

A Regular Town Board meeting was held on October 17, 2016 at the Lysander Town Building, 8220 Loop Road, Baldwinsville, New York.

MEMBERS PRESENT: Joseph Saraceni, Supervisor
Roman Diamond, Councilor
Robert Ellis, Councilor
Peter Moore, Councilor
Robert Geraci, Councilor

MEMBERS ABSENT: None

OTHERS PRESENT: Anthony Rivizigno, Town Attorney; Town Engineer Al Yager, Town Comptroller David Rahrle; Tony Burkinshaw, Parks and Recreation Supervisor; Dina Falcone, Town Clerk; Gene Dinsmore, Highway Superintendent; PAC-B, and several residents.

Supervisor Saraceni called the meeting to order at 7:00 pm with the Pledge to the Flag.

CITIZENS' COMMENTS:

Norma Newman of Wigwam Drive in Sandy Pond, stated that she is addressing the Town Board on behalf of Lysander, Jacksonville, and Plainville rural cemeteries, the last remaining three public cemeteries in the town. She stated that the cemeteries are struggling to remain independent so that they will not have to turn them over to the Town. She said she is grateful for \$10K included in budget for 2017. The Town currently mows five cemeteries and \$5K is allocated to take care of Chase Cemetery. Ms. Newman stated that in the preliminary budget under Service \$10K is allocated for "other cemeteries" and she hopes that this much of the expenditure remains. She said if the cemeteries are turned over to the Town it will be a bigger financial burden to the town. All cemeteries are independently run by volunteers and overseen by the NYS Division of Cemeteries. All cemeteries rely on monies from operating funds, lot revenue, and donations. She mentioned extra maintenance, road repairs, etc. and that they do not have the funds for this. She continued to say that the cemeteries remain independent and this expenditure is greatly needed. She thanked the Board and Councilor Ellis.

Resident Jim Stirushnik of Dinglehole Road had a question regarding the proposed purchase of the property on Mechanic Street; he asked for dimensions, acreage and square footage. He asked if it was in the village, and **Mr. Yager** said it was contiguous to the Town's Elizabeth Street property. Mr. Stirushnik made statements regarding the cemetery expenditure. He said he does not believe the expenditure should be more than allotted. He is opposed to the expenditure and stated that the Town should take over [the care of the cemeteries]. He mentioned fundraising efforts and other faiths who choose not to be buried and those who would not benefit from the expense.

Councilor Diamond stated that his hope for the next ten/twenty years is that the Town is not spending money on cemeteries and his hope is that the money that we are putting there will help the cemeteries become self-sufficient through fundraising efforts. He doesn't want to see the Town invested in it long term. One day the Town may have to take them over.

Resident Jim Stirushnik asked about the maintenance and other services for the cemeteries and mentioned consolidation of the cemeteries. **Supervisor Saraceni** said that he was not sure and that Councilor Ellis knows more about what each cemetery has and the rates that are determined. Mr. Ellis requested a meeting to discuss the cemeteries after the meeting.

Resident Kevin Rode of Greymoor Way stated that most of the cemeteries were created over 100 years ago and made reference as to how they are taken care of now. He said by his calculations [about] \$5K is being spent on Chase cemetery, and across three cemeteries the Town may be saving \$5K a year as individuals [who run the cemeteries].

Jim Stirushnik asked if the cemetery plots are tax exempt parcels. He stated that every other taxpayer and property owner pays taxes, and these parcels have received a benefit for 100 years that no other general property owner does. He also looked at ironwork in the cemeteries, and said that there are people who would pay for it [purchased and sold], and questioned if it is an essential need in a cemetery. He questioned if these people are adequately using their resources.

TOWN BOARD COMMENTS:

The Board thanked everyone for coming.

ADOPTION OF MINUTES

RES #139/2016

Motion by Supervisor Saraceni to adopt the October 3, 2016 and September 26, 2016 Town Board Meeting minutes.

Supervisor Saraceni	Aye	Councilor Ellis	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Diamond	Aye		

All Ayes, motion carried and adopted

Discussion:

Councilor Geraci questioned why the minutes were not adopted at the last meeting. It was clarified by Ms. Falcone and Councilor Ellis that the last meeting was for the sole purpose of presenting the budget, and both the October 3, and September 26 minutes will be approved this evening.

DEPARTMENT HEAD REPORTS:

Highway Supervisor Gene Dinsmore stated that HW is trying to get topsoil work done but the rain working against them. HW is doing some odd jobs, including Esprit Glade. HW is working on its winter preparations and salt was ordered. Mr. Dinsmore stated that HW is trying to finish up ‘loose ends’ around town, and there are no major items to report.

Town Engineer Al Yager stated that the RFP for snow plowing the Trooper Barracks is available in the Town Clerk’s Office.

Parks and Recreation Supervisor Tony Burkinshaw stated that Halloween window painting will be held Saturday, the October 23rd. Pumpkin painting will be held on October 23rd at Lysander Park, which will include cider, donuts and hayride through the park. The cost is \$5 per person per pumpkin, \$8 for multiple kids, or \$10 depending on number of kids. On November 19, 2016 a snowmobile safety course is offered, it is a free program and residents must pre-register as there is a 30 person limit.

Town Clerk Dina Falcone stated that the Town Clerk’s office will be open Saturday, November 5, 2016 from 9:00 am to 1:00 pm to assist residents who cannot make regular office hours during the week. **Councilor Geraci** asked if this would be a common item, and **Ms. Falcone** stated that it may be something that could be done quarterly, and may be done on a regular basis.

REGULAR AGENDA ITEMS

MOTION TO AUTHORIZE A PUBLIC HEARING REGARDING ADOPTION OF A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT

RES #140/2016

Motion made by Councilor Moore seconded by Councilor Geraci to authorize the Town Clerk to advertise for a Public Hearing with respect to the adoption of a local law to override the tax levy limit established in GML §3-c, and to authorize a Public Hearing to be held with respect to the adoption of a local law to override the tax levy limit established in GML §3-c. The Public Hearing regarding the local law will be held at 7:00 pm on Thursday, November 3, 2016, in the Auditorium at Town Hall, 8220 Loop Road, Baldwinsville, New York.

Supervisor Saraceni	Aye	Councilor Ellis	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Diamond	Aye		

All Ayes, motion carried and adopted

Local Law:

A local law to override the tax levy limit established in General Municipal Law 3-c.

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

§ 1. Purpose

It is the purpose of this local law to permit the Town Board for the Town of Lysander to override the limit on the amount of real property taxes that may be levied pursuant to General Municipal Law § 3-c, and to allow the Town Board to adopt a town budget for (a) town purposes (b) fire protection districts and (c) any other special or improvement district governed by the town board for the fiscal year 2016, which requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law § 3-c. Such override is necessary and in the best interests of the Town.

§ 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law § 3-c, which expressly authorizes the Town Board to override the real property tax levy limit for the coming fiscal year by the adoption of a local law approved by vote of sixty percent (60%) of the Town Board.

§ 3. Tax Levy Limit Override

The Town Board of the Town of Lysander, County of Onondaga is hereby authorized to adopt a budget for the fiscal year 2016 that requires a real property tax levy in excess of the limit specified in General Municipal Law § 3-c.

§ 4. Severability.

If any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

§ 5. Effective date.

This local law shall take effect immediately upon filing with the Secretary of State.

Discussion:

Supervisor Saraceni stated for those who weren't able to join the work session, the budget we are proposing this year is expected [unless there are major changes] to exceed the tax cap. What this motion allows the Board to do is actually that. If the Town was able to release the budget or propose the budget that was less than the cap, he would still [on principal] float the motion to override the cap. He sees this law as destructive; but what this law does is encourages municipalities to "kick the can down the road" for capital improvements and infrastructure - and as people know, those things don't get cheaper in time, and often times if people don't address maintenance issues, they get worse. It also discourages municipalities from making tax cuts. If the Town were to function under this law, it would be very difficult to make up revenues that it gives away. When this law was adopted, it was supposed to be a 2% tax cap, Albany has changed the equation and if the Town follows it, it would be allowed to raise taxes by .6%, which on a \$2 million tax levy is about \$12K. It doesn't cover the cost of insurance hikes this year. Supervisor Saraceni stated that he would say that any municipality to function in this regard has a healthy fund balance, or maybe they are not taking as long of a look down the road as they should. He stated that he fully supports this. If the Town comes under the cap next year, he would still propose that the Board pass this motion on principal.

Councilor Roman Diamond stated that he fully supports this resolution as well, and from a historical standpoint, there was a onetime tax cut last year because the Town Board voted 3 to 2 to bring down the budget which brought down the fund balance, which put the town in a delicate and dangerous situation as it now goes about this budget. He said it was a vindictive budget last year and he is going to vote to exceed the 2% tax cap, because he doesn't think the Town would be doing itself any favors.

Councilor Geraci said a .6 percent tax cap the 2% tax cap, when it was when it first originated, was a number based on what NYS says inflation really is but they don't take account things going up in price. Any municipality would love to propose it, but the problem is, and what happened last year, is that is the new base, and you can't go up from there without exceeding the NYS mandate. The Board's goal, [and he is so pleased with] is trying to create a program that people don't see ups and downs in terms of tax going up and down; the last four years is what the tax rate is. There are so many things out of the Town's control in terms of spending, it has to pay for certain items (e.g. insurance, road repair, etc.) and there is not a lot of leeway there. If the Board can somehow manage a program that stabilized the program and keeps pace with the inflation the Town would be doing a good job. He supports the resolution.

MOTION TO APPROVE THE CLOSING OF THE END OF MERCER STREET FOR A BLOCK PARTY

RES #141/2016

Motion made by Councilor Diamond seconded by Councilor Ellis to approve the closing of the street, at the end of Mercer Street, as requested by resident Katie Kruger of 2133 Mercer Street, Baldwinville, for a block party to be held on October 29, 2016 from the hours of 4:00 pm to 12:00 am.

Supervisor Saraceni Aye Councilor Ellis Aye Councilor Geraci Aye
Councilor Moore Aye Councilor Diamond Aye

All Ayes, motion carried and adopted

Discussion:

Lengthy discussion ensued between the Board members and Ms. Kruger. Ms. Kruger is gathering people together who are in agreement of this road closing/block party. She has been with the Sheriff's Department for 22 years and her husband is a Sargent with Sheriff's Department. She is looking at this from a safety angle. She wants to get part of the road blocked off, and all of neighbors have been given flyers, and she would prefer to have it if the road is closed. She has access to traffic cones and safety will be a priority. In case of emergency, the road will be passable. This is one section in the back side of the neighborhood. It will be passable for any emergency vehicles. Five to six houses will be impacted by this event.

Supervisor Saraceni said this happened on a regular basis in the village. He said it is a good thing and is what community is all about. The only thing he asked is to move the time back, and they agreed on 10:00 pm. Ms. Kruger said she put the original time of 12:00 am, as time to tear down everything. Supervisor Saraceni asked if there is going to be open alcohol. Ms. Kruger said the residents asked that dishes be passed, but she is not going to be in control of what people bring. He was concerned with open container law. Supervisor Saraceni stated that if she knew people would be drinking beer that would be something that she would have to get permission for separately. He also encouraged Ms. Kruger to reach out to other residents off of the original Mercer Street who may want to be involved in the block party to get new and old communities together. He wished her a lot of fun and success.

MOTION FOR A PUBLIC HEARING TO BE HELD TO HEAR PERSONS FOR OR AGAINST ANY ITEMS RELATIVE TO THE TOL 2017 PRELIMINARY BUDGET

RES #142/2016

Motion made by Councilor Diamond seconded by Councilor Geraci to authorize the Town Clerk to advertise for a Public Hearing to be held on November 10, 2016, at 7:00 pm at the Lysander Town Hall to hear such persons for or against any items relative to the Town of Lysander 2017 Preliminary Budget, and authorize a Public Hearing to hear such persons for or against any items relative to the Town of Lysander 2017 Preliminary Budget.

Supervisor Saraceni Aye Councilor Ellis Aye Councilor Geraci Aye
Councilor Moore Aye Councilor Diamond Aye

All Ayes, motion carried and adopted

**MOTION TO AUTHORIZE TOWN OF LYSANDER TO LEVY UNPAID
2016 WATER BILLS**

RES #143/2016

Motion made by Councilor Geraci seconded by Councilor Ellis to authorize the Town of Lysander to levy unpaid 2016 water bills onto the 2017 Town/County tax bill.

Supervisor Saraceni Aye Councilor Ellis Aye Councilor Geraci Aye
Councilor Moore Aye Councilor Diamond Aye

All Ayes, motion carried and adopted

**MOTION AUTHORIZING AND ADOPTING POST-ISSUANCE COMPLIANCE AND
PROCEDURES RELATING TO TOWN'S TAX EXEMPT OBLIGATIONS**

RES #144/2016

Motion made by Councilor Geraci seconded by Councilor Diamond authorizing and adopting post-issuance compliance and procedures relating to the Town's tax-exempt obligations. Post-Issuance Compliance Policies and Procedures sets forth specific policies and procedures of the Town of Lysander, designed to ensure the Town complies with applicable provisions of the Internal Revenue Code of 1986, as amended and the regulations promulgated thereunder applicable to tax-exempt bonds issued to finance Town facilities.

Supervisor Saraceni Aye Councilor Ellis Aye Councilor Geraci Aye
Councilor Moore Aye Councilor Diamond Aye

All Ayes, motion carried and adopted

Discussion:

Supervisor Saraceni said that this is what the IRS requires.

**MOTION TO HIRE DEBBIE WISINSKI IN THE
PARKS AND RECREATION DEPARTMENT**

RES #145/2016

Motion made by Councilor Diamond seconded by Councilor Moore to hire Debbie Wisinski in the Parks and Recreation Department at a rate of pay of \$10 per hour plus the cost of supplies for jewelry making.

Supervisor Saraceni Aye Councilor Ellis Aye Councilor Geraci Aye
Councilor Moore Aye Councilor Diamond Aye

All Ayes, motion carried and adopted

**MOTION TO HIRE KEVIN PAUL IN THE
PARKS AND RECREATION DEPARTMENT**

RES #146/2016

Motion made by Councilor Ellis seconded by Councilor Moore to hire Kevin Paul in the Parks and Recreation Department at the rate of pay of \$10 per hour to coach the Baldwinsville Youth Wrestling Program.

Supervisor Saraceni Aye Councilor Ellis Aye Councilor Geraci Aye
Councilor Moore Aye Councilor Diamond Aye

All Ayes, motion carried and adopted

MOTION TO REPLACE GRANITE CURBING ON WILLET PARKWAY

RES #147/2016

Motion made by Councilor Ellis seconded by Councilor Geraci to replace the granite curbing on Willett Parkway at an estimated cost of \$4,410 as requested by the Highway Superintendent.

Supervisor Saraceni	Aye	Councilor Ellis	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Diamond	Aye		

All Ayes, motion carried and adopted

MOTION ALLOWING FOR THE PURCHASE OF PROPERTY LOCATED ON MECHANIC STREET

RES #148/2016

Motion made by Councilor Ellis seconded by Councilor Geraci for the purchase of property located at 26 Mechanic Street in the Village of Baldwinsville from Onondaga County in the amount of \$1,000.

Supervisor Saraceni	Aye	Councilor Ellis	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Diamond	Aye		

All Ayes, motion carried and adopted

Discussion:

Supervisor Saraceni said the property is located at 26 Mechanic Street which lines up with Warner Avenue. It is contiguous with DPW, right now the Town has one access point, but this will allow the Town to use another street. It came up on the Onondaga County Tax Auction. Onondaga County petitioned the Town and asked if there was an interest. It is in the Town's benefit to have the piece of property. There was a \$39K lien on the property; the County offered it to Town of Lysander for \$1K. Supervisor Saraceni said that it is a great deal, and in the long term it adds value to the property the Town already owns. Councilor Geraci asked if the owner came up with the taxes, and Attorney Rivizzigno said no, the Town owns it free and clear.

ANNOUNCEMENTS MADE BY SUPERVISOR SARACENI

1. **Town Board Meeting:** Thursday, November 3, 2016, Work Session begins at 5:45 pm in the Auditorium.
2. **Public Hearing regarding 2017 Preliminary Budget:** November 10, 2016 at 7:00 pm in the Auditorium.
3. **Town Board Meeting:** Thursday, November 17, 2016, Work Session begins at 5:45 pm in the Auditorium.
4. **Special Planning Board Meeting:** Thursday, October 27, 2016 at 7:00 pm regarding Cabbage Patch.
5. **Budget Work Sessions:**
October 19, 5:45 pm
October 26, 5:45 pm

The Board may meet one additional time to discuss the budget if needed, on Tuesday, November 15, 2016, in the conference room at 5:45 pm. By Monday, November 21st 2016, the budget will be adopted in the Auditorium.

6. **Planning Board Meeting:** Thursday, November 10, 2016 (in the Large Group Conference Room).
7. **Halloween Candy Hunt for kids:** Monday October 31, 2016 9:00 am to 4:15 pm in Lysander Town Hall.
8. James Rodems, of BCSD will be at the Work Session on Thursday, November 3, 2016 at the work session at 5:45 pm to discuss the update regarding the new bus garage (in the Auditorium).

ADJOURNMENT

A motion was made by Councilor Geraci and seconded by Councilor Diamond to adjourn the Board Meeting at 7:52 pm.

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

Dina Falcone, Town Clerk