

**A Regular Town Board meeting was held on July 25, 2016 at the Lysander Town Building, 8220 Loop Road, Baldwinsville, New York.**

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

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Anthony Rivizzigno, Town Attorney; Gene Dinsmore, Highway Superintendent; David Rahrle, Town Comptroller; Dina Falcone, Town Clerk; PAC-B; Baldwinsville Messenger, and several residents.

**Supervisor Saraceni called the meeting to order at 7:00 pm with the Pledge to the Flag.**

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**CITIZENS' COMMENTS:**

**Resident Jim Stirushnik** of Dinglehole Road asked for clarification as to when the next Board Meeting dates are. It was clarified that the meetings will be held August 8, 2016 at 7:00 pm and August 22, 2016 at 7:00 p.m. The work sessions will be held on those same dates at 5:30 pm.

**Builder Ron Merle** thanked the Board for the meeting and its patience and due diligence on the Cabbage Patch project.

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**TOWN BOARD COMMENTS:**

None.

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**SUPERVISOR COMMENTS:**

None.

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**ADOPTION OF MINUTES**

**RES #105/2016**

**Motion by Councilor Diamond seconded by Councilor Ellis** to adopt the July 11, 2016 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**

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**DEPARTMENT HEAD REPORTS:**

**Highway Superintendent Gene Dinsmore** stated that the Highway Department is about 65% through the summer road program, and currently working on Willett Parkway taking care of some catch basins. He said more paving will follow. The dry weather has been good for paving purposes.

**Councilor Geraci** asked Superintendent Dinsmore about the catch basins on Willett and possible marking of the catch basins, as there is a resident, Bruce Stebbins, who had previous concerns. **Superintendent Dinsmore** stated that he is aware of one particular resident who is asking about the safety of the catch basins, and **Councilor Geraci** asked Superintendent Dinsmore what he wanted to do in that regard. **Superintendent Dinsmore** stated that the catch basins that are in dangerous condition he spray painted orange at the farthest edge so a cyclist could see it. **Councilor Geraci** said he heard the Highway Department was looking into demarking the grates. There was discussion about riding a bicycle and the safety of riders, and perhaps placing reflecting stripe around the basins. He said that maybe placing reflecting stripe on all of them is an option. **Superintendent Dinsmore** stated that tape would not stick to the surface, and **Councilor Geraci** asked what other options there might be. **Superintendent Dinsmore** stated that the Highway Department is working on Willett this week raising the catch basins that are low. **Councilor Geraci** said that he is concerned about the design of the grate, and if a bicycle has skinny tires, and it's parallel to the grate, it could conceivably stick into the groove. **Superintendent Dinsmore** stated that only solution to the issue would be to remove the grates and get a different style of grate, which would be extremely expensive. **Councilor Geraci** said that he doesn't think replacing grates would be necessary. **Town Engineer Al Yager** stated that the DOT would use a bicycle safe grate at the cost of \$800 to \$1000 a piece, and there are 104 catch basins on Willett Parkway. **Superintendent Dinsmore** suggested the Highway Department paint the grates orange, but **Mr. Yager's** concern is that to the cyclist who sees an orange grate may ask "what does that mean?" **Councilor Geraci** stated maybe it means "[You] don't go over it". **Mr. Yager** suggested that if the Board would like to adopt a bicycle safe grate the Town can accommodate that, but as far as knowing what orange paint means, 95% of people are not going to know what it means.

**Supervisor Saraceni** stated that he will take it into consideration, as he said painting isn't going to hurt anyone, but it will make the grates more obvious to a bike rider. It will give the cyclist more time to make a decision if he/she is going to drive over it. He said that for the cost, as we do the work and bring those other drains up to grade, it would make sense to go to a design that makes more sense in the future. **Mr. Yager** said that the Town is not replacing grates, but replacing the brick and mortar. **Supervisor Saraceni** said that what the Town should do anytime it purchases a grate is, have it replaced with a new one which will be safe, and paint the existing one(s). He said the Board will see how it works, and that it is an effort in trying to make the grates more obvious. **Superintendent Dinsmore** said that in his time with the Town, no one [with the exception of the one resident] has ever complained about getting stuck in a grate. **Mr. Yager** stated that the grates have been the standard for the County for a long time. **Supervisor Saraceni** says he will inquire further into this issue. He says we will make a policy on a grate, and **Mr. Yager** stated that he will write something [in resolution form] that will be adopted by the Board in the future.

**Town Engineer Al Yager** stated that the Bridge New York grant applications have come out and the Town will apply for drainage and culvert projects on Willett Parkway. He is hopeful the Town will qualify, as Willett is a thoroughfare, and there is much needed funding for infrastructure.

**Town Comptroller David Rahrle** asked the Board to accept the audit for the Court as per the motion, and read the following statement:

*"I have examined the records of the Town Justices for the year ending December 31, 2015. I reviewed the bank statements for each month of the year for the four Justice Department cash accounts. The deposits and disbursements from the manual cash records for fine and bail activity were traced to the bank statements. This test verified that activity recorded by the town records also agreed with the bank activity, and that all bank activity was recorded in town records. No discrepancies were found between the recorded Town activity and bank activity.*

*I compared the total bank deposits for fines per the bank statements to the fines collected per the State Comptroller's reports. All fines reported to the State Comptroller were deposited and a corresponding check was written to remit the total amount to the Town. The reports to the Justice Court Fund are due by the 10th of the month. No exceptions found.*

*I selected 48 dockets to be tested. The amounts charged for fines or bail per the docket agreed to the receipt, were deposited and agreed to the amounts recorded on the State report or bail activity report. Deposits should be deposited within three business days of receipt. No exceptions found. The accountability report should be completed monthly and signed by the*

*Town Justice. This report should be part of the month end reconciliation. The report was completed monthly and agreed with the bank reconciliations. No exceptions found. A review of the receipt books was conducted. All receipts should be used in the proper order, any receipt not issued should be marked "VOIDED". All receipts were accounted for and the total receipts tied out to the total deposits for the year.*

*I reviewed the reconciled cash balances at December 31, 2015 and compared them to the required balances. The results are as follows:*

	<u>Justice Bryant</u>		<u>Justice Mantione</u>	
	Fine	Bail	Fine	Bail
Balance per statement	\$3, 727.00	\$22,676.00	\$6,646.00	\$11,101.00
Balance per books	3, 726.00	22,675.00	6,645.00	11, 100.00
Excess Funds	\$ 1.00	\$ 1.00	\$ 1.00	\$ 1.00

*Notes: The excess funds difference in each of the accounts represents the amount necessary to keep the account open."*

**Mr. Rahrle** met with the copier representative and also with one of its competitors. Toshiba is the company he is recommending, as they are the Town's current vendor, and they hold the Onondaga County contract. He stated that he did get an outside quote and Toshiba is lower. The second copier should read 3005AC not 3505AC.

**REGULAR AGENDA ITEMS**

**MOTION TO APPROVE THE WHISPERING OAKS IV INCENTIVE ZONING**

**RES #106/2016**

**Motion made by Councilor Moore seconded by Councilor Ellis** to approve the Whispering Oaks IV Incentive Zoning Letter of Intent as prepared by Plumley Engineering with a final revision date of July, 2016.

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

**Motion carried and adopted**

*Discussion:*

**Councilor Diamond** stated that last year a similar project was presented to the Town Board, and he had a lot of questions of the project in itself, and the timing of that project which was being presented. He felt it was pushed through very quickly. The Board has listened to the public and criticisms and comments, and has done a lot to correct that, and put those comments into the new proposal. **Councilor Diamond** stated that he has a hard time believing that a precedent will not be created. He said it was explained to him that every single application is based on its own merit, and he understands how people think. He stated that he believes the Town can be accused of being arbitrary and capricious. He said he doesn't know if the benefits outweigh the costs of changing the zoning in this case. He voted "NO" on the project; however, he does appreciate the energy and feedback of the Board, but he doesn't feel comfortable.

**Councilor Moore** thanked everyone for their feedback and said he didn't want to make decisions without the feedback of the residents and professionals. He said this is how the changes come about in the proposal.

**Councilor Geraci** stated that at first he was not comfortable with the proposal, and he is going to support it because the developer modified the plan to some degree. The incentive zoning overlay from Emerick to Dunham Road concerns him greatly because his concern is the preservation of the look of Lysander. He said the Town has a comprehensive land use plan, which says to all developers "we won't accept your roadways on one acre developments", but it is a good positive roadblock and you can use cluster developments. **Councilor Geraci** continued to say that incentive zoning allows a tighter development approach, and in this case it is the

entire piece of property with the developers input, the developer agreed to cut back on the amount of land that was going to get undeveloped. He stated that what is selling him on this project is that at the last Board meeting the Town put a moratorium on the rest of the incentive zoning on Emerick to further study the issue. He felt that the developer acted in good faith. He said he was pleased to see that the developer was willing to compromise to some degree with the way the development is to unfold. As to Roman's point, he shared his concern, but supports the project.

**Councilor Ellis** stated that he appreciated the fact that the public gave their input, as it helped him to decide, and he also said he appreciated Dr. Clark and his team for listening and being flexible and making some changes. He stated that he is personally in full support of this project.

**Supervisor Saraceni** stated that this will be the first vote of this new Board regarding incentive zoning. He said that from the very beginning, he thought it was important for this to be defined to explain to the public how these specific zones will be analyzed. He appreciates the public coming out, the Board listened hard, and the Town conveyed its concerns to the developer as mentioned before. He agreed with **Councilor Geraci** that the developer acted in good faith and addressed issues and reasonable requests. The final adjustment was made to the entrance for the contractors coming off of Emerick Road and not going through the current development.

**Supervisor Saraceni** stated that the more he looked at incentive zoning, the more it means to the community now and into the future, as it allows the Town to create developments that are self-sustaining as far as generating tax revenue to support the infrastructure they sit on. They also bring some other benefits to the community as they help the Town address issues that weren't addressed in the past, whether it was sewer issues or road improvements. He called it "smart growth" and it is targeted, and it makes sense. He voted in favor of the proposed project.

**Supervisor Saraceni** said that the proposal will be submitted to the Planning Board, and this is just the beginning of the process. He said the site plan will be reviewed and the drainage issue expressed by residents downstream and from the current development will be addressed.

**MOTION TO SET A PUBLIC HEARING FOR TOWN OF LYSANDER AMERICANS WITH DISABILITIES ACT TRANSITION PLAN**

**RES #107/2016**

**Motion made by Councilor Diamond seconded by Councilor Moore** to set a public hearing to hear all people for or against the Town of Lysander Americans With Disabilities Act Transition Plan.

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

**All Ayes, motion carried and adopted**

*Discussion:*

**Town Attorney Tony Rivizzigno** said that a Public Hearing will be held August 22, 2016.

**Supervisor Saraceni** stated that this is a follow up to the Disabilities Act. The Federal Government did an analysis to try to see how communities were adopting those standards, and they felt that communities were falling short. He said that in order for communities to continue to receive highway funding, they have to do an analysis and put a plan together to address it. The Town's engineer is in the process of doing this. It is in the plan and published on the website. There will be a public hearing on the issue on August 22, 2016.

**Councilor Geraci** stated that the Town is almost in complete compliance with just a couple of little things that need to be fixed. He said "kudos" to the Town of Lysander.

**MOTION TO ACCEPT THE TOWN COMPTROLLER'S AUDIT REPORT OF THE JUSTICE DEPARTMENT FOR THE FISCAL YEAR ENDING DECEMBER 31, 2015**

**RES #108/2016**

**Motion made by Robert Geraci seconded by Councilor Diamond** to accept the Town Comptroller's Audit Report of the Justice Department for the fiscal year ending December 31, 2015.

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

**All Ayes, motion carried and adopted**

**MOTION TO AUTHORIZE TOWN SUPERVISOR TO SIGN TOSHIBA BUSINESS SOLUTIONS LEASE AGREEMENT**

**RES #109/2016**

**Motion made by Councilor Geraci seconded by Councilor Moore** to authorize the Town Supervisor to sign the lease agreement with Toshiba Business Solutions for the following copiers: Toshiba eStudio 3008A and Toshiba eStudio 3005AC. The term of the contract shall be for 63 months at a monthly rate of \$258.00 plus excess copy charges. The term shall commence on September 20, 2016.

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

**All Ayes, motion carried and adopted**

*Discussion:*

*Supervisor Saraceni said the Town considered another vendor, but Toshiba was the lower price.*

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**ANNOUNCEMENTS**

1. Regular Town Board Meeting, Monday, August 8, 2016, work session at 5:30 pm (held in the auditorium).
2. Regular Town Board Meeting, Monday, August 22, 2016, work session at 5:30 pm (held in the auditorium).
3. Planning Board Meeting, Thursday, August 11, 2016 at 7:00 pm (in the Auditorium).
4. Parks and Recreation Department Activities:
  - Lysander Day Camp still accepting registrations
  - Summer Concert Series Continues on Tuesday Evenings at Paper Mill Island
  - August 4, Community Campout at Lysander Park: \$5 pre-registration fee
  - Campout Sponsored by: Solvay Bank, Dunkin Donuts, Pizza Man and Herb Phillipson's
  - Family safe environment; bon fire; events all day and into the evening for kids and adults; Herb Phillipson's will be giving away tents chairs and sleeping bags.

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**ADJOURNMENT**

**A motion was made by Councilor Geraci and seconded by Councilor Ellis** to adjourn the Board Meeting at 7:32 pm.

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

Dina Falcone, Town Clerk