

A Regular Town Board meeting was held on March 16, 2017 at the Lysander Town Building, 8220 Loop Road, Baldwinsville, New York.

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

MEMBERS ABSENT: Robert Geraci, Councilor
Roman Diamond, Councilor

OTHERS PRESENT: Anthony Rivizzigno, Town Attorney; Town Engineer Al Yager; Dina Falcone, Town Clerk; Theresa Golden, Assessor; Tony Burkinshaw, Parks and Recreation Supervisor; David Rahrle, Comptroller; PAC-B; and several residents.

Supervisor Saraceni called the meeting to order at 7:03 pm with the Pledge to the Flag.

Public Hearing to hear all persons for or against placement of traffic “STOP” signs

Public Hearing to hear all persons for or against placement of traffic “STOP” signs at Salvatore Ave. (South Entrance Point) entering Drakes Landing Road, Salvatore Ave. (North Entrance Point) entering Drakes Landing Road, and Carmellas Circle entering Glacier Ridge Road. The proof of publication was read by Town Clerk Dina Falcone as follows: “The legal notice was printed in the Post Standard on February 26, 2017. Please take notice that a public hearing will be held by the Town Board of the Town of Lysander on Thursday, March 16, 2017, at 7:00 P.M. at Lysander Town Hall, 8220 Loop Road, Baldwinsville, New York 13027, to amend the Town of Lysander Vehicle and Traffic Law, and hear all persons for or against placement of traffic “STOP” signs at Salvatore Ave. (South Entrance Point) entering Drakes Landing Road, Salvatore Ave. (North Entrance Point) entering Drakes Landing Road, and Carmellas Circle entering Glacier Ridge Road. Please take further notice that the environmental significance of said proposed amendment to the local law will be reviewed by the Town Board of the Town of Lysander incident to and as a part of said public hearing. Copies of said proposed amended local law are available for review at the office of the Town Clerk. By order of the Town Board of the Town of Lysander, dated February 16, 2017.” (Local Law attached hereto).

RES#72/2017

Supervisor Saraceni moved to open the Public Hearing at 7:04 pm.

No comments were made for or against the stop signs.

RES#73/2017

Supervisor Saraceni moved to close the Public Hearing at 7:05 pm.

Continuation of Public Hearing: “Collington Pointe Incentive Zoning Application”

RES#74/2017

Supervisor Saraceni moved to open the Public Hearing at 7:05 pm.

Supervisor Saraceni stated that there is no new information before the Board, but advised the audience they are welcome to make comments as the Public Hearing is still open.

No comments were made relating to the proposed Colling Pointe Incentive Zoning Application.

RES#75/2017

Supervisor Saraceni moved to close the Public Hearing at 7:06 pm.

BOARD MEMBERS COMMENTS:

Supervisor Saraceni stated this is a five minute time period for citizens to make comments on agenda items. No comments were made at this time.

Supervisor Saraceni stated that the Town has a signed lease with the Northwest Fire District which was approved at the last meeting and signed. They came in and had the lease notarized this date. It went into effect last night.

Supervisor Saraceni stated that he received a mailing from the Association of Towns. He said the organization advocates for towns in New York State, and there has been a lot of talk about consolidation and modernization of governments. He said that many of the recommendations the Association of Towns makes, many issues would go away, if only the governor or Albany would listen to a few of them. He said that it is frustrating when you understand what truly impacts taxpayer dollars as far as unfunded mandates, and a lot of the other things that come from Albany. When laws are passed that aren't the best laws, he has heard "it is good for now and we can improve it and change it later." When a law is in place, it is difficult for any legislator to make changes because it is a monumental effort. **Supervisor Saraceni** read the Association of Towns remarks regarding supporting the certain objectives: *"Enact comprehensive mandate relief legislation that provides permanent and full funding of existing and future mandates; requires all legislation to include thorough local fiscal impact notes regarding the actual cost of implementation."*

Supervisor Saraceni mentioned something that happened in the Village of Baldwinsville. He said that years ago New York State enacted storm water management laws, and he couldn't imagine that a thorough analysis was done to determine what the cost would be for municipalities to implement. Claude Sykes, when he was the previous Superintendent of Public Works, spent 30% of his time coming up with a local storm water management plan, and once accepted was difficult to maintain because of the Village's location on the Seneca River, and the amount of catch basins that needed to be maintained [including equipment, expenses, etc.], which put a burden on local government.

Supervisor Saraceni stated that what seems like a small issue, which the past administration addressed, The Association of Towns also supports the following objectives, *"State support for not-for-profit cemetery corporations to improve operations and revenue streams to give them a chance to avoid becoming defunct."* **Supervisor Saraceni** said it sounds simple, but not for Albany. He continued, *"Reforms to the dissolution process that not-for-profit cemetery corporations utilize, such as requiring notice of abandonment to the town board and a sufficient waiting period prior to total abandonment. Authorization for towns that have assumed responsibility for abandoned mausoleums and crematories to apply for additional state funds for repairs required under the Uniform Fire Prevention and Building Code within 25 years from the date of application of funds from the state abandoned cemetery fund."* **Supervisor Saraceni** stated that when municipalities take over these operations, they have to upgrade them and rarely does a municipality have an opportunity to plan ahead. He continued, *"The tax cap law established a limit on the annual growth of property taxes levied by local governments and school districts to 2 percent or the rate of inflation, whichever is less. Property taxes have been capped at less than 2 percent for the last two years. Although towns are allowed to override the tax cap by the adoption of local law approved by 60 percent of the town board, many town boards seek to levy within the annual tax cap in order to meet their constituents' expectations."*

Supervisor Saraceni stated that he has not been shy about talking about the tax cap, and how the tax cap is damaging infrastructure throughout New York State. He stated that whether plowing roads, or any other services a municipality provides, it is basically impossible to function at a .68 percent tax cap. He mentioned health insurance costs and said it does not include a bump in oil prices. He said then there are municipalities that have to raid fund balances. He said if there's an opportunity to cut taxes, municipalities are reluctant to cut taxes because it is difficult to get back to that level of funding, so it discourages municipalities from cutting taxes.

Supervisor Saraceni said he mentioned these items because there are some things that Albany can do to help municipalities which would have an immediate impact on all of us.

Supervisor Saraceni noted that the Board is adding agenda item “F”, which is a motion to hire Casey Ostrander, Mark Kolakowski, and Bianca Valentino to the standing list of supplemental, on call, highway laborers per the 2017 union contract rate as of March 17, 2017. (Comptroller David Rahrle’s input regarding the contract rate is noted).

ADOPTION OF MINUTES

RES#76/2017

Motion by Councilor Ellis seconded by Councilor Moore to adopt the March 2, 2017 Town Board Meeting minutes.

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

All Ayes, motion carried and adopted

DEPARTMENT HEAD REPORTS:

Town Clerk Dina Falcone stated that the Town of Lysander is looking to hire a Sexton for Chase Cemetery. If anyone is interested, they should contact her at the Town Clerk’s Office for details. Classified ads have been placed in the Messenger and the Post-Standard.

Tony Burkinshaw, Parks and Recreation Supervisor, stated that the Spring Brochure is on the website, and has been sent to the schools, and it is also on the website. There will be two public forums regarding the proposed spray park, the first will be held on Friday, March 24, 2017 from 5:00 pm to 7:00 pm, and Saturday, April 8, 2017 1:00 pm to 3:00 pm. Brochures have gone to schools as well. The park will be open April 15, 2017 which is the target date for the park to officially open. Both forums will be held in the Auditorium at the Town of Lysander building, 8220 Loop Road.

Theresa Golden, Assessor, stated that the Assessor’s office is sending out preliminary change of assessment notices this week, and the taxable status date has come and gone. The office is finishing its physical changes for the tax roll, filed on May 1st, and she noted that the assembly has passed a law regarding the STAR check, which has been passed to forward it from Assessor’s offices. This has not been finalized as of yet.

2017 PAVEMENT MANAGEMENT PLAN PRESENTATION **BY TOWN ENGINEER AL YAGER**

Town Engineer Al Yager presented the management plan in PowerPoint form. He began by stating that Cornell developed the CAMP-RS software that was used for the basis of the Pavement Management Plan (PMP). The Town of Lysander officially adopted the long term Pavement Management Plan in 2014, and the plan is a living document that is updated annually to reflect the current condition of all of the Town Roads.

Regarding annual assessments, he explained visually all Town roads are reviewed on an annual basis by the Town of Lysander Engineering Intern, who has participated in the week long training seminar provided by the Cornell Local Road Program. The data that is collected during the visual assessment is recorded on a road assessment form that was developed to be used with the CAMP-RS software. The visual assessments are reviewed by the Town Engineer and Highway Superintendent.

Regarding the recording and analyzing of data, after the assessments are completed, the data is entered into CAMP-RS software, and the software recognizes conditions and characteristics of the road and assigns a pavement condition index (PCI) number to each road and suggests repair types that would be suitable for the road. The software user then chooses the specific repair that is appropriate for the road, and the software creates a cost estimate based on known Town construction costs that are updated annually.

The software has a budget application tool that gives a recommended year for the selected maintenance activity on each town road and the software does not have the ability to include work that still needs to be completed using road maintenance and construction funds such as Culvert replacements or resetting curbs on Willett Parkway. The software does not have the ability to group projects based on location.

Using the chosen repairs selected for each town road, the CAMP-RS software estimates the total cost to be \$5.7 million for all of the needs identified in the 2016 assessment. Approximately 46 % of the town roadway miles are in need of some sort of surface overlay treatment or reconstruction at this time. The average Pavement Condition Index (PCI) for the Town is 70 which are up one (1) point from the 2015 Assessment.

Using the 2017 road maintenance and construction, with the budget amount of \$700,000, the software estimates that it will take nine (9) years to complete the pavement maintenance needs identified in the 2016 assessment. **Mr. Yager** said it is important to remember pavement maintenance needs; roads which are currently in good condition will continue to deteriorate. These roads will require additional maintenance not included in the report to minimize the cost of ownership in perpetuity.

Due to the limited roadway maintenance and construction budget (less than 1% of the value of the Town's roadways) the Town must be judicious in selecting the materials and contractors used to complete the 2017 projects. The Town should haul as much material as possible using a Town owned truck with support from its neighboring municipalities whenever possible and use contract trucking only on an as needed basis.

The recommended 2017 Road Maintenance and Construction Projects are as follows:

- Whispering Oaks/Irene/Blue Ridge Mill & HMA Overlay \$165,830
 - Deep Glade Drive Mill & HMA Overlay \$132,150
 - Drakes Landing Chip Seal and Fog Line Striping \$ 56,500
 - Chatham Woods 2" Cold Mix Paving with Chip Seal \$127,800
 - Mercer St. Reconstruction and Drainage Improvements \$251,000
 - Willett Parkway Catch Basin Replacement and Curb Repair \$ 10,000
 - Miscellaneous Repairs \$ 6,720
- Total: \$750,000

The additional Bridge New York Grant Funded Project:

- Willett Parkway Culvert Slip Lining \$445,000

Regarding a question about the software, **Mr. Yager** stated that it is good software from an overall 40,000 foot view for overall condition of the roadwork, which is important, and to keep track of ongoing maintenance needs. It is a good tool for that. Some of it does not have the same capability. There are some programs out there that are pricey, upwards of \$6K or \$7K. For the \$80 software he uses, it provides good information and data. It helps to have consistency and who is doing the visual assessment of the roads. The intern has done a good job. It's nice to have someone with experience and familiarity with how he and Gene work.

REGULAR AGENDA ITEMS

**MOTION TO ALLOW SUPERVISOR TO SIGN
THE BRIDGE NEW YORK LOCAL PROJECT AGREEMENT**

RES#77/2017

Motion made by Councilor Moore seconded by Councilor Ellis to authorize the Town Supervisor to sign the Bridge New York Local Project Agreement.

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

All Ayes, motion carried and adopted

**MOTION TO ACCEPT PLANNING BOARD
MEMBER JAMES HICKEY'S RESIGNATION**

RES#78/2017

Motion made by Councilor Ellis seconded by Councilor Moore to accept Planning Board Member Jim Hickey's resignation.

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

All Ayes, motion carried and adopted

Supervisor Saraceni stated that Mr. Hickey was very dedicated to the position. He told Supervisor Saraceni that he loved serving on it and was honored to have served. He said he has some personal things going on that are pressing. Supervisor Saraceni stated that he respected Jim's work on the Planning Board, and he will be a tough person to replace. The Town will be advertising for that position. He asked that anyone interested please submit a letter of interest and resume.

**MOTION THAT RIVER POINTE TOWN ROADS
BE ACCEPTED AS OFFICIAL TOWN ROADS**

TABLED

Motion made by Councilor Moore seconded by Councilor Ellis that the following street, sanitary sewers and associated drainage utilities included in the River Point subdivision be accepted as official town roads.

<u>Street</u>	<u>Length</u>
Salvatore Ave	0.231 miles
Carmellas Circle	0.143 miles

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

Mr. Yager said the developer did not drop off the securities, as such, this motion will be tabled. This was tentative as written.

**MOTION TO ADOPT THE LOCAL LAW TO AMEND THE VEHICLE AND TRAFFIC
CODE RE STOP SIGNS INCLUDED IN RIVER POINTE SUBDIVISION**

RES#79/2017

Motion made by Councilor Moore seconded by Councilor Geraci to adopt the local law to amend the vehicle and traffic code to include the three stop signs included in the River Point Subdivisions for Salvatore Ave and Carmellas Circle.

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

All Ayes, motion carried and adopted

**MOTION TO WAIVE THE 30 DAY ADVANCE NOTICE
REQUIREMENT OF NYS ABC LAW FOR FIRESIDE INN, LLC'S NYS
ON PREMISE RETAIL LIQUOR LICENSE**

RES#80/2017

Motion made by Councilor Moore seconded by Councilor Ellis to waive the thirty day advanced notice requirement of the New York Alcoholic Beverage Control Law for Fireside Inn, LLC's New York State On-Premise Retail Liquor License.

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

All Ayes, motion carried and adopted

MOTION TO HIRE

RES#81/2017

Motion made by Councilor Ellis seconded by Councilor Moore to hire Casey Ostrander, Mark Kolakowski, and Bianca Valentino to the standing list of supplemental, on call, highway laborers per the 2017 union contract rate with a starting date of March 17, 2017.

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

All Ayes, motion carried and adopted

CITIZENS COMMENTS REGARDING TOWN RELATED BUSINESS:

Supervisor Saraceni stated that the public comment period should not be related to agenda items or personnel items, and if there is a personnel item to contact him directly.

Melinda Shimer of Elizabeth Street asked about the previous (Feb. 16th meeting) opting out of Section 487, and asked the Supervisor when the Board had the discussion about making the decision to opt out, as the Board unanimously opted out.

Supervisor Saraceni said the opt out is an option that is always available to the Town. He said the Board was working on the Solar law, and so discussions about solar in general were happening. Ms. Shimer interjected and asked when the Town came to the decision. She asked what the input was that brought the Town to that decision. **Supervisor Saraceni** said he had many discussions with Jamie Rodems of BCSD, and he received the School District's perspective on it, and it mirrored the town in that the Town should protect its tax base. Ms. Shimer asked what the disadvantage was. **Supervisor Saraceni** stated that the incentive was that commercial solar projects with whatever the results of the assessed value were would be taxed. She said there's as significance difference. He said for the Town not so much, for the School District yes. Ms. Shimer mentioned Geraci's feelings of tax exemptions. She said the incentive is to go green to renewable energy. She said the public didn't hear any discussion of it. **Supervisor Saraceni** said the Board made the final decision that night. He said he can't speak for the entire Board but his decision process was made over time. Ms. Shimer said she thinks citizens have a right to hear the decision making process.

Jeffrey Ting of Collington Pointe Way asked if the Collington Pointe public hearing is to remain open. **Supervisor Saraceni** said yes, and until the Town receives more information, notices will go out to the residents so that any interested parties can get information on the project. Mr. Ting noted that there were recently two accidents in that area and he was concerned about the speed limit on Patchett Road. Supervisor Saraceni said there are plans for a light at 370 and Hayes. He said they would find out if there is a speed study in coordination with the light.

Kevin Rode of Greymoor Way said that he attended the Planning Board meeting and they decided to give recommendation to not change THE Incentive Zone map. He asked what the timeline is for the Town Board and the decision process. **Supervisor Saraceni** stated that it will be on the next agenda. **Supervisor Saraceni** was notified that one key Board member who was passionate about it wasn't going to be at the meeting, or Councilor Diamond who is also absent, and a decision that important should have the full Town Board available to state its case. The Planning Board unanimously rejected it, and the Zoning Board vote was 3 to 1, per **Mr. Yager**.

Mr. Rode spoke regarding the opt out for the tax exemption, and asked if the exemption is only based on the increase of the assessment. **Ms. Golden** said the value attributed to the panels; that is exempted out for 15 years. Mr. Rode said that makes him question the School Board even more, as he doesn't know what they were protecting tax base wise.

Andy Reeves of Reeves Road said that on the 5th of February is when the Town Board discussion occurred regarding the opt out. The recordings were not on the website. Ms. Shimer said February 2nd and Jan. 19th work session recordings. **Ms. Falcone** told Mr. Reeves she would put them on the website.

Jamie Bodenlos of Afternoon Drive said she was thinking about installing solar panels, and since the tax exemption, she has not. She asked about the data for how many people [in Lysander] have solar panels. **Supervisor Saraceni** said he could get information about that. She said that would have factor into a decision. **Supervisor Saraceni** said that he learned that those who have solar panels won't be impacted by it. He said it is stated in Town Law. Ms. Bodenlos asked where the other two Councilors were as she had questions for them as well. **Supervisor Saraceni** said one was out of Town, and the other he didn't comment on. **Supervisor Saraceni** he has been talking with Kevin Nichols, and he gave her copies of data he had for her. He said this information is for residential solar, which might help with her decision making. He said this information directly relates to her comment. Supervisor Saraceni stated that the Board spent a lot of time on solar energy in the last year, and he said this is a typical solar project where 20 solar panels on a 5.8 kilowatt system installed on a roof, say the initial cost is \$19,140, the NYSERDA rebate comes in at \$2,320, which brings project cost down to \$16,820.00, and then you have estimated tax benefits from Federal and State, not including local, of \$5,046.00 federal and \$4,205 state, which brings the net cost of the project down to \$7,569, down from an original estimate of \$19,140. So there are some good incentives out there. He deferred to Theresa.

Assessor Theresa Golden stated that the average solar, as the Assessor's office looked at the numbers for assessment for the current solar cost was \$17K. That number includes all of the bigger commercial buildings in that they have a lot more panels on them. She said the typical value is about a third roughly of what it costs before the incentives. She said for example, if you are looking at \$18K, it is a third of that, which would be added to your value, so even though you are spending that money, it doesn't add a dollar for dollar value, and the exemption doesn't equate to a dollar for dollar.

Supervisor Saraceni said that the Town's tax rate is \$1.75 per thousand/\$10.50 a year. He said it goes back to the principal that everybody should pay taxes on improvements, whether it's a pool or a deck.

Councilor Moore said if \$10 a year is going to stop someone from putting solar panels on your roof, then he could say the same thing, why for \$10 is it going to stop you? There's always another side of the principal too, and one side is this: if there is a business out there that needs State, Federal and local tax relief to stay in business to make it operable, maybe we have to question that business a little bit, and that model might not be as efficient as we think it is.

Councilor Moore said we need to think of that. He said it might not be the golden parachute you think it is, maybe it is, but it's a lot deeper than that.

Ms. Bodenlos asked why then business is “booming” regarding solar. **Supervisor Saraceni** said the business is “booming” because of the Federal, [on a \$19K project] you get subsidies including the NYSEDA (we all pay NYSEDA) rebate and there are a lot of subsidies. He said at the local level residents of the Town of Lysander shouldn’t have to additionally subsidize solar panels whether they be residential or commercial.

Councilor Ellis said the Councilors spent a lot of time in New York City in classes regarding solar and what he heard was that solar panels are incredibly efficient in Arizona, New Mexico, Texas, and Georgia. In the Northeast United States they are ‘OK’ at best because of the climate and the amount of sun we see. He said we are trying to install solar panels that at best are just ‘OK’ and to subsidize that you are encouraging people to squeak out any energy you can with just an ‘OK’ level, and he doesn’t think he should be subsidizing solar panels on ‘your’ house.

Supervisor Saraceni said he thinks people will see more municipalities opt out.

Ms. Shimer came back to the microphone and added that the State has come up with this incentive for people to use green energy. She said that for ‘us’ to say “we know better” there are only two municipalities that opted out. She said VanBuren hasn’t opted out. BCSD and Cazenovia are the only School Districts in this area that have opted out. She doesn’t see the support for the Board’s reasoning, and she didn’t hear the input if there was any, and she didn’t hear facts. She said she needs the information and the support for the decision.

Mr. Reeves said that what Councilor Ellis said is correct, but we should allow for the increased solar panels. The whole (farming) industry is subsidized, and government subsidies exist everywhere. Subsidies are out there and they are out there for a reason, and not for negative reasons.

Jim Stirushnik of Dinglehole Road stated that he knew that Board members and the committee for Collington Pointe were going to have a meeting, and he asked if the meetings have occurred. **Supervisor Saraceni** said he met with the developer but the negotiating committee did not meet with the developer as of yet. Mr. Stirushnik referenced the Incentive Zoning map overlay, and was proud to see the action of the Planning Board, as it represented the best of the citizens working on behalf of the whole town. He also thinks the [Planning] Board should be reduced to five members.

Supervisor Saraceni thanked everyone for coming to the microphone. He said not to take the Board’s controls of comments as anything but trying to be efficient with receiving the information.

ANNOUNCEMENTS BY SUPERVISOR SARACENI

1. **Town Board Meeting:** Thursday, April 6, 2017, 7:00 pm, Work Session begins at 5:30 pm in the Auditorium.
2. **Town Board Meeting:** Thursday, April 20, 2017, 7:00 pm, Work Session begins at 5:30 pm in the Auditorium.
3. **Planning Board Meeting:** Thursday, April 13, 2017, 7:00 pm, in the Auditorium.
4. **Public Forum for Proposed Spray Park:** Friday, March 24, 2017, 5-7 pm, in the Auditorium, and Saturday, April 8, 2017 1-3 pm.

ADJOURNMENT

A motion was made by Councilor Moore and seconded by Councilor Ellis to adjourn the regular Town Board Meeting at 8:08 pm.

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

Dina Falcone, Town Clerk