

**A Regular Town Board meeting was held on September 21, 2017 at 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; Gene Dinsmore, Highway Superintendent; Dina Falcone, Town Clerk; Anthony Burkinshaw, Parks and Recreation Supervisor, and several residents.

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

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**Supervisor Saraceni** noted that there were no additions, but there were some deletions to the agenda: Items “C”, “D” and “H”.

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**RES#175/2017**

**Supervisor Saraceni** moved to open the public hearing at 7:03 pm. **Councilor Diamond** and **Councilor Moore** seconded the motion.

**Notice of Public Hearing to consider the approval of a Cable Television Agreement between Time Warner Cable Northeast, LLC and the Town of Lysander**

**Town Clerk Dina Falcone** read the legal notice, and noted that it was published in the Post Standard on Thursday, September 7, 2017. “Please take notice that a public hearing will be held by the Town Board of the Town of Lysander on Thursday, September 21, 2017 at 7:00 P.M. at Town Hall, 8220 Loop Road, Baldwinsville, New York 13027, to consider the approval of a Cable Television Agreement between Time Warner Cable Northeast, LLC and the Town of Lysander, specifically, a cable franchise agreement by and between the Town of Lysander and Time Warner Cable Northeast LLC, l/k/a Charter Communications. Please take further notice that the environmental significance of said proposed franchise agreement will be reviewed by the Town Board of the Town of Lysander incident to and as a part of said public hearing. Copies of said agreement are available for review at the office of the Town Clerk. By order of the Town Board of the Town of Lysander, dated August 17, 2017. Town of Lysander, Dina Falcone, Town Clerk.”

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**CITIZENS COMMENTS RELATED TO PUBLIC HEARING:**

**No one spoke in favor of, or against the proposed local law.**

**Kevin Rode** of Greymoor Way asked about the end of Exhibit A. He said that at the public safety meeting the fire department asked him if [the agreement] would include a converter box. **Supervisor Saraceni** said it does not. Mr. Rode asked if it covers cable running to the building. He said they have access to it. Mr. Rode mentioned the majority of the fire departments, elementary schools, and town buildings it is provided to, and the only thing he noticed, as he talked to Jack Kline at North West, is that they currently get it for free but the Town might want to ‘cover its tracks’. Mr. Rode said he doesn’t know what the previous agreement looked like. He said they have two stations on Lamson Road. He didn’t see the Town’s park on there. He asked if there were future plans to have Wi-Fi because there is a building there. **Mr. Burkinshaw** said the park has a FIOS cable which goes with the phone line. **Supervisor Saraceni** said he would check with FIOS. Mr. Rode mentioned Jim Hogan from GBAC, but they are in the village so he doesn’t know if it falls under the contract. **Supervisor Saraceni** said he would mention GBAC to the Mayor, although they are not a municipality.

**Supervisor Saraceni** moved to close the public hearing. **Councilor Geraci** and **Councilor Ellis** seconded the motion.

**RESOLUTION**

In the Matter of the Granting of a Cable Television Franchise Held by **Time Warner Cable Northeast LLC** in the **Town of Lysander, County of Onondaga**, New York, an application has been duly made to the Board of the **Town of Lysander, County of Onondaga**, New York, by **Time Warner Cable Northeast LLC**, I/k/a Charter Communications, a limited liability company organized and existing in good standing under the laws of State of Delaware doing business at 6005 Fair Lakes Road, East Syracuse, NY 13057, for the approval of a renewal agreement for Time Warner Cable's cable television franchise for ten (10) years commencing with the date of approval by the Public Service Commission.

The Franchise Renewal Agreement would bring the franchise into conformity with certain provisions of the Federal Cable Communications Policy Act of 1984, as amended and certain court rulings.

A public hearing was held in the Town of Lysander, New York on September 21, 2017 at 7:00 P.M. and notice of the hearing was published in the Post Standard on Thursday, September 7, 2017.

**NOW, THEREFORE**, the Board of the Town of Lysander finds that

1. Time Warner Cable Northeast LLC has substantially complied with the material terms and conditions of its existing franchise and with applicable law; and
2. Time Warner Cable Northeast LLC has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached; and
3. Time Warner Cable Northeast LLC can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.

**BE IT FURTHER RESOLVED** that the Board of the **Town of Lysander** hereby grants the cable television franchise of Time Warner Cable Northeast LLC and the **Town of Lysander** for ten (10) years commencing with the date of approval by the Public Service Commission and expiring ten (10) years hence.

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**CITIZENS COMMENTS RELATED TO AGENDA ITEMS:**

**Kevin Rode of Greymoor Way** asked how much time and money regarding the preliminary work for the spray park [is being spent regarding Town Engineer's time]. **Mr. Yager** said he did not have those figures at this time. **Supervisor Saraceni** said not at this time. He said it takes time to analyze a project, but he does not have that number right now.

**Fred Burtch** of Plainville Road asked for clarification regarding the spray park, as to what it means to authorize the Town Engineer to prepare contract documents. **Supervisor Saraceni** said the Board is asking the Engineer to prepare contract documents so the project can be put out to bid. He said there is an estimate, but the Board would like to hear from people in the industry so they can get an accurate number. Mr. Burtch asked about the water contract in that he said it would be roughly \$15K a year. **Supervisor Saraceni** said the Town of Camillus spent that two years ago during a dry summer in that they opened [their spray park] in May and October. **Supervisor Saraceni** said it was a conservative estimate and that he could see it could be reduced by \$5,000. Mr. Burtch said he spoke with Eric Bacon and he said they average roughly \$15K a year and they keep the spray park open until October 10th.

Mr. Burtch asked if the Board would consider keeping a hose nearby for parents to use to keep [the spray park area] clean. He referred to a lawsuit in Seneca Lake Park in Geneva. **Supervisor Saraceni** said that was because they reused water and that system failed. He said fresh water would be used. Mr. Burtch referred to the Geneva park in that it was contaminated with a dirty diaper. Mr. Burtch mentioned contaminated water, use of a timer, and where spray hoses would be located.

**Councilor Geraci** stated that there are proper protocols for situations like that which can be dealt with. He said he didn't know if there is going to a hose, but Mr. Burkinshaw would work that out. He said this will be a clean spray park and the times the contamination happened [previously in the other park] were with the use of filtered water. **Councilor Geraci** said there is no standing water, as it goes immediately into a drain. He said problems can happen, but will be dealt with as they arise. **Supervisor Saraceni** said that if one of the attendants sees that there is a dirty diaper on the ground, it will be picked up, and the area would be sterilized. Mr. Burch mentioned a lawsuit that settled for \$5.4M, and 3,000 people were infected with a virus. **Supervisor Saraceni** said that is why fresh water will be used.

**Jim Stirushnik** of Dinglehole Road referenced time the Town Engineer spent on the spray park, and asked about the hours being credited in the budget. **Supervisor Saraceni** said the hours are going to the General Fund. **Supervisor Saraceni** stated that the Town has an in-house engineer that does a number of things during the course of the day. Depending on where the focus is, like Parks, it is a General Fund focus. It was reiterated that Parks falls under the General Fund. **Supervisor Saraceni** said it is in the Engineer's salary.

**Supervisor Saraceni** stated that benefits of having an in-house engineer, is that if they need something done, he fits them in [his work schedule]. He said that if the Town had to hire an outside engineer [regarding the spray park], **Mr. Yager** said it would be upwards of \$40K to explore whether or not we could have this type of asset. **Supervisor Saraceni** said that it is the most efficient way to look at a project. He said the Town is going through this spray park process methodically, and obviously if there are other projects that take precedence, such as a sewer main break, he obviously would not work on the spray park. **Supervisor Saraceni** said Mr. Yager is efficient with the use of his time.

#### **TOWN BOARD COMMENTS:**

**Supervisor Saraceni** mentioned [Town Code] review. Recently, there were some local laws that were passed. Rather than submit changes and add the laws, he is waiting to do such; and to review policies, he is putting together a committee to review Town Code. He said that it has been confusing for the public and those working in the building, as some Code books are not up to date (as well as the online Code). The committee will consist of Karen Rice, Tim Wolsey, Dina Falcone, and Al Yager. He said the committee will go through the code and draft revisions which will be sent to General Code. He said the committee will try and have the updates completed by December.

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#### **ADOPTION OF MINUTES**

##### **RES#177/2017**

**Motion by Councilor Diamond seconded by Councilor Moore** to adopt the September 7, 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**

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#### **DEPARTMENT HEAD REPORTS:**

**Gene Dinsmore, Highway Superintendent** said that HW is planning concrete work on Wandering Way, and they are waiting for concrete from two companies. There is work backlogged due to the weather. The Mercer Street project will commence, to get the job done in a timely fashion. He is pleased with the contractor.

**Tony Burkinshaw, Parks and Recreation Supervisor** stated that the Fall brochure is out and the schools have them. He mentioned fall programming. The Pickleball Tournament is being held this coming weekend. There are sixteen more people than last year. Window painting applications are online and must be returned to the Parks Department.

**David Rahrle, Comptroller** stated that the Town closed on a serial bond on Monday, to wrap up the outstanding BANs that the Town had for the West Genesee Water District repair, the meter replacement project, and the West Genesee Sewer Extension No. 1 project. The rate is 3.43% for 30 years, which professionals in the industry say is an excellent rate. It could be a savings of over \$30K.

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**REGULAR AGENDA ITEMS**

**MOTION TO AUTHORIZE TOWN ENGINEER TO PREPARE CONTRACT DOCUMENTS FOR A SPRAY PARK**

**RES#178/2017**

**Motion made by Councilor Geraci seconded by Councilor Moore** to authorize the Town Engineer to prepare contract documents for a spray park to be constructed in Lysander Town Park.

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

**All Ayes, motion carried and adopted**

**MOTION TO AUTHORIZE ONONDAGA COUNTY WEP TO INSTALL TEMPORARY SODIUM HYPOCHLORITE FEED SYSTEM IN STANFORD DRIVE PUMP STATION**

**RES#179/2017**

**Motion made by Councilor Ellis seconded by Councilor Diamond** to Authorize Onondaga County Water Environment Protection to install a temporary sodium hypochlorite feed system in the Town owned Stanford Drive pump station to help address the odor complaint from the County's River Road pump station at no cost to the Town of Lysander.

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

**All Ayes, motion carried and adopted**

**MOTION TO AUTHORIZE SUPERVISOR TO SIGN THE PROPOSAL FROM BARTON & LOGUDICE IN THE AMOUNT OF \$3,240 FOR 2017 ROUTINE LANDFILL SAMPLING REQUIRED BY THE NYSDEC**

**RES#180/2017**

**Motion made by Councilor Ellis seconded by Councilor Diamond** to authorize the Supervisor to sign the proposal from Barton & Logudice in the amount of \$3,240 for the 2017 routine landfill sampling required by the NYSDEC.

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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**

**PUNCH LIST SECURITY/ROADWAY/DRAINAGE/SANITARY SEWER/DRAINAGE/  
CRIMSON RIDGE PHASE IV SUBDIVISION: SET AT \$37,000**

**RES#181/2017**

**Motion made by Councilor Geraci seconded by Councilor Ellis** that the punch list security for the roadway, sanitary sewer and drainage utilities included in Crimson Ridge Phase IV Subdivision is set at \$37,000 for the following roadway.

| <u>Street</u>       | <u>Length</u> |                   |     |                  |     |
|---------------------|---------------|-------------------|-----|------------------|-----|
| Venetian Court      | 0.193 miles   |                   |     |                  |     |
| Supervisor Saraceni | Aye           | Councilor Ellis   | Aye | Councilor Geraci | Aye |
| Councilor Moore     | Aye           | Councilor Diamond | Aye |                  |     |

**All Ayes, motion carried and adopted**

**MAINTENANCE GUARANTEE  
SECURITY/ROADWAY/DRAINAGE/SANITARY SEWER/DRAINAGE  
WITHIN CRIMSON RIDGE PHASE IV SUBDIVISION: SET AT \$78,238**

**RES#182/2017**

**Motion made by Councilor Ellis seconded by Councilor Moore** that the maintenance guarantee security for the roadway, sanitary sewer and drainage utilities within the Crimson Ridge Phase IV Subdivision is set at \$78,238 for a period of three (3) years.

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

**All Ayes, motion carried and adopted**

**SUPERVISOR TO SIGN COVER SHEET OF CONTRACT DRAWINGS  
PREPARED BY CHA ASSOCIATES, AND THE NYSDEC APPLICATION  
FOR APPROVAL OF PLANS FOR A WASTEWATER DISPOSAL SYSTEM  
FOR COLLINGTON POINTE EAST SUBDIVISION**

**RES#183/2017**

**Motion made by Councilor Diamond seconded by Councilor Geraci** to authorize the Supervisor to sign the cover sheet of the Contract Drawings, prepared by CHA Associates, and the NYSDEC Application for Approval of Plans for a Wastewater Disposal System, (Formally BSP-5) for The Collington Pointe East Subdivision as recommended in the Town Engineers letter dated September 20, 2017.

|                     |     |                   |     |                  |     |
|---------------------|-----|-------------------|-----|------------------|-----|
| 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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**CITIZENS COMMENTS RELATED TO TOWN BUSINESS:**

**Fred Burtch** of Plainville Road asked if anyone on the Board saw the article in the Post Standard about the Onondaga County Legislature passing the “moonlighting law”. **Supervisor Saraceni** said yes. Mr. Burtch asked if anyone on the Board could explain why a similar law for the Town of Lysander covering its three full-time elected officials would not be justified and beneficial to the town and its taxpayers.

**Supervisor Saraceni** said he did not agree with it. He thinks it was a squabble between the County Executive and the County Comptroller. He said that it was a squabble that the County Legislature had to step in and help with. He said what they did was create professional politicians, that he makes \$52K a year, and the County Executive makes \$160K. **Supervisor Saraceni** said if you want to create professional politicians for a local township that is one direction to take. He said the language was changed. Mr. Burtch said that County officials cannot take another job but can do pro-bono work, but they can’t go into another full time job.

**Supervisor Saraceni** said they can, but they have to go through a committee to get approved. Mr. Burtch referred to the three elected officials, and referred to past Supervisors' positions which were part time and referred to the hours that Mr. Bullis and Mr. Salisbury worked in a week. Mr. Burtch said that if it is good for the County and the County Legislator thinks it a good thing, then why isn't it a good thing in this Town. **Supervisor Saraceni** said he didn't think it was a good thing because it wasn't conceived for the right reasons, and it was his opinion that it was a political argument between the County Executive and the County Comptroller.

Mr. Burtch referred to shared services, and noted that the amount of savings was \$5M, and \$4.3M was from the city, and 19 towns and 7 villages combined to come up with \$700K in shared services savings which he said was "ridiculous".

**Supervisor Saraceni** said he sat on that committee, and he thinks it shows how many of the towns and villages are already working together, because what they didn't consider is the inter-municipal agreements that are already in place. He said that in three months, communities got together, local communities, who are almost the most efficient municipalities in New York State, came up with \$700K. He said if you 'tuck' that savings, and spread it out over the assessed value of Onondaga County, it's a pittance. He said *"If you really want to save money in New York State, make those same comments in Albany. Get rid of the Taylor Law, get rid of Prevailing Wage. Everyone looks at the low hanging fruit like municipalities. These towns and villages are the most efficient forms of government that we have in New York State. You can come to a meeting, look five people in the face, tell them you are not happy with the job they are doing, and not happy with certain issues, nine times out of ten, they are going to be addressed, and if you don't like what the outcome is, at least you are going to understand why. If you want to save money, go to Albany and get those folks to understand that the unfunded mandates that they roll downhill are crushing us."* **Supervisor Saraceni** concluded by saying that he is impressed with what the community came up with. He said this was another mandate made by an out of touch Governor, and he's proud of the work that was done.

**Kevin Rode** of Greymoor Way asked questions regarding the possibility of the Town enforcing codes issues, parking, speeding, etc. He said he has never seen a Sheriff or Trooper pulling anyone over. **Supervisor Saraceni** said that he does everything he can to address the issues that are in [the Town's] power. He said if there is a complaint, he calls the Sheriffs or Troopers. He has a concern about Lysander Park, which is one of the reasons why he is looking to expand the Village outward and to have the Village be the first responders in an emergency. The legislation just passed by the previous administration gives the Town more control over HW signage. **Supervisor Saraceni** said it can do those types of things, but Lysander does not have its own police department and its Codes Department does the best it can. Up until this year that department had one person. The Town is going to be proactive.

**Councilor Geraci** asked Mr. Rode what his solution was. Mr. Rode said he didn't know, but suggested that if we can pay a Sheriff to be at [Town Board] meetings and do nothing, maybe we (meaning the Town) can send a Sheriff to write tickets on River Road. **Supervisor Saraceni** said the Sheriff is at the Board meetings to protect everyone at the meetings. He said the Deputy is doing it in his spare time to earn money. **Supervisor Saraceni** explained that there are Sheriff Deputies all over this County monitoring speed [as we speak]. He said there are Sheriff's in this Town who write 1200 tickets. He said the Town/Board does everything it can, and all it can ask of the residents of Lysander is to do what they can if they see something happening. **Supervisor Saraceni** mentioned community policing, but we can do the best we can do, whether it's a speed study, or call on the residents of Lysander and patrol their own community. Mr. Rode asked about funding regarding Sheriff patrols and the like. Supervisor Saraceni said the Town of Clay looked at that and it was not a winning proposition for them. Mr. Rode said the Town needs to address the issues people have [regarding public safety, speeding, etc.], and **Supervisor Saraceni** said it does.

## **ANNOUNCEMENTS BY SUPERVISOR SARACENI**

1. **Town Board Meeting:** Thursday, October 5, 2017, 7:00 pm, Work Session begins at 5:30 pm in the Auditorium.
  2. **Town Board Meeting:** Thursday, October 19, 2017, 7:00 pm, Work Session begins at 5:30 pm in the Auditorium.
  3. **Planning Board Meeting:** Thursday, October 12, 2017, 7:00 pm, in the Auditorium.
  4. **Pet Supplies Drive to benefit Helping Hounds Dog Rescue:** donations can be dropped off September 1st through September 29th, at the Town Clerk's Office.
  5. **Budget Work Sessions:** October 12, 17, 19, 24, 2017 in the Conference Room.
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## **ADJOURNMENT**

**A motion was made by Councilor Geraci and seconded by Councilor Diamond** to adjourn the regular Town Board Meeting at 7:40 pm.

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

Dina Falcone, Town Clerk