

A Regular Town Board meeting was held on April 20, 2023, at Lysander Town Hall, 8220 Loop Road, Baldwinsville, New York.

MEMBERS PRESENT:

Robert A. Wicks, Supervisor
Jeffrey Kudarauskas, Councilor
Kevin Rode, Councilor
Robert Geraci, Councilor
Peter Moore, Councilor

MEMBERS ABSENT:

OTHERS PRESENT: Dina Falcone, Town Clerk, Ken Svitak, HW Superintendent, Kevin Merrill, Parks and Recreation Director, Al Yager, Engineer, and several guests and residents.

Supervisor Wicks called the meeting to order at 6:30 PM with the Pledge to the Flag.

Adoption of April 6, 2023 Minutes

RES#77/2023

Motion by Councilor Rode seconded by Councilor Geraci to adopt the April 20, 2023 Town Board Meeting minutes.

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

All ayes, motion carried and adopted

Public Hearing – Solar Farm Moratorium

**MOTION TO OPEN THE PUBLIC HEARING REGARDING
THE SOLAR FARM MORATORIUM**

RES#78/2023

Motion made by Councilor Geraci seconded by Councilor Kudarauskas to open the public hearing at 6:30 PM.

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

All ayes, motion carried and adopted

Fred Burtch, Plainville Road: *I like green energy. I'm for it. I'm not against it. But I also like the heritage and integrity of the town. I've grown up here my whole life. And so if we can have our cake and eat it too, that's what we're looking at you for. I had a lengthy conversation with our Planning Board. Chairman a couple of weeks ago, and he's on board with the thought thoughts that I had. We don't want these things reflected in our eyes as we're going down the road. So if we can put up trees, so that we don't have to see that and people who invest in their homes like the pool guys, they're on Church Road and they won't have to look at that every day when they come out. That's all I think that we're asking for. It's certainly not like huge housing developments, where it would be in addition to traffic burden. I don't think it's as good as calling these common in providing jobs for the community and stuff like that, but it's utilizing the land. One thing I'd like to see is farm owners or the big landowners an incentive for them. You can't tell somebody what they can do with their property for the most part, and who they want to sell it to. I grew up in this place, and like I told you a few minutes ago, the kids referred to this as college town and I liked that now, and if we can try to hold on to that. But as people get older, some of their kids they they're not vested in the same business and say who they don't want to farm but thankful we got people like Mr. Allen, who comes in and rents other properties and keeps that farming industry going and I'd like to see that I think we can give an insight into our, our big landowners to where if we want to sell off and put solar farms and stuff like that in then maybe we can do that with the least tillable part of the land let's preserve the best farming land, if at all possible. Let's have an incentive for that. So that if somebody else comes along who has the ability to farm and wants to farm can do that. And then that's what I'd like to see for our town with each project you have good and bad and it's your job. But I like to*

hold on to a little bit of that heritage of what we grew up with and certainly not have our town turn into, you know, like we see in Clay with just no trees and no grass and just that's what I have to say about it. I appreciate your time.

Supervisor Wicks: We did hear back from County Planning, and they took no position on this. So according to our attorney, we can move forward with a with a vote tonight.

Attorney Rivizzigno: I would just like to point out from what the Supervisor said so there's no confusion. This law applies to any applications that are approved tonight. Any that occur after tonight after filing with the Secretary of State tomorrow. So anything is before the planning board up till now is exempt from the moratorium, and they can continue the process.

**MOTION TO CLOSE THE PUBLIC HEARING REGARDING
THE SOLAR FARM MORATORIUM**

RES#79/2023

Hearing all comments, motion made by Councilor Moore seconded by Councilor Rode to close the public hearing at 6:46 PM.

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

All ayes, motion carried and adopted

**MOTION TO OPEN THE PUBLIC HEARING REGARDING
REVIEW OF THE MAP, PLAN AND REPORT FOR
THE PROPOSED MILLS ROAD WATER DISTRICT**

RES#80/2023

Motion made by Councilor Geraci seconded by Councilor Moore to open the public hearing at 6:47 PM.

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

All ayes, motion carried and adopted

Mr. Yager: I just have a couple of updates. We had the Village review the map plan and report and there have been some changes made at the request of the Village. Previously there's an existing hydrant near the intersection of Riverbend and Route 370. The Village uses that hydrant for flushing other wells, and there's concern that when they're flushing wells and using that hydrant, there wouldn't be adequate flow and pressures for Mills Road. They asked us to come back to review the hydrant and the driveways where the wells are, so that's about 400 feet of water main to the project. So costs have gone up to \$620,700 as an estimate as of today, which includes an additional 400 feet of water mains. That brings the estimated first year cost of \$1,528.67. We are seeing prices drop on water, meaning that we were just looking at a bid today that was \$80. But I'm using \$90 a foot right now just because I'd rather be conservative and I'd rather give you a number than a low number. And when we come in lower, it's better. So that's essentially where we stand with right now. Depending on what the water rates are for the Village, that's based on the current water and water costs. Quite honestly, that's the worst case scenario that still includes the 20% contingency that still includes 20% for legal engineering and the survey which is a high number. And like I said, we're starting to see watermain costs go down right now, back to pre-pandemic levels. So I'd rather give you conservatives and give you a high number, than give you a low number come back with more. So that's where we're at.

Supervisor Wicks: Why the difference initially, Mr. Yager and I had a conversation, he thought that we had an arrangement with the Village, and after speaking with them further, there was a misunderstanding somewhere. So we have our additional work to do to ensure that the Village is willing to allow us to tap in and form that district. So what we have to do is, the parties are going to formulate a letter and send it to the Village Board, and they're going to review it with their committee. But right now, I think that we have it worked out with the water superintendent.

Mr. Yager: *And these costs, while those things not noted here, is that doesn't include the debt payment. It includes their payments and includes water usage. So if you're not going to tie into the system, then it the cost goes down. It's also based on a 5% interest rate. Now in here, there's an understanding that the State Comptroller needs to review this, because the costs are getting out of control, which is understood. That opens us up to zero interest possible through the Environmental Conservation Fund.*

Supervisor Wicks: *Regarding the ECF, I realize it's not guaranteed but nothing that we're doing is. We're only taking baby steps forward and it's constantly in flux. And this is certainly in the realm of possibility. Once the Village takes a look at it, and if they approve it, we're going to move forward. We've got everything we need to move forward. So there's really no more steps. We just need to have them review it and to sign off on the plan. And we reviewed it with them today, and I had conversations with Mr. McAuliffe and the Mayor, and this is what we're going to do if everybody is good with this and they don't have any problems with it. So unless there's people on their Board that have a problem with tapping into that, this should move forward. We are going to keep the public hearing open, until we get a determination from the Village as far as what they're willing or not willing to do, we'll be moving forward.*

...And so then ultimately, potentially, it's a very conservative call being a high cost and there's contingency numbers in there. And ultimately, that bond could be lower than that once construction is completed, as prices have come down for product and all this other stuff. Potentially that could be lower certainly, but the way interest rates are going in the way the Federal Reserve is tapping in. So if they have another rate hike, then then the bond costs go up. Right, you know, and I don't know, I can't tell you how much but they would go up. I think once we once we get through the public hearing, correct me if I'm wrong, I certainly know we have 90 days after that. Regarding the vote, there's a lot of time building around that, and then we'll give anybody a chance to vote who is out of town time to get back because we want to make sure that everybody is present. I'd rather move a little slower to ensure that we have the opportunity for people to you know get their vote in.

(Several interruptions and inaudible comments during this portion of the meeting) ...Should tell you that at 51 Mills... you're getting around New York (law) that I brought to attention last time we had a meeting down here. Number here, you guys have made mandatory...

Supervisor Wicks: *I don't know exactly what you're talking about. What New York state law? What are you talking about?*

Mills Road Resident: *Any improvements that are made then you don't have to get out gas line water line. A sidewalk went up. Okay. Because of the width of the road. You guys made it mandatory back 80 years ago you had...*

Mr. Yager: *All we need is an easement. We can put the water...*

Mills Road Resident: *What studies have been done after the measurements have been... through whatever you're playing.*

Supervisor Wicks: *Roads have nothing to do with the one...*

Mills Road Resident: *We got to do with water. It comes out of all the taxpayers.*

Mr. Rivizzigno: *I can't explain it actually. The waterline isn't paid by all the taxpayers. I'd say actually paid by the people in the district, which would be the people on Mills Road, who came to us then asked us to do this. We didn't just...*

Supervisor Wicks: *It's cut and dry. I have to defer to our attorney and he says we don't have to do it. So that's all I can tell you.*

Mills Road Resident: *... Other than looking into it, trying to help the people get water. You guys should be doing a study on it and finding out what the rules are. That shouldn't be up to date. Like I said, I got a high school diploma I can't read right - but yet I know every document out there...*

Supervisor Wicks: *That's another discussion so we're here to talk about the water line specifically.*

Mills Road Resident: *So I'm better off just getting a lawyer finding more out than what you people are going to come...*

Supervisor Wicks: *If you feel that you have to do that.*

Mills Road Resident: *I'm sure it's pretty wrong. You guys are sitting there. You're going to do something you don't even know all the rules or regulations or what you're going to do.*

Supervisor Wicks: *We didn't say we didn't know the rules. You're saying we all know the rules. We have an attorney here that's been doing this for probably 50 years and because he didn't answer the question and he said that we all have to do it. To answer your question, I gave you the best answer I could. That's the only answer I have.*

**Discussion ensued regarding the water lines, etc., and crosstalk occurred at several points in the conversation. Supervisor Wicks stated that order was needed.*

Fred Burtch: *I'm trying to gather my thoughts here. So I'm appreciative of this process even though I'm not in the district, and the first meetings I attended when you were talking about the proposal and had the public discussion and the vote afterwards. All I could think in my head was unfunded mandate, unfunded mandate, unfunded mandate, and I like those words especially from what the mandate is something that's forced out from whatever government this is.*

Supervisor Wicks: *We're not forcing anything on anybody. The residents on Mills Road came to the town board, which forced us into having to do something. Not an unfunded mandate. An unfunded mandate for the rest of the people who didn't approach but now by having this process, the way we're doing it now in the public referendum. We're going from a republic, a representative Republic, to democracy for that district for that day. These people will decide whether that's good for them or not. And that's fantastic. 5% of them decided that they wanted it. They're the ones that did this, it wasn't like 75% of the population that was down there came to us with this petition. So it wasn't like we went knocking on doors and saying "hey, you want water down here?" That would be okay, if you want water...*

Fred Burtch: *I know, and what I just think that with it being such a small district, it's not like a town-wide thing. Being such a small district I'm appreciative that this board went through with deciding on a public referendum to allow these people on their property to choose their future, I think with a small district with something expensive like this for some of these people, I just think that that's the proper direction. Now it was around 10 years ago for the Lamson Road Water project. And quite a few people came forward that were interested in getting it, but quite a few people were against it as well. But this process allows people to come out and air their grievances and thoughts and maybe throw something out there that somebody wasn't aware of because they're specializing there. I just think it's fantastic. And I just wanted to say I think I had a little tiny, tiny, tiny part in this. It makes me feel good that these people get a chance to vote individually. Just going on again, and I'm not saying that. I know you did. But I just think the district is so small, and it's so important to them, that I am appreciative that they get the opportunity to make the decision to homeowners. And I want to thank this board for going in that direction. Thank you for your time.*

Mills Road Resident: *I live on Mills Road. And I heard another 75% I've looked down the list of properties that have gotten names on it. I think I would like to say that it's not 75% That's all I got to say about that. I would like to see it verified. Why don't I start with the first 75%? You don't need it we all 'got good water'.*

Mr. Yager: *There are people on the external level who indicated that they monitor the water and there's things that indicated what they wanted.*

Supervisor Wicks: *We're not doing roads we're doing a water line.*

**MOTION TO ADJOURN THE PUBLIC HEARING REGARDING
REVIEW OF THE MAP, PLAN AND REPORT FOR
THE PROPOSED MILLS ROAD WATER DISTRICT**

RES#81/2023

Hearing all comments, motion made by Councilor Geraci seconded by Councilor Rode to adjourn the public hearing at 7:09 PM.

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

All ayes, motion carried and adopted

Town Board Comments

Town Board members thanked those who attended. **Councilor Rode** reminded everyone of the upcoming Recruit NY event for Volunteer Firefighters.

Supervisor's Comments

Supervisor Wicks spoke about assessments and asked residents to contact the Assessor to set up meeting if needed. He and Mr. Merrill had a discussion about current laborers at the park. It was explained what the laborers do, what the past laborers have done, and other work related labor issues that the new employees will do. **Councilor Rode** suggested that the hiring of new parks employees be looked at more closely and it would have been nice to have a union letter. **Councilor Moore** expressed his concern with help getting the titles of the parks staff correct.

Department Head Reports

Ken Svitak, HW Superintendent, noted that their summer hours have begun: 10 hour days (Monday through Thursday) with Friday's off. Hours on Monday through Thursday will be 6:00 AM to 2:00 PM. He noted that the Pavement Management Plan has been provided. The posts and the hardware for the Hayes Road signs has been provided. The signs are 12x18 and that order went to Clay signs (DPW) last week.

Supervisor Wicks spoke about Brundage Road, and noted that he has been in touch with Anheuser Busch regarding their weigh station and staging area for their trucks and they will provide dumpsters, but they can't prevent people from driving down that road and dumping. Anheuser Busch has been working with TOL to keep the area clean, and he is in continuous discussions with them regarding that issue.

Dina Falcone, Town Clerk advised the public that the Free Prom Dress event is Sunday, April 23rd from 10:00 AM to 2:00 PM in Town Hall. **Supervisor Wicks** recognized Ms. Falcone for her efforts to assist students.

Regular Agenda Items

MOTION TO ADOPT A LOCAL LAW UNDER ARTICLE XXIX TO ESTABLISH A MORATORIUM ON "SOLAR FARMS" IN THE TOWN OF LYSANDER

RES#82/2023

Motion made by Councilor Geraci seconded by Councilor Kudarauskas to adopt a local law under Article XXIX (29) to establish a moratorium on "solar farms" in the Town of Lysander.

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

All ayes, motion carried and adopted

MOTION TO ACCEPT THE REVISED MAP, PLAN AND REPORT FOR THE PROPOSED MILLS ROAD WATER DISTRICT

RES#83/2023

Motion made by Councilor Rode seconded by Councilor Geraci to accept the revised Map, Plan and Report for the proposed Mills Road Water District, submitted by CHA Engineers.

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

All ayes, motion carried and adopted

MOTION TO ACCEPT THE 2023 PAVEMENT MANAGEMENT PLAN

RES#84/2023

Motion made by Councilor Moore seconded by Councilor Rode to accept the 2023 Pavement Management Plan provided by the Highway Superintendent.

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

All ayes, motion carried and adopted

MOTION TO APPROVE THE LEASE AGREEMENT WITH ED & ED BUSINESS TECHNOLOGY

RES#85/2023

Motion made by Councilor Kudarauskas seconded by Councilor Rode to approve the five year lease agreement from Ed & Ed Business Technology for the postage machine located in Lysander Town Hall.

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

All ayes, motion carried and adopted

MOTION TO ACCEPT THE BID FROM NORTHERN ASPHALT FOR HOT MIX PAVING PROJECTS

RES#86/2023

Motion made by Councilor Moore seconded by Councilor Kudarauskas to accept the bid from Northern Asphalt for Hot Mix Paving projects for the Town of Lysander in the amount of \$883,922.40.

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

MOTION TO APPOINT JAMES SCRUTON TO PART TIME SEASONAL POSITION OF SUMMER AIDE

RES#87/2023

Motion made by Councilor Geraci seconded by Councilor Kudarauskas to appoint James Scruton to the part-time seasonal position of Summer Aide with a start date of Friday, April 21, 2023 at an hourly rate of \$14.20.

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

All ayes, motion carried and adopted

MOTION TO APPOINT ANTHONY CAPUTA TO PART TIME SEASONAL POSITION OF SUMMER AIDE

RES#88/2023

Motion made by Councilor Geraci seconded by Councilor Moore to appoint Anthony Caputa to the part-time seasonal position of Summer Aide with a start date of Friday, April 21, 2023 at an hourly rate of \$14.20.

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

All ayes, motion carried and adopted

**MOTION TO APPOINT LEILA GARDOONI
TO PART TIME SEASONAL POSITION OF RECREATION LEADER**

RES#89/2023

Motion made by Councilor Moore seconded by Councilor Geraci to appoint Leila Gardooni to the part-time seasonal position of Recreation Leader with a start date of Friday, April 21, 2023 at an hourly rate of \$16.94.

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

All ayes, motion carried and adopted

**MOTION TO APPOINT CHELSEA HENDRICKS
TO PART TIME SEASONAL POSITION OF SUMMER AIDE**

RES#90/2023

Motion made by Councilor Geraci seconded by Councilor Moore to appoint Chelsea Hendricks to the part-time seasonal position of Summer Aide with a start date of Friday, April 21, 2023 at an hourly rate of \$14.20.

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

All ayes, motion carried and adopted

ADJOURNMENT

Motion made by Councilor Geraci and seconded by Councilor Kudarauskas to adjourn the Town Board Meeting at 7:59 PM.

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

All ayes, motion carried and adopted

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

Dina Falcone, Town Clerk