the minimum size is eight inches. **Supervisor Saraceni** said the Board did not negotiate that, access to those homes was negotiated. Mr. Reeves asked if it is a future hook up [to the sewer line], and **Mr. Yager** said no, it is a manhole to the back property with laterals out of it. Mr. Reeves asked how Mr. Yager’s time is being paid [for time spent] on the spray park. **Supervisor Saraceni** told him that Mr. Yager is the Town Engineer; it’s one of the benefits of having an in-house Engineer. **Mr. Rahrle** confirmed that Mr. Yager is a Full-Town paid employee of the Town.

Jim Stirushnik of Dinglehole Road spoke about zoning and subdivision of land with regard to open space. He spoke of a fee accumulating in a fund, which is built up to \$218,000, and talked about when the original Town Park was substantially enlarged and designed. He suggested that if the Town is going to have another park it should collect more money from subdivisions, or increase fees. **Supervisor Saraceni** said that was discussed in the work session.

ANNOUNCEMENTS BY SUPERVISOR SARACENI

1. **Town Board Meeting:** Thursday, May 18, 2017, 7:00 pm, Work Session begins at 5:30 pm in the Auditorium.
2. **Town Board Meeting:** Thursday, June 1, 2017, 7:00 pm, Work Session begins at 5:30 pm in the Auditorium.
3. **Planning Board Meeting:** Thursday, May 11, 2017, 7:00 pm, in the Auditorium.
4. **Eagle Scout Project by Daniel Gee/Ribbon Cutting for Mile Markers:** Saturday, May 6, 2017, 1:00 pm in Lysander Park. (*Supervisor Saraceni*)

congratulated and thanked Mr. Gee for his hard work regarding measuring and placing the mile markers in Lysander Park).

ADJOURNMENT

A motion was made by Councilor Diamond and seconded by Councilor Geraci to adjourn the regular Town Board Meeting at 8:02 pm.

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

Dina Falcone, Town Clerk