

A Town Board Meeting was held at Town Hall on October 7, 2021, in 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, Therese Pearce, Comptroller, and several residents and guests.

Supervisor Wicks called the meeting to order at 7:00 PM with the Pledge to the Flag.

MOTION TO ADOPT MINUTES

RES#141/2021

Motion by Councilor Moore seconded by Councilor Kudarauskas to adopt the September 16, 2021 Town Board Meeting minutes.

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

All ayes, motion carried and adopted

PUBLIC HEARING

LOCAL LAW NO. 4 – OVERRIDE THE TAX LEVY LIMIT IN GML SECTION 3-C

MOTION TO OPEN THE PUBLIC HEARING/TAX LEVY LIMIT

RES#142/2021

Motion by Councilor Moore seconded by Councilor Kudarauskas to open the public hearing at 7:02 PM.

Public Hearing Comments:

Supervisor Wicks: *Now that the public hearing is open, is there anyone wishing to speak for or against the local law?*

Kevin Rode of Greymoor Way: *So the reason I asked at the last meeting about the fund balance and the unappropriated - what we put in the bank the last couple of years, but we don't know is, to look at the override the tax levy limit from the preliminary budget looks like we are coming under last year if we don't know what the actual cap limit is this year - usually the comptroller gives us a number on what the actual cap to override it is. So, I'm a little lost as to if we think we are going to be over budget we would need to override it - but if we have a bunch of money set aside that we can use to offset that, in essence tax funds and Covid money coming, do we even need to pass this law?*

Supervisor Wicks: *We can't use Covid money for any budgetary things, so that is out anyway. If you are talking about the AARPA money, there is Covid money coming. We did secure some money from FEMA that I was told we haven't received yet. It's \$50K, and do we anticipate that the budget is going to go over the tax cap? No, but this is done like an insurance policy with anything. If something were to happen tomorrow that we had to spend a bunch of money this year, we might have to do some other things at the end of the year or so. That is all this is, insurance, but right now, if you saw the preliminary budget, there's a tax decrease in it. So we are not through with that yet. So that's why.*

Kevin Rode: *But the public knowing if there is \$2 million sitting in the bank when normally there's \$800K that would tell us we have money that we could use to balance the budget and not have to raise taxes and not even have to worry about this. But we are all in the dark. Thank you.*

Supervisor Wicks: *Anyone else?*

Rob Helfrich of Hourglass Lane: *I was just looking at this, I was going through the last year's budget, 2021, 2022, and it look as if you're - it's been pretty stable for the last couple of years, it doesn't look like the budget is going up it looks like it is pretty much where it was if I understand correctly. To where it was last year.*

Supervisor Wicks: *Actually it went down last year.*

Mr. Helfrich: *Ok, so, not by a lot...*

Supervisor Wicks: *\$300K I think that's a lot.*

Mr. Helfrich: *Okay. From this year to last year?*

Supervisor Wicks: *No - from last year, so last year's budget was about \$300K less than the previous years' budget.*

Mr. Helfrich: *Ok. But it's about the same from what you're proposing this year, right? Or for 2022, versus 2021.*

Supervisor Wicks: *But that's a tentative budget, and the thing with the tentative budget, I put the tentative budget together - now during that tentative budget there are some things that I eliminated to present to the Board, and I presented a budget that had showed a decrease for both village and town. But, until we are through with the rest of the Board, we are not the only one that makes those decisions. The rest of the Board, they might decide to reinstitute some of those - some of the areas that I decreased.*

Mr. Helfrich: *I think that's great. I think the fact that we are keeping a good fiscal responsibility in keeping the budget pretty much in line, and no excessive spending over last year's amount. I guess the only concern I really kind of have overall is more kind of broader questions. And, when I look at the total assessment pool, last year it was just a little over just about 3.2 billion and this year it's 3.5 for 2022, so it's actually gone up - percent total assessment pool, that you draw that from, so you know, is that increase in assessed value, is that a combination of increased assessed value? In my situation it went up. Also with increased growth, Lysander is one of the fastest growing areas in the county. Between industrial, commercial, residential, and so if I understand this process correctly, and you know, correct me if I'm wrong, but what you need to change this or you need to override this law, and it's more of a - something I think you probably did last year as well.*

Supervisor Wicks: *We did do it.*

Mr. Helfrich: *Something you need to do is raise, it looks like it needs to be raised for taxes from \$1.5 million for taxes. So I think what's going to happen here because of that assessment pool increase, alright, the tax rate that you would probably end up applying if this is the budget that is accepted - the affected tax rate will probably actually go down, compared to where it was last year. You have the same amount of money. The same budget amount.*

Supervisor Wicks: *That is what is being proposed in there yes.*

Mr. Helfrich: *So and then I think my question - and my overall concern is probably a much broader issue and probably goes more towards the comprehensive land use program. How much growth do we really...*

Supervisor Wicks: *Well this is a public hearing...*

Mr. Helfrich: *I know but how is the growth with assessed value - how much growth do we actually really need? Because our budget we... the budget has been flat.*

Supervisor Wicks: *But that's another, that's a different argument. We are talking this tax override and that's [what] this hearing is about. Not about the Comprehensive... We are going to have a hearing on the Comprehensive Land Use. For right now, let's stick to...*

Mr. Helfrich: *I understand this. So relative to this...*

Supervisor Wicks: *Well, I see where you are going with it, but this hearing is specifically to override the tax cap, that's all.*

Mr. Helfrich: *Which will be a necessity, but the tax you are going to override the tax right? That's my point.*

Supervisor Wicks: *The tax cap.*

Mr. Helfrich: *You have to override the existing tax cap as you did last year. But the effective rate should be less, because the assessed values are going up. My concern is the over assessed values.*

Councilor Geraci: *Bob, let me try... NYS puts all towns in this position where they won't let us run our own show. As Supervisor Wicks said, this is an insurance policy, not one year that I have been on the Board have we ever had to utilize the privilege we gave ourselves to raise the tax over the cap that the state says what it is going to be. It's just an insurance, but I wish we didn't have to do it, and if NYS just kept their – minded their own business - we wouldn't even be having this conversation. Because for the last 12 years, 8 years, I should say, and with Supervisor Wicks we actually lowered them.*

Mr. Helfrich: *Fantastic. I appreciate that.*

Councilor Geraci: *The whole, cap, I mean “They are eliminating the cap - they are going to spend money.” No. No. No. It is every town's answer to NYS. Just leave us alone.*

Mr. Helfrich: *And I would propose that you vote and accept this.*

Councilor Geraci: *Yes.*

Mr. Helfrich: *You should. You have to. You should. It is a good thing.*

(Crosstalk)

Councilor Geraci: *When we pass the budget we are going to be telling everybody, and we didn't have to use that privilege.*

Mr. Helfrich: *Thank you.*

Supervisor Wicks: *Thank you.*

Is there anyone else? No one?

MOTION TO CLOSE THE PUBLIC HEARING/TAX LEVY LIMIT

RES#143/2021

Having heard all comments, Motion by Councilor Geraci seconded by Councilor Moore to close the public hearing at 7:10 PM.

Citizens Comments

Supervisor Wicks said that there is a change with the rules and procedures. There has been an additional rule and procedure regarding citizens comments under bullet point number four, “*Citizens may make comments, but this is not a question and answer session.*” [Question and answer is what public hearings are for]. He said that if questions are asked, he will consider them rhetorical.

Kevin Rode of Greymoor Way spoke about:

Budget transfers for the union contract raises and salaries. He said that he sent an email a couple of weeks ago looking for the appropriated fund balances, and what the balance sheet looks like. He has yet to receive an answer.

Budget modification request in the Parks Department that has the item on the account, and where the money is coming from and transferred to which account.

The Bookkeeper to the Supervisor; there's an additional \$11K in tentative budget.

Cemeteries fund last year had \$20K, this year's budget shows \$15K. He asked that someone reach out to the cemetery committees and let them know.

Gene Dinsmore of Highland Drive:

The paving in Indian Springs (Mott Road and Connell Terrace). He said the paving looked acceptable; however, the mailboxes, if they are in the way, are displaced and set aside or relocated while they are doing the work. When they are done, mailboxes are put back according to postal regulations which require them to be within arms-length of the curbing, so that the carrier can reach the back of the mailbox. He said those two roads were top soiled and hydro-seeded without the mailboxes being replaced.

Fred Burtch of Plainville Road:

Agreed with what Mr. Rode said about the local cemeteries and their need for assistance. He has been digging graves for 15 years and cemetery care is based on funds they get from burials. He asked that the Board consider this in the budget.

Town Board meetings give residents an opportunity to interact with Elected Officials, and there are opportunities for interaction with Board members. Some bullet points are intimidating and some people are not comfortable coming to meetings. He'd like to see more people involved; perhaps they could find a balance where there can be interaction and civil meetings.

Supervisor Comments

Supervisor Wicks said that regarding the cemeteries, it is a valid point. When there are budget hearings, everything in the budget is tentative, and subject to change. He put the budget together with the new and previous Comptroller, who is now the Bookkeeper, as well as the Department Heads. The Board has to look at it as a whole, and the Board has the fiduciary responsibility to decide where and how much money is spent. Even though it is tentative, any line item is subject to change depending on how the Board votes. He encouraged people to come to the budget public hearing. The Board would like to hear from the citizens on where they would like to spend their money. **Supervisor Wicks** said he is available anytime to talk with anyone who has issues. These meetings are not meant to stifle discussions. There is dialogue in work sessions before the meetings also.

Town Board Comments

Councilor Diamond requested that Cannabis legislation be added to the agenda. He would like to start working on legislation.

Department Head Reports

None.

Regular Agenda Items

MOTION TO ADOPT A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT

RES#144/2021

Motion made by Councilor Moore seconded by Councilor Geraci to adopt a local law to override the tax levy limit established in General Municipal Law 3-c.

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 change the rate of pay for Alecia Kollbaum from \$15.50 per hour to \$17.60 per hour retroactive from June 1, 2021.

TABLED

Motion made by _____ seconded by _____ to accept dedication of the roads and drainage system included in the Timber Banks Section 1B Phase 6 subdivision. Roads included in this resolution that the Town will maintain from this date forward include the following:

Street: Forest Ridge Lane
Length: 0.324 miles
To: Timber Banks Parkway
From: (0.285 miles east of River Rd.) Intersection with Tall Tree Lane

MOTION TO AUTHORIZE THE TOWN SUPERVISOR TO SIGN THE CHANGE ORDER IN THE AMOUNT OF \$3,200 FOR THE TOL LYSANDER SWALE & STORMWATER POND MOWING CONTRACT

RES#145/2021

Motion made by Councilor Geraci seconded by Councilor Kudauskas to authorize the Town Supervisor to sign the change order in the amount of \$3,200.00 for the Town of Lysander Swale & Stormwater Pond Mowing contract authorizing one (1) additional day of swale clearing in the Radisson Drainage District.

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

All ayes, motion carried and adopted

MOTION TO AUTHORIZE THE BUDGET MODIFICATION REQUEST SUBMITTED BY THE COMPTROLLER FOR A TRANSFER OF \$2,000 FOR PICKLEBALL TOURNAMENT EXPENSES

RES#146/2021

Motion made by Councilor Moore seconded by Councilor Geraci to authorize the Budget Modification Request submitted by the Comptroller for a transfer of \$2,000 from account number A0-7310-109 to A0-7620-200 for Pickleball Tournament expenses.

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

All ayes, motion carried and adopted

MOTION TO AUTHORIZE THE BUDGET MODIFICATION REQUEST SUBMITTED BY THE COMPTROLLER FOR A TRANSFER OF \$763,293.85 FOR HW ROAD MAINTENANCE

RES#147/2021

Motion made by Councilor Geraci seconded by Councilor Diamond to authorize the Budget Modification Request submitted by the Comptroller at the request of the HW Supt for a transfer of \$763,293.85 from account number DB-00917-000 to be transferred to account number DB-05110-402 to cover additional HW road maintenance already approved by the Town Board. (*Grant and CHIPS program funds*).

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

All ayes, motion carried and adopted

AJOURNMENT INTO EXECUTIVE SESSION

RES#148/2021

A motion was made by Councilor Moore and seconded by Councilor Kudarauskas to adjourn the Town Board Meeting and enter into Executive Session to discuss a workplace violence situation with an employee and salary of an employee and potential applicants - 7:48 PM.

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

**MOTION TO ADJOURN THE TOWN BOARD
MEETING AND ENTER INTO EXECUTIVE SESSION**

RES#149/2021

A motion was made by Councilor Moore and seconded by Councilor Kudarauskas to adjourn the Executive Session at 8:24 PM.

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

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

Dina Falcone, Town Clerk