

A Regular Town Board meeting was held on November 3, 2016 at the Lysander Town Building, 8220 Loop Road, Baldwinsville, New York.

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

**MEMBERS ABSENT:** Robert Ellis, Councilor

**OTHERS PRESENT:** Anthony Rivizzigno, Town Attorney; Town Engineer Al Yager, Town Comptroller David Rahrle; Dina Falcone, Town Clerk; Gene Dinsmore, Highway Superintendent; PAC-B, and several residents.

Supervisor Saraceni called the meeting to order at 7:05 pm with the Pledge to the Flag.

Public Hearing for Adoption of Local Law

The Public Hearing was opened at 7:06 pm. Town Clerk Dina Falcone read the Public Hearing Notice which was published in the Messenger on September 21, 2016 as follows: "A public hearing will be held by the Town Board of the Town of Lysander on Thursday, November 3, 2016 at Lysander Town Hall, 8220 Loop Road, Baldwinsville, New York, at 7:00 pm, with respect to the adoption of a local law to override the tax levy limit established in GML Section 3-c. Please take further notice that a copy of said proposed local law is available for review in the Town Clerk's Office. By Order of the Town Board, dated October 17, 2016."

RES #149/2016

A motion to open the Public Hearing occurred at 7:06 pm. The motion was made by Councilor Diamond and seconded by Councilor Geraci.

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

All Ayes, motion carried and adopted

No one spoke for or against the adoption of a local law to override the tax levy limit established in GML Section 3-c.

RES #150/2016

A motion to close the Public Hearing occurred at 7:07 pm. The motion was made by Councilor Geraci and seconded by Councilor Diamond.

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

All Ayes, motion carried and adopted

*All persons, desiring to be heard, having been heard, the public hearing was terminated at 7:07 pm.*

CITIZENS' COMMENTS:

Resident Kevin Rode of Greymoor Way asked about dog control and codes reports. He asked about getting an update. Supervisor Saraceni stated that the Town has not received a lot of requests, but he can give him the information. Supervisor Saraceni said maybe the Town can provide the report on a monthly basis and post the reports for fees generated and activity for dog control and codes/permits, licenses, revenues, dog control, spay/neuter, etc. (Discussion between Supervisor Saraceni and Town Clerk). Mr. Rode mentioned that when Dan (Dog Control) was reporting, he used to tell the public if it was a slow or busy month (regarding dog control). Supervisor Saraceni stated that the Town had its kennel inspected, and anything related to same,

the Town will make available. **Councilor Geraci** suggested a report be made quarterly, as it is a lot of work to put a report together on a monthly basis. Mr. Rode thanked the Board.

Mr. Rode asked if there was a walk through done regarding the incentive zoning. **Supervisor Saraceni** stated he will be walking it tomorrow (which would be November 4). He said the Town sent letters to property owners in the incentive zones and received almost 100% feedback.

**Resident Fred Burtch** of Plainville Road encouraged everyone to participate on Election Day. He wished both candidates luck, and said that he appreciated that they both sent something to the Messenger regarding their platforms and their ideas. He said he had a chance to catch up on topics on social media and national political agenda items. He asked about the NY Safe Act, and said that Van Buren repealed the NY Safe Act, and asked if this Board has discussed it, or has any intention in the future to follow Van Buren. **Supervisor Saraceni** said that this present Board has not discussed it but that they would take it into consideration. He said he is not a fan of it, but he will wait until the entire Board is in attendance to discuss. **Councilor Diamond** said that he is in support of it. He said it would be nice to show support for the communities who are on board with that. **Councilor Geraci** asked Mr. Burtch to get a list of those in Onondaga County and where they stand on it.

Mr. Burtch also stated it has been seven weeks since he asked questions and has not received answers, and nine weeks since he brought up the original topics. A discussion ensued between Supervisor Saraceni and Highway Superintendent Dinsmore. **Mr. Dinsmore** said that he gave answers to all of the questions in writing. **Supervisor Saraceni** stated that the questions came from a constituent [and should be directed to said constituent]. **Mr. Dinsmore** stated that he did answer the questions. Mr. Burtch said that he has not seen them, but he heard about it and does not believe it is as real response to the questions he has. He said he has additional information that he can add to, but he didn't want to overburden anyone. He said that since doing his research more information has become available to him. **Supervisor Saraceni** said he thought that had been addressed, and he asked Mr. Burtch to write more questions and the Board will do their best to answer them.

Mr. Burtch had questions regarding failure with drainage pipe in Clinton Heights, fill put in by a developer and problems with pipe, want to hold developer accountable. **Supervisor Saraceni** said since [the last time] he investigated the developer has passed away. Issues regarding contaminated soil, **Supervisor Saraceni** said he doesn't believe it was contaminated. Mr. Burtch continued with questions about the homeowner contacting the Town about soil on property. **Supervisor Saraceni** stated this he was not aware of that. Mr. Burtch said he had overheard a conversation between the builder and the Highway Superintendent about picking up dirt. A lengthy dialogue ensued regarding dirt/fill. **Supervisor Saraceni** said he doesn't know of any acquisition of dirt opportunities. He assumes that decisions regarding clean fill are made by the department head, and that procedures are followed. Mr. Burtch had suggestions about the cost. **Supervisor Saraceni** said he felt the speculation and skepticism in Mr. Burtch's questions, and stated that the Board isn't privy to every action of the Highway Department. He stated that Mr. Burtch had made an assumption that the dirt picked up from any site was contaminated. That is not the Town understanding of the soil. Discussion of the Syroco fire ensued and contamination was discussed. **Councilor Geraci** said he wants to know what the protocols are in HW as well.

#### TOWN BOARD COMMENTS:

None.

#### SUPERVOSR COMMENTS:

**Supervisor Saraceni** stated that the Halloween candy hunt that Parks and Recreation held on October 31<sup>st</sup> was a success. The Town had around 100 children in costume participate. He thanked the Parks Department for all of its hard work to make the event a success.

ADOPTION OF MINUTESRES #151/2016

Motion by Supervisor Saraceni to adopt the October 17, 2016 Town Board Meeting minutes.

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

All Ayes, motion carried and adopted

DEPARTMENT HEAD REPORTS:

Highway Supervisor Gene Dinsmore stated that the department is getting the trucks ready for snow, and there has been heavy maintenance on vehicles. Depending on the weather, the work on the Willett Parkway curb will continue. Highway bought 700 tons of salt, and they are prepared. Supervisor Saraceni asked what the budget number is for salt allocation. Mr. Dinsmore didn't have the number but said he had plenty of money left to carry him to January 1st. Comptroller Rahrle stated that the estimated amount that would be left is about \$80,000. Councilor Geraci asked where we were last year with that number. That information was not on hand. The Highway funds can be encumbered into the next year. Conversation ensued about the money in the fund balance between Supervisor, Mr. Dinsmore and Mr. Rahrle.

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.

REGULAR AGENDA ITEMSMOTION TO ADOPT A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMITRES #152/2016

Motion by Councilor Moore seconded by Councilor Ellis to adopt a local law to override the tax levy limit established in GML §3-c.

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

All Ayes, motion carried and adopted

Discussion:

Supervisor Saraceni said this is a requirement by NYS for any municipality exceeding the tax cap. When the law was proposed it was 2%, since then it has been tweaked in a way it is 2% or the rate of inflation, 6.1%. Any municipality exceeding this would have to pass this law. If the Town were able to stay under, Supervisor Saraceni said he would still ask board to pass this law. What it does is, it puts municipalities in the position for incentive to not cut taxes. Last year was an anomaly, and he said he didn't know many who would cut 20% and deal with the tax cap, but what it has done is put municipalities in difficult situations. Insurance costs, contractual obligations to employees, and the Highway Department workers are getting a 3.5% increase, are factors in the budget. If the Town were to stay under 6.1%, the Board would be irresponsible in passing a budget. It's not viable long term.

Local Law as Adopted November 3, 2016

*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.

**APPROVE BUDGET TRANSFER ITEMS (SEE ATTACHED)**

**RES #153/2016**

**Motion made by Councilor Geraci seconded by Councilor Moore** to approve the budget transfer items for the following funds attached hereto as Agenda Item "C": Funds: General, Part Town, and Highway).

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

**All Ayes, motion carried and adopted**

**Discussion:**

*Councilor Geraci asked about the item under Park Maintenance. Mr. Rahrle stated that Bob Lathrop is no longer employed with the Town. The Town hired a full time maintenance person to pick up the slack, the money was budgeted under Parks supervisor and the money was used to cover the position.*

RES #154/2016

**Motion made by Councilor Diamond seconded by Councilor Moore** to accept the resignation of Court Clerk Shannon Priest. Ms. Priest's last day with the Town of Lysander will be November 10, 2016.

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

All Ayes, motion carried and adopted

Discussion:

*Shannon is taking advantage of an opportunity in a neighboring municipality, her work was exemplary and she will be missed as an employee here.*

APPOINT SANDY GRANTS-NIEVA AS PART-TIME COURT CLERK

RES #155/2016

**Motion made by Councilor Geraci seconded by Councilor Diamond** to approve the appointment of Sandy Grants-Nieva as Part-Time Court Clerk (25 hours per week) for Judge Michael M. Bryant with a rate of pay of \$16.02 per hour. Ms. Grants-Nieva will begin on November 4, 2016.

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

All Ayes, motion carried and adopted

Discussion:

*Supervisor Saraceni had an opportunity to meet Ms. Nieva. She is competent and had served prior in this building for 13 years.*

REDUCE THE PUNCH LIST SECURITIES REQUIRED FOR THE HIGHLAND MEADOWS PHASE I SUBDIVISION, A/K/A LYSANDER PRESERVE

RES #156/2016

**Motion made by Councilor Geraci seconded by Councilor Diamond** to reduce the punch list securities required for the Highland Meadows Phase I subdivision, a/k/a Lysander Preserve, to \$4,500 as the developer has completed item 4 included in the punch list dated November 22, 2013.

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

All Ayes, motion carried and adopted

RELEASE THE \$2,000 CASH PUNCH LIST SECURITY REQUIRED FOR COLLINGTON POINTE PHASE III

RES #157/2016

**Motion made by Councilor Moore seconded by Councilor Geraci** to release the \$2,000 cash punch list security required for Collington Pointe Phase III, as the developer has completed the installation of the survey monuments for the project.

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

All Ayes, motion carried and adopted

**REDUCE THE PUNCH LIST SECURITIES REQUIRED  
FOR THE TALAMORE SUBDIVISION**

**RES #158/2016**

**Motion made by Councilor Moore seconded by Councilor Geraci** to reduce the punch list securities required for the Talamore Subdivision to \$8,500, as the developer has completed item 1, installation of the asphalt top course, included in the punch list dated November 20, 2014.

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

**All Ayes, motion carried and adopted**

**TO AUTHORIZE THE TOWN SUPERVISOR TO EXECUTE THE CONTRACT  
WITH ENTERPRISE FIRE COMPANY NO. 1**

**RES #159/2016**

**Motion made by Councilor Geraci seconded by Councilor Moore** to authorize the Town Supervisor to execute the contract with Enterprise Fire Company No. 1, to provide fire protection for the West Phoenix Fire Protection District in the Town of Lysander. The contract period shall commence on January 1, 2017, and expire on December 31, 2017 at an annual cost of \$104,238 payable on or before the 15th day of April, 2017.

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

**All Ayes, motion carried and adopted**

**Discussion:**

*Supervisor Saraceni stated that this is a 2% increase from last year. The language is exactly the same.*

**AUTHORIZE THE TOWN CLERK TO REQUEST  
SPEED ZONE STUDY ON PLAINVILLE ROAD**

**RES #160/2016**

**Motion made by Councilor Moore seconded by Councilor Diamond** is authorized the Town Clerk to request a speed zone study by NYS DOT on Plainville Road, north of Route 370.

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

**All Ayes, motion carried and adopted**

**Discussion:**

*Supervisor Saraceni stated that this study was requested by residents for such by petition.*

**SCHEDULE A PUBLIC HEARING REGARDING  
THE ADOPTION OF A LOCAL LAW  
REGARDING ONSITE USE SOLAR ENERGY SYSTEMS**

**RES #161/2016**

**Motion made by Councilor Geraci seconded by Councilor Diamond** to hold a public hearing on Monday, December 12, 2016, AT 7:00 pm to adopt a local law regarding onsite use solar energy systems, and to authorize the Town Clerk to advertise for a public hearing to be held on Monday, December 12, 2016 at 7:00 pm in Town Hall, 8220 Loop Road, to adopt a local law regarding onsite use solar energy systems.

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

**All Ayes, motion carried and adopted**

**Discussion:**

*Supervisor Saraceni stated that this has been in discussion for the past 5 months or so. The Town is at point where it is ready for a public hearing on it. [For Solar activities and uses]. Copies are available in the Town Clerk's Office.*

**REPLACE PUMP NUMBER 2 - TIMBER BANKS SEWER DISTRICT**

**RES #162/2016**

**Motion made by Councilor Moore seconded by Councilor Diamond** authorizing the Town Supervisor to sign a proposal to replace pump number two in Timber Banks sewer district at an estimated cost of \$8,959 plus shipping.

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

**All Ayes, motion carried and adopted**

**Discussion:**

*Mr. Yager stated that the pump is nine years old, and was sent back to be rebuilt. It had two other problems as well. When the pipe was pulled apart, the Town was given a price to rebuild it. After Mr. Yager complained and said he was going to look at other options, the company said they said they would give the Town a new pump with a full warranty.*

**ANNOUNCEMENTS MADE BY SUPERVISOR SARACENI**

- Public Hearing regarding 2017 Preliminary Budget:** November 10, 2016 at 7:00 pm (in the Auditorium). *By Monday, November 21<sup>st</sup> 2016, the budget will be adopted in the Auditorium. Public Hearing was advertised in the Messenger and the Post Standard per October 17, 2016 Board Minutes.*
- Snowmobile Safety Class:** November 19, 2016, 9:00 am to 5:00 pm at the Belgium Cold Springs Fire Station 1, 7920 River Road. (Must pre-register with Parks and Rec. – limit 30 people).
- Planning Board Meeting:** Thursday, November 10, 2016, 7:00 pm (Large Group Conference Room).
- Town Board Meeting:** Thursday, November 17, 2016, 7:00 pm, Work Session begins at 5:30 pm in the Auditorium.
- Town Board Meeting:** Monday, December 12, 2016, 7:00 pm, Work Session begins at 5:30 pm in the Auditorium.
- Town Board Meeting:** Thursday, December 29, 2016, 7:00 pm, Work Session begins at 5:30 pm in the Auditorium.
- Town Clerk's Office Additional Hours:** Saturday, November 5, 2016, 9:00 am to 1:00 pm.

8. Food Drive to benefit Food Bank of CNY: Sponsored by the Town Clerk's Office through the end of November. (Non-perishable food items please).
9. Friday, November 11, 2016: Town Hall will be closed in observance of Veteran's Day.
10. Zoning Board of Appeals: Thursday, November 10, 2016 at 7:30 pm (Large Group Room.)
11. Budget Work Session: November 7, 2016, Budget Work Session 5:45 pm (in room t/b/a)

ADJOURNMENT

A motion was made by Councilor Geraci and seconded by Councilor Diamond to adjourn the Board Meeting at 7:51 pm.

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

*Dina Falcone*

Dina Falcone, Town Clerk









TOWN OF LYSANDER  
MEMORANDUM

To: Supervisor Joe Saraceni and the Lysander Town Board  
 From: Gene Dinsmore, Highway Superintendent  
 Subject: Budgetary Fund Transfer  
 Date: October 24, 2016

From Acct#	Description	Amount	To Acct#	Description
5110-401	Fuel	\$729.12	5130-200	Equipment
Reason:	Unexpected lower fuel price and unexpected road saw failure			
5110-402	Maintenance	\$10,222.58	5112-400	Construction
Reason:	Cluster construction work to save on future mobilization cost.			

Note: 311.25 overage on Brush/Tree with Nov/Dec remaining and expected storm damage to come. Will adjust in December when we can reasonably estimate an approximate amount.

Thank you,

Gene Dinsmore  
Highway Superintendent

TOWN OF LYSANDER  
NOTICE OF PUBLIC HEARING

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PLEASE TAKE FURTHER NOTICE that a copy of said proposed local law is available for review in the Town Clerk's Office.

By Order of the Town Board, dated October 17, 2016.

Town of Lysander  
Dina Falcone, Town Clerk

**REGISTERS**  
**TOWN OF LYSANDER**  
**NOTICE OF PUBLIC HEARING**  
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**PLEASE TAKE FURTHER NOTICE** that a copy of said proposed local law is available for review in the Town Clerk's Office.  
 By Order of the Town Board, dated October 17, 2016.  
 Town of Lysander  
 Dina Falcone, Town Clerk  
 BM# 63838

Messenger 10/28/16