

A regular meeting of the Lysander Town Board was held at 7:00 p.m. on July 14, 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; Timothy Wolsey, Code Enforcement; Gene Dinsmore, Highway Superintendent; Ann smiley; Parks and Recreation Director; Lisa Dell, Town Clerk; Pac-B and several residents.

APPROVAL OF MINUTES

RES. #106/2014

Motion by Diamond, seconded by Geraci to approve the minutes of the regular Town Board meetings of June 23, 2014.

VOTE:

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

All Ayes, motion carried and adopted.

SUPERVISORS COMMENTS:

Supervisor Salisbury reported that there will be a work session on July 21, 2014 to discuss Parks and Recreation and the Tax Collector, a work session on August 4, 2014 to discuss contract negotiations and a work session on August 18, 2014.

TOWN BOARD COMMENTS

Councilor Shimer reported that plans for the Doyle Road project have been approved by the State and have been sent out to bid. She said it is not known when the contract will be awarded.

DEPARTMENT HEAD REPORTS

Supervisor Salisbury said that Theresa Golden, Town Assessor, provided a report to the Board and is not available to present it. He said that if anyone has any questions on the STAR exemptions to call the Assessor's office. The following is the report that was given to the Board:

March 2014- June 2014 Assessors' Report

New Basic Star Registration Issue: Property that transferred ownership during summer/fall2013, received reregistration information from DTF. This was the previous owners STAR not the current/new owners. In some cases they registered online, but never completed the initial application with the Assessor's Office. This is required and because no application was filed the exemptions were removed for 2014. DTF has indicated that the Assessor will have to handle/correct this problem. We will apply the Basic Star exemption to properties that reregistered prior to March 1st, 2014 with DTF. Properties that reregistered after March 1st will not qualify, because the deadline for all exemption filings is March 1st each year. I have identified 40 properties that were affected by this issue and mailings were sent to confirm registration numbers and dates. We will also send a letter with all mailed STAR applications that indicate the initial application must be returned to our office. The hope is to correct this problem for future years. Please see attached sample letters.

Mid-March 2014, Preliminary Change of Assessment notices were mailed to 589 property owners. The Assessor scheduled 3 weeks of Informal meetings during March/April and met with 74 property owners. An additional 129 Change of Assessment notices were mailed the week of May 1st. Grievance Day was held June 3rd and a total of 39 were received and reviewed by the BAR. The list of verified changes has been sent to Onondaga County as required.

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The Final AAR and 2014 Assessment roll have been filed with Onondaga County. The Assessor will pick up the 2014 roll, tax maps and AAR the week of June 23rd.

The legal notice for Final Assessment Roll will appear in the Messenger on June 25th, as required by law.

The ORPTS has verified the Level of Assessment at 100% for the 2014 assessment roll.

The Assessor has worked with SDG and the County to attach digital pictures to V-4 on the County server.

CITIZEN COMMENTS ON AGENDA ITEMS

**TOWN OF LYSANDER REQUIREMENTS FOR SPEAKING AT TOWN BOARD
PUBLIC MEETINGS**

Michael (Kempisty) approached the Board and said he did not wish to give his address.

Supervisor Salisbury said that they had a discussion...

Mr. Kempisty said this is exactly what he wants to discuss and comment on, item number C.

Supervisor Salisbury said that he had to give his full name and address as this has been in existence here...

Mr. Kempisty said that they have not formally approved it yet.

Supervisor Salisbury said that it was already in operation and it has been that way for years and he just formalized it.

Mr. Kempisty said he foiled it and nothing came forward with regards to it so he assumed that it was not formally adopted.

Councilor Shimer asked what his objection to it was.

Mr. Kempisty said privacy, and he does not wish to give his address. He said he owns property in the Town but he does not wish to give his address.

Councilor Shimer asked nor his name.

Mr. Kempisty stated nor his name, saying that Michael was good enough.

Councilor Shimer asked him who he was speaking on behalf of.

Mr. Kempisty said himself.

Councilor Shimer said but he wasn't going to give his name.

Mr. Kempisty said she was correct, it was not necessary. He said he just wishes to make a comment about speaking at the Board meeting about giving a name and address. He stated he would like to read something from the Committee on Open Government.

Supervisor Salisbury said that Mr. Kempisty said that he had stopped him from speaking but Mr. Kempisty stopped himself from speaking.

Mr. Kempisty asked how so.

Supervisor Salisbury said because he has to give his name and address.

Mr. Kempisty said it has not been formally adopted yet.

Supervisor Salisbury said it has been in existence...

Mr. Kempisty said how it can have been in existence. He stated it has to be written, it has to be adopted.

Attorney Rivizzigno stated the Town Board does not need to allow anyone to speak. He said if they do, they do it by their rules and he is not aware of any law that says a policy that allows someone to speak has to be formally adopted.

Mr. Kempisty said he doesn't understand why he objects to giving a name and address.

Attorney Rivizzigno said that it has been the policy of the Board and that is the policy under which they allow people to speak. He stated that those are the conditions and if you don't meet the conditions you cannot speak.

Mr. Kempisty said but there are privacy issues.

Councilor Shimer asked that if he went to a store and they said they were not going to serve him without shirt or shoes and it is his right not to wear a shirt and shoes, would he expect them to serve him.

Mr. Kempisty said of course no, he wouldn't.

Councilor Shimer said but that is a policy.

Mr. Kempisty said but this is a Town Board meeting. He stated this is a place where the public interacts with the representatives.

Attorney Rivizzigno said that if he wants to challenge the Board's policy he can certainly do so in court.

Mr. Kempisty said exactly and he will make money on it to.

Attorney Rivizzigno said no, that it is part of his retainer.

Mr. Kempisty asked if he could read something from the Committee on Open Government.

Supervisor Salisbury said no.

Mr. Kempisty said it specifically says that basically that you don't need to give out a name

Supervisor Salisbury stated that the last time he was here he had to have a policeman come in.

Mr. Kempisty asked if he did.

Supervisor Salisbury said yes and he knows that.

Mr. Kempisty said and the police officer he left.

Supervisor Salisbury said because he told him he could leave. He stated because he thought Mr. Kempisty would sit down and be quiet.

Mr. Kempisty said he did.

Supervisor Salisbury then asked the audience if there was anyone else who wanted to ask a question under this portion of the meeting.

Mr. Kempisty asked why he wanted to debate this.

Supervisor Salisbury said he was not debating with him and stated it is their rules.

Mr. Kempisty said okay and asked if he was not going to allow him to read something from the Committee on Open Government.

Supervisor Salisbury said only if he gives his name and address.

Councilor Reeves said as a Board member he would be happy if he would send it to him or email it to him.

Mr. Kempisty said he tried to give it to him that night and he wouldn't accept it.

Councilor Reeves said that he was being quite unruly that night.

Mr. Kempisty stated he was not, he tried to be polite and said Councilor Reeves was the one that was unruly. He asked again if he wasn't going to be allowed to speak.

Supervisor Salisbury said he has chosen not to speak because he will not give his name and address.

Mr. Kempisty said no he hasn't. He said he wants to speak and he wants to read this.

Supervisor Salisbury said he can send it to the Board but he is not going to speak at a meeting without giving his name and address.

Mr. Kempisty said okay and he objects to that. He said that we are in Afghanistan and we are over in Iraq trying to fight for the Constitution.

TOWN OF LYSANDER REQUIREMENTS
FOR SPEAKING AT TOWN BOARD
PUBLIC MEETINGS

Kevin Rode, Greymoor Way asked why the Board can't go back to giving people 5 minutes to speak instead of 3. He said he knows that the Supervisor doesn't have to let anyone speak but feels that 5 minutes isn't a big deal.

WATER DISTRICTS

Kevin Rode, Greymoor Way asked if there was a possibility of consolidating the 6 Town controlled water districts where water is provided by the Village of Baldwinsville similar to how the Town consolidated fire districts into the Northwest Fire District.

Supervisor Salisbury said that they have looked at some of those and he thinks that before they finalize anything they will look at that again. He stated there were some problems as to why they didn't consolidate.

Mr. Rode stated that he would think the rates and everything would be just like a fire district and the previous district would pay it off.

PARKS AND RECREATION

Kevin Rode, Greymoor Way asked that with the resignation of Ann Smiley is the Town looking at an inter-municipal agreement with the Town of VanBuren to consolidate that position.

Supervisor Salisbury stated that he has met with the Supervisor of VanBuren and they are in discussion right now. He said the Village has chosen to withdraw from the discussions.

EXECUTIVE SESSIONS – SALE OF PROPERTY

Robert Braun, Quaker Lady Circle stated that in regards to item L it seems to him that a lot of times the Board goes into executive session to discuss property. He said he gets confused by it and asked what the Board's criteria are to decide to discuss the sale of property in executive session. He also asked for a definition of what substantial is in dollars or in a percentage. He also asked for any viable scenario where discussing the sale of property publically could have cost the Town to lose that type of money.

Supervisor Salisbury said that there is no set standard on substantial.

Mr. Braun said he was asking for their definition.

Supervisor Salisbury stated that its better that while they are in negotiations with one or two or three parties that they really can't discuss it in an open meeting. He said because purchase offers it's like somebody makes a purchase offer and if that person can go to someone else and say he got this price, can you increase it. He stated that is what would happen in an open meeting when they give out all that detail. He said so they go into executive session to discuss confidential matters until they are ready to accept a purchase offer.

Mr. Braun asked the Board if they all agreed with that statement.

Councilor Shimer said yes.

Councilor Reeves stated he does some of the time.

TOWN OF LYSANDER REQUIREMENTS
FOR SPEAKING AT TOWN BOARD
PUBLIC MEETINGS

Jim Stirushnik, Dinglehole Road, stated that he agreed with the previous speaker that a 5 minute speaking time is better than a 3 minute speaking time and would certainly support it.

CSX REQUEST TO MAKE THE ROUTE 48 CSX CROSSING EXEMPT

Jim Stirushnik, Dinglehole Road, stated he doesn't agree with allowing this to go forward and said he thinks it creates a confusing situation for the public. He stated it is a question of safety and that people are anticipating that school buses and other vehicles are going to stop. He said it should be uniform across the board.

Supervisor Salisbury stated that he believes that there will be a sign at the crossing that they are exempt from stopping.

Mr. Stirushnik said that there are more than a dozen signs on the parkway in Liverpool and how many times do they hear about a truck or a bus or how many lives that are lost because people fail to read the signs. He said that he also thinks the signs detract from the environment and stated that the public is not that interested in a minor issue like this. He stated that he feels that it should be kept uniform across the board and it should not be changed. He asked what the Town is going to do about the site where the track crosses at Lamson Road.

Gene Dinsmore, Highway Superintendent, stated that the site is not a route where anyone has suggested it be exempt and the school district has not requested it.

Mr. Stirushnik explained that there may be confusion by the public because they see the exemption at one site but not the other. He feels a stop sign should be a stop sign and a railroad crossing should be a railroad crossing.

Supervisor Salisbury asked Superintendent Dinsmore if that was the only other place.

Superintendent Dinsmore said he believes so.

Councilor Reeves asked what the school policy was.

Superintendent Dinsmore said it was not the school policy it is the law.

Councilor Reeves said that the buses say on the back of them that they stop at all railroad crossings. He stated that if it has an exempt sign by law and asked does anybody know what the school's policy is. He said are they going to say they are exempt they can continue.

Superintendent Dinsmore stated the school district did ask for exempt designation for West Entry Road when that was temporary out of service.

Councilor Reeves asked if they do have a policy if it is exempt they don't stop.

Superintendent Dinsmore stated he does not know if they have a policy but he does know that the school district approached him and requested that West Entry Road be posted as an exempt crossing.

Supervisor Salisbury said that Lamson Road and Rabbit Lane should be the same thing.

Superintendent Dinsmore said they are not truck routes like Route 48. He said Lamson Road would be a County issue and Rabbit Lane would be the Town's. He asked if the Board wants to entertain the motion to include Rabbit Lane on the resolution. He stated that he doubts the NYS DOT would be interested.

Supervisor Salisbury stated when he sends the letter he will ask about the other two roads and let them take it from there.

Superintendent Dinsmore said he doesn't believe they would be interested but there is no harm in asking.

Councilor Geraci asked why is it not possible to have them take the tracks right out like they did on West Entry Road.

Superintendent Dinsmore said that it is up to CSX as they own the track. He stated CSX did take a piece of it out for some reason but their policy is not to remove the tracks unless they have a need to. He said that their thought process is that someday somebody might move into the Birds Eye plant and will want rail service at which time the exempt status can be revoked. He stated that the railroad historically does not support any action to support truck traffic. He said that trucks are their competition. He stated that NYS DOT is the one forcing this issue and CSX is not willingly accepting this process.

RESOLUTION AUTHORIZING THE SALE OF TOWN PROPERTY

Jim Stirushnik, Dinglehole Road, asked if there were any other bidders or people interested in the property.

Attorney Rivizzigno stated that there were other bidders and once the purchase offer is executed the details can be released.

OLD BUSINESS

None

NEW BUSINESS

CSX Request

RES. #107/2014

Motion made by Geraci, seconded by Shimer authorizing the Supervisor to send a letter to CSX supporting their request to make the Route 48 CSX crossing exempt which allows HAZMAT vehicles and school busses to pass without stopping.

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:

Councilor Diamond requested that Supervisor Salisbury send notification to the newspaper to educate the public when this occurs.

Councilor Geraci stated that he is supporting this because the request came in from the NYS Department of Transportation and he feels that they should let the experts suggest what is appropriate... He said he presumes they know what they are doing with making this suggestion.

Replacement of Soffit on Town Hall

RES. #108/2014

Motion made by Reeves, seconded by Shimer to authorize the Supervisor to sign a contract with Chris D. Zimmerman for the replacement of the soffit on the Town Office Building located at 8220 Loop Road in the amount of \$10,500.

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 there are areas on the building where the soffit is falling down and it is a very expensive building and it needs to be maintained. He said that this is one of the items that will be done this year and it was budgeted for.

Approve and Adopt Rules for Speaking At Town Board Meetings

RES. #109/2014

Motion made by Salisbury, seconded by Diamond to formally approve "Requirements for speaking at Town Board Public Meetings", which have been in effect for many years.

**TOWN OF LYSANDER REQUIREMENTS FOR SPEAKING AT TOWN BOARD
PUBLIC MEETINGS**

Lysander Town Board regular meeting
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(WORK SESSIONS ARE NOT INCLUDED)

CITIZENS COMMENTS ON AGENDA ITEMS

WAIT TO BE RECOGNIZED BY THE SUPERVISOR

GO TO THE MICROPHONE, STATE YOUR NAME AND ADDRESS

DIRECT YOUR QUESTION TO THE SUPERVISOR

QUESTION MUST RELATE TO AN AGENDA ITEM FOR THE MEETING IN SESSION

DO NOT INTERACT WITH THE ASSEMBLY

RECOGNITION OF CITIZENS

WAIT TO BE RECOGNIZED BY THE SUPERVISOR

GO TO THE MICROPHONE, STATE YOUR NAME AND ADDRESS

DIRECT YOUR QUESTION OR COMMENT TO THE SUPERVISOR

DO NOT INTERACT WITH THE ASSEMBLY

THE TIME LIMIT IS THREE (3) MINUTES FOR EACH CITIZEN

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 stated that this was put on the agenda only to formalize what has been in existence for several years. He said the Town Attorney stated they do not need to do this but he feels that at least it is on the books. He stated the requirements for speaking at a meeting will be posted on the Town Clerk’s signboard and at the entrance into the auditorium.

Councilor Diamond stated before he was elected to the Town Board he served as a school board member. He said the school board also had a policy where before a meeting a person would have to write their name, their address and what they wanted to talk about. He stated with his exposure here on the Town Board the reason why he did not want to adopt the same policy as the school was because sometimes when there is an item on the agenda or a person hears something that is being discussed by a Town Board member the person may want to comment in regards to that. He said by that point it would have been too late to sign up and request to speak. He stated that nothing is perfect, that there will always be a discussion in regards to the rules as some people mentioned privacy. He explained that in our global society he can go on the internet he can Google somebody’s name and be able to find their address among several other things about that person. He said that he doesn’t think adopting the policy by any means an invasion on anyone’s privacy and an infringement on the Constitution.

Councilor Geraci stated that he believes there always seems to be some flexibility exercised by the Supervisor regardless if it is a 3 or 5 minute time limit and said it is a good thing. He said that if it is actually put in writing as 3 minutes he is not sure that they have ever stuck to this time limit. He stated he said sometimes they would want to give a citizen a longer period of time to speak. He suggested instead that they include that the time limit is established by the Town Board and to leave it generic.

Supervisor Salisbury stated that he feels that setting a time limit has proven beneficial. He said that if someone wants more time he has certainly given it to them. He said that 5 minutes seemed too long and he cut it back to 3 minutes and would like to keep it in the written rules.

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Timberbanks

OCWA agreement to Install Fire Hydrants

***Lysander Town Board regular meeting
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RES. #110/2014

Motion made by Shimer, seconded by Reeves to authorize the Town Supervisor to sign an agreement with OCWA to install two fire hydrants in Timber Banks area.

VOTE:

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

All Ayes, motion carried and adopted.

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Timberbanks
Water Main installation

RES. #111/2014

Motion made by Reeves, seconded by Shimer to authorize the Town Supervisor to sign a permit application to OCWA for the installation of a water main in Timber Banks.

VOTE:

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

All Ayes, motion carried and adopted.

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Hiring of Summer Staff - Parks Department

RES. #112/2014

Motion made by Diamond, seconded by Reeves to hire the following people as Summer Program Instructors:

Matt McGivney	Youth Wrestling Assistant Coach	\$10.00 p/hr. (Town Resident)
Teresa Piedmonte	Camp Crayola Assistant	\$ 9.00 p/hr. (Town Resident)

VOTE:

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

All Ayes, motion carried and adopted.

Gloria Cimitile, Deep Glade Drive, asked what the duties were of the Camp Crayola Assistant and asked if the person just hands out crayons.

Director Smiley replied that there are several duties with the position and that Cramp Crayola is only the name of the program.

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Application for Parks Funding from NYS Office of Children and Family Services

RES. #113/2014

Motion made by Salisbury, seconded by Shimer to authorize the Director of Parks and Recreation to apply for 2014 funding from the Onondaga County Dept. of Aging and Youth.

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:

Parks and Recreation Director Ann Smiley reported that this is an application for the same funding as last year and last year they received approximately \$2600.00.

Award Web-Site Re-design RFP

RES. #114/2014

Motion made by Diamond, seconded by Shimer to authorize the Supervisor to enter an agreement with Cowley Associates to re-design www.townoflysander.org per town requirements outlined in a June 2014 request for proposal at a cost not to exceed \$14,000.00.

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 this cost will be spread out over 5 years and the first year cost is approximately \$6000.00.

Resignation of Parks Director Ann Smiley

RES. #115/2014

Motion made by Salisbury, seconded by Geraci to accept the resignation, due to retirement, of Ann M. Smiley, effective August 21, 2014, with regret.

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 Director Smiley has spent 23 years with the Town of Lysander and also worked with the Town of VanBuren and the City of Troy adding another 17 years with a total of 40 years in Parks and Recreation. He stated they are accepting the resignation with regret. He said she has done an excellent job in Lysander and he wished her the best.

Councilor Geraci stated that in his former position as Commissioner of Onondaga County Parks for 30 years he has known Director Smiley for almost that time and he wanted everyone to know that it is more than the Town of Lysander that she serves. He said that she has been the president of the NYS Recreation and Parks Society and was also President of the CNY Parks and Recreation Society. He stated that there is a community of Parks and Recreation people in this state and Director Smiley has been one of the primary movers and wished Director Smiley good luck.

Supervisor Salisbury stated that Director Smiley has provided so many programs for adults and not just kids. He said he feels very fortunate to have Director Smiley to work with and he will miss her dearly.

Grant Permission to E-Race Cancer Run

RES. #116/2014

Motion made by Geraci, seconded by Diamond to permit the race director Michael Samoraj to establish the Town of Lysander Office Building at 8220 Loop Road as the Official Start and Finish Line for this race on Saturday September 13, 2014.

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 event will tie into the September 14, 2014 Fall Extravaganza.

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Surplus Truck 10 and Swenson Sander/ Sale of Sander

RES. #117/2014

Motion made by Salisbury, seconded by Reeves to declare Truck 10 and the Swenson sander surplus property and to authorize the Superintendent of Highways to offer for sale through Auctions International and to accept the bid of \$2,850.00 for the Swenson sander only. Truck 10 will remain for sale at the Auctions International.

VOTE:

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

All Ayes, motion carried and adopted.

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WHISPERING OAKS SEWER DISTRICT
RESOLUTION AUTHORIZING THE SALE OF TOWN PROPERTY

RES. #118/2014

Motion by Shimer, Second by Reeves

WHEREAS, the Town of Lysander is the owner of two parcels of vacant property located at 8247 and 8251 Ashington Drive in the Town of Lysander, New York, being Tax Map Parcel Nos. 049.1-02-18.0 and 049.1-04-16.0 (collectively the "Property"). The lots are also commonly referred to as Lot Nos. 21 and 49 of the Whispering Oaks Subdivision; and

WHEREAS, the Property is not presently needed for Town purposes and the Town has no further need or use of the property; and

WHEREAS, Staring Enterprises, LLC has offered to purchase the Property from the Town for One Hundred Thousand Dollars and No Cents (\$100,000.00); and

WHEREAS, the Town deems the offer to be fair, reasonable and adequate.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes the Supervisor to accept and execute the purchase offer of Staring Enterprises, LLC and further authorizes the Supervisor to execute any and all documents necessary to effectuate the conveyance of the property; and

BE IT FURTHER RESOLVED that this Resolution is subject to permissive referendum.

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 Town has two lots in the Whispering Oaks subdivision that are really owned by the residents of the Whispering Oaks Sewer District. He said they were appraised at \$110,000 and the Town had been offered various amounts. He stated that the proceeds of this sale will go to the Whispering Oaks Sewer District to help defray expenses within the sewer district.

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Whitetail Woods Subdivision Section B
Supervisor to sign Wastewater Treatment Contract Drawings

RES. #119/2014

Motion made by Shimer, seconded by Diamond to authorize the Town Supervisor to sign the cover sheet of the Contract Drawings, prepared by TDK Engineering Associates and the NYSDEC Application for Approval of Plans for a Wastewater Disposal System (Formally BSP-5) for The Whitetail Woods Subdivision Section B-1.

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 this resolution is to sign the contract drawings which include all Town dedicated infrastructure including roads, drainage and sanitary sewer as well as the BSP-5 form for the dry sewer that will be installed. He said that the intent there is that the entire Cold Springs peninsula will have sewers. He stated that this parcel is directly across from the Wetzel Road Treatment Plant across from the river which makes the dry sewer key. He stated that other areas of the peninsula will ultimately tie into the sewer. He explained that eventually either a pump station or siphon system will be installed to send waste from this site and other areas north of Route 370 on the peninsula to Wetzel Road Treatment Plant.

Supervisor Salisbury added that all these houses have septic systems right now but they have a dry sewer that runs from their house to the street and can hook into the sewer system once the pump station or siphon system is put in.

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Radisson, Melia Park, & Spring Brook Subdivision
Solicit Bids for Drainage Improvement Projects

RES. #120/2014

Motion made by Reeves, seconded by Geraci that the Town Clerk be authorized to advertise for bids for the 2014 Radisson, Melia Park, & Spring Brook Drainage Improvement Projects. Bids will be opened on August 7, 2013 at 11:00 A.M. at the Lysander Town Office Conference Room.

VOTE:

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

All Ayes, motion carried and adopted.

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Crimson Ridge Subdivision
Phase 3A-1
Execute Pledge Agreement

RES. #121/2014

Motion made by Reeves, seconded by Diamond authorizing the Supervisor to execute the pledge agreement securing the punch list items and the maintenance guarantee for the Crimson Ridge Subdivision, Phase 3A-1 and Phase 3A-2.

VOTE:

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

All Ayes, motion carried and adopted.

ANNOUNCEMENTS:

OTHER BUSINESS:

None

RECOGNITION OF CITIZENS:

TOWN BOARD MEETING AGENDA

Lysander Town Board regular meeting
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Gloria Cimitile, Deep Glade Drive, stated as a point of order she noticed that on seven different items on the agenda it was indicated to see attached but there were not attachments to the agenda.

Supervisor Salisbury said that the attachments are put on the website.

LYSANDER ICE RINK

Robert Braun, Quaker Lady, asked for an update on the sale of the ice rink.

Attorney Rivizzigno reported that the time period has expired and technically the Town does not have a contract because the purchaser has not obtained the financing. He stated that they are still trying to obtain financing but at this point they do not have it. He stated that the Board has not taken further action until the board decides what they are going to do until they finish their negotiations with them.

Supervisor Salisbury said this is one of the topics that they go into executive session for because so many groups are interested in buying it.

WHISPERING OAKS SEWER DISTRICT
SALE OF TOWN PROPERTY

Jim Stirushnik, Dinglehole Road, asked if the sewer district will get the total amount of \$100,000 or are there fees that will come out of the amount.

Attorney Rivizzigno stated that fees will be deducted from the amount including the fee for the real estate broker.

Mr. Stirushnik asked if he had a breakdown of the fees and asked if the amount will be applied to the debt of the sewer district.

Attorney Rivizzigno said that he did not have the break down.

Supervisor Salisbury stated he was not sure at this time if the money can be applied to the debt incurred by the district. He said that this money only goes to the Whispering Oaks Sewer District.

Mr. Stirushnik requested that the information he is asking for be reported on at a future meeting.

ADJOURNMENT:

At 7:48 p.m. Supervisor Salisbury adjourned the meeting.

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

Lisa Dell, Town Clerk