

A regular meeting of the Lysander Town Board was held at 7:00 p.m. on May 5, 2014 at 8220 Loop Road, Baldwinsville, New York.

MEMBERS PRESENT: John A. Salisbury, Supervisor
Melinda Shimer, Councilor
Andrew O. Reeves, Councilor
Robert Geraci, Councilor
Roman Diamond, Councilor

MEMBERS ABSENT: None

OTHERS ATTENDING: Anthony Rivizzigno, Town Attorney; Al Yager, Town Engineer; Elaine McMahon, Deputy Town Clerk; Pac-B and several residents.

TOWN BOARD COMMENTS

Councilor Shimer reported that after having been appointed as the liaison last meeting with Toomey Residential she has been in contact with Judith D'Amore and she has let her know that the plans are at the State level but in the next few months they will be communicating with the Town's Codes Department and Town Engineer. Councilor Shimer has also taken some names of people that have come to her that have expressed their concerns and will be working with Ms. D'Amore to respond to those.

SUPERVISOR COMMENTS

Supervisor Salisbury announced that all future work sessions before Town Board meetings will begin at 6:00 p.m. There will be a work session on Monday, May 12, 2014 at 6:00 p.m. however there is no Board meeting.

DEPARTMENT HEAD REPORTS

None

CITIZEN COMMENTS ON AGENDA ITEMS

Appointment of Engineering Intern

Jim Stirushnik, Dinglehole Road, addressed the Board and asked if the individual being proposed for agenda item G is a Town resident.

Supervisor Salisbury replied that he is not but he is the person that the Town used last year to do the Cornell Roads Study adding that he was the best candidate that was picked out of a number of candidates and available this year which will help the Town immensely.

OLD BUSINESS

None

NEW BUSINESS

Purchase and Installation of New File Server

RES. #76/2014

Motion made by Reeves, seconded by Shimer to purchase and install a new file server from Syracuse Technologies at a cost of \$5,933.00 to effectively upgrade the town's computing capabilities going from a file back-up system to a virtual (VHD) back-up of the town's entire computing environment.

VOTE:

Supervisor Salisbury	Aye	Councilor Shimer	Aye	Councilor Geraci	Aye
Councilor Reeves	Aye	Councilor Diamond	Aye		

All Ayes, motion carried and adopted.

BOARD DISCUSSION BEFORE VOTE:

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Supervisor Salisbury reported that this is part of the Town's Disaster Recovery Plan and said that the Town's file server went down about a month ago and was down a number of days. By getting this file server the Town will have a virtual backup which will allow the Town, if the server was lost again, they can just bring the backup server into the office and continue to conduct business.

Contract with Syracuse Technologies

RES. #77/2014

Motion made by Diamond, seconded by Reeves to authorize the Supervisor to sign contract with Syracuse Technology for monthly virtual file server backup service in the amount of \$150 per month.

VOTE:

Supervisor Salisbury	Aye	Councilor Shimer	Aye	Councilor Geraci	Aye
Councilor Reeves	Aye	Councilor Diamond	Aye		

All Ayes, motion carried and adopted.

Disposal of Obsolete Equipment at Town Hall

RES. #78/2014

Motion made by Diamond, seconded by Reeves to dispose of obsolete computer equipment and broken furniture through recycling or trash disposal.

Equipment to be Declared Surplus

Brother IntelliFax 4100e	SN: U61639E8J808810
Canon Fax Phone L75	SN: UZW 15543
Compaq AIJ35LVD ProLiant ML310	6J32KR78T00J
orange desk chair	
grey desk chair	item no. 026123
grey armed desk chair	
Dell Dimension 4700	CN-0X6252-70821-575-GONG
Mitsubishi Diamond Plus	SN: A95589113 Model: DP-A12-OK

VOTE:

Supervisor Salisbury	Aye	Councilor Shimer	Aye	Councilor Geraci	Aye
Councilor Reeves	Aye	Councilor Diamond	Aye		

All Ayes, motion carried and adopted.

Speed Zone Study on River Road

RES. #79/2014

Motion made by Salisbury, seconded by Shimer to authorize the Town Clerk to request a speed zone study by NYSDOT on River Road in the vicinity of Timber Banks and the proposed entry of the YMCA.

VOTE:

Supervisor Salisbury	Aye	Councilor Shimer	Aye	Councilor Geraci	Aye
Councilor Reeves	Aye	Councilor Diamond	Aye		

All Ayes, motion carried and adopted.

Set Public Hearing

Proposed Local Law No. 1 of 2014

Amending Chapter A148, entitled "Street Specifications," and Chapter 117, entitled "Subdivision of Land," of the Town Code of the Town of Lysander.

RES. #80/2014

Motion made by Reeves, seconded by Diamond to set a public hearing on June 9, 2014 at 7:00 p.m. for Local Law # 1 of 2104 for the proposed revisions to the Town Subdivision and Highway Specifications.

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Proposed Local Law – Town of Lysander

Local Law No. 1 of the year 2014.

A local law amending Chapter A148, entitled “Street Specifications,” and Chapter 117, entitled “Subdivision of Land,” of the Town Code of the Town of Lysander.

Be it enacted by the Town Board of the Town of Lysander as follows:

Section 1. Section A148-2, entitled “Plans to be submitted for approval,” of Chapter A148 of the Town Code of the Town of Lysander is hereby amended by deleting the last sentence of subsection (A) and replacing it with the following sentence:

No construction shall commence until plans have been approved and the developer has entered into agreement with the Town to construct the work included in the construction plans. Said agreement will be filed in the County Clerk’s Office.

Section 2. Section A148-5, entitled “Inspection of Work,” of Chapter A148 of the Town Code of the Town of Lysander is hereby amended by adding a new subsection (F) as follows:

F. The contractor shall have a NYSDOT approved independent testing laboratory provide Nuclear Density Gauge testing using the 70 series compaction method, in accordance with NYSDOT Materials Procedure 96-01 during placement of all asphalt concrete.

Section 3. Section A148-14, entitled “Underdrains,” of Chapter A148 of the Town Code of the Town of Lysander is hereby deleted in its entirety and replaced with the following new section A148-14 with the same title:

§ A148-14 Underdrains.

Six-inch perforated HDPE pipe underdrains shall be installed as shown in the Town standard roadway sections or as indicated on the approved plans, using pipe and granular filter material furnished or installed in accordance with Section 605 of the New York State Department of Transportation Standard Specifications.

Section 4. Section 117-8, entitled “Major Subdivision Procedure,” of Chapter 117 of the Town Code of the Town of Lysander is hereby amended by deleting the current subsection and subdivision (M)(1) of Section 117-8 and replacing it in its entirety with the following new subsection and subdivision (M)(1):

M. Performance bond.

(1) Any performance bond furnished in lieu of the installation of the required improvements shall be in the amount fixed by resolution of the Town Board, shall be secured by such cash deposit of the developer or issued by such bonding or surety company as shall be approved by the Town Board and shall be approved by the Town Board as to form, sufficiency and manner of execution. The bond shall assure the complete installation of the required improvements within such period, not longer than one year for the placement of the asphalt top course or three years for all other improvements, as shall be fixed by the Town Board. The Town Board, with the consent of all parties to the bond, may extend such period upon written application of the developer filed with the Town Clerk prior to the expiration of such period or upon its own motion at any time prior to a declaration of a default in the bond by the Town Board.

Section 5. This Local Law is effective upon filing with the Secretary of State.

VOTE:

Supervisor Salisbury	Aye	Councilor Shimer	Aye	Councilor Geraci	Aye
Councilor Reeves	Aye	Councilor Diamond	Aye		

All Ayes, motion carried and adopted.

BOARD DISCUSSION BEFORE VOTE:

Engineer Yager reported that the Town is seeking to change a couple of town road sections to add an additional ½ inch binder and require Nuclear Density Gauge testing of asphalt placement and the Town will no longer allow developers to post a punch list security for a period of more than one year for the asphalt top course.

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Tabled Resolution from 4-28-14 State Law regarding establishment of Group Homes

RES. #81/2014

Motion made by Reeves, seconded by Geraci to write a letter to our NYS Representatives regarding local input into the establishment of Group Homes.

VOTE:

Supervisor Salisbury	No	Councilor Shimer	No	Councilor Geraci	No
Councilor Reeves	No	Councilor Diamond	Aye		

Four Noes, Motion Defeated.

BOARD DISCUSSION BEFORE VOTE:

Councilor Geraci made the following comments: That he was the one that proposed that the Town write a letter to the State, the Governor, etc. asking to reconsider the whole protocol announcing the establishment of a community home of any kind and to see if the local community may have more input in terms in evaluation whether such a facility ought to be established. After hearing a lot of stuff in the last couple, three weeks and reading a lot of material, the case law is in place, and has been in place for close to 40 years. It is all about not discriminating and all about basically saying that we have to take care of people in our communities and there isn't latitude and leeway in terms of what a local community can or cannot do with respect to these things. He is not so sure that a letter is not going to do anything and he hates to hold out hope for anybody or to do something just because it feels good. He feels that you ought to have some practical reason for doing something. Most of us wish we could turn the clock back to 2013 when the first letter came in and the Town would have given the citizens of this community an opportunity to say what they wanted to say. It may not have changed anything but we don't know that. He doesn't know after hearing what the citizens had to say Toomey might have said maybe we could do this or maybe we could do that. The Town failed to take that opportunity and he is not sure what the Supervisor is going to do with respect to issuing an apology and thought he was going to do that. He thought that would be the most appropriate thing for the citizens of this community. He will vote for the resolution but is not so sure a letter is going to do anything.

Councilor Reeves made the following comments: That it is easy for all of them to sit back and wished they could have done something and the longer that this has gone on the more all of them has read articles, did a little more research and got some better information. What happened happened and in his mind what happened doesn't change anything or wouldn't have changed anything because they may very well to have notified the public and ended up in a litigation suit also. Because we wouldn't call the public and tell them that a certain ethnicity is moving into the neighborhood and thought you should know about it. The law treats it the same it is no different and for them to notify the public we are discriminating ourselves. The bottom line is no one knows exactly what would have transpired but they do know when the forms were signed and when everything happened. It is unfortunate that it happened that way but as a Town Councilor he is convinced that nothing would have changed.

Councilor Diamond made the following comments: That Councilor Reeves may have been right. There might not have been a difference if the public had been notified by them but we still have to be transparent as a Board. Within the last three weeks they did have an informational meeting in regards to this subject. It was a good idea to have an informational meeting and he wished they had one a year ago and he thinks that they are so concerned about a lawsuit. They can get sued over anything. Someone could come to this meeting and not like the way the Board is handling this meeting and can file a lawsuit against the Board. He doesn't think that is not a good reason not to hold an informational meeting.

Councilor Reeves made the following comments: He disagrees with Councilor Diamond and he goes by the law. The law gave them three options and anyone of the options are not a good one. None of the three options with the situation the way it is signed purchase offer by both parties it would have gone backwards.

Councilor Diamond made the following comments after the vote: He thinks it is a good idea to pass this and a good idea to write a letter but he doesn't think it is going to be successful and doesn't want to give anyone false

hope. He would like the State to know that there needs to be more open dialogue with the Board and the residents. He thinks the residents should have more of say with regards to their community. He agrees with Councilor Geraci.

Councilor Reeves made the following comments after the vote: He said that where the decision was made wasn't a year ago. The decision he thinks was made in June of 2011 when that subdivision was approved the Town Board no longer had any jurisdiction to make any changes at all or to make it go in a different direction. He feels that this is where the decision was made that the public could have done something possibly.

Appointment of Engineering Intern

RES. #82/2014

Motion made by Geraci, seconded by Shimer to appoint Mr. Taylor Smith as the 2014 Summer Engineering Intern at a rate of \$13 per hour. The position will begin on May 12, 2014 and continue through August 22, 2014 at 35 hours per week.

VOTE:

Supervisor Salisbury	Aye	Councilor Shimer	Aye	Councilor Geraci	Aye
Councilor Reeves	Aye	Councilor Diamond	Aye		

All Ayes, motion carried and adopted.

BOARD DISCUSSION BEFORE VOTE:

Supervisor Salisbury reported that the Intern will be looking at the Town's drainage and updating the road statistics.

ANNOUNCEMENTS:

None

OTHER BUSINESS:

None

RECOGNITION OF CITIZENS:

DOYLE ROAD
PROPOSED TOOMEY RESIDENTIAL HOME

William Penn, Doyle Road: First of all any subdivision when its approved could possibly be a target for a sponsoring agency like Toomey and there is no reason to expect when it was approved, unless I don't understand the chronology here, that anyone had in mind when the subdivision was approved that Toomey was going to come in here and propose a site for, sorry, what I consider to be a minor penitentiary and the character of it. I would like to take my time to read a letter that was sent anonymously to Dorothy Allesio.

(Mr. Penn then reads letter)

So here is presumably for disabled people that would inspire much less hostility than this satellite penitentiary for young miscreants. That's a big difference. I have here a copy of that law. Article 41.34. In it refers, I can't read it all in the time I have, and it refers to the possibility of precipitating a hearing with the Commissioner of Mental Hygiene. The Commissioner would be forced to consider this and come up with a determination. And even then a review of the decision is possible in a proceeding pursuant to Article 78 of the Civil Practice Law and rules 30 days of the determination of the Commissioner. I don't really know what that law is but I will probably get around to looking it up. The hooker at the end if a community residence established pursuant to this section and family home shall be deemed a family unit for the purposes of local laws and ordinances. So this is very unfair. The whole thing is because of an oversight last year. I can't believe that the law would insist that we go through all of this just because of an oversight.

Councilor Reeves: It's not because of an oversight. It is because of the law and a subdivision allowed this to happen because it can happen in a subdivided rural zone.

William Penn, Doyle Road: Was the subdivision mentioned at the time it was approved that Toomey was going to come in.

Councilor Reeves: It didn't have to. The law doesn't state they have to. Even the realtors next door can't divulge that.

William Penn, Doyle Road: I'm sorry Sir I don't think that this is the intent of the law. So we have been badly treated and I would like to ask you to reconsider not doing anything because that's what your no vote tonight wants to.

Supervisor Salisbury: As far as unsigned letters we don't put them in the minutes.

Councilor Reeves: Two phrases that have bothered me in two weeks. One is little darling by Mr. Robbins and the other one was that one right there, the penitentiary. These are children that belong to parents somewhere and they do need help regardless whether they go there, they don't go there, that's no way to talk. They are innocent in this. This is not the way to talk about this issue is referring it to a penitentiary or calling these kids little darlings or anything else. We need to treat this like adults and discuss it like adults.

Dorothy Alessio, Doyle Road: May I remind the Board and all the people here the issue is not the group home in itself it is not that we are opposed to a group home. Our legal ramifications that we sought legal advice is the grave neglect on the part of elected officials and in this case Mr. Salisbury you know about the letter of March the 20th, 2013 when Toomey did its job and wrote a letter notifying the Town, you as the Administrator, that they had a proposal for a group home for at 3493 Doyle Road. It has nothing to do with the minor subdivision.

Councilor Reeves: I disagree respectfully.

Dorothy Alessio, Doyle Road: It has to do with that they sent you a letter. There were three options that the law gives the community, the municipality. Three options and if those options the Town does nothing about, working closely or cooperatively with the sponsoring agent then they go ahead with the project and that's exactly what they did. Here we are. This will be the sixth community residence in the particular Town and to provide for the services, we as community residents, have to supply this home with the entities that they are going to need to progress with their program. Doyle Road cannot, cannot, is not the site for this particular group home. May I ask you please since you became aware about three weeks ago about this letter that was sent what action has the Town Board members with the resources, the transportation, the engineer, whatever the school people, what action you Board members taking into conference and into consideration (unclear) expertise of the Town have you looked over the plans? Have you given any reference or any comprehensive study to this particular site, the drawings? Is this a site for this particular group home? What have you done other than just say I'm writing a letter under State law and I'm going to do this and I'm going to do that. What have you done?

Councilor Shimer: We currently do not have the plans. We have not seen the plans yet, they are in Albany. So as soon as they come we will see them but the plans are still in Albany right now.

Supervisor Salisbury: When we became aware of this we looked at all of our legal rights regarding this and we have done a great deal of research. Town Board members, we have talked to our Attorney so we have been following up on this. We are not ignoring it but I believe one of the statements you had made on an email that the purchase was offer was not signed March of 2014. The purchase offer was made on the land March 5, 2013. The letter was dated March 18 and was received in our Clerk's office on March 20, 2013.

Dorothy Alessio, Doyle Road: The Onondaga County Board of Realtors who have recorded this it is irrelevant if they did put the offer to purchase this property in March of 2013. I would not find this relevant to the whole thing. The documentation that I have it was made May the 23rd, 2013 when the offer came into purchase.

Councilor Shimer: Have you shared this information with us?

Dorothy Alessio, Doyle Road: I find it very irrelevant. (unclear) issues that are unimportant. The issue here is the Town failed in its responsibility to the community it represents. That is the basis.

.....

Norm Ashbarry, Hidden Lake Drive: I have some questions with regard to I guess an emergency meeting Board meeting that you Mr. Salisbury called for that was Thursday, the 24th of April. It was a Thursday, the day after the informational meeting held with Toomey. There was no advanced notice to the public. It wasn't on your website. There was no town clerk. You didn't take minutes.

Supervisor Salisbury: You want to take a breath? It wasn't a Town Board meeting, it was an informational meeting requested by our attorneys which is so in effect it was a work session and there was no illegal meeting and I thank you for asking.

Norm Ashbarry, Hidden Lake Drive: I'm not finished. Per the Public Officers Law Open Meetings Law its says any meeting of a public body has to be dealt with like any other meetings just like Town Board meetings. Even if it was a work session the public is invited to work sessions.

Supervisor Salisbury: In that situation our attorney said we would have had to go into Executive Session.

Norm Ashbarry, Hidden Lake Drive: You can vote on going into Executive Session just like you do here.

Supervisor Salisbury: No we were just in a work session.

Norm Ashbarry, Hidden Lake Drive: You always vote on Executive Sessions.

Supervisor Salisbury: We do here, Sir. I don't believe you come to many work sessions.

Norm Ashbarry, Hidden Lake Drive: I have come to a work session.

Supervisor Salisbury: I said many, I didn't say none. And I can't explain any further our attorney called the meeting, it was a work session and it was not an illegal meeting.

Councilor Reeves: We probably had an inappropriate work session is probably what you would call it and what would be the penalty for that at this point? What should we do?

Attorney Rivizzigno: No action was taken so there is nothing to do.

Norm Ashbarry, Hidden Lake Drive: Can you tell us what you discussed at this work session.

Attorney Rivizzigno: It was called by our office to discuss legal matters that are attorney client privilege. If anybody was there they couldn't stay anyways. I'm not going to tell you what the attorney client privilege was. It was a discussion with the attorneys from our office.

Norm Ashbarry, Hidden Lake Drive: You are not going to tell us the topic?

Attorney Rivizzigno: No.

Supervisor Salisbury: Do you understand attorney client privilege?

Norm Ashbarry, Hidden Lake Drive: I have a grasp of that. Thank you. One more question. A few months ago the Town of Lysander purchased an International Harvester Plow Truck. Actually you went against the Highway Committee and buying that International Harvester. I was here for that meeting. There was quite of bit of dissent that night because...well...I won't get into the nitpicky of it but since the purchase of that International Harvester have you, the Town, have any feedback from the Highway Superintendent as with regard to the adequacy of it, the power of it. Is it adequate as was stated by the International Harvester dealer?

Supervisor Salisbury: Are you an expert on trucks?

Not at all, no. I'm just asking if your Highway Supervisor talked to you about the adequacy of that truck, the power. Is it powerful enough to push the snow or to deal with the conditions to deal with the conditions that it was alleged to have been capable of?

Supervisor Salisbury: I think that our Highway Superintendent would have to comment.

Norm Ashbarry, Hidden Lake Drive: Can we ask him?

Supervisor Salisbury: Sure.

Norm Ashbarry, Hidden Lake Drive: The reason I'm asking about this is I'm told by reliable sources within the Highway Department that it is inadequate, it is not powerful enough and I believe that's what Mr. Dinsmore told you people when you bought that thing. He told you it wasn't powerful enough and you should be buying the Western Star. I will yield to Mr. Dinsmore.

Councilor Reeves: That's a little slanted but we will go with it. And by the way it's International. International Harvester hasn't been in business for years.

Norm Ashbarry, Hidden Lake Drive: All right, I stand corrected. It used to be International Harvester.

Supervisor Salisbury: Gene do you want to come forward to the microphone please?

Eugene Dinsmore, Highway Superintendent: I welcome the interest in the people that are following up, that's good and everything but it is premature to make any declarations at this point. The truck at present has been returned to the Stadium International dealer who is working on it. In fact someone here told me that they spotted it on Route 11 today doing a test drive. When I spoke to them this morning the last communication I had from them they suggested they think the problem is in the ECM, the electronic control module that controls all engine and transmission functions. They feel that there is some kind of error in there and they were going to this afternoon replace that module. So I am anxiously waiting for good news from them or I think Councilor Reeves has adequately instructed them on what they can do with the truck if they can't fix it.

Councilor Reeves: Gene and I worked tight on this didn't we? Gene called me one day and said if you have time take a ride in this truck. I went over there and they had it loaded right to the tail and we went on a nice ride with it and everything else. In the middle of the ride I gave them a call, didn't I? Are you satisfied with the way I handled it.

Eugene Dinsmore, Highway Superintendent: I am satisfied with the way you handled it and we're just simply waiting for the outcome at this point.

Councilor Reeves: We will see from there.

Supervisor Salisbury: The dealer really followed up and is living up to what he called the standard for this truck as many people buy cars and they have to take it back because of problems and mostly the dealer will make amends.

Councilor Reeves: Is there any grey area do you think on what's going to happen with this truck?

Eugene Dinsmore, Highway Superintendent: I might end up needing Tony's help. I think you made it pretty clear to them.

Councilor Reeves: There is no grey area.

Eugene Dinsmore, Highway Superintendent: What they could do with the truck if they were unable to fix it.

Councilor Geraci: Just for a point of information this is brand new news to me. How long did you have this truck?

Eugene Dinsmore, Highway Superintendent: Well we have had it approximately 5 weeks. We got it the week before that last big storm that we had. Last week of March.

Councilor Geraci: So you got it the last week of March and its back at the dealer already?

Eugene Dinsmore, Highway Superintendent: Yes, it's been at the dealer since April 16th. I'm certainly not satisfied with the performance but that's a lot of things you take back to the dealer.

Councilor Geraci: I know but we paid how much for this truck?

Eugene Dinsmore, Highway Superintendent: About \$98,000.

Councilor Reeves: The Western Star, we said \$14,000 more and all we ask is...

Eugene Dinsmore, Highway Superintendent: No, no in fact the comparable Western Star was \$1880 cheaper.

Councilor Reeves: That was with what you didn't want was the small leader.

Eugene Dinsmore, Highway Superintendent: Yes. Small engine to small engine the International was \$1880 more expensive.

Councilor Geraci: Are we proposing to buy another truck in 2015?

Eugene Dinsmore, Highway Superintendent: I'm hoping to come to you at the very next Board meeting with a truck proposal so...

Councilor Reeves: Is it going to be an International or a Western Star Gene?

Eugene Dinsmore, Highway Superintendent: That would be up to the Board. I certainly would not be recommending the International if that's what you are asking. I run the Town Highway Department you run the money. That money decision is your decision. There is five of you for good reason and I'll be presenting you with at least three options at the next meeting and you can choose from that. I will not provide you with any options that are not acceptable to me. I will give you three options that are all acceptable to me in horse power and torque and all that good stuff.

Councilor Reeves: I thought you were going to do four, not three, not three and a half, four and then three in your order. Four numbers and top three.

Eugene Dinsmore, Highway Superintendent: Yes we can do that.

Councilor Reeves: That's what we agreed to.

Councilor Geraci: Just a point of order here I'm just a Board member but it would be nice to find out these things not happenstance. Thanks Norm for coming up and asking about a truck because if you didn't ask that question I might not have found out about a truck that was not in our hands more than a couple, three weeks before it had to get returned.

Supervisor Salisbury: If we had to write a resolution we would have notified the Board. I just found out this late last week.

Councilor Reeves: This is more or less through the Highway Committee this has happened. We had the communication and Gene coming up with the numbers, how many numbers, and the date by the 14th I think we agreed on at our committee meeting. And you were invited to the committee meeting. You would have heard all this at the committee meeting. You know I asked you to, you couldn't make it, and it was the last minute ask but this is what I wanted to share with you what was at the meeting.

Councilor Geraci: But we have email Andy and you know I don't want to know if we run out of toilet paper in the men's room but you know it would be nice to know...

Councilor Reeves: When they finish with the truck and we have a diagnosis of whether it is going to stay here or go or...

Councilor Geraci: In terms of not being embarrassed as a Board member it would be nice to know when an expensive item like that or something similar we can all make those value judgments. Just do a FYI in an email.

Eugene Dinsmore, Highway Superintendent: I'm really thankful to our good, retired Trooper for bringing it up. It's nothing to fight and throw stones about this. It is just something that happened and we are dealing with it and now you know exactly how we are dealing with it.

Supervisor Salisbury: It was not trying to be hidden. It's just an everyday, well it's not an everyday thing.

Eugene Dinsmore, Highway Superintendent: You were gone away somewhere the day (unclear)

Councilor Geraci: I appreciate getting invited and if I had gotten the invitation, I got the invitation that morning to come to a meeting that afternoon. My schedule was already in place that day. I had things to do.

Supervisor Salisbury: Well there are circumstances for everything.

Councilor Geraci: That's why email is such a great tool. You can instantly tell some...

Councilor Reeves: That goes both way Bob.

Supervisor Salisbury: All right.

Councilor Reeves: That goes both way Bob.

Councilor Geraci: What do you mean by that Andy?

Supervisor Salisbury: Okay, all right lets....

Eugene Dinsmore, Highway Superintendent: You can call the Highway Department and find out anything you want.

Councilor Geraci: I like emails.

Paul Pacelli, Homestead Drive: I know that since that this all came out about Doyle Road there has been some rift between our community. Fingers have been pointed especially when this all came to light. I want to make sure people understand that Abbott Farms are an outstanding family. They have been in our community for generations and they are not at all to be looked down upon because of this whole thing. Reeves pointed out what difference would have it made if we had an informational meeting when the first letter came out. I think there is a young couple that spent \$57,000 that may disagree with you on that point. If they had known that that property was there they probably would not have spent that money for that lot to be next door to them. I think that is very unfair to these people that that happened.

Councilor Reeves: I think it is very unfair to stand there and speak on their behalf after they sat here last week and I think you have had interaction with Melinda and for you to have a conversation like this talking about someone else that has been totally cooperative and happy with the situation at this point.

Paul Pacelli, Homestead Drive: They are between a rock and a hard place. They have nowhere to go.

Councilor Reeves: Speculation...

Supervisor Salisbury: Wait a second; we are not having an argument here. Do you have something else?

Paul Pacelli, Homestead Drive: No, I just wanted to point out that I know when this first came out that a lot of fingers were being pointed, a lot of things were being said and that I think that since then it has come down to pretty much what's going to happen is what's going to happen. My only question is when is the next correspondence from Toomey to the Town after the 3/20 letter?

Supervisor Salisbury: When was the... 40 days after that.

Paul Pacelli, Homestead Drive: So 40 days after that the Town was advised that this was going to go ahead? Yes?

Supervisor Salisbury: Yes.

Paul Pacelli, Homestead Drive: And no one was advised of that back then.

Supervisor Salisbury: We are looking at that. We are looking at how it was received and where it went.

Paul Pacelli, Homestead Drive: So there was a problem with the first letter and the second one?

Supervisor Salisbury: Yes.

Paul Pacelli, Homestead Drive: Thank you very much.

Andrew Zimmerman, Cold Springs Road: My property goes from Cold Springs all the way back to Doyle. My garage is directly across from lot one of the Abbotts Development. I'm very displeased on how this whole thing has been going. I think for you to not write a letter showing your citizens that you don't want to put up any effort it would literally be twenty minutes at best to write a letter. Maybe it does nothing but it shows all of your citizens that you are behind them and that you care for them. So thank you for saying yes to that. I would like to see if we can bring it up again next week. Maybe write a letter again. Maybe the letter's not to get the law change so that these types of houses can't come into our communities. Maybe the law should be that the letter needs to be that the law needs to be changed so that Toomey can't slither their way in and show up at a place. If Toomey actually cared about these kids I heard numerous times Toomey talking about how they want these kids to be integrated into the community. How they want them to go to the lemonade stand. Well guess what? I'm not getting the opinion from any of these people that these kids are going to be integrated into their community. If Toomey came to us, came to the Board, asked the Board for their advice, maybe the Board reached out to community members and found a nice home to put these kids in they would be, I don't know what the word is, appreciated...

Supervisor Salisbury: I have to ask you a question. I'll add that to your time. But did you go to the meeting when the public, the informational meeting...

Andrew Zimmerman, Cold Springs Road: I was there.

Supervisor Salisbury: Okay. I'm just asking because of some of the questions you are asking.

Andrew Zimmerman, Cold Springs Road: I kind of held my tongue the last two meetings. I know I am one of the younger homeowners in the community. I don't know what my place is but this whole thing is ridiculous. It is absolutely ridiculous. They way all of you are acting, the way you are defensive about everyone else here tonight.

Councilor Reeves: I will continue to be defensive.

Andrew Zimmerman, Cold Springs Road: You will have your time. Right now I have the floor, correct?

Councilor Reeves: That's correct.

Andrew Zimmerman, Cold Springs Road: You have cut off numerous people tonight. All I'm looking for is respect.

Supervisor Salisbury: Wait a second. Excuse me Sir. Do you have..

(Crosstalk)

Andrew Zimmerman, Cold Springs Road: A gentlemen who is besides the home said that everyone here is fearful. You are damn right. I am fearful for this. Could the kids come in and be these great kids and I'll be a neighbor to them. Yeah it could but there is also a chance that that they come in and they do violence. They do this, they do that. I don't know. But fear is one of these things in our lives that keeps us safe.

Councilor Shimer: I do not understand the huge fear factor that's out there.

Andrew Zimmerman, Cold Springs Road: The reason is because they decided to come in without telling everyone. That's my issue.

Councilor Shimer: You think that they came in without telling you because they are trying to slip criminals into your neighborhood?

Andrew Zimmerman, Cold Springs Road: No.

Councilor Shimer: I'm not understanding... I understand there is uncertainty and not sure and you want to know and that's why I am working with Ms. D'Amore to answer your questions and I'm writing down concerns that you have. When you said if we had a chance to put it someplace else how we would choose, how would you choose that other place.

Andrew Zimmerman, Cold Springs Road: How would I choose that other place? It needs to be in an area that is set up for these kids.

Councilor Shimer: Which would be what?

Andrew Zimmerman, Cold Springs Road: Most of all the people in the surrounding areas that have been there (unclear) wants this to come into their community.

Councilor Shimer: Do you think there would be.... How many communities would volunteer to have a group home in their midst?

Andrew Zimmerman, Cold Springs Road: I have no idea but we haven't asked that question. That's the problem. They are coming into these communities...

Councilor Shimer: But that question was addressed in the law and that corrects the problem or the reason for the law. The people for Toomey spent a lot of time investigating for a place to go. I just think it's a process that you just can't say well it needs to go somewhere else.

Supervisor Salisbury: And the representatives from NYS Department of Mental Health were involved in the selection of the site.

Andrew Zimmerman, Cold Springs Road: Correct.

Councilor Shimer: They know the criteria better than we do. The criteria for what they are looking for. The clientele that they are dealing with and I know that there is always a chance that things can happen but there is a chance that the kids that live next door to me know can kill my cats. There is always a chance of things happening.

Andrew Zimmerman, Cold Springs Road: You are right.

Councilor Shimer: These people are with the children and I believe that when they came to the informational meeting they said that if they see anything in within our home that leads to violence the children are removed to another setting that is more appropriate to them.

Councilor Diamond: Point of order I wanted to tag on to one of your statements. You brought up writing a letter. Maybe something the letter can address is having a public hearing within the 30 days or prior to receiving the letter within twenty five days. There may not have been outcome but again the citizens have a right to know. That may have been some information that would have been informative to people that are looking to invest in that part of the community.

Andrew Zimmerman, Cold Springs Road: Beyond anything if I can't change what's happening here I would like to help out the next people this is going to happen to and maybe it's going to be a great thing, nobody knows. I would just like some support from the Board.

Councilor Reeves: None of us enjoy this. And for three meetings it's been one barrage after another. One barrage after another. We have looked every which way it is and to sit here and maybe a public hearing... Tony, from a legal standpoint, federal law...

Councilor Diamond: Not a public hearing, an informational meeting.

Councilor Reeves: Okay

Councilor Diamond: Informational meeting.

Supervisor Salisbury: Like we already had.

Councilor Diamond: Yes we did almost, you know, how many months...

Councilor Reeves: We are not only talking about NYS law we are talking with the Federal Fair Housing Act and New York is.... this is to comply with this federal law. It's not just us calling up DeFrancisco and say hey can you change this. You know what's really funny is on all these letters these same people we are supposed to write to, hey let's see what we can do, has anybody hear heard from any one of them? Have any of you had a conversation with your Assemblyman, your State Senator? Your County Leg guy? We haven't. Talk about feeling like you are out on an island and getting attacked. We are in the front of this. The subdivision was done before we were even in office. We are taking the flack, we are doing our job the best we can and doing it within the legal constraints of the law.

Councilor Shimer: Mr. Zimmerman I know that you are saying you wanted the support in of having the say if this is going to happen at all and that's we are going forward as we are now. I'm here to support all of you with working with Toomey. I'm writing down questions. I have talked to people personally. I will be talking to them. I will be making visits. I'm going to try the best that I can to make sure...

Andrew Zimmerman, Cold Springs Road: But what I want to hear that you are doing something for us. I don't want to come to these meetings and hear five excuses of how this has happened in the past and hasn't changed or this or that and it's never going to work. This is not why we are here at all.

Chris Patrick, Ashington Drive: I know you have taken a lot of heat over this Doyle Road thing hundred or so residents it effects. You also represent 15,000 other people in the Town.

Supervisor Salisbury: 23.

Chris Patrick, Ashington Drive: 23,000 other people in the Town that pay their taxes. I don't want you to spend my tax money fighting a law that does not get you anywhere. I don't want you going to hearings paying Tony so he can be told no. They have already spent three years looking for a site and the State approved it. It doesn't make any sense. I understand your frustration for not being able to have a say in it but that's why the

law was made forty years ago because the people would not let anybody build a community house in their area. So as a resident of Lysander I don't want you to spend anymore Town money dealing with this. You might want to research how the letters were received. That really has no bearing on the end result of the house being put there. As to having a meeting you had work sessions before every Town Board meeting. That's about 16 times better than the previous administration that never had a work session that the public was welcome to attend. So if you want to talk transparency right here is a hundred thousand times better than the previous Supervisor.

Councilor Diamond: The previous Supervisor isn't here.

.....
Dorothy Alessio, Doyle Road: In answer to this other young gentleman's question about the group home. This is not supposition, this is factual information that I have obtained from Elmcrest, from one of the councilors there. These students that will be coming to Doyle are students that have already been under the Toomey Residential Community program. The other home that they had resided in before they came to Elmcrest they totally destroyed. It was the (unclear) from the ramifications of these students. And this is one of the reasons that Toomey was able to go up further because there is still, Toomey is still responsible for the program for these same students who will be, hopefully not, will be coming to Doyle Road. So the reason they did not look for a structure that was already existent, that already abided by the code for restoring it or renovating it, it is because this home had to be structured, a new structure that took in all the consideration of unbreakable windows, walls and doors, etcetera, etcetera. That is the reason. And if you remember Ms. D'Amore that said that it had taken her four years before they had found this spot and they really dumped on it. One other thing quickly before we go. Mr. Penn and myself drafted a letter and it was dated, I think, April the 27th and it was sent to Mr. Salisbury through postage, also a copy to every one of the Board members. In that letter Mr. Penn and I suggest that the Board consider a plan where they would meet with the executive management of Toomey and see if we could work this out in some cooperative and working relationship and report back. I would say that Lysander is the biggest township in the whole Onondaga County. There are all kinds of things available here. This from my years' experience is not the site for these young people. It offers them nothing. It's a plowed cornfield. Guns are shot off over there. Sprays are, to scare away...

Supervisor Salisbury: Mrs. Alessio, we do have a contact with Toomey and that is through Melinda. She is working very well with them. I appreciate your letter and it was shared with all the Board members. But Ma'am we haven't seen the plans. I don't know where you have gotten your information and I'm not going to say that it's not correct. We haven't seen any plans. I appreciate those, I didn't know that they shared the plans with everybody. Please, honest to God, we have to see if anybody else wants to talk.

Dorothy Alessio, Doyle Road: I didn't quite hear you but I can tell you where I saw the plans. My, you know I am the developer of White Tail. My son uses the same architect, Daniel Manning, his wife is a real estate agent. Daniel Manning is the architect that drew up the plans for this group home. They were on Dan Manning's desk, drawing board, my son saw them, he was there, he looked at them and he said what is this. He looked them over very carefully, he knew it was, he knew exactly what it was, and so he told me and the rest is history. I worked very carefully, yes, I worked very carefully with the Assemblyman, William Barclay's office, I consider them to be one of the most polite, considerate group of people in that are in political office that I have encountered in my years. Thank you.

Councilor Shimer: Mrs. Alessio would you be willing to share that information after the meeting so I can follow up on that? The sources for that information about the group home, children?

Dorothy Alessio, Doyle Road: Fine whatever you would like.

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Kevin Rode, Greymoor Way: Just a statement and question. The truck thing I have worked in trucking companies for the last ten years. You can get brand new ones that are junk. It happens. It has nothing to do with International. I have seen (unclear) come off the line that shouldn't have never come off the line. Where are we at with the Lysander ice arena and the possible sale? Is that still, I mean we are passed the thirty days.

Attorney Rivizzigno: They had 120 days to obtain their financing. I think we are about 45 days into that.

Kevin Rode, Greymoor Way: So we have not heard back from the ice association?

Attorney Rivizzigno: No. The only indication I have gotten so far is that everything seems to look good.

Kevin Rode, Greymoor Way: I know we are passed our public hearing of 30 days.

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Chris Johnson, Olive Drive: I just want you to say that I hope Toomey knows that that's not a very safe road for children. We have four children and I wouldn't allow my kids to ride a bike there. It's a very narrow road

and you can barely get two cars passing by one another. It's hard to walk the dog and what not. So Melinda you might want to share that with them. If the Towns going to do anything to correct that road so it is more feasible. Then my next thing at the top of Doyle as it adds up to River there was an accident today with a handicap bus and a black Honda. Anything going to be done at that corner as well? It's a very dangerous corner. You are going to have all these little kids around and I hope they looked into that. I know these children and they look for every avenue to get out of these homes and these little kids are going to be running around. You want them to be safe as well.

Supervisor Salisbury: River Road is being investigated by the DOT as to what needs to be done there. The five corners.

Chris Johnson, Olive Drive: No its River and Doyle.

Supervisor Salisbury: Oh I'm thinking of Patchett.

Councilor Reeves: Is that part of one of the intersections or not?

Supervisor Salisbury: No.

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Dan Joiner, Coppernoll Road: I find it really sad that our community is afraid of these poor kids. They haven't had a chance their whole life and we have a chance to give them a little better life. And everybody is so scared that these little kids are going to hurt them. I find it sad and I support our Board in everything that they have done. I think if you ever had anybody in life that was disabled, especially as children, you might think twice because these kids have it bad from the moment they are born. Let's give them a break. I just have one other thing. I know we are going to do some consolidation with the Town stuff and I was just wondering how that was going if there is a plan to get some meeting dates.

Supervisor Salisbury: We have already, we have appointed the two members to serve on the committee and the Mayor and VanBuren Supervisor and myself need to get together hopefully this week or early next week to finalize our committee and get that started.

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Jim Stirushnik, Dinglehole Road: This Board meeting called by the Town Attorney can it be public knowledge who attended the meeting?

Supervisor Salisbury: Yes, the five Board members and two attorneys from the law firm.

Jim Stirushnik, Dinglehole Road: Thank you. I think this group ought to listen to the last speaker. I have been very ashamed at most of the people here and believe me I have had a not in my backyard personal matter back when the County was considering a town dump, a county dump. It was my backyard then. One of your speakers said you were an upscale community. If you are the type of people that come to an upscale community I would rather live on the hog farm I grew up on and I can still have that hog farm even if you move next door to me. I think you people ought to grow up.

Supervisor Salisbury: Jim, you have to address your comments to us. I'm sorry.

Jim Stirushnik, Dinglehole Road: I'm really quite ashamed at many of you. I think you are going out to the far extremes for the situation even though I am not totally convinced that I am in agreement with the Board either.

ADJOURNMENT:

At 8:06 p.m. Supervisor Salisbury adjourned the meeting.

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

Elaine McMahon, Deputy Town Clerk