

A Regular Town Board meeting was held on September 26, 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; Town Engineer Al Yager, Town Comptroller David Rahrle; Tony Burkinshaw, Parks and Recreation Supervisor; Dina Falcone, Town Clerk; Gene Dinsmore, Highway Superintendent; PAC-B, and several residents.

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

**Public Hearing for Adoption of Local Law**

The Public Hearing was opened at 7:01 pm. Town Clerk Dina Falcone read the Public Hearing Notice which was published in the Messenger on September 21, 2016 as follows: "A Public Hearing shall be held this date by the Town Board of the Town of Lysander, on September 26, 2016 at 7:00 pm at Town Hall, 8220 Loop Road, Baldwinsville, New York 13027, regarding the adoption of a Local Law of the Town of Lysander for the year 2016 for flood damage prevention. The environmental significance of said proposed Local Law has been 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."

**RES #134/2016**

A motion to close the Public Hearing occurred at 7:04 pm. **The motion was made by Councilor Geraci and seconded by Councilor Ellis.**

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

**All Ayes, motion carried and adopted**

**RESOLUTION AUTHORIZING ADOPTION BY THE TOWN BOARD OF THE TOWN OF LYSANDER OF LOCAL LAW No. 2, FOR THE YEAR 2016**

*WHEREAS, a resolution was duly adopted by the Town Board of the Town of Lysander for a public hearing to be held by said Governing Body on September 26, 2016 at 7:00 P.M. at Town Hall, 8220 Loop Road, Baldwinsville, New York, to hear all interested parties on a proposed Local Law entitled Flood Damage Prevention, and*

*WHEREAS, notice of said public hearing was duly advertised in Baldwinsville Messenger, the official newspaper of said Town, on September 21, 2016, and*

*WHEREAS, said public hearing was duly held on September 26, 2016 at 7:00 P.M. at Town Hall, 8220 Loop Road, Baldwinsville, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof, and*

*WHEREAS, pursuant to part 617 of the implementing regulations pertaining to article 8 State Environmental Quality Review Act (SEQRA) it has been determined by the Town Board of the Town of Lysander that adoption of said proposed Local Law would not have a significant effect upon the environment and could be processed by other applicable governmental agencies without further regard to SEQRA, and*

*WHEREAS, the Onondaga County Department of Planning recommended approval of the proposed Local Law on September 21, 2016, pursuant to section 239-m of the General Municipal Law, and*

*WHEREAS, the Town Board of the Town of Lysander, after due deliberation, finds it in the best interest of said Town to adopt said Local Law.*

*NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Lysander hereby adopts said Local Law No. 2, entitled Flood Damage Prevention of the Town of Lysander, a copy of which is attached hereto and made a part of this resolution, and be it further*

*RESOLVED, that the Town Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Lysander, and to give due notice of the adoption of said Local Law to the Secretary of State of New York.*

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**CITIZENS' COMMENTS:**

**Tom Quinn of Collington Pointe** had a question regarding the August meeting where the Town was to file a summary of position and he wanted to know if that had been filed. **Supervisor Saraceni** stated that it is available from Planning and the Town Clerk's Office.

**Resident Kevin Rode of Greymoor Way** had a question about reserve funds and how the Town Board has to approve spending them. He asked if the Highway Supervisor has "any say" in how expenses are spent. **Town Comptroller David Rahrle** stated that he does have to approve of the funds. The Parks Director would not. **Councilor Geraci** gave Mr. Rode an example of how the budget works in regards to funds/capital funds. **Mr. Rahrle** read an excerpt from the HW Fund Monies section relating to the capital reserve fund, but it was determined that more research needs to be done in this regard, as it may have to be updated. The date on the current section is 2003.

**Resident Jim Stirushnik** had questions regarding Collington Pointe and where a report on that would be available, and **Supervisor Saraceni** stated it would be available in the Town Clerk's Office. Regarding the reserve fund issue, he said he is in favor of the Highway Department Reserve Fund as it is needed and used. He said he has a lack of information regarding the Park Reserve Fund. He doesn't see a need for it.

**Resident Fred Burtch of Plainville Road** asked about the grant application from Chaucer to Giddings Crest, [relating to a past discussion on sidewalks] and asked if the Town is going to be responsible for snow removal and if so, will a special district be created. **Supervisor Saraceni** said that he spoke with Supervisor Claude Sykes and asked him about this, he said he thinks it's the Town because the Village doesn't go that far. Supervisor Sykes told Supervisor Saraceni his Town might be putting another sidewalk as well, and if they do they will create a district.

**Mr. Burtch** asked about the Whispering Oaks pumping station and asked if the town stopped using "typo" [chemical added for smell]. He said the chemical hasn't been purchased in months. **Supervisor Saraceni** said that the County notified the Town that they are empty, and **Town Engineer Al Yager** said there are none on site. **Mr. Yager** said he doesn't know where Mr. Burtch got that information, but he said the County will notify him as he talks with the pump station every day. He clarified that the County takes care of it for the Town. Mr. Burtch said he knows the guy who sells it and says there haven't been any purchases. Mr. Burtch said he didn't expect any answers this evening, but perhaps in the future. Some of the questions that were asked were asked at a previous meeting.

**Mr. Burtch** mentioned that he listens to the recordings of PAC-B after the meetings and that he said he heard what the Town Attorney said [about him] and he didn't appreciate it. He stated that if he didn't call it out, it would just escalate, and he said he's sure the police will be knocking on his door for a crime he didn't commit because people don't like his opinions. He said that unlike the Town Attorney, Mr. Diamond, and the Town Engineer, he actually pays taxes in the Town.

**Mr. Burtch** mentioned that in previous meetings he spoke regarding work done on private property by Town employees. He submitted the questions in writing for the Board, the Highway Superintendent and gave a copy to the Town Clerk. He said he didn't expect answers this evening.

The questions that were submitted in writing are as follows [verbatim with spelling only corrected]:

1. *Does the Highway Supervisor have the authority to send town employees and equipment to work on private property? Does this type of transaction require the approval of any other town office or board?*

2. *Who, if anyone authorized the dirt work that was recently done on private property in Clinton Heights, Whispering Oaks, and on Pendergast Road?*
3. *How is it that the Highway Supervisor became aware of the work that was eventually performed by the town employees utilizing town assets and supplies?*
4. *Was any individual, business owner, or special district billed by the town for any of the work that was performed at the three aforementioned sites?*
5. *How much funds if any has the town collected for the work that was performed at the three aforementioned sites?*
6. *What was the estimated total cost to the town for the completion of the work at the aforementioned sites? Please include cost of labor, the cost of material (fuel), and the estimated depreciation of town assets.*
7. *Who tested the contaminated soil from Whispering Oaks that the Highway Supervisor asked our highway workers to move, work with, and stockpile on town property? When was the testing done? Where are the results of the soil tests?*
8. *Why hasn't any of the soil that was picked up from private property on Pendergast Road utilized to fix known shoulder issues on Patchett Road or Yann Road? That's what the Highway Supervisor told the previous board he was going to do with that soil. It's been sitting in the same spot for over three years now.*
9. *If the town wants to stockpile dirt-fill for future usage, why didn't we have Tessa drop it on the site like Reeves, Abbotts, and Jim Nobles did? We could have built a small mountain with the amount of free they would've dropped.*

**Kevin Road** of Greymoor Way had a question regarding the tree removal. He asked for an explanation. **Supervisor Saraceni** said he will get to that question when we do the motion. Mr. Rode stated that he forgot and thanked him.

**Mrs. Patterson of Mechanic Street** said the Pickleball Tournament was "awesome" and she played ten games back to back. She said she would love to see more colorful paint, as the black before the tape was put on was dark. **Mr. Burkinshaw** said that has been the number one request, and she said yellow color was helpful.

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

Councilor Diamond thanked residents for coming to his Town Hall meeting. He said there were some great questions that were asked. He thanked the Supervisor and others who attended. He said he hopes to hold more meetings in the future.

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#### **SUPERVISOR COMMENTS:**

**Supervisor Saraceni** received a letter from a man who participated in the Pickleball Tournament. Roger 'Nubs' McEwen, wrote: "*Hi Joe, My name is Roger 'Nubs' McEwen, I participated in the Pickleball Tournament on 9/17/16. Thank you and your staff for an enjoyable event. It was well run, and special thanks to Tony and Terri for their assistance. I am looking forward to the next Tournament.*"

**Supervisor Saraceni** said that he wanted to make sure the card was read aloud, as he heard great comments regarding Pickleball. He said the Town is well suited to provide the facilities. He commended Mr. Burkinshaw for a great job with the event.

**Parks Director Tony Burkinshaw** stated that the Town has the equipment to borrow and sign out for those who want to play Pickleball. He said that it can be played on the tennis courts with the existing nets. Courts one and two are painted for Pickleball. The net can be bungeed down to get to the height required. Courts one and two were painted. **Councilor Geraci** asked Mr. Burkinshaw to keep track of the usage [in the case of perhaps replacing tennis courts with Pickleball courts] of Pickleball and Tennis, and Tony said Parks would look at it come budget time.

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ADOPTION OF MINUTES

RES #135/2016

Motion by Councilor Diamond seconded by Councilor Geraci to adopt the September 12, 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 Supervisor Gene Dinsmore** stated that the Highway Department is working on Willett Parkway this week putting drainage in. Highway is working on getting trucks ready for snow, and currently they have been busy mowing. **Mr. Dinsmore** stated that Highway has been busy and everyone is happy. He assured everyone that the Highway Department is not doing anything illegal or improper.

**Supervisor Saraceni** thanked the Highway crew for repainting the salt facility, as it looks great. He said that any time the Town can use existing personnel it will. He asked Mr. Dinsmore to pass on the “thank you” to the Highway crew.

**Parks and Recreation Supervisor Tony Burkinshaw** stated that Parks had its first commission meeting of the year. The next meeting is October 12, 2016 at 6:30. He said they talked about wrapping up the summer programs in the park. He said Parks had 9 new programs which were all held at Lysander Park, with monthly fun activities; some were free some had a small charge. He said there was one every month from May to October, and the last one is pumpkin painting. The Town is being given pumpkins by Abbotts, and Abbotts is providing cider as well. There will be a horse and wagon ride on October 23, 2016 from 11:00 am to 1:00 pm for families.

**Mr. Burkinshaw** mentioned the ‘sandbox’, which was a success for little kids to play and explore at the park with their parents as well. Little Kids Big Trucks was the biggest event, with over 1000 people in attendance. He thanked the Highway Department for being a part of it. There were two movie nights, which were also successful, and he will look into doing something of that nature next year. The Camp Out was successful as well, as there were 15 tents. He said he is looking to double the numbers for next year. The date of the next Camp Out is July 29, 2017. Parks held Rugby Camp, and there will be a meeting scheduled to get a Rugby Team established in Baldwinsville [high school level], if Parks can get enough interest. Lysander Day Camp was held in the park and was a success. Thursday night cruising is still going on with classic cars along the north end of the park. **Mr. Burkinshaw** said there are lots of positive things happening, and this Thursday at the last classic car show will be a chicken BBQ at 5:00 pm. Lastly, the Pickleball Tournament was very successful, and people are still playing there. He said they had 40 registered players, with 99 games played, and all 4 courts being used. People from all areas attended just to play. The Parks Department is now getting into its fall programs.

**Town Comptroller David Rahrle** stated that he is working on the budget, which will be presented to the Board on October 3, 2016, and it will be posted on the website the next day following the Board receiving it. The Town had its HR training last week, which the employees found informative, and he is glad the Town did it, as it opened the Town’s eyes to some things regarding safety concerns. **Mr. Rahrle** stated that there are things that need to be addressed that the Town was not aware of. This is something the Town will do on an annual basis.

**Town Clerk Dina Falcone** stated that the Town Clerk’s Pet Supplies Drive will continue through September 30th and items may be dropped off at the Town Clerk’s Office. She also attested to the success of the Lysander Day Camp, as her kids loved the program and enjoyed it.

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**REGULAR AGENDA ITEMS**

**MOTION TO ADOPT A LOCAL LAW ENTITLED “FLOOD DAMAGE PREVENTION OF THE TOWN OF LYSANDER**

**RES #136/2016**

**Motion made by Councilor Geraci seconded by Councilor Diamond**, to adopt a local law entitled “Flood Damage Prevention of the Town of Lysander”. (Onondaga County Department of Planning recommended approval of the proposed local law on September 21, 2016, pursuant to section 239-m of the General Municipal Law).

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

**All Ayes, motion carried and adopted**

**MOTION TO ESTABLISH A CAPITAL RESERVE FUND TO BE KNOWN AS THE “HIGHWAY EQUIPMENT RESERVE FUND”**

**Motion made by Councilor \_\_\_\_\_ seconded by Councilor \_\_\_\_\_** to establish a capital reserve fund to be known as the “Highway Equipment Reserve Fund” (hereinafter “Reserve Fund”). The purpose of this Reserve Fund is to accumulate moneys to finance the cost of a type of equipment. The type of equipment to be financed from the Reserve Fund is the acquisition of Highway equipment.

TABLED

*Discussion:*

*Councilor Geraci stated that there needs to be a discussion in terms of what role the County Highway Superintendent has, so while he thinks it is a great idea; however, the only caveat is that of County Highway’s role. Discussion called to table it. Mr. Rahrle said we can still establish a fund, but it was decided by the Board to table this motion. Councilor Diamond asked if in the future the Town would create a special reserve for every single account, and does the Town need a special account for everything? Supervisor Saraceni said in certain situations where there are big ticket items we would consider that. He stated that he is a big advocate of having a steady tax rate, and he doesn’t think everybody likes peaks and valleys of tax rates. If you can build in “shock absorbers” this is going to help the town in the long term, but he shares Councilor Geraci’s concern that there is oversight on this particular account from the County.*

**MOTION TO ESTABLISH A CAPITAL RESERVE FUND TO BE KNOWN AS THE “PARKS FACILITIES RESERVE FUND”**

**Motion made by Councilor \_\_\_\_\_ seconded by Councilor \_\_\_\_\_** to establish a capital reserve fund to be known as the “Parks Facilities Reserve Fund” (hereinafter “Reserve Fund”). The purpose of this Reserve Fund is to accumulate moneys to finance the cost of a type of capital improvement. The type of capital improvement to be financed from the Reserve Fund is the reconstruction or repair of Parks building facilities.

TABLED

*Discussion:*

*Councilor Geraci mentioned the points that have been raised in the previous motion, and that the Board should table this too. He suggested having a capital fund separate from Highway; it’s not just parks; maybe this building needs a roof. Onondaga County has a capital budget, perhaps the Board should think about it. Supervisor Saraceni asked Mr. Rahrle if the guide [as referred to previously] mentioned Parks, and he said it does not. Mr. Rahrle clarified that he named it “Parks Building Facilities” because he didn’t want the money to disappear and fall into the fund balance. Councilor Geraci said that maybe we can move the money and stipulate it’s going into “Parks”. He spoke about the significance of the budget in this regard. This will be discussed at the next work session.*

**MOTION TO APPROVE THE PAYMENT OF TREE REMOVAL BY THE HIGHWAY DEPARTMENT REGARDING 3356 WOODS ROAD, BALDWINSVILLE**

**RES #137/2016**

**Motion made by Councilor Ellis seconded by Councilor Diamond** to approve the payment of tree removal in the amount of \$850 from Town of Lysander Highway Department funds for 3356 Woods Road, Baldwinsville.

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

**All Ayes, motion carried and adopted**

*Discussion:*

*A lengthy discussion ensued as follows: Supervisor Saraceni stated that he would give the audience background regarding this [as per his understanding of the issue] there was a storm about month ago at this address, there was a tree down, and the resident at this address was fearful the rest of the tree might come down on her house. She called a tree vendor who the Town works with on regular basis, and because it is in the right-of-way, she requested reimbursement for that work. The Board left it up to Mr. Dinsmore and Mr. Yager to reach out to the resident to see if she would split the cost of service.*

*Supervisor asked Mr. Dinsmore if there is a different scenario and Mr. Dinsmore said yes, but the result is the same. Supervisor Saraceni stated that he wanted it accurate, and asked Mr. Dinsmore for an explanation. Mr. Dinsmore stated that there was a threat of a storm, and nothing came down. The resident had a tree on her property that had previously been damaged and had a rotten spot on top, part of it was cracked and subject to coming down. The part that was going to come down was the part on her side. The property line went through the center of the tree. She was upset and called Timber Tree Service who gave her a quote to cut it off. However, she wanted the whole tree down. She insisted she wanted it down. Timber tried to call Mr. Dinsmore and was unsuccessful. She was willing to pay for it, but then over a two day period she called Mr. Dinsmore and asked if the Town would help with the bill.*

*Mr. Dinsmore went out and looked at the tree. He went to look at it and could not determine for sure if it was on her property or the Town's because the road had been moved around. He checked into it and got back to her, but in the meantime she had contacted the Supervisor and he didn't know Mr. Dinsmore was working on it. Supervisor Saraceni asked Mr. Yager to look into it, and they got involved without Mr. Dinsmore knowing. Before Mr. Dinsmore had the answer, Mr. Yager found out where property line was and the Board had the discussion at the work session last time around, and came to the conclusion that the Town would split the cost. At this point, the Town is just looking for a resolution to authorize it. Mr. Yager said a branch fell due to high winds and severe weather. There was a limb down and in the resident's mind there was an emergency situation. Timber Tree Service took it down. Discussion ensued as to who was contacted first and was this an emergency situation? The resident did not give the Board the opportunity to look at tree and Mr. Dinsmore's normal procedure is to look at the risk and cut anything off that was a risk. Mr. Dinsmore would not take down a whole tree unless it was a risk. The resident took it down and it was determined it was right on the Town line. Councilor Geraci asked how this would normally work [Highway would have pulled the limb down]. Discussion continued regarding the costs of tree removal, and Councilor Geraci asked if \$850 is not unreasonable to take down half of a massive tree. He noted that he is not comfortable setting a precedent in this regard.*

*Supervisor Saraceni said that there was an emergency situation here, and payment of half on the Town's part and half on the resident's part seems to be a fair amount of money to take care of it, although it is not normal way to take care of tree situation.*

**MOTION TO EXTEND THE TERM OF THE WATER SUPPLY CONTRACTS WITH  
TOL FOR THE RIVERMIST WATER DISTRICT**

**RES #138/2016**

**Motion made by Councilor Moore seconded by Councilor Diamond** to extend the term of the Water Supply Contracts for the Rivermist Water District and the Emerick Heights Water District until December 31, 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 stated that the Town of Lysander has five water districts it contracts out through inter-municipal agreements with village of Baldwinsville and two of those districts lapsed in June. The Village caught it, and on September 15th put forth a motion extending the agreements of those two districts, and he asked the Board to consider the same.*

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**ANNOUNCEMENTS MADE BY SUPERVISOR SARACENI**

1. Town Board Meetings: Monday, October 3, 2016, October 17, 2016, November 3, 2016; Work Sessions at 5:30 pm, Regular Town Board Meetings begin at 7:00 pm (both held in the Auditorium). (Budget present to the Board on October 3<sup>rd</sup>).
  2. Zoning Board Meeting: October 3, 2016, 7:30 pm (held in the Large Group Room).
  3. Planning Board Meeting: October 13, 2016, 7:00 pm (held in the Auditorium).
  4. CNY SPCA Pet Supplies Drive through the end of September: drop off supplies to the Town Clerk's Office through September 30, 2016.
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**Budget Work Sessions:**

**ALL WORK SESSIONS WILL BE HELD IN THE CONFERENCE ROOM**

- October 11, 5:45 pm
- October 12, 5:45 pm
- October 17, 5:45 pm
- October 19, 5:45 pm
- October 20, 5:45 pm (Tentative depending on progress)
- October 26, 5:45 pm

The public is invited to these sessions.

The Town will print the date for the Public Hearing by November 3<sup>rd</sup>, 2016 and the Public Hearing will be in the auditorium on Thursday, November 10<sup>th</sup>. The Board may meet one additional time to discuss the budget if needed, on November 15, 2016 in the conference room at 5:45 pm. By November 21<sup>st</sup>, 2016 the budget will be adopted in the auditorium.

**Further comments below are not related to budget and out of sequence with meeting agenda as follows:**

**Resident Jim Stirushnik** of Dinglehole Road stated that he liked Councilor Geraci's comment about providing an overview of a concept and Mr. Stirushnik suggested that the board consider the work session "or some other time" a good idea to have an overview before they start talking details.

**Supervisor Saraceni** stated that it is his intention to provide the public an overview as to how the Town got to the point where it is today, which includes a historical analysis of the budget, so that the Board can look to the future so that the budget will make more sense.

**Fred Burtch of Plainville Road** thanked the Board for keeping with format. He asked what the age category is for Rugby. Mr. Burkinshaw stated “high school age.” Mr. Burtch mentioned that he had an opportunity to attend a meeting with constituents, and there were Town employees there. He said he had a conversation with the former Highway Superintendent Mr. Reeves, and he made the announcement that he [Reeves] intends to run for Highway Supervisor next year, and Mr. Burtch wanted to publicly thank him for his past dedication and for his intentions for the Town of Lysander.

**ADJOURNMENT**

**A motion was made by Councilor Diamond and seconded by Councilor Geraci to adjourn the Board Meeting at 8:02 pm.**

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

Dina Falcone, Town Clerk