

A Regular Town Board meeting was held on September 7, 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.

Supervisor Saraceni noted that regarding Item “F” there is a slight change, in that the Board is adding a rejection of the bid. It will read: “reject the bids for the WG Sewer District Ext. Number 2 and to authorize the Town Clerk to advertise. The Board is adding an item G, which is calling for a number of speed studies. Residents attended the work session and expressed concerns in certain areas of the town.

**Public Hearing to Consider Adoption of Local Law Number 5 of 2017,
Amending Town Code Section 117-16(A)**

RES#164/2017

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

Supervisor Saraceni stated that the public hearing will begin to consider adoption of Local Law Number 5 of 2017, amending Town Code Section 117-16(A). **Town Clerk Dina Falcone** read the proof of publication for the legal notice as follows: *“The legal notice was published in the Post Standard on August 13, 2017. “Town of Lysander Notice of Public Hearing, please take notice that a public hearing will be held by the Town Board of the Town of Lysander on Thursday, September 7, 2017 at 7:00 P.M. at Town Hall, 8220 Loop Road, Baldwinsville, New York 13027, to consider the adoption of Local Law Number 5 for the year 2017, amending Town Code Section 117-16(A) to provide for the Town Board to set fees for subdivision approval in lieu of dedication of lands for park use. Please take further notice that the environmental significance of said proposed Local Law Number 5 of 2017 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 proposed Local Law are available for review at the office of the Town Clerk. By order of the Town Board of the Town of Lysander, dated August 3, 2017, Town of Lysander, Dina Falcone, Town Clerk.”*

CITIZENS COMMENTS RELATED TO PUBLIC HEARING:

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

Jim Stirushnik of Dinglehole Road said, *“I don’t know that I am for or against it, I think the fee should be increased, but I am not sure in my mind that the method being used is somewhat arbitrary simply charge an arbitrary fee for a building lot is not taking into consideration the real value of the land, certainly a parcel on Dog Harbor Road, which has a different value than a parcel on 370 like Abbott Farms, since the original purpose of the law is to charge a fee in lieu of the 8% of the land the town is entitled up to by state law and its own code, I think using that 8% figure is a more desirable way of going about it that we have a very good assessing department in this town we can determine what the value of the land in the site being subdivided is worth, then take 8% the acre value of that, which means the fee value might vary but rather than using prime agricultural land which is cleared as good grade, is probably better draining than the other piece of land, which would have a lower value because it is not clear, is not good grade, is not well drained, allows the planning board to collect a variable fee, and I would hope*

increase the income source to the Town, I also disagree with the town's slight variation of the language, I think they are changing from the original purpose of this was to preserve land and/or to get funds to acquire land and develop that land where the development is going on. Now the code the way it originally is being written now, it says the plan for facilities, which means you, can use these funds on existing parks, I think the purpose here is there should be more park land because there are more residences in the town. As the number of people in the Town increases it is going to be a greater need for park land, and therefore this fund was tended and is always being interpreted for the entire period in existence be used for that new land or development of that new land as a park, not for being spent on recreational activities at our existing park. Our existing park was there years ago, and as has been sustained by current population, it should not need an outside influx of funds. Particularly when you are talking a couple hundred thousand dollars."

Councilor Geraci stated that what the Board is doing is giving an opportunity to change the fee, not change an existing law that is on the books. **Supervisor Saraceni** said for clarification, this just allows the Board at their annual meeting to change a fee for in lieu of parks; it doesn't change the law. Instead of calling for a local law change, it is done through the fee schedule.

Mr. Stirushnik said the point he is making is that he *"disagrees with the Board's technique of the fee rather than, if there is a more appropriate way of collecting the fee, and regarding the wording of the current law."* He spoke of the original language in older code regarding open land. **Supervisor Saraceni** said that what the Board is considering at this time pertains to the in lieu of parks fees, not the calculation of 8% of the land. It would be preservation and dedication of land for public use. Mr. Stirushnik said he disagrees with the Board's interpretation.

Kevin Rode of Greymoor Way stated that he was looking at section A on the Town's website and he said what is written there is part C. **Supervisor Saraceni** noted Section 16(A) and said that the language that was changed is not section A, but section C, which is why he referenced what was referenced. There was a discrepancy between A and C. Mr. Rode spoke about how development in Lysander has changed and money placed aside regarding park land for houses developed. Mr. Rode stated, *"If you change the law, the money that was raised under the original law should stay under the original intent of the law."* **Attorney Rivizzigno** said that his code book is where he took the language from, and that this is one of the problems with the code book, that there are discrepancies as he has the newer code book. **Supervisor Saraceni** said one [code] that is online and the book he and Mr. Rode are using does have that additional language at the end.

Supervisor Saraceni asked once again if anyone else wished to speak in favor of, or against the law as it was proposed. No comments were made for, or against the law as proposed.

David Rahrle, Town Comptroller stated that as a resident and taxpayer, he is neither for nor against the proposed local law. He referenced Town Law Section 277, Article 16 Paragraph 4 says, *"Any monies, required by the Planning Board in lieu of land for park, playground or other recreational purposes pursuant to the provision of this section, shall be deposited into the trust fund exclusively for park, playground or other recreational purposes, including the acquisition of property."*

RES#165/2017

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

Supervisor Saraceni said the public hearing is now closed. Based on the discussion and the fact that it was advertised for Section 117 16(A), and that there may be some confusion as to the reference material that the Board was utilizing and what the attorney is utilizing, the Board can close the hearing and will look into the issue and address it at the next meeting.

CITIZENS COMMENTS RELATED TO AGENDA ITEMS:

Kevin Rode of Greymoor Way asked about the arbitration cost on the agenda. **Mr. Rahrle** said personnel, which comes out of the General Fund.

TOWN BOARD COMMENTS:

Councilor Diamond thanked Mr. Burkinshaw during the work session for presenting a business plan for the proposed spray park.

Councilor Geraci mentioned that he is on the Board of the Canton Woods Senior Center, and he wanted to make people aware of the Walk for the Woods fundraiser event on September 16, 2017. The walk begins at Canton Woods Senior Center at 9:00 am. He says Canton Woods is a great facility, and this is a good fundraiser.

Supervisor Saraceni stated that he wanted to brief the Board and the community on where our Town stands on the shared services discussion based on the state mandate by the governor where counties come up with a shared services plan. He said if you go to www.ongov.net you can view the proposal. He said a lot of those items were already being considered. For the last five or six months the elected officials have met above and beyond the meetings that were called regarding this process. The officials were concerned that these shared services agreements take time to put in place, there are a lot of hurdles and considerations. Any idea the Board gives has to be approved, collectively, the elected officials wrote a letter to the County Executive as follows:

“Thank you for inclusion of our initial recommendations in the County-Wide Shared Services Plan (Version 1.1). The purpose of this letter is to follow up with outstanding issues that we, as a group, still have on the process and outcome of the state-mandated shared services plan. This letter represents our views as a group, but we anticipate we will each individually respond by the deadline of September 8 to remove any proposed action that affects each of our individual governmental entity.

The Shared Services Plan process and the resulting justification for savings remains unclear; accordingly, please let us know in writing as soon as possible answers to the following questions:

- 1) What role does the property tax levy have in establishing savings under this plan? Thus, does each proposal have to impact the property tax levy in order to receive money from New York State? When it says the savings must be “reoccurring” how much time counts as reoccurring?*
- 2) A number of the proposals have “TBD” as a projected savings? How will those proposals be treated? What if there are no savings?*
- 3) What happens if a proposal negatively impacts service to our constituents? Will we have to return money if we sever the shared service process?*
- 4) The expedited timetable you have set forth makes inclusion of our legislative bodies in the process unfeasible. Currently, the timetable will force a number of us to act on this plan without discussion and agreement with our elected board members. We are reluctant to do so and believe it will undermine the ability of any of the listed initiatives to be completed. What do you believe the legal role of the elected boards is regarding the vote of the final plan?*

In order to keep the Shared Services Plan process focused on what is feasible, we recommend that the following changes be made before it is submitted for a final vote:

- 5) Please withdraw each proposal which requires a change in existing state law to effectuate. We do not think it is appropriate to give the impression that we can save money through shared services arrangements that are currently blocked by existing law. We would suggest as an alternative you list the proposals and send them to the state leadership as actual examples of where they could help us save money by changing the existing laws.*
- 6) Please withdraw “Governance 17100” proposal and replace it with a new proposal which states that the Onondaga County Association of Town Supervisors and the Onondaga County Mayors Association will meet together quarterly to devise practical, efficient, and effective ways to provide services to the people of Onondaga County. Such meetings will be open to Onondaga County Government, the press, and any other interested party. The Town Supervisors and Mayors already meet separately monthly and regularly together. Through these meetings and relationships, we have had a number of successful shared services arrangements, several of which were listed in Appendix “A” to Version 1.1. It is better to build on this successful model, instead of creating new and unnecessary bureaucracy. For*

clarity, the new proposal should have a different number since Version 1.1 lists two proposals with the number 17100 (Governance 17100 p. 3 and Social Services/Health p.4)

Please withdraw 17077 and 17078. It was our understanding that these items were objected to in our last letter listing objections to Version 1.0.

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Supervisor Saraceni said some versions are good, but some are not workable because of state law. He recommends everyone look at the proposed plan. The possibility of borrowing the Town's mower, and the shared service agreement with a new fuel depot that will be going in when a new bus garage is built was also discussed. He said that is a relationship that already exists which is very efficient. There was a proposal that was taken off the books where the Village was interested in using a portion of the Town's land on Elizabeth Street. Because the future of that property is up in the air he did not want to put that on the table. He also suggested the plotter printer that the Town leases; it was offered to two municipalities for use, and they were very interested. There would be a monetary savings there.

Supervisor Saraceni thanked County Legislator Brian May for 'going to bat' for the Town of Lysander in fighting for \$75K in county infrastructure grant money. Of the \$500K grant, the Town is going to receive \$75K, which will be applied to the Mercer Street project.

Supervisor Saraceni mentioned that the Town of Lysander conducted an extensive review of its ISO rating. He said the Town has a poor ISO rating, and this rating impacts the Town's homeowner's insurance throughout the town. He said the Codes Department is reviewed, and the last time the Town of Lysander was reviewed, the [previous] Codes Officer 'threw the key' at the ISO investigator, and said 'go ahead' and review the files. This year the Town is taking it very seriously. **Supervisor Saraceni** said Ms. Rice and Mr. Wolsey are involved, and now two part time codes officers have been hired. A state law was adopted which enhanced Town of Lysander codes, and he said he is pleased to report that the Town went from an ISO residential rating from a 9 down to a 4 (the worst being 10). As for industrial commercial, it went from a 9 to a 3. Collectively, he is hoping for a savings regarding insurance. He commended the Codes Department for its hard work.

Supervisor Saraceni said that the DEC just passed new controls on the mute swan population. There were concerns raised by a constituent regarding same.

Supervisor Saraceni discussed the budget and tentative dates regarding the budget work sessions. The calendar of work sessions will be attached to the last page of these minutes. It was determined that there will be 4 work sessions before the public hearing, and more will be added if necessary.

ADOPTION OF MINUTES

RES#166/2017

Motion by Councilor Geraci seconded by Councilor Moore to adopt the August 17, 2017 Town Board Meeting minutes.

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

All Ayes, motion carried and adopted

DEPARTMENT HEAD REPORTS:

Gene Dinsmore, Highway Superintendent said that HW completed the bulk of its summer paving and is now beginning the Mercer Street project. There will be some traffic issues there, but the project should be complete by November 1, 2017. HW is setting up trucks for winter, and salt has a new vendor, Cargill has recovered the County contract. It's about \$4 a ton less than last year. **Supervisor Saraceni** asked about the proposed purchase of a truck. **Mr. Dinsmore** said yes, he needs a truck and a plow. He plans to give a copy to the Board, and discuss same. He asked to submit them with his budget.

Tony Burkinshaw, Parks and Recreation Supervisor stated that the Fall brochure is out and the schools have them. He mentioned fall programming. He said the registration form for window painting is available, and a flyer will go out to the schools. The contract which is on the agenda was discussed and **Mr. Burkinshaw** explained it is for annual reimbursement expenses for the summer playground program. **Supervisor Saraceni** told Tony he did a good job in the work session regarding the spray park discussion.

Town Clerk Dina Falcone stated that her office is still collecting pet supplies for Helping Hounds Dog Rescue, and donations can be made at the Town Clerk's Office from September 1st to September 30th. A notice is on the Town website and the websites that Mr. Burkinshaw administers as to what items are needed. **Ms. Falcone** also thanked Mr. Dinsmore and his crew for taking care of a large tree limb that fell in Chase Cemetery.

REGULAR AGENDA ITEMS

MOTION TO APPROVE AN ITEM AS SURPLUS

RES#167/2017

Motion made by Councilor Diamond seconded by Councilor Moore to approve the Nexlink Laptop Computer, Model Number 4000NBL be declared as surplus as it no longer functions and is not repairable.

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

All Ayes, motion carried and adopted

**MOTION TO APPROVE FALL INSTRUCTORS,
PROGRAM AND PAY RATES FOR THE PARKS AND RECREATION DEPARTMENT**

RES#168/2017

Motion made by Councilor Geraci seconded by Councilor Diamond to approve the following fall instructors, programs, and pay rates for the Parks and Recreation Department.

Charlie Kline:	Explore Archery	\$14.00 per hour
Mark Conway:	Art in the Park	\$10.00 per hour
Kevin Paul:	Youth Wrestling	\$10.00 per hour
Tyler Patrick:	Youth Wrestling	\$10.00 per hour

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 CHILDREN AND FAMILY SERVICES YOUTH
BUREAU IMA FOR YOUTH SERVICES**

RES#169/2017

Motion made by Councilor Ellis seconded by Councilor Moore to authorize the Supervisor to sign the Children and Family Services (Youth Bureau) Agreement IMA for Youth Services 2017. This is a contract between the County of Onondaga and the Town of Lysander to contract with the County of Onondaga for the provision of services to youth in the Central New York region. *This is the same contract from 2016.*

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

All Ayes, motion carried and adopted

Discussion:

As written the contract has a typo, it says terminated 2016. (Should say 2017) That portion of the contract will be crossed out and corrected.

**MOTION TO APPROVE WEST GENESEE SEWER
DISTRICT EXTENSION NO. 3 AND PAYMENT NO. 4 CONTRACT**

RES#170/2017

Motion made by Councilor Geraci seconded by Councilor Ellis to approve the West Genesee Sewer District and West Genesee Sewer District Extension regarding Contract No. 3., and authorization of payment No. 4 in the amount of \$75,879.

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

All Ayes, motion carried and adopted

MOTION TO APPROVE BUDGET MODIFICATION REQUESTS

RES#171/2017

Motion made by Councilor Moore seconded by Councilor Geraci to approve the Budget Modification Requests attached hereto as Agenda Item "E". (Attached to these minutes)

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

All Ayes, motion carried and adopted

**MOTION TO REJECT BIDS FOR THE WEST GENESEE SEWER DISTRICT
EXTENSION NO. 2 CONTRACT 2 GRINDER PUMP ELECTRIC SERVICE
AND ADVERTISE FOR SAME**

RES#172/2017

Motion made by Councilor Ellis seconded by Councilor Diamond to reject bids that were received today, September 7, 2017, and authorize the Town Clerk to advertise for bids for the West Genesee Sewer District Extension No. 2 Contract 2 Grinder Pump Electric Service Installation project to be opened at 10:00 A.M. on September 21, 2017.

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 he was present at the bid opening this date. The bid came in twice as high as anticipated. There was only one bid, so we have benefitted in the past to rebid projects, and that is why we are re-bidding this.

**MOTION TO AUTHORIZE THE TOWN CLERK TO REQUEST A SPEED STUDY
ALONG RIVER ROAD TO PATCHETT ROAD TO W. BRIDGE STREET**

RES#173/2017

Motion made by Councilor Geraci seconded by Councilor Diamond to authorize the Town Clerk to request that the NYSDOT perform a speed study along River Road to Patchett Road to West Bridge Street.

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

All Ayes, motion carried and adopted

**MOTION TO AUTHORIZE THE TOWN CLERK TO REQUEST
A SPEED STUDY FROM THE VILLAGE OF BALDWINSVILLE
SPEED LIMIT SIGN TO EMERICK ROAD**

RES#174/2017

Motion made by Councilor Geraci seconded by Councilor Diamond to authorize the Town Clerk to request that the NYSDOT perform a speed study from the Village at Route 370 from the Village of Baldwinsville speed limit sign to Emerick Road.

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

All Ayes, motion carried and adopted

CITIZENS COMMENTS REGARDING TOWN RELATED BUSINESS:

Jim Stirushnik mentioned Texas and Louisiana and he spoke about FEMA reimbursing a community of 75% of the cost if the community purchases land in flood plains. He said communities are asking for funds, and he thought the town should look into this as there are some properties in the town that are in flood plains. He spoke of future problems regarding flooding, and possible grants which would be beneficial to the Town. He also had ideas about speed control and stop sign controls, and had an idea for the future regarding electronic abilities to control traffic.

ANNOUNCEMENTS BY SUPERVISOR SARACENI

1. **Town Board Meeting:** Thursday, September 21, 2017, 7:00 pm, Work Session begins at 5:30 pm in the Auditorium.
 2. **Public Hearing:** Thursday, September 7, 2017, 7:00 pm, in the Auditorium regarding an amendment to Section 117-16(A) of the Town of Lysander Code.
 3. **Town Board Meeting:** Thursday, October 5, 2017, 7:00 pm, Work Session begins at 5:30 pm in the Auditorium.
 4. **Planning Board Meeting:** Thursday, September 14, 2017, 7:00 pm, in the Auditorium.
 5. **Pet Supplies Drive to benefit Helping Hounds Dog Rescue:** donations can be dropped off September 1st through September 30th, at the Town Clerk's Office.
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ADJOURNMENT

RES#174/2017

A motion was made by Councilor Moore and seconded by Councilor Diamond to adjourn the regular Town Board Meeting and enter into Executive Session relating to a legal matter at 8:10 pm.

ADJOURNMENT OF EXECUTIVE SESSION

A motion was made by Councilor Geraci and seconded by Councilor Diamond to adjourn the Executive Session at 8:35 pm.

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

Dina Falcone, Town Clerk

Town of Lysander

2018 Budget Calendar

August 10, 2017	Department Heads furnished with budget forms
September 5, 2017	Budget request due to the Comptroller
September 30, 2017	Tentative budget filed with Town Clerk
October 5, 2017	Budget to be presented to Town Board
October 12, 17, 19, 24, 2017)	Budget work sessions
November 2, 2017	Notice of public hearing
November 9, 2017	Public hearing 2018 budget
TBD	Budget work session
November 16, 2017	Adopt 2018 budget