

A Regular Town Board meeting was held on July 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, Town Attorney; Al Yager, Town Engineer, Jerry Hole, HW Superintendent, Tony Burkinshaw, Parks and Recreation Supervisor; and several guests and residents.

Supervisor Wicks called the meeting to order at 7:07 PM with the Pledge to the Flag.

Adoption of Minutes

RES#118/2020

Motion by Councilor Diamond seconded by Councilor Kudauraskas to adopt the June 18, 2020 Town Board Meeting minutes.

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

All ayes, motion carried and adopted

Citizens Comments

Cindy Clarke of West Genesee Street thanked the Board and the Department Heads for keeping TOL going, and keeping residents informed while making everyone safe. She said she has seen the town leaders on Home Heart and Community (Facebook) which helps keep everyone up to date. Ms. Clarke complimented Mr. Burkinshaw and the parks staff for how well the park is maintained. She thanked Mr. Hole for coming in under budget on the road paving project which was completed. She also thanked Mr. Houghtaling from PAC-B for filming the Town Board Meetings.

Kevin Rode of Greymoor Way asked about the speed study, and noted that his biggest issue is that there is not a police presence in the Drakes Landing/Deep Glade area. He said that the Troopers and Sheriff's Department should be writing tickets. He said that people barely stop at the STOP sign that was put up two years ago. (On Deep Glade). Mr. Rode's other question referenced item "H", and **Supervisor Wicks** said he would explain that motion when they come to it.

Supervisor Wicks mentioned enforcement on Drakes Landing. He agrees with Mr. Rode's statement, but said that TOL doesn't have a police department, and with regards to the speed studies, citizens have called and requested one for those areas. **Supervisor Wicks** noted that the speed studies are done to see if roads call for lowering the speed limit. He also mentioned that TOL does not have control of that, as NYS DOT has the final say in a speed study. If the residents want a speed study, they will approve it, and TOL will do whatever it can to encourage that the speeds are reduced. **Supervisor Wicks** said that as far as enforcement, that is also out of TOL's control as well. He said that he had personal conversations with the State Police and Sheriff's Office, and asked them to place more patrols on those roads. He said that unfortunately, a lot of those entities are experiencing many retirements right now, [as there are a lot of reasons for it] so they are really strapped as far as personnel is concerned. Law enforcement still has to answer calls along with everything else they have to do. **Supervisor Wicks** reiterated that he has made calls, and they said they have the information they need and will try and help.

Mr. Rode said Radisson pays the Sheriff's for having a presence for neighborhood watch at certain times, although he doesn't know the specifics. He suggested Radisson have them out on the roads. Mr. Rode said the problem would be that they would probably write tickets to most of [your] neighbors, and that a sign doesn't slow people down. **Supervisor Wicks** said he is going to look into adding something in the budget next year to address some of those problems. He said the Town of Salina and Town of Van Buren hire off duty deputies to enforce some of the local laws. He said they would actually work for TOL in four hour increments. They can be told specifically what streets to patrol, and can be assigned to a specific area. He is confident if they can help us they will.

Supervisor's Comments

Supervisor Wicks said that there are a lot of things going on in the town, including the Willett Parkway project, along with other projects including development, which were discussed earlier. He noted that the County Executive has been imploring people to make sure they social distance and wear masks. He said that although there have been 57 people who have recovered from COVID, we don't want to get into a situation like in other parts of the state where it is starting to increase. If COVID numbers get too high, our ability to open the schools is going to be prohibited by the Governor. **Supervisor Wicks** asked that citizens try and keep those numbers down and do everything they can. He wants to make sure everyone remains diligent.

Town Board Comments

Councilor Geraci noted that he is on the Canton Woods Senior Center Board. Canton Woods is now a site for a senior a nutrition drive/walk up/take-away lunch through Onondaga County and Peace Incorporated. The lunch is available Monday and Friday to seniors 60 and over, in Onondaga County. Reservations are requested. Call the center to make a reservation and for more information: 315-638-4536.

Canton Woods is also a distribution site for the Seniors Farmer's Market Coupon Nutrition Program. The coupons have a value of \$20. The program supports local farmers and promotes healthy eating. Interested seniors may call the center for eligibility criteria and details: 315-638-4536.

Councilor Kudauraskas thanked everyone for coming to the meeting, and said that he sees a lot of people speeding and rolling through STOP signs. He noted there are a lot of young kids out there, especially in Radisson. He asked everyone to slow down and stop at the STOP signs.

Councilor Moore thanked everyone for watching the meeting, and hopes people are finding the time to enjoy the summer.

Councilor Diamond said it is great to see the Town and the County opening up again. He said he is happy to see everyone.

Department Head Reports

Tony Burkinshaw, Parks and Recreation Supervisor, said the park is open and still accessible. The playgrounds are now open and the sandbox is open. The pavilions are open for rental. There is one family bathroom that is accessible now. It is cleaned throughout the day. Sports groups have started to use the fields; soccer, girls lacrosse and in August, Pop Warner Football. He suggested that if the spray park does not open, they can erect the misting pole, which can be disinfected.

Jerry Hole, HW Superintendent said HW completed the oil and stone work. They completed the milling and refilling of hot asphalt, and between the two of those they have done over 19 miles of road. With the current oil prices, and the estimates having been done prior to the season, HW is about \$200K under the estimate. This allows HW to move forward with the Mott Road and Patchett Road construction projects. Those funds give HW a buffer to ward off any problems that may arise on those two projects. Regarding Seneca Estates drainage, HW will be doing some work there. **Mr. Hole** said the biggest problem they have had this year so far with COVID, with services like Dig Safe, they are behind, and have been limited to how fast they can get things done. Sometimes it takes two weeks for a response. HW is trying to stay busy when they wait for some of those things. **Mr. Hole** said that the Intermunicipal agreement with the Town of Clay will produce TOL's STOP signs, street signs, and any signs that are needed at a third of the cost. It's a mutually beneficial agreement. For example, Holly Hill's wooden posts are gone and there are now DOT conforming signs. The next area for signs will be on the main roads in Radisson to conform to DOT.

Regular Agenda Items

**MOTION TO HOLD AND ADVERTISE FOR A PUBLIC HEARING
FOR A LOCAL LAW TO ALLOW A REAL PROPERTY TAX EXEMPTION
FOR VOLUNTEER FIRE FIGHTERS AND VOLUNTEER AMBULANCE WORKERS**

RES#119/2020

Motion made by Councilor Diamond seconded by Councilor Moore to hold a public hearing to hear all those for or against a local law to allow a Real Property Tax exemption for Volunteer Fire Fighters and Volunteer Ambulance workers. The public hearing will be held on August 20, 2020 at 7:00 PM in the Auditorium of Town Hall. This resolution shall authorize the Town Clerk to advertise for same.

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

All ayes, motion carried and adopted

**MOTION TO HOLD AND ADVERTISE FOR A PUBLIC HEARING
TO HEAR ALL THOSE FOR OR AGAINST A LOCAL LAW TO AMEND
THE TOWN OF LYSANDER CODE ARTICLE XXIX – SOLAR ENERGY SYSTEMS**

RES#120/2020

Motion made by Councilor Moore seconded by Councilor Kudauraskas to hold a public hearing to hear all those for or against a local law to amend the Town of Lysander Code Article XXIX – Solar Energy Systems. The public hearing will be held on August 20, 2020 at 7:00 PM in the Auditorium of Town Hall. This resolution shall authorize the Town Clerk to advertise for same.

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

All ayes, motion carried and adopted

**MOTION TO HOLD AND ADVERTISE A FOR PUBLIC HEARING
FOR THE PLACEMENT OF STOP SIGNS FOR BOTH EAST BOUND AND
WEST BOUND HOURGLASS LANE TRAFFIC AT
THE INTERSECTION OF COACHMAN’S WHIP (4 WAY STOP)**

RES#121/2020

Motion made by Councilor Geraci seconded by Councilor Moore to hold a public hearing to hear all those for or against a local law to allow placement of stop signs for both east bound and west bound Hourglass Lane traffic at the intersection of Coachman’s Whip, making the intersection a four (4) way stop. The public hearing will be held on August 20, 2020 at 7:00 PM in the Auditorium of Town Hall. This resolution shall authorize the Town Clerk to advertise for same.

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

All ayes, motion carried and adopted

TABLED

Motion made by _____ seconded by _____ To authorize the Town Clerk to advertise for bids for the Town of Lysander Willett Parkway Culvert Repair Project, PIN 375647. Bids for the project must be received by the Town Clerk no later than 11:00 AM August 18, 2020.

**MOTION TO AUTHORIZE TOWN CLERK TO ADVERTISE
FOR BIDS FOR THE TOWN OF LYSANDER MOTT ROAD
DRAINAGE IMPROVEMENTS AND RECONSTRUCTION PROJECT**

RES#122/2020

Motion made by Councilor Moore seconded by Councilor Kudauskas to authorize the Town Clerk to advertise for bids for the Town of Lysander Mott Road Drainage Improvements and Reconstruction Project. Bids for the project must be received by the Town Clerk no later than 10:00 AM August 18, 2020.

Supervisor Wicks	Aye	Councilor Kudauskas	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Diamond	Aye		

All ayes, motion carried and adopted

**MOTION TO ACCEPT THE BID FROM TIMBER
TREE SERVICE IN THE AMOUNT OF \$35,960 FOR THE TOL
SWALE AND STORMWATER POND MAINTENANCE PROJECT**

RES#123/2020

Motion made by Councilor Kudauskas seconded by Councilor Moore to accept the bid from Timber Tree Service in the amount of \$35,960 for the Town of Lysander Swale and Stormwater Pond Maintenance Project.

Supervisor Wicks	Aye	Councilor Kudauskas	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Diamond	Aye		

All ayes, motion carried and adopted

Discussion:

There were two bids received. Timber Tree Service in the amount of \$35,960, and Distinguished Landscapes in the amount of \$41,485. This will be paid from Drainage Districts in the budget.

**MOTION TO REQUEST AN AREA SPEED STUDY FOR
DEEP GLADE DRIVE AND DRAKE'S LANDING IN THE RADISSON COMMUNITY**

RES#124/2020

Motion made by Councilor Geraci seconded by Councilor Diamond to authorize the Town Clerk to request an *area* speed study for Deep Glade Drive and Drake's Landing in the Radisson Community.

Supervisor Wicks	Aye	Councilor Kudauskas	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Diamond	Aye		

All ayes, motion carried and adopted

Discussion:

Ms. Falcone received 40 emails/letters from residents in the area in support of the speed study, and four letters that are opposed to it. She said that the people that wrote in opposition say that signs will not stop people from speeding. Supervisor Wicks said some residents suggested crosswalks there. He said he would not be in favor of crosswalks, as people are going to go faster than 30 or 35 MPH, and in his opinion, crosswalks would only encourage some people to cross in the crosswalk - and if people aren't paying attention, it would be like crossing 690.

**MOTION TO APPROVE A WAIVER FOR THE VERIZON
WIRELESS 1562 1/2 LAMSON ROAD CELL TOWER UPGRADE PROJECT**

RES#125/2020

Motion made by Councilor Diamond seconded by Councilor Kudauskas to approve a waiver for the Verizon Wireless 1562 1/2 Lamson Road Cell Tower Upgrade Project pursuant to Town of Lysander Code Section 312-32 allowing the project to move forward with the building permit application at this time.

Supervisor Wicks	Aye	Councilor Kudauskas	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Diamond	Aye		

All ayes, motion carried and adopted

Discussion:

Attorney Rivizzigno said that under TOL Code, the applicant doing a modification of a wireless facility can apply for a waiver based upon the fact that the Federal Government looks at the utility, so if there is a need in an area for an improvement, they can come in and request a waiver of the normal procedure and basically do an administrative process. Verizon has given TOL voluminous information as far as their requirements. The Federal Government says they do not have to prove a need but we have information that says there is a need. It is in the best interest to grant the waiver. The Town Engineer said they are putting three antennas up and taking six down.

**MOTION TO APPROVE A PETTY CASH FUND FOR THE CODE ENFORCEMENT,
PLANNING AND ZONING OFFICES IN THE AMOUNT OF \$100**

RES#126/2020

Motion made by Councilor Geraci seconded by Councilor Geraci to approve a petty cash fund for the Code Enforcement, Planning and Zoning offices in the amount of \$100.

Supervisor Wicks	Aye	Councilor Kudauskas	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Diamond	Aye		

All ayes, motion carried and adopted

Discussion:

Councilor Geraci said he is surprised they didn't have one. Supervisor Wicks concurred.

**MOTION TO AUTHORIZE THE TOWN SUPERVISOR
TO SIGN THE 2020 POP WARNER FOOTBALL AGREEMENT**

RES#127/2020

Motion made by Councilor Kudauskas seconded by Councilor Moore to authorize the Town Supervisor to sign the 2020 Pop Warner Football Agreement. (*Five year agreement*).

Supervisor Wicks	Aye	Councilor Kudauskas	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Diamond	Aye		

All ayes, motion carried and adopted

Discussion:

Councilor Kudauskas and Mr. Burkinshaw met with Pop Warner. Every year they come to TOL because they have space in the park. TOL mows their fields and they reimburse TOL for it. Instead of doing it every year, he suggested they do it every five years. They created it based on the Town's actual cost onto Pop Warner so they will reimburse for fees associated with the Town doing business with them. In addition, Pop Warner will maintain their buildings as well.

**MOTION TO APPROVE THE
RE-APPOINTMENT OF PARK ATTENDANTS AS OF JULY 1, 2020**

RES#128/2020

Motion made by Councilor Moore seconded by Councilor Diamond to approve the reappointment of the following Park Attendants as of July 1, 2020:

Bill Brotherton: \$11.80
John Dunham: \$11.80
Walt Virginia: \$11.80
George Fields: \$11.80

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

All ayes, motion carried and adopted

**MOTION TO APPROVE THE TITLE CHANGE OF ALECIA KOLLBAUM
FROM CLERK TO SECRETARY TO THE HIGHWAY SUPERINTENDENT**

RES#129/2020

Motion made by Councilor Diamond seconded by Councilor Kudarauskas to approve the title change of Alecia Kollbaum from Clerk to Secretary for the Highway Superintendent.

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

All ayes, motion carried and adopted

Discussion:

Councilor Diamond asked Mr. Hole about the title change. Mr. Hole advised that his previous secretary is no longer employed by TOL, so now Alecia becomes the primary secretary.

**MOTION TO AUTHORIZE THE TOWN SUPERVISOR TO
SIGN THE CONTRACT BETWEEN TOL AND THE LAW
OFFICE OF ANTHONY P. RIVIZZIGNO, ESQ. FOR LEGAL SERVICES**

RES#130/2020

Motion made by Councilor Kudarauskas seconded by Councilor Moore to authorize the Town Supervisor to sign the contract between the Town of Lysander and the Law Office of Anthony P. Rivizzigno, Esq. for legal services from July 1, 2020 to December 31, 2020.

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

All ayes, motion carried and adopted

Discussion:

Attorney Rivizzigno said that he left Barclay Damon as of the end of June, and he will continue to represent TOL under the same terms and conditions as before. The contract puts the contract in his name, and removes Barclay Damon. Everything else stays the same. He left on good terms with the firm.

**MOTION TO ACCEPT THE RESIGNATION OF
PATRICIA MAGUIRE EFFECTIVE AUGUST 4, 2020**

RES#131/2020

Motion made by Councilor Kudauskas seconded by Councilor Moore to accept the resignation of Patricia Maguire effective August 4, 2020.

Supervisor Wicks	Aye	Councilor Kudauskas	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Diamond	Aye		

All ayes, motion carried and adopted

Discussion:

Supervisor Wicks said that Ms. Maguire was the Court Clerk for Judge Mantione for the past 9 years. She is moving on to take a full time position with the Town of Elbridge. We wish her all the best in her new position.

MOTION TO ACCEPT THE RESIGNATION OF BRUCE COOK EFFECTIVE JULY 24, 2020

RES#132/2020

Motion made by Councilor Diamond seconded by Councilor Kudauskas to accept the resignation of Bruce Cook effective July 24, 2020.

Supervisor Wicks	Aye	Councilor Kudauskas	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Diamond	Aye		

All ayes, motion carried and adopted

Discussion:

Supervisor Wicks said Bruce Cook has been employed with TOL over 30 years. He is retiring and wished him well in his new endeavors. He hopes to see him at the next meeting so he can be recognized.

MOTION TO DECLARE ITEMS SURPLUS

RES#133/2020

Motion made by Councilor Moore seconded by Councilor Kudauskas to declare the following items surplus:

- Formica TV stand - tag #0807
- Panasonic TV/VHS player - tag #0726
- Wooden printer stand - no tag
- Formica printer table - no tag

Supervisor Wicks	Aye	Councilor Kudauskas	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Diamond	Aye		

All ayes, motion carried and adopted

MOTION TO OPEN THE TOL SPRAY PARK

Motion made by Councilor Geraci seconded by Councilor Moore to open the spray park in Lysander Park.

Roll Vote:

Councilor Kudauraskas – NO

Councilor Geraci: YES

Councilor Diamond: NO

Councilor Moore: YES

Supervisor Wicks: NO

Two ayes, three nays, motion defeated.

Discussion:

Councilor Geraci said the reason he added this to the agenda is because there was not enough time to discuss it during the work session. He said all of [the Board Members] have gotten letters and emails from residents asking the board to consider opening the spray park. He posed the question, “How to deal with COVID when it comes to recreation?” He referenced other spray parks in the state – for example, the one in Seneca State Park, which is open. Mr. Burkinshaw said at that park, they are limiting it to 50 people at a time, and they are not fenced in. Discussion continued regarding use of the spray park, and the restrictions allowed by NYS and what TOL is able to control. Councilor Geraci said he wants to allow TOL residents to use the spray park at their own discretion, and allow the parents to decide for themselves.

Councilor Moore asked several questions about the open spray parks. According to Mr. Burkinshaw, there are some open, but they are in the Rochester area. Councilor Moore said that from his perspective, from the letters that he read, many of them voiced their concerns and noted that people would police themselves as they were willing to social distance and wear their masks. He said they want a place to ‘get out’. Mr. Burkinshaw said he would have to hire staff to help run the spray park. They would have to advertise and have people apply. He said the City of Syracuse is opening their spray units. He also said the bathrooms are being cleaned and disinfected regularly.

Councilor Kudarauskas said he received the emails as well. He said that although some of them were from TOL residents, most of them were from the Spray Park Committee. He said there were also messages on FB regarding voicing opinions [to the Town Board]. He referenced social distancing, and referred to Dewitt where 16 people became sick. He said there are some you don’t hear about. He referenced kids in Radisson that [thought they could] police themselves who now have COVID (16-18 years old). He does not think it’s a good idea to open it. He suggested a roll call vote.

Discussion ensued regarding other spray parks being opened, and social distancing requirements relating to square footage, appointments, residency, cards, reservations, etc. (figuring 48 people capacity in the spray area). Councilor Diamond asked about liability, and Mr. Rivizzigno said that protocols are being followed as per NYS, and that Mr. Burkinshaw has a handle on how the park is able to run and as long as TOL follows protocols it will be fine.

Mr. Yager said to reopen the spray park (for one month) it would cost \$15K, which has been budgeted. (Water and sewer charges, etc.) There is \$25K budgeted for labor. He then said it would cost around \$10K.

Supervisor Wicks said there has to be a plan. He said [he and Mr. Burkinshaw] came up with a plan when they opened the sand box, the playground area, and the pavilions. They both agreed on those. It met all guidelines. He said they spent a lot of time on those items. He said if they are going to open the spray park, and if anyone votes ‘yes’ and it passes, either one, or all of the people that vote ‘yes’ - from a Board perspective - has to get on board with Mr. Burkinshaw and manage this, as this is one of the things he knows that is going to take a lot of work. He said there is going to be a lot of problems that are going to occur. He said that when you get a bunch of kids together and they don’t want to come out, and [you may] have others who want to go in - and people are waiting for an hour, there are going to be some angry parents and some angry kids. Supervisor Wicks said social distancing in this regard is impossible. He said if you look at how people get COVID, there are two things that experts agree with: the mask helps [to not spread] COVID, and COVID is spread through bodily fluids coming out of the mouth. The louder you talk, the longer you spread.

When you talk normally you have about a six foot spray; kids in a spray park can be loud, so you are looking at ten feet [apart] that they would even be safe. It spreads through droplets from the mouth. In a

water park area [kids will be] spitting out of their mouths and spreading it all over. He said it is putting kids in an area conducive to spreading COVID.

Supervisor Wicks referenced bathroom usage. He said all of them would have to be open, and capacity and cleanliness would be issues. In monitoring the park, one person is not going to stand there for nine hours and manage it. There would have to be at least two people. There are a lot of problems with opening the spray park in order to make it safe. He mentioned keeping copious records and plans, etc. He said he has been working with Mr. Burkinshaw on the other aspects of the park to be in compliance with regulations.

Supervisor Wicks asked: "Who, or what three, or four, Board Members are going to be the people to manage this? Because when the complaints come in, that is who they will be directed to. And there will be some complaints."

Councilor Geraci said he thinks COVID is a unique circumstance, and he said that NYS reacts and changes things as the need develops. He said he expects the Recreation Director to stay in touch with Seneca State Park and others. Mr. Geraci said, "I'll provide any expertise or help, but ultimately Town of Lysander, if this is adopted, but it's the Town's responsibility, you're not paying me to be a Recreation Assistant - as a Board Member, but I'll help in any way I can." Councilor Geraci said he has full faith in Mr. Burkinshaw. He said a lot of money was budgeted for parks that is not going to get spent this year because of COVID. He said that even if they had to close the park then at least they tried.

Supervisor Wicks said, "If we are going to move projects forward, sometimes we have to step up and take responsibility for them." He said that if he were to push something forward, he would be willing to say, "Ok I'll accept a responsibility to manage that." He said he can't force anybody to do that, but he thinks it would be prudent if this is to move forward, it is going to require an additional level of management in order effectively do it under these conditions.

New Business/Other

None.

Adjournment

A motion was made by Councilor Moore and seconded by Councilor Diamond to adjourn the regular Town Board Meeting at 8:00 PM.

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

Dina Falcone, Town Clerk