

A regular Town Board Meeting was held on September 19, 2024, at Lysander Town Hall, 8220 Loop Road, Baldwinsville, New York.

MEMBERS PRESENT:

Kevin Rode, Supervisor
Peter Moore, Councilor
Robert Geraci, Councilor
Jeffrey Kudarauskas, Councilor

MEMBERS ABSENT: None

OTHERS PRESENT: Town Clerk, Dina Falcone, David Herkola, Town Attorney, Al Yager, Town Engineer, and several guests and residents.

Supervisor Rode called the meeting to order at 6:30 PM with a pledge to the Flag.

ADOPTION OF MINUTES

TABLED

Motion made by Councilor _____ seconded by Councilor _____ to adopt the September 5, 2024, Town Board Meeting minutes.

MOTION TO OPEN THE PUBLIC HEARING TO CONSIDER A LOCAL LAW UNDER ARTICLE XXIX (29) TO EXTEND THE MORATORIUM ON "SOLAR FARMS"

RES#151/2024

Motion made by Councilor Geraci seconded by Councilor Kudarauskas to open the public hearing to consider a local law under Article XXIX (29) to extend the moratorium on "solar farms" in the Town of Lysander at 6:41 PM. This moratorium will be extended to March 15, 2025.

Supervisor Rode Aye Councilor Kudarauskas Aye Councilor Geraci Aye
Councilor Moore Aye

Comments:

Fred Burtch: *Does anybody on the board have any information right now of where in the Town of Lysander, companies are contemplating installing solar fields? Do we know where these areas are marked?*

Supervisor Rode: *It hasn't gone that far yet, other than the current ones that were approved before. I think there was one on Lampson Road, and I believe there's one on 370 - and there's one west of the village, 370, east of the village.*

Fred Burtch: *So, west of the village, the one that would be down by across from Abbott's - is that what you're talking about?*

Supervisor Rode: *That would be the one east of the village, the one west of the village is just past Reeves Farms, yes, just past Reeves. So, these are sites where companies have expressed interest.*

Fred Burtch: *Okay, so that's one two - so right now four.*

Supervisor Rode: *There's three, three.*

Fred Burtch: *We got the one. Okay, right?*

Supervisor Rode: *Right, yes. West.*

Fred Burtch: *And then we currently have the one on Church Road and the one on River Road. Okay? If these projects are expedited, do you anticipate any additional areas in the town where?*

Supervisor Rode: *I would assume there would be additional people to apply. I haven't had anybody personally contact us since the moratorium.*

Fred Burtch: *Okay, I just wanted to see if you know where that was, whether this is something people are still interested in doing or now that the County has opted out of the tax exemption for solar, my guess is our development pressure from solar developers will go way down - will reduce. That's something. And did you happen to see the news story with not only that, but they rotate the other? Okay, that was like 29% more efficient than what's currently out there, like how we have one on Church, but now they have it where it's too independent, where they can go this way, you know, to track as well. So apparently, they're, you know, 90% more, but not against renewable energy. You know, I like that, especially if you put money into it, to learn about it, to get progress. And that's happened with every industry you know. Looking at a Model A compared to a Tesla today or whatever. So, I'm not against that, but that one, the particular one on Church, you know, it's still kind of an eyesore. And so I would like to see if the town does entertain that in the future, you know, at least try to get some incentive in with that, like, you know, a raised berm with fir trees on the raised berm; it wouldn't even have to be high if you did something four or five feet high with a raised berm, and then fir trees on top of that, that would provide a lot more out of sight, out of mind than just the small, or even putting out the material there that they put on the fencing, which, that's the biggest reason why I don't like the one on Church, is because it's always ripped and flapping up in the air. But okay, I just wanted to see, you know, I really wanted to kind of hear what is said about it, and then also, you know, how many people have expressed interest, and I didn't know if the other ones went forward. If firms are going to be like, 'Oh, it actually depends on the economic incentive from the state', which is pretty much about very large solar farms, I know south of us and Tully, there's possible over 25 megawatt which, yeah, per the state laws, then it removes local, and then also, you know, I know it's not working out for us because of the location, but the landfill also. And, you know, a few years back when there was something absolutely for something like that, to repurpose property that you can never build on, or anything like that. That makes sense. Just wish that maybe there was more centrally located to the grid. I know that's what Van Buren has done over there. So yeah, not against it, but would be against it if it was occupying area that would be, you know, has been good farmland or inhabited by, you know, things that make our area what they are, the wildlife in our area. I mean, okay, there's 1,2,3, hunters up there right now. And I get it, I just can't imagine like, a place where you'd have to go to a different town to do that hobby because it's not the same area anymore. Just keep that in mind. I appreciate that. Thanks.*

MOTION TO CLOSE THE PUBLIC HEARING TO CONSIDER A LOCAL LAW UNDER ARTICLE XXIX (29) TO EXTEND THE MORATORIUM ON "SOLAR FARMS"

RES#152/2024

Motion made by Councilor Kudarauskas seconded by Councilor Moore to close the public hearing to consider a local law under Article XXIX (29) to extend the moratorium on "solar farms" in the Town of Lysander at 6:41 PM. This moratorium will be extended to March 15, 2025.

Supervisor Rode	Aye	Councilor Kudarauskas	Aye	Councilor Geraci	Aye
Councilor Moore	Aye				

**MOTION TO OPEN THE PUBLIC HEARING TO CONSIDER
A LOCAL LAW UNDER CHAPTER 102-7 TO EXTEND THE MORATORIUM ON TIER
2 BATTERY ENERGY STORAGE**

RES#153/2024

Motion made by Councilor Moore seconded by Councilor Geraci to open the public hearing to consider a local law under Chapter 102-7 to extend the moratorium on “Tier 2 Battery Energy Storage” in the Town of Lysander at 6:37 PM. This moratorium will be extended to March 15, 2025.

Supervisor Rode	Aye	Councilor Kudarauskas	Aye	Councilor Geraci	Aye
Councilor Moore	Aye				

Comments:

Fred Burtch: *I kind of have questions. Can you better explain for the people here to explain the Teir 2 and what it means? That way people can see if it will affect them?*

Mr. Yager: *Tier 2 Battery Energy Storage refers to a categorization of energy storage systems based on their capacity, performance, or regulatory requirements. The term "tier" is often used in energy systems to describe different levels or classes of storage solutions, but in the context of battery energy storage, Tier 2 usually indicates a middle category. Tier 2 systems generally refer to mid-sized installations, often in the range of several megawatts (MW) to a few tens of MWs. These are used for larger commercial, industrial, or small utility-scale applications. Tier 2 systems may also refer to a medium level of performance in terms of energy density, discharge time, and efficiency.*

Fred Burtch: *Are any companies contemplating opening solar fields? Are we anticipating that together at the same time that we go to have everything down, you know what size when we do that, if there is battery storage allowed, are we going to look at how to properly manage it? That if there's a problem with it in the future?*

Mr. Yager: *That's why the state guidance had just started to come out with some preliminary findings.*

Fred Burtch: *Okay, that's why we've extended this, either on site or, you know, if our local fire department is responding, you know, or whatever. And you know, I don't know if you guys saw it. I talked about this last week. There was a Tesla tractor trailer carrying 10 or 12 Tesla vehicles to bring to a dealership, and it went off the side and crashed, and they took over 24 hours. California had to have one of the planes that came by and drop the retardant, because the normal, right, putting the water on it wasn't putting it out. So, I mean, I love that technology. I don't know if we're there yet with it, but if we're going to bring that type of technology in, then I think we ought to have to be able to facilitate it like with what they're interested in doing at the school bus garage. They want to have electric vehicles. Are they going to have, you know, capacity there on site to manage that if there is a problem, or is Belgium Cold Springs responding, or are they going to have that capacity? I think that's all something to consider going forward. Thank you.*

**MOTION TO CLOSE THE PUBLIC HEARING TO CONSIDER
A LOCAL LAW UNDER CHAPTER 102-7 TO EXTEND THE MORATORIUM ON TIER
2 BATTERY ENERGY STORAGE**

RES#154/2024

Motion made by Councilor Kudarauskas seconded by Councilor Moore to close the public hearing to consider a local law under Chapter 102-7 to extend the moratorium on “Tier 2 Battery Energy Storage” in the Town of Lysander at 6:41 PM. This moratorium will be extended to March 15, 2025.

Supervisor Rode	Aye	Councilor Kudarauskas	Aye	Councilor Geraci	Aye
Councilor Moore	Aye				

**MOTION TO OPEN THE PUBLIC HEARING TO ADOPT A LOCAL LAW TO
OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GML 3-C**

RES#155/2024

Motion made by Councilor Kudarauskas seconded by Councilor Moore to open the public hearing to consider adoption of a local law to override the tax levy limit established in General Municipal Law 3-c for 2025, at 6:42 PM.

Supervisor Rode Aye Councilor Kudarauskas Aye Councilor Geraci Aye
Councilor Moore Aye

**MOTION TO CLOSE THE PUBLIC HEARING TO ADOPT A LOCAL LAW TO
OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GML 3-C**

RES#156/2024

Hearing no comments, motion made by Councilor Moore seconded by Councilor Kudarauskas to close the public hearing to consider adoption of a local law to override the tax levy limit established in General Municipal Law 3-c for 2025, at 6:41 PM.

Supervisor Rode Aye Councilor Kudarauskas Aye Councilor Geraci Aye
Councilor Moore Aye

**MOTION TO OPEN THE PUBLIC HEARING TO AMEND
TOWN CODE 320-51.1 TO MAKE SPECIFIC PROVISIONS (FARM ANIMAL LOCAL LAW)**

RES#157/2024

Motion made by Councilor Geraci seconded by Councilor Kudarauskas to open the public hearing to consider the adoption of a local law amending Section 320-51.1 of Lysander Town Code making specific provisions for hatching and raising chickens (not to exceed 30 days) for educational purposes.

Supervisor Rode Aye Councilor Kudarauskas Aye Councilor Geraci Aye
Councilor Moore Aye

Comments:

Kathy Rode: *I want to know how many people have requested this rubbish? How many taxpayers have come up and said, 'Hey, I want to do this chicken project.' Have you had a lot of people requesting this?*

Councilor Kudarauskas: *Yes, I did. Okay, several, a lot.*

Kathy Rode: *How many?*

Councilor Kudarauskas: *20.*

Kathy Rode: *What if there's an epic - if you do this - and you have these chickens, do you have the option, if it ends up being failed, and your kids want to keep them, do you have the option, or is it mandatory? You have to give those little chickens back?*

Councilor Kudarauskas: *You have to give them back right as the law states.*

Kathy Rode: *Because if you're little Billy here, and he starts crying. Are you going to call him and say, you know, can I buy this chicken? He thinks it's his pet. I mean, that's what little kids do, so. But it's mandatory. You have to give them back?*

Councilor Kudarauskas: *Correct.*

Kathy Rode: *Okay.*

Liz Schmitt: *I want to speak in favor of this exception to the current chicken law. Ironically, when I used to - when both of my sons were at St Mary's Academy, many, many years ago, Mrs. Fassler, the legendary first grade teacher who was there for 25 years, had an incubator, hatched the chicks, and that was a company where they already had an arrangement to return them as well. There was one year of a very disastrous power outage that we don't like to talk about, but nonetheless, most of the time, it was a joyous and very educational experience and a very reasonable exception.*

Fred Burtch: *It kind of hurt me that I looked around and let somebody else go out and speak before me because, Mrs. Rode took the words out of my mouth as those were the same questions I was going to ask. Where the ideas for this idea propagated itself, like who approached the town for this amendment? Was this a science teacher from school?*

Supervisor Rode: *Councilor Kudarauskas brought this to the board.*

Councilor Kudarauskas: *It's a public hearing and I don't have to speak.*

Supervisor Rode: *I mean he said previously other people asked him, and I've looked at the chicken website and people have done this in the past and to allow this in areas where people couldn't, and not cause a public problem...*

Fred Burtch: *To be honest with you, I'm not really for it or really against it. I'm just kind of inert, just out there floating around, kind of observing and trying to learn more about it. Another thing that your mom had talked about, and you know, I've had personal experiences, is those people that tend to, you know, raise chickens that have hatched from an egg they're doing it either 100% or 99% of the time for money purposes. And if they happen to be a small farm with a family, those kids get attached, and those chickens become basically like pets. And I'm not saying that's going to happen, but that's been my observation as I've seen in the past, and then another concern I would have is something that our Planning Board Chairman had brought up at the previous meeting about what would be the town's mechanism for policing something like this in the event that the 30 day limit, you know, ran out, and so I would like to know if there was somebody on the board that could confirm or deny that a rumor that I heard going around, that somebody was going to declare our Park Superintendent the "Chicken Czar", and give him a new promotion, because he was looking for a raise somewhere... Can you confirm or deny another which would fall under "Covid Czar"?*

Supervisor Rode: *That part hasn't even been...*

Councilor Kudarauskas: *Can you spell that for us?*

Fred Burtch: *That would be c-z-a-r, okay, so kind of like the border Czar are so, you know, I just, I heard a rumor that he was looking for a raise that night. And we've got, like, these other meaningless positions that the Parks and Rec Supervisor does...*

Supervisor Rode: *It's something separate we're talking about, okay, so it falls under our local laws and codes so it would be a code enforcement issue.*

Fred Burtch: *So we are making a cut out for the hatchlings. Our code enforcement would go over there?*

Supervisor Rode: *He'd have to be made aware of it, and then he goes.*

Fred Burtch: *So we're making the cut-out just for the hatchlings. Has the board now opened up the door to have additional carve-outs in the future for other types of things?*

Attorney Herkola: *Legally, there is no door. You can make a carve out for anything at any time if the board chooses to do so or not. Just because you adopt the local law in this particular area doesn't somehow mean the board could be forced to adopt another local law in that same area, expanding the rights. So there really is no door.*

Fred Burtch: *Could the town also vote to maybe rescind?*

Attorney Herkola: *In fact, when they're done with the budget, and if the local law exceeding the tax cap is not required, the board will be adopting another local law, rescinding it.*

Fred Burtch: *Okay, now the origins of the law that we are amending - Are you aware of the timing when that came into fruition?*

Supervisor Rode: *Am I aware how the farm animal law came to be in 2018, 2017?*

Fred Burtch: *Okay, so that was six years ago. Okay, so I'm trying to get the timeframe. You know when did that originally come into fruition - and does it have specific animals that it covers, or is it, farm animals?*

Supervisor Rode: *It's farm animals. Okay, farm animals are described, or even horses, or something like that, okay, I don't know if horses are no... I know what type of animals it could be, or it could go as far as, like a horse or, obviously, it would be a cow or a herd of sheep, you know, with chickens as well. But, and, I'm just trying to see in the future, you know, how this could play out, if somebody had, you know, rabbits they wanted to raise, or something like that. And, you know, not even just know if that would be on there, whether that would be considered a farm animal or some people do pharma, right?*

Councilor Kudarauskas: *I don't know if horses are.*

Supervisor Rode: *This is about chickens and eggs. So that's all we're talking about. And amending this for chicken embryos,*

Fred Burtch: *so this is pretty much going to be for kids to do observations in a 30 day period of, you know, getting eggs, and then the hatching, and then observing the behavior, and then to somebody, the company will come and pick them up at the end of the 30 day period. And I believe so.*

Fred Burtch: *And do you know, is this going to be set up through like schools, or is this going to be set up by a company reaches out to people and any idea about that at all, or anything? Okay?*

Supervisor Rode: *I believe so.*

Fred Burtch: *I was the website I read, yes, you reach them for a fee. They bring you the embryos. You raise them 30 days. You pick them up. That's fine. They keep track of their I just didn't know if this was something that was going on in the schools, in a science class and, you know, something like that, or whether this was, you know, coming from a firm who's trying to expand and get help. And that's also I appreciate you know somebody better explaining...*

Councilor Kudarauskas: *I'm not going to talk.*

Councilor Rode: *You know, your local chicken farmer, you could raise your own embryos if we chose to right?*

Fred Burtch: *And so an entrepreneur who just wanted a family, that just wanted to try it, they weren't affiliated with a school or business or something, they wouldn't they'd be able to do it right? Now is that something you'd have to get a permit or a through the town to let them know that you're doing this process?*

Supervisor Rode: *We would be amending to allow it.*

Fred Burtch: *Okay thank you.*

**MOTION TO ADJOURN THE PUBLIC HEARING TO AMEND
TOWN CODE 320-51.1 TO MAKE SPECIFIC PROVISIONS (FARM ANIMAL LOCAL LAW)**

RES#158/2024

Motion made by Councilor Geraci seconded by Councilor Moore to adjourn the public hearing to consider the adoption of a local law amending Section 320-51.1 of Lysander Town Code making specific provisions for hatching and raising chickens (not to exceed 30 days) for educational purposes.

Supervisor Rode Aye Councilor Kudarauskas Aye Councilor Geraci Aye
Councilor Moore Aye

This matter will be referred to the Planning Board for an advisory opinion.

Citizens Comments

Barbara LaPrease of Patchett Road discussed the need for improved traffic management on Patchett Road, particularly between Collington Pointe and the five corners. Concerns were raised about the road’s inadequate expansion, excessive speeding, and the lack of proper signage designating the road as a construction entry only. Residents request a traffic study and speed limit reductions, citing safety issues, especially with increased pedestrian and pet activity. Additionally, the town board was asked to address noise complaints from a celebration in Timber Banks.

Fred Burtch of Plainville Road agreed with what the neighbor said regarding Patchett Road. He also asked about referring the Farm Animal Law to the Planning Board, and the speed study on Emerick Road.

Town Board Comments

The Board thanked those for attending and chose to move on to the agenda. **Councilor Kudarauskas** mentioned the Parade of Homes.

Supervisor’s Comments

Supervisor Rode mentioned the Parade of Homes in Timber Banks.

Supervisor Rode mentioned that September is suicide prevention month, and he recently attended a meeting regarding Veterans, and that 22 Veterans die of suicide each day, and to reach out and make a phone call, as there is support for people in need.

Supervisor Rode mentioned the October 5 recruiting event for Volunteer Fire Departments at Town Hall.

Department Head Reports

Town Clerk, Dina Falcone, mentioned that she sent out the RFP for the Trooper’s Barracks plowing contract. The bids are due October 2, 2024 at 10:00 AM.

Regular Agenda Items

MOTION TO ADOPT A LOCAL LAW UNDER ARTICLE XXIX (29) TO EXTEND THE MORATORIUM ON “SOLAR FARMS” IN THE TOWN OF LYSANDER

RES#159/2024

Motion made by Councilor Geraci seconded by Councilor Kudarauskas to adopt a local law under Article XXIX (29) to extend the moratorium on “solar farms” in the Town of Lysander. This moratorium will be extended to March 15, 2025.

Supervisor Rode Aye Councilor Kudarauskas Aye Councilor Geraci Aye
Councilor Moore Aye

MOTION TO ADOPT A LOCAL LAW UNDER CHAPTER 102-7 TO EXTEND THE MORATORIUM ON TIER 2 BATTERY ENERGY STORAGE

RES#160/2024

Motion made by Councilor Moore seconded by Councilor Kudarauskas to adopt a local law under Chapter 102-7 to extend the moratorium on “Tier 2 Battery Energy Storage” in the Town of Lysander. This moratorium will be extended to March 15, 2025.

Supervisor Rode Aye Councilor Kudarauskas Aye Councilor Geraci Aye
Councilor Moore Aye

MOTION TO ADOPT A LOCAL LAW
TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GML 3-c for 2025

RES#/161/2024

Motion made by Councilor Moore seconded by Councilor Kudarauskas to adopt a local law to override the tax levy limit established in General Municipal Law 3-c for 2025.

Supervisor Rode Aye Councilor Kudarauskas Aye Councilor Geraci Aye
Councilor Moore Aye

MOTION TO APPOINT MARY AUGUSTUS AS DEPUTY

RES#162/2024

Motion made by Councilor Kudarauskas seconded by Councilor Moore to appoint Mary Augustus as a Deputy in the tax department, with an hourly rate of \$19.00, not to exceed 15 hours a week, part-time, as needed, effective September 16, 2024.

Supervisor Rode Aye Councilor Kudarauskas Aye Councilor Geraci Aye
Councilor Moore Aye

There are two Deputy Tax Receivers, and part of the hiring process is for the new hire to have additional help with training and the other things. With COVID on the rise, if she gets sick, there will be coverage to run the Tax Department.

MOTION TO AUTHORIZE AN AREA SPEED STUDY
ON EMERICK ROAD TO DUNHAM ROAD

RES#163/2024

Motion made by Councilor Geraci seconded by Councilor Moore to authorize an area speed study on Emerick Road to Dunham Road in the Town of Lysander.

Supervisor Rode Aye Councilor Kudarauskas Aye Councilor Geraci Aye
Councilor Moore Aye

MOTION TO HOLD AND ADVERTIE FOR A
PUBLIC HEARING TO INSTALL A STOP SIGN ON FOREST RIDGE LANE

RES#164/2024

Motion made by Councilor Kudarauskas seconded by Councilor Moore to hold a public hearing on Thursday, October 3, 2024, at Lysander Town Hall to consider a local law to install a STOP sign on Forest Ridge Lane for westbound traffic entering Tall Tree Lane.

Supervisor Rode Aye Councilor Kudarauskas Aye Councilor Geraci Aye
Councilor Moore Aye

Supervisor Rode mentioned that this motion was tabled in June but there are many more houses in the area and a STOP sign is needed there.

MOTION TO REFER THE AMENDMENT OF SECTION 320-51.1, “FARM ANIMAL LAW” TO
THE LYSANDER PLANNING BAORD FOR AN ADVISORY OPINION

RES#165/2024

Motion made by Councilor Kudarauskas seconded by Councilor Geraci to refer the amendment of Section 320-51.1, “Farm Animal Law” to the Lysander Planning Board for an advisory opinion.

Supervisor Rode Aye Councilor Kudarauskas Aye Councilor Geraci Aye
Councilor Moore Aye

Supervisor Rode said that this is being sent to the Planning Board to go through the process correctly.

ADJOURNMENT

Motion made by Councilor Moore seconded by Councilor Kudarauskas to adjourn the Town Board Meeting at 7:08 PM.

Supervisor Rode	Aye	Councilor Kudarauskas	Aye	Councilor Geraci	Aye
Councilor Moore	Aye				

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

Dina Falcone, Town Clerk