

Daniel Boccardo

From: Michael Samoraj <michaelsamoraj@yahoo.com>
Sent: Thursday, June 12, 2014 10:09 PM
To: John Salisbury; Michelle Samoraj; michelle samoraj
Subject: Request for usage of Town of Lysander Office property for Saturday Sept 13th

John,

Per our conversation, I am formally requesting usage of the property at 8220 Loop Rd on morning of Saturday, September 13th, 2014 for a road running event to benefit the Upstate Cancer Center and other related Cancer organizations. The event will be called the RBC e-Race Cancer Run for the benefit of Upstate Cancer Center and would be held the day before and in-conjunction with the Lysander Fall Festravaganza (Sept 14, 2014) . The event will include a Kids Fun Run, 5k and a 1/2 marathon. All race starts and finishes will be at the property. The 5k and 1/2 marathon (13.1 miles) will be certified events taking place on town of Lysander roads. The Kids Fun Run will be no more than 1 mile in distance, course yet to be determined.

I have contacted the Sheriff Dept and will work with them to be certain that the course(s) are safe and properly marked.

I would request usage of the bathroom on the east side of the Town of Lysander Bldg but will also have at least 2 porta potty's stationed on the premises. After the conclusion of race(s) I would have live entertainment (a band) and vendor stations (related to the race). I am also considering having a chicken BBQ at the conclusion of the race(s) that would first be offered to the local Fire Depts as a fund raising event for them.

I have experience coordinating events as well as actual race experience both as a former participant and also as an 8 year member of the Baldwinsville Kiwanis (Kiwanis Turkey Day Race). Through Willow Health and Wellness we have a relationship with Fleet Feet, a sponsor of many area running events. RBC (Royal Bank of Canada) is a creditable sponsor that will allow the event to succeed even its first year. Other sponsors included Kinney Drugs and AT&T. I will acquire others as I move the process forward.

I formally request that this matter be submitted to the Board of Trustees for their and your consideration. I will be than willing to come before the next Board of Trustee work sessions to discuss this request and the event in greater detail.

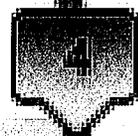
This event along with the Fall Festravaganza the following day will make for an exciting weekend for the entire town and will benefit the many that will be involved in making this a great success.

Please confirm receipt of this email.

Thanks John,
Mike Samoraj

Lamson Rd

Lamson Rd



Wilson Rd

Th...ers
St...ame
Management Area



Hencie Blvd

Wego Rd

50 Rd



Miller Rd



Item 3a
(a-R)

RECEIVED

PETITION FOR CHANGE OF ZONE

MAY 28 2014

TO THE TOWN BOARD OF THE TOWN OF LYSANDER

TOWN CLERK
TOWN OF LYSANDER

The undersigned petitioner(s) is/are the owner(s) of the following legally described property:

(Describe here or attach legal description.)

7820-7826 Plainville Road

A plot plan of this property is hereto attached and made a part of this petition.

Land and/or buildings are to be used for

Farming, Auction Center, Warehouse, Storage, Offices,
Retail Sales,

The petitioner(s) request(s) that the Zoning Ordinance and Zoning Map of the Town of Lysander be amended to reclassify this property from District Ag to District Comm.

Dated: 5-27-14

Dean D Cummins
Signature(s) of Owner(s) of premises

Dean D Cummins
Print name of Owner(s)

P.O. Box 88,
7820 Plainville Road Plainville, N.Y.
Address of owner(s)

13137

315-246-5407, 626-2277
Phone numbers

Town Office use only:

Date filed with Lysander Town Clerk: 5/28/2014

Date referred to County Planning: _____ to Lysander Planning Board _____

Decision of Town Board: Approved _____ Disapproved _____

Resolution Number: _____ Date of resolution in Town Board minutes: _____

BARGAIN AND SALE DEED

THIS INDENTURE, made the 9th day of April, 2014 between

Plainville Farms, LLC, located at 4870 York Road, P.O. Box 38, New Oxford, PA 17350, GRANTOR,

and

Dean Cummins, residing at ^{7820 PLAINVILLE RD}~~3125 NYS Route 370, Cats, NY 13033~~, ^{PLAINVILLE NY 13137} GRANTEE,

WITNESSETH, that the Grantor, in consideration of One Dollar and other valuable consideration paid by the Grantee, does hereby grant and release unto the Grantee, their heirs, successors and assigns and forever remise, release and quitclaim unto the Grantee and their heirs or successors and assigns forever.

**ALL THAT TRACT OR PARCEL OF LAND,
(SEE ATTACHED SCHEDULE A)**

This transfer does not constitute all the assets of the limited liability company.

BEING THE SAME premises as conveyed by Mark W. Bitz Family I, LLC, Grantor, by Bargain and Sale Deed dated August 29, 2007 and recorded in the office of the Onondaga County Clerk on August 31, 2007 at Book 5011 and Page 206.

TOGETHER with all right, title and interest, if any, of the Grantor of, in and to any streets and roads abutting the above-described premises to the center lines thereof;

TOGETHER with the appurtenances and all the estate and rights of the Grantor in and to said premises;

TO HAVE AND TO HOLD the premises herein granted unto the Grantee, the heirs or successors and assigns of the Grantee forever.

AND the Grantor, in compliance with Section 13 of the Lien Law, covenants that the Grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

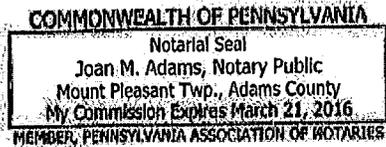
The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the Grantor has duly executed this deed the day and year first above written.

*RFR - Richard J. Hembach
April 2014 408290
Sabina 779144*

IN WITNESS WHEREOF, the Grantor has duly executed this deed the ___ day of _____ 2014.

IN PRESENCE OF:
Plainville Farms, LLC
By: Its Sole Member Hain Pure Protein Corporation.



By:

[Signature]
Jay Lieberman, COO & CFO
Hain Pure Protein Corporation

State of Pennsylvania
County of Adams } ss:

On the 9th day of April in the year 2014 before me, the undersigned, a Notary Public in and for said State, personally appeared Jay Lieberman, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

[Signature]
Notary Public

SCHEDULE A

ALL THAT OTHER TRACT OR PARCEL OF LAND, situate in the Town of Lysander, County of Onondaga and State of New York and being part of Lot No. 84 in said Town and being more particularly bounded and described as follows:

BEGINNING at a point in the centerline of Gates Road at the southeast corner of the first parcel of land described in a deed to Mark W. Bitz Family I, LLC recorded in the Onondaga County Clerk's Office in Book of Deeds 4778 at Page 636: thence S 55° 11' 25" W., along said centerline, a distance of 418.23 feet to a point of curve; thence southwesterly along said centerline, on a curve to the right having a radius of 462.53 feet and length of arc of 251.97 feet to a point of tangency; thence S 86° 24' 10" W., along said centerline, a distance of 278.40 feet to a point, said point being located easterly a distance of 346.75 feet measured along said centerline, from the centerline of Plainville Road; thence N 06° 07' 29" W., passing through an iron rod with yellow cap marked "Schnert Survey" a distance of 567.74 feet to an iron rod with yellow cap marked "Schnert Survey"; thence S 83° 52' 31" W., a distance of 110.00 feet to an iron rod with yellow cap marked "Schnert Survey"; thence N 06° 07' 29" W., a distance of 90.00 feet to a magnetic nail; thence S 83° 52' 31" W., a distance of 80.00 feet to an iron rod with yellow cap marked "Schnert Survey"; thence N 06° 07' 29" W., a distance of 32.00 feet to a magnetic nail; thence S 83° 52' 31" W., a distance of 47.00 feet to a magnetic nail; thence N 06° 07' 29" W., a distance of 7.00 feet to a magnetic nail; thence S 83° 52' 31" W., passing through a magnetic nail, a distance of 105.00 feet to the centerline of Plainville Road; thence N 06° 07' 29" W., along said centerline, a distance of 263.22 feet to a point of curve; thence northerly, along said centerline, on a curve to the left having a radius of 1274.77 feet and length of arc of 336.81 feet to a point of tangency; thence N 21° 15' 47" W., along said centerline, a distance of 343.29 feet to a point of curve; thence northerly, along said centerline, on a curve to the right having a radius of 1130.00 feet and length of arc of 116.01 feet to the southwest corner of a parcel of land described in a deed to Mark W. Bitz Family I, LLC recorded in the Onondaga County Clerk's Office in Book of Deeds 4773 at page 437; thence N 84° 34' 36" E., along the south line of said parcel and passing through an iron rod, a distance of 246.16 feet to an iron rod at the southeast corner of said parcel; thence N 05° 25' 24" W., along the east line of said parcel, a distance of 177.47 feet to an iron rod at the northeast corner of said parcel; thence S 76° 18' 32" E., a distance of 275.00 feet to an iron rod with yellow cap marked "Schnert Survey"; thence S 31° 31' 09" E., a distance of 325.00 feet to an iron rod with yellow cap marked "Schnert Survey"; thence S 63° 54' 00" E., a distance of 625.00 feet to an iron rod with yellow cap marked "Schnert Survey"; thence N 87° 48' 00" E., a distance of 625.00 feet to an iron rod with yellow cap marked "Schnert Survey"; thence N 87° 48' 00" E., a distance of 370.00 feet to an iron rod with yellow cap marked "Schnert Survey" set in the east line of said first mentioned parcel; thence S 03° 30' 27" W., along said east line and passing through an iron rod with yellow cap marked "Schnert Survey", a distance of 935.00 feet to the point of beginning. Containing 38.87 Acres of land.

Obp 284

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

| | | | |
|--|-----------------------|-------------------------------------|--------------------------|
| Part 1 - Project and Sponsor Information | | | |
| Name of Action or Project: <u>Dean D Cummins</u> | | | |
| Project Location (describe, and attach a location map): <u>7820 - 7828 Plainville Road</u> | | | |
| Brief Description of Proposed Action: <u>To use some of the buildings & barns for Storage, & Auction Center, & Office, Retail Sales</u> | | | |
| Name of Applicant or Sponsor: <u>Dean D Cummins</u> | | Telephone: <u>246-5407</u> | E-Mail: |
| Address: <u>P.O. Box 88 7820 Plainville Road</u> | | | |
| City/PO: <u>Plainville</u> | State: <u>N.Y.</u> | Zip Code: <u>13137</u> | |
| 1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2. | | NO | YES |
| | | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: | | NO | YES |
| | | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3.a. Total acreage of the site of the proposed action? | | <u>30</u> | acres |
| b. Total acreage to be physically disturbed? | | <u>30</u> | acres |
| c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? | | _____ | acres |
| 4. Check all land uses that occur on, adjoining and near the proposed action. | | | |
| <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) | | | |
| <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ | | | |
| <input type="checkbox"/> Parkland | | | |

| | | | |
|---|-------------------------------------|-------------------------------------|--------------------------|
| 5. Is the proposed action, a. A permitted use under the zoning regulations? | NO | YES | N/A |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Consistent with the adopted comprehensive plan? | | <input type="checkbox"/> | <input type="checkbox"/> |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. Is the proposed action consistent with the predominant character of the existing built or natural landscape? | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____ | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 8. a. Will the proposed action result in a substantial increase in traffic above present levels? <i>May 100 car for Auctions</i> | NO | YES | |
| | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| b. Are public transportation service(s) available at or near the site of the proposed action? | | <input type="checkbox"/> | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action? | | <input type="checkbox"/> | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <i>Existing on site wastewater treatment</i> | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| b. Is the proposed action located in an archeological sensitive area? | | <input type="checkbox"/> | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ | | <input type="checkbox"/> | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban | | | |
| 15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 16. Is the project site located in the 100 year flood plain? | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES | | | |
| | | | |

| | | |
|---|-------------------------------------|--------------------------|
| 18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ | NO | YES |
| _____ | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: <u>NO</u> | NO | YES |
| _____ | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ | NO | YES |
| _____ | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Dean D. Cummings</u> Date: <u>5-27-14</u> Signature: <u>[Signature]</u> | | |

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

| | No, or small impact may occur | Moderate to large impact may occur |
|--|-------------------------------|------------------------------------|
| 1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Will the proposed action result in a change in the use or intensity of use of land? | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Will the proposed action impair the character or quality of the existing community? | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway? | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities? | <input type="checkbox"/> | <input type="checkbox"/> |
| 7. Will the proposed action impact existing: | <input type="checkbox"/> | <input type="checkbox"/> |
| a. public / private water supplies? | <input type="checkbox"/> | <input type="checkbox"/> |
| b. public / private wastewater treatment utilities? | <input type="checkbox"/> | <input type="checkbox"/> |
| 8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? | <input type="checkbox"/> | <input type="checkbox"/> |
| 9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)? | <input type="checkbox"/> | <input type="checkbox"/> |

| | No, or small impact may occur | Moderate to large impact may occur |
|---|-------------------------------|------------------------------------|
| 10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? | <input type="checkbox"/> | <input type="checkbox"/> |
| 11. Will the proposed action create a hazard to environmental resources or human health? | <input type="checkbox"/> | <input type="checkbox"/> |

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Name of Lead Agency _____ Date _____

Print or Type Name of Responsible Officer in Lead Agency _____ Title of Responsible Officer _____

Signature of Responsible Officer in Lead Agency _____ Signature of Preparer (if different from Responsible Officer) _____

PRINT

TOWN of LYSANDER
8220 LOOP ROAD
BALDWINSVILLE, NEW YORK 13027
(315) 638-4264

June 20, 2014

Lysander Town Board
8220 Loop Road
Baldwinsville NY, 13027

Re: Dean Cummings Zone Change Request

Subj: Town of Lysander Zoning

Dear Supervisor Salisbury and Town Board Members;

After reviewing the Zone Change Request made by Mr. Dean Cummings for 7820 – 7826 Plainville Road we would like to offer the following items for consideration prior to considering the requested zone change.

The requested zone change from agricultural to commercial would allow the parcel to be used for any of the following uses as defined by section 139-29 B of the Town of Lysander Code:

- Drive in services
- Automotive sales including accessory service
- Equipment sales including accessory service
- Hospital
- Outdoor sales of boats, trailers, building supplies, and other consumer products including access services
- Motor vehicle service station
- Public garage
- Motel/Hotel
- Parks, Playgrounds and other similar recreational facilities which are privately operated but not for profit
- Regulation golf course
- Golf driving rages and other outdoor commercial amusements
- Veterinary treatment facility

In addition to the allowed uses previously listed the following uses are also permitted with a special use permit as defined by section 139-29A of the Town of Lysander Code:

- Retail or personal service use
- Wholesale or warehouse establishments
- Offices

- Restaurants
- Utility substation

The following uses are prohibited under section 139-29 C of the Town of Lysander Code:

- Residential uses except for onsite residency of security and or caretaker personnel

As you can see the requested zone change has the potential to significantly alter the current landscape of the parcel and negatively impact the surrounding properties. In addition the Town of Lysander Comprehensive Land Use Plan states the following "Retail and service businesses will be concentrated in hamlets, adjacent to the Village of Baldwinsville or in specially designated retail areas along major arterials". It does not seem that the requested zone change complies with this statement. The requested zone change could also be viewed as spot zoning which is prohibited by law.

The requested zone change is an important decision that deserves careful consideration as it will not only apply just to the time that Mr. Cummings owns the property but to all other future owners. The requested zone change has the potential to change drastically change the landscape of not only the property owned by Mr. Cummings but all of the other surrounding properties.

Regards



Allen J. Yager, P.E.
Town of Lysander Engineer



Timothy Wolsey
Town of Lysander Codes Enforcement

Policy: It is the policy of the Town of Lysander to establish a standard for usage of cell phones (personal and department). This policy prescribes, assigns responsibility, and provides procedures for the effective management in use of cell phones.

Department Issued Cell Phones

Eligible Personnel – The Town Supervisor shall determine and assign a cell phone to employees. Those employees are those whose duties and work activity require them to be away from the workplace, but must remain readily accessible. This could be both during and after normal business hours.

Use of Town Issued Cell Phones

The primary use of all Town issued cellular telephones is to conduct official business of the Town. However, it is recognized that personal use cannot always be controlled. Personal use is not prohibited, but the employee must keep personal usage to a minimum.

Reimbursement for Personal Use

Employees who use their Town issued phone for personal use must reimburse the Town on a monthly basis. Personal calls made on the Town cell phone must be hi-lighted on the monthly bill. The rate of seven cents per minute shall be used for all calls and text messages. The employee can pay in cash or by check payable to the Town to be submitted to the Town Comptroller.

Employee Responsibility

- Use of cell phones while driving is prohibited and subject to State and Local laws.
- It is the responsibility of the employee for any traffic violations and fines received if found in violation.
- The use of cell phones while operating equipment is strictly prohibited.
- If phone is lost or stolen notify immediate supervisor.
- Cell phones issued are considered Town property and must be turned in to the Town upon termination or by request of the Town Supervisor.

Personal Cell Phone Use for Town Business

- In the event that an employee has not been issued a Town cell phone to conduct Town business, reimbursement of business use on your personal cell phone will be as outlined below:
 - A voucher with copies of detailed bills hi-lighting the Town related calls should be submitted to the Town Comptroller for review and payment. This must be done on a monthly basis.
 - Employees will be reimbursed at a rate of seven cents per minute.

Compliance

Any violation(s) of this policy may result in loss of cell phone privileges and / or disciplinary action.

TOWN OF LYSANDER

Highway Department

Gene Dinsmore
Highway Superintendent
Tel: (315) 635-5551

8220 Loop Road
Baldwinsville, NY 13027
Fax: (315) 635-5608

Cindy Rahrle
Administrator
Tel: (315) 635-5551

MEMO

June 19, 2014

To: Supervisor John Salisbury and the Lysander Town Board

From: Gene Dinsmore, Highway Superintendent

Subject: New Plow Truck Purchase

I have solicited and received quotations from the six truck manufacturers listed on the Onondaga County truck bid program. I am rejecting the Kenworth and Navistar (International) quotations for various reasons explained in a forthcoming detailed communication.

The remaining manufacturers are Mack, Volvo, Freightliner and Western Star all of which meet our requirements and are acceptable to me. I plan to provide you with the details of each by June 30th and hope that you can authorize a purchase at the first July meeting. If you have a specific detail that you need, let me know but you can be assured that all four trucks meet the New York State DOT requirements for a 50,000 lb. capacity six wheel plow truck and have no frivolous accoutrements.

Thank you,

Gene Dinsmore
Highway Superintendent

Item A,
(1-2)

TOWN OF LYSANDER

Highway Department

Gene Dinsmore
Highway Superintendent
Tel: (315) 635-5551

8220 Loop Road
Baldwinsville, NY 13027
Fax: (315)635-5608

Cindy Rahrle
Administrator
Tel: (315) 635-5551

MEMO

June 17, 2014

To: Supervisor John Salisbury and the Lysander Town Board

From: Gene Dinsmore, Highway Superintendent

Subject: Rt. 48 CSX Crossing

The NYSDOT Planning and Program Management office has requested a favorable letter from us so they can declare the RT 48 CSX crossing exempt. This will allow the HAZMAT vehicles and school busses to pass without stopping. The rail line has been out of service since the Fulton Birds-Eye plant closed over a year ago and CSX has no potential customers on the horizon. The city of Fulton already did this where the line crosses 481 at the old Nestle plant – see attachment.

Accordingly, please resolve to authorize the Supervisor to write and send the appropriate letter to Mr. Dan Petrella at NYSDOT Region 3.

Thank you,

Gene Dinsmore
Highway Superintendent



ORLO A. GREEN
CHIEF OF POLICE

**CITY OF FULTON
POLICE DEPARTMENT**
MUNICIPAL BUILDING
141 SOUTH FIRST STREET
FULTON, NEW YORK 13069-1768
EMERGENCY: DIAL 911
NON-EMERGENCY: 598-2111
ADMINISTRATION: (315) 598-4504
www.fultonpd.com



THOMAS V. ABELGORE
DEPUTY CHIEF

April 12, 2011

Dan Petrella
New York State DOT
333 E. Washington St.
Syracuse, NY 13202

Mr. Petrella,

I am writing to request a study be done by the New York State Department of Transportation to explore the possibility of an exemption for the railroad crossing on State Route 481 near Nestle Avenue in the City of Fulton. The railroad tracks at this crossing are out of service. Currently vehicles that are required to stop at railroad crossing continue to do so at this crossing. The location of the crossing is near a curve in the roadway and there is somewhat of a limited sight distance when traveling southbound. I feel if vehicles were no longer required to stop at this crossing it would make the area safer by lessening the possibility rear end accidents there.

Thank you for your consideration in this matter. Please contact me at (315) 592-3464 with any questions.

Sincerely,

Lt. Jason R. Delano
City of Fulton Police Traffic Division

Item B,
(1-2)

APPROVAL OF LOCAL LAW NO. 4 OF 2013
IMPOSE TEMPORARY MORATORIUM ON ZONE CHANGES
AR-40 ZONING DISTRICT

RES. #200/2013 Motion by Reeves, Second by Levy

A LOCAL LAW AMENDING THE ZONING LAW OF THE TOWN OF LYSANDER, NEW YORK,
TO IMPOSE A TEMPORARY MORATORIUM ON ZONE CHANGES IN THE AR-40 ZONING
DISTRICT.

WHEREAS, traffic, drainage and agricultural land protection concerns in the AR-40 zoning district and particularly on the Cold Springs Peninsula have been raised; and

WHEREAS, the Town Board proposes to consider possible changes to the Zoning Law and the Comprehensive Plan for the Town of Lysander in respect of the AR-40 zoning district; and

WHEREAS, the Town Board of the Town of Lysander believes it is in the public interest to temporarily halt zone changes for property in the AR-40 zoning districts in the Town of Lysander while the Town Board considers new legislation and changes to plans for the AR-40 zones in the Town;

NOW, THEREFORE,

BE IT ENACTED by the Town Board of the Town of Lysander as follows:

Section 1. The Zoning Law of the Town, of Lysander is amended to add a new Section as follows:

139-148 **TEMPORARY MORATORIUM ON ZONE CHANGES FOR PROPERTY IN THE**
AR-40 DISTRICT

(1) From the effective date of this amendment until March 31, 2014, no zone change applications shall be considered, and no zone changes shall be granted for properties in the Agricultural-Residential AR-40 zoning districts in the Town of Lysander pending a study of changes in zoning regulations and planning documents relating to the AR-40 zoning districts. The Town Board may extend the moratorium in three (3) month intervals for not more than a total of an additional six (6) months by adopting a resolution before the expiration of the moratorium or extended expiration which includes a finding that additional time is necessary to complete the study or adopt changes.

(2) Upon a written application, and after a public hearing held upon (ten) 10 days advance notice by publication in the official newspaper of the Town of Lysander, and upon evidence to be submitted by the applicant of severe economic hardship, the Town Board of the Town of Lysander may grant a temporary or permanent variance, with or without conditions, from the provisions of subsection (1) above. This subsection, in granting variance authority to the Town Board of the Town of Lysander for the purpose of this section of the Zoning Law of the Town of Lysander, New York only, shall supersede the provisions of Sections 267,267-a and 267-b of the Town Law, otherwise known as Chapter 62 of the Consolidated Laws of New York, and shall also supersede the provisions of §139-63 and §139-64 of the Zoning Law of the Town of Lysander adopted October 16, 1995 as Local Law No. 2 of 1995.

Section 2. This local law shall take effect upon filing with State.

VOTE:

| | | | | | |
|----------------------|-----|-------------------|-----|------------------|-----|
| Supervisor Salisbury | Aye | Councilor Levy | Aye | Councilor Shimer | Aye |
| Councilor Reeves | Aye | Councilor Johnson | Aye | | |

All Ayes, Motion Carried and Adopted

RECOGNITION OF CITIZENS

HIGHWAY DEPARTMENT
PURCHASE OF HIGHWAY TRUCK

Gene Dinsmore, Highland Drive and Town of Lysander Highway Superintendent, expressed his appreciation to the Board for buying a highway truck tonight and his concerns that the truck was not the one he

Lysander Town Board regular meeting
September 23, 2013

respect with what's already in place. It's a generous health insurance plan. The employees to the best of my knowledge don't pay anything towards their premium. There's nothing there. They are good employees, and this is not a slam against them as employees, but it is a very generous plan that I don't think exists in many other places. So I would like this to move into a more realistic approach when it comes to providing health insurance.

Town Clerk to advertise Lysander Annual Financial Report

RES. #54/2014

Motion made by Salisbury, seconded by Shimer to authorize the Town Clerk to publically advertise receipt of the Annual Financial Report for the Town of Lysander for fiscal year ending December 31, 2013.

VOTE:

| | | | | | |
|----------------------|-----|-------------------|-----|------------------|-----|
| Supervisor Salisbury | Aye | Councilor Shimer | Aye | Councilor Geraci | Aye |
| Councilor Reeves | Aye | Councilor Diamond | Aye | | |

All Ayes, motion carried and adopted.

BOARD DISCUSSION BEFORE VOTE:

Supervisor Salisbury announced that the document will be put on the Town's website for public review and it is also available for review in the Town Clerk's Office.

Post-Closure Landfill Proposal

RES. #55/2014

Motion made by Geraci, seconded by Diamond to authorize the Supervisor to sign the Barton & Loguidice 2014 Post-Closure Monitoring & Analytical Proposal for the closed Town of Lysander Landfill in an amount not to exceed \$3,700.

VOTE:

| | | | | | |
|----------------------|-----|-------------------|-----|------------------|-----|
| Supervisor Salisbury | Aye | Councilor Shimer | Aye | Councilor Geraci | Aye |
| Councilor Reeves | Aye | Councilor Diamond | Aye | | |

All Ayes, motion carried and adopted

BOARD DISCUSSION BEFORE VOTE:

Engineer Yager: This is the same thing that we did last year. 2014 will be the 20th year of our 30 year post closure monitoring requirement for the Town landfill. We used Barton & Loguidice last year. They sub contract with an analytical lab, they provide us equipment and assistance. In doing so they take on some of the liability for calibration of the equipment that can get expensive to do on our own. You will notice that this year's proposal is approximately \$1300 less than last year. This is due to this year's sampling is a routine sampling not a baseline sampling event. What they did last year worked out really well for the Town and I would like to continue doing it. It looks good from the NYS DEC standpoint and we have continuity as well as the lab is doing analytical services and the sampling procedure.

Supervisor Salisbury: We have to do this for 30 years and this is our 20th year of doing it so we have 10 more years of doing it.

Extending Moratorium on Zone Changes

RES. #56/2014

Motion made by Shimer, seconded by Reeves to extend the temporary moratorium on zone changes adopted in Local Law 4 of 2013 from April 1, 2014 to June 30, 2014.

VOTE:

| | | | | | |
|----------------------|-----|-------------------|-----|------------------|-----|
| Supervisor Salisbury | Aye | Councilor Shimer | Aye | Councilor Geraci | Aye |
| Councilor Reeves | Aye | Councilor Diamond | Aye | | |

All Ayes, motion carried and adopted

***Lysander Town Board regular meeting
March 24, 2014***

Item C.1
(1-2)

QUOTE FOR
SOFFIT INSTALLATION AT THE LYSANDER TOWN HALL
BALDWINVILLE, NY

TO THE TOWN OF LYSANDER:

Pursuant to and in compliance with your invitation for quotes and the information for contractors relating thereto, the undersigned hereby offers to furnish all labor and materials necessary or proper for items required by and in strict accordance with the applicable provisions of all contract documents for the following price:

Item

1. Soffit Installation for the Lysander Town Hall for the Summer of 2014

| | | |
|--|----------------------------|------------|
| <u>Seventeen Thousand Five Hundred</u> | <u>17,500</u> | <u>.00</u> |
| (Price Written in Words) | (Dollars) | (Cents) |
| | (Price Written in Figures) | |

Contractor Contact Information:

Name: JP Schalk

Address: 6801 Myers Road
East Syracuse, NY 13057

Phone Number: 315-437-3308

NON-COLLUSION BIDDING CERTIFICATE

- (a) By submission of this quote, each person or corporation and each person signing on behalf of any quote certifies, and in the case of a joint bid, each party thereto certifies as to its own organization, under penalty of perjury, that to the best of knowledge and belief:
 - (1) The prices in this quote have been arrived at independently without collusion, consultation, communication or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any other competitor; and
 - (2) Unless otherwise required by law, the prices which have been quoted in this bid have not knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor; and
 - (3) No attempt has been made by the bidder or will be made to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.



Signature

Vice President

Title

Edward Schalk and Son Inc

Name of Firm/Company/Corp.

315-437-3308

Area Code and Telephone Number

6801 Myers Road

Street Address

6-20-2014

Date

East Syracuse, NY 13057

City, State, Zip Code